

THE GENERAL ASSEMBLY OF PENNSYLVANIA

HOUSE BILL

No. 2074 Session of  
2009

INTRODUCED BY EVERETT, BAKER, BEYER, BOBACK, BOYD, CLYMER,  
CONKLIN, CUTLER, DAY, FAIRCHILD, FARRY, FLECK, GEIST,  
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READSHAW, REESE, REICHLEY, ROCK, SCAVELLO, SIPTROTH, SWANGER,  
TALLMAN, J. TAYLOR, TRUE AND VULAKOVICH, NOVEMBER 10, 2009

REFERRED TO COMMITTEE ON JUDICIARY, NOVEMBER 10, 2009

AN ACT

1 Amending Titles 18 (Crimes and Offenses) and 42 (Judiciary and  
2 Judicial Procedure) of the Pennsylvania Consolidated  
3 Statutes, in falsification and intimidation, further  
4 providing for failure to comply with registration of sexual  
5 offenders requirements; in registration of sexual offenders,  
6 defining "transient"; in registration of sexual offenders,  
7 further providing for registration, for registration  
8 procedures and applicability and for sentencing court  
9 information; in registration of sexual offenders, providing  
10 for registration of transients; and in registration of sexual  
11 offenders, further providing for victim notification, for  
12 other notification, for information made available on the  
13 Internet and for duties of the Pennsylvania State Police.

14 The General Assembly of the Commonwealth of Pennsylvania  
15 hereby enacts as follows:

16 Section 1. Section 4915(e)(3) of Title 18 of the  
17 Pennsylvania Consolidated Statutes is amended and the section is  
18 amended by adding subsections to read:

19 § 4915. Failure to comply with registration of sexual offenders  
20 requirements.

21 \* \* \*

1     (a.1) Transients.--An individual who is subject to  
2 registration as a transient under 42 Pa.C.S. § 9796.1 (relating  
3 to registration of transients) commits an offense if the  
4 individual knowingly fails to:

5             (1) register with the Pennsylvania State Police as  
6 required under 42 Pa.C.S. § 9796.1;

7             (2) provide the information set forth in 42 Pa.C.S. §  
8 9796.1;

9             (3) be photographed; or

10            (4) provide accurate information when complying with 42  
11 Pa.C.S. § 9796.1.

12     \* \* \*

13     (c.1) Grading for transient offenders.--

14            (1) Except as set forth in paragraph (2), an individual  
15 subject to registration under 42 Pa.C.S. § 9796.1 who commits  
16 a violation of subsection (a.1) commits a felony of the third  
17 degree.

18            (2) An individual subject to registration under 42  
19 Pa.C.S. § 9796.1 who commits a violation of subsection (a.1)  
20 and who has previously been convicted of an offense under  
21 subsection (a.1) or a similar offense commits a felony of the  
22 second degree.

23     \* \* \*

24     (e) Arrests for violation.--

25     \* \* \*

26            (3) Prior to admitting an individual arrested for a  
27 violation of this section to bail, the issuing authority  
28 shall require all of the following:

29                 (i) The individual must be fingerprinted and

30                 photographed in the manner required by 42 Pa.C.S. Ch. 97

Subch. H (relating to registration of sexual offenders).

(ii) The individual must provide the Pennsylvania State Police with all current or intended residences, all information concerning current or intended employment, including all employment locations, and all information concerning current or intended enrollment as a student. If the individual is a transient, the transient must provide the Pennsylvania State Police with the information required under 42 Pa.C.S. § 9796.1.

(iii) Law enforcement must make reasonable attempts to verify the information provided by the individual.

\* \* \*

Section 2. Section 9792 of Title 42 is amended by adding a definition to read:

§ 9792. Definitions.

The following words and phrases when used in this subchapter shall have the meanings given to them in this section unless the context clearly indicates otherwise:

\* \* \*

"Transient." An individual required to register under this subchapter who does not have a residence.

Section 3. Section 9795.1(a) and (b) of Title 42 are amended by adding paragraphs and the section is amended by adding a subsection to read:

§ 9795.1. Registration.

(a) Ten-year registration.--The following individuals shall be required to register with the Pennsylvania State Police for a period of ten years:

\* \* \*

(4) Individuals who have moved to this Commonwealth who

1 fail to maintain a residence who have been convicted of  
2 offenses similar to the crimes cited in paragraphs (1) and  
3 (2) under the laws of the United States or one of the  
4 territories or possessions, another state, the District of  
5 Columbia, the Commonwealth of Puerto Rico or a foreign nation  
6 or under a former law of this Commonwealth.

7 (b) Lifetime registration.--The following individuals shall  
8 be subject to lifetime registration:

9 \* \* \*

10 (5) Individuals who have moved to this Commonwealth who  
11 fail to maintain a residence who have been convicted of  
12 offenses similar to the crimes cited in paragraph (2) under  
13 the laws of the United States or one of the territories or  
14 possessions, another state, the District of Columbia, the  
15 Commonwealth of Puerto Rico or a foreign nation or under a  
16 former law of this Commonwealth.

17 \* \* \*

18 (d) Failure to maintain a residence.--The fact that an  
19 individual required to register under this subchapter does not  
20 have a residence shall not relieve the individual from the duty  
21 to register or any other duty imposed by this subchapter. Such  
22 an individual shall register as a transient in accordance with  
23 the provisions of this subchapter.

24 Section 4. Section 9795.2 of Title 42 is amended to read:

25 § 9795.2. Registration procedures and applicability.

26 (a) Registration.--

27 (1) Offenders and sexually violent predators shall be  
28 required to register with the Pennsylvania State Police upon  
29 release from incarceration, upon parole from a State or  
30 county correctional institution or upon the commencement of a

1 sentence of intermediate punishment or probation. For  
2 purposes of registration, offenders and sexually violent  
3 predators shall provide the Pennsylvania State Police with  
4 all current or intended residences, all information  
5 concerning current or intended employment and all information  
6 concerning current or intended enrollment as a student. In  
7 the event the offender or sexually violent predator does not  
8 have a residence, the offender or sexually violent predator  
9 shall, in addition to the other requirements of this  
10 subchapter, register with the Pennsylvania State Police as a  
11 transient.

12 (2) Offenders and sexually violent predators shall  
13 inform the Pennsylvania State Police within 48 hours of:

14 (i) Any change of residence or establishment of an  
15 additional residence or residences or, if the offender or  
16 sexually violent predator is a transient, the  
17 establishment of a residence.

18 (ii) Any change of employer or employment location  
19 for a period of time that will exceed 14 days or for an  
20 aggregate period of time that will exceed 30 days during  
21 any calendar year, or termination of employment.

22 (iii) Any change of institution or location at which  
23 the person is enrolled as a student, or termination of  
24 enrollment.

25 (iv) Becoming employed or enrolled as a student if  
26 the person has not previously provided that information  
27 to the Pennsylvania State Police.

28 (v) Becoming a transient. In addition to the other  
29 requirements of this subchapter, the transient shall  
30 comply with the provisions of section 9796.1 (relating to

1       registration of transients).

2       (2.1) Registration with a new law enforcement agency  
3 shall occur no later than 48 hours after establishing  
4 residence in another state or of moving to another state but  
5 failing to maintain a residence.

6       (3) The ten-year registration period required in section  
7 9795.1(a) (relating to registration) shall be tolled when an  
8 offender is recommitted for a parole violation or sentenced  
9 to an additional term of imprisonment. In such cases, the  
10 Department of Corrections or county correctional facility  
11 shall notify the Pennsylvania State Police of the admission  
12 of the offender.

13       (4) This paragraph shall apply to all offenders and  
14 sexually violent predators:

15           (i) Where the offender or sexually violent predator  
16 was granted parole by the Pennsylvania Board of Probation  
17 and Parole or the court or is sentenced to probation or  
18 intermediate punishment, the board or county office of  
19 probation and parole shall collect registration  
20 information from the offender or sexually violent  
21 predator and forward that registration information to the  
22 Pennsylvania State Police. The Department of Corrections  
23 or county correctional facility shall not release the  
24 offender or sexually violent predator until it receives  
25 verification from the Pennsylvania State Police that it  
26 has received the registration information. Verification  
27 by the Pennsylvania State Police may occur by electronic  
28 means, including e-mail or facsimile transmission. Where  
29 the offender or sexually violent predator is scheduled to  
30 be released from a State correctional facility or county

1 correctional facility because of the expiration of the  
2 maximum term of incarceration, the Department of  
3 Corrections or county correctional facility shall collect  
4 the information from the offender or sexually violent  
5 predator no later than ten days prior to the maximum  
6 expiration date. The registration information shall be  
7 forwarded to the Pennsylvania State Police.

8 (ii) Where the offender or sexually violent predator  
9 scheduled to be released from a State correctional  
10 facility or county correctional facility due to the  
11 maximum expiration date refuses to provide the  
12 registration information, the Department of Corrections  
13 or county correctional facility shall notify the  
14 Pennsylvania State Police or police department with  
15 jurisdiction over the facility of the failure to provide  
16 registration information and of the expected date, time  
17 and location of the release of the offender or sexually  
18 violent predator.

19 (b) Individuals convicted or sentenced by a court or  
20 adjudicated delinquent in jurisdictions outside this  
21 Commonwealth or sentenced by court martial.--

22 (4) An individual who resides, is a transient, is  
23 employed or is a student in this Commonwealth and who has  
24 been convicted of or sentenced by a court or court martialled  
25 for a sexually violent offense or a similar offense under the  
26 laws of the United States or one of its territories or  
27 possessions, another state, the District of Columbia, the  
28 Commonwealth of Puerto Rico or a foreign nation, or who was  
29 required to register under a sexual offender statute in the  
30 jurisdiction where convicted, sentenced or court martialled,

1 shall register at an approved registration site within 48  
2 hours of the individual's arrival in this Commonwealth. The  
3 provisions of this subchapter shall apply to the individual  
4 as follows:

5 (i) If the individual has been classified as a  
6 sexually violent predator as defined in section 9792  
7 (relating to definitions) or determined under the laws of  
8 the other jurisdiction or by reason of court martial to  
9 be subject to active notification and lifetime  
10 registration on the basis of a statutorily authorized  
11 administrative or judicial decision or on the basis of a  
12 statute or administrative rule requiring active  
13 notification and lifetime registration based solely on  
14 the offense for which the individual was convicted,  
15 sentenced or court martialed, the individual shall,  
16 notwithstanding section 9792, be considered a sexually  
17 violent predator and subject to lifetime registration  
18 pursuant to section 9795.1(b) (relating to registration).  
19 The individual shall also be subject to the provisions of  
20 this section and sections 9796 (relating to verification  
21 of residence), 9798 (relating to other notification) and  
22 9798.1(c)(1) (relating to information made available on  
23 the Internet), except that the individual shall not be  
24 required to receive counseling unless required to do so  
25 by the other jurisdiction or by reason of court martial.

26 (ii) Except as provided in subparagraphs (i) and  
27 (iv), if the individual has been convicted or sentenced  
28 by a court or court martialed for an offense listed in  
29 section 9795.1(b) or an equivalent offense, the  
30 individual shall, notwithstanding section 9792, be



1 considered an offender and be subject to lifetime  
2 registration pursuant to 9795.1(b). The individual shall  
3 also be subject to the provisions of this section and  
4 sections 9796 and 9798.1(c)(2).

5 (iii) Except as provided in subparagraphs (i), (ii),  
6 (iv) and (v), if the individual has been convicted or  
7 sentenced by a court or court martial for an offense  
8 listed in section 9795.1(a) or an equivalent offense, the  
9 individual shall be, notwithstanding section 9792,  
10 considered an offender and subject to registration  
11 pursuant to this subchapter. The individual shall also be  
12 subject to the provisions of this section and sections  
13 9796 and 9798.1(c)(2). The individual shall be subject to  
14 this subchapter for a period of ten years or for a period  
15 of time equal to the time for which the individual was  
16 required to register in the other jurisdiction or  
17 required to register by reason of court martial,  
18 whichever is greater, less any credit due to the  
19 individual as a result of prior compliance with  
20 registration requirements.

21 (iv) Except as provided in subparagraph (i) and  
22 notwithstanding subparagraph (v), if the individual is  
23 subject to active notification in the other jurisdiction  
24 or subject to active notification by reason of court  
25 martial, the individual shall, notwithstanding section  
26 9792, be considered an offender and subject to this  
27 section and sections 9796, 9798 and 9798.1(c)(1). If the  
28 individual was convicted of or sentenced in the other  
29 jurisdiction or sentenced by court martial for an offense  
30 listed in section 9795.1(b) or an equivalent offense, the

1 individual shall be subject to this subchapter for the  
2 individual's lifetime. If the individual was convicted of  
3 or sentenced in the other jurisdiction or sentenced by  
4 court martial for an offense listed in section 9795.1(a)  
5 or an equivalent offense, the individual shall be subject  
6 to this subchapter for a period of ten years or for a  
7 period of time equal to the time for which the individual  
8 was required to register in the other jurisdiction or  
9 required to register by reason of court martial,  
10 whichever is greater, less any credit due to the  
11 individual as a result of prior compliance with  
12 registration requirements. Otherwise, the individual  
13 shall be subject to this subchapter for a period of time  
14 equal to the time for which the individual was required  
15 to register in the other jurisdiction or required to  
16 register by reason of court martial, less any credit due  
17 to the individual as a result of prior compliance with  
18 registration requirements.

19 (v) Except as provided in subparagraphs (i), (ii),  
20 (iii) and (iv), if the individual is subject to passive  
21 notification in the other jurisdiction or subject to  
22 passive notification by reason of court martial, the  
23 individual shall, notwithstanding section 9792, be  
24 considered an offender and subject to this section and  
25 sections 9796 and 9798.1(c)(2). The individual shall be  
26 subject to this subchapter for a period of time equal to  
27 the time for which the individual was required to  
28 register in the other jurisdiction or required to  
29 register by reason of court martial, less any credit due  
30 to the individual as a result of prior compliance with

1 registration requirements.

2 (5) Notwithstanding the provisions of Chapter 63  
3 (relating to juvenile matters) and except as provided in  
4 paragraph (4), an individual who resides, is a transient, is  
5 employed or is a student in this Commonwealth and who is  
6 required to register as a sex offender under the laws of the  
7 United States or one of its territories or possessions,  
8 another state, the District of Columbia, the Commonwealth of  
9 Puerto Rico or a foreign nation as a result of a juvenile  
10 adjudication shall register at an approved registration site  
11 within 48 hours of the individual's arrival in this  
12 Commonwealth. The provisions of this subchapter shall apply  
13 to the individual as follows:

14 (i) If the individual has been classified as a  
15 sexually violent predator as defined in section 9792 or  
16 determined under the laws of the other jurisdiction to be  
17 subject to active notification and lifetime registration  
18 on the basis of a statutorily authorized administrative  
19 or judicial decision or on the basis of a statute or  
20 administrative rule requiring active notification and  
21 lifetime registration based solely on the offense for  
22 which the individual was adjudicated, the individual  
23 shall, notwithstanding section 9792, be considered a  
24 sexually violent predator and subject to lifetime  
25 registration pursuant to section 9795.1(b). The  
26 individual shall also be subject to the provisions of  
27 this section and sections 9796 and 9798.1(c)(1), except  
28 that the individual shall not be required to receive  
29 counseling unless required to do so by the other  
30 jurisdiction.

1           (ii) Except as provided in subparagraph (i), if the  
2 individual is subject to active notification in the other  
3 jurisdiction, the individual shall, notwithstanding  
4 section 9792, be considered an offender and subject to  
5 registration pursuant to this subchapter. The individual  
6 shall also be subject to the provisions of this section  
7 and sections 9796, 9798 and 9798.1(c)(1). The individual  
8 shall be subject to this subchapter for a period of time  
9 equal to the time for which the individual was required  
10 to register in the other jurisdiction, less any credit  
11 due to the individual as a result of prior compliance  
12 with registration requirements.

13           (iii) Except as provided in subparagraphs (i) and  
14 (ii), if the individual is subject to passive  
15 notification in the other jurisdiction, the individual  
16 shall, notwithstanding section 9792, be considered an  
17 offender and be subject to this section and sections 9796  
18 and 9798.1(c)(2). The individual shall be subject to this  
19 subchapter for a period of time equal to the time for  
20 which the individual was required to register in the  
21 other jurisdiction, less any credit due to the individual  
22 as a result of prior registration compliance.

23 (c) Registration information to local police.--

24           (1) The Pennsylvania State Police shall provide the  
25 information obtained under this section and sections 9795.3  
26 (relating to sentencing court information) and 9796 (relating  
27 to verification of residence) to the chief law enforcement  
28 officers of the police departments of the municipalities in  
29 which the individual will reside, be employed or enrolled as  
30 a student. In addition, the Pennsylvania State Police shall

1 provide this officer with the address at which the individual  
2 will reside, be employed or enrolled as a student following  
3 his release from incarceration, parole or probation. If the  
4 individual is a transient, the Pennsylvania State Police  
5 shall provide information obtained under section 9796.1 to  
6 the chief law enforcement officers of the police departments  
7 of the appropriate municipalities.

8 (2) The Pennsylvania State Police shall provide notice  
9 to the chief law enforcement officers of the police  
10 departments of the municipalities notified pursuant to  
11 paragraph (1) when an individual fails to comply with the  
12 registration requirements of this section [or], section 9796  
13 or section 9796.1 and request, as appropriate, that these  
14 police departments assist in locating and apprehending the  
15 individual.

16 (3) The Pennsylvania State Police shall provide notice  
17 to the chief law enforcement officers of the police  
18 departments of the municipalities notified pursuant to  
19 paragraph (1) when they are in receipt of information  
20 indicating that the individual is no longer a transient or  
21 will no longer reside, be employed or be enrolled as a  
22 student in the municipality.

23 (d) Penalty.--An individual subject to registration under  
24 section 9795.1(a) or (b) who fails to register with the  
25 Pennsylvania State Police as required by this section may be  
26 subject to prosecution under 18 Pa.C.S. § 4915 (relating to  
27 failure to comply with registration of sexual offenders  
28 requirements).

29 (d.1) Transients.--An offender or a sexually violent  
30 predator or other individual required to register under this

1 subchapter who is a transient who fails to register with the  
2 Pennsylvania State Police as required by this section may be  
3 subject to prosecution under 18 Pa.C.S. 4915 (relating to  
4 failure to comply with registration of sexual offender  
5 requirements).

6 (e) Registration sites.--The following apply:

7 (1) An individual subject to section 9795.1 shall  
8 register and submit to fingerprinting and photographing as  
9 required by this subchapter at approved registration sites.

10 (2) An offender or sexually violent predator or other  
11 individual required to register under this subchapter who is  
12 subject to registration as a transient shall register in  
13 accordance with section 9796.1 and submit to fingerprinting  
14 and photographing at approved registration sites.

15 Section 5. Section 9795.3(5) of Title 42 is amended and the  
16 section is amended by adding a paragraph to read:

17 § 9795.3. Sentencing court information.

18 The sentencing court shall inform offenders and sexually  
19 violent predators at the time of sentencing of the provisions of  
20 this subchapter. The court shall:

21 \* \* \*

22 (2.2) Specifically inform the offender or sexually  
23 violent predator of the duty to register and to provide the  
24 information required as a transient, if the offender or  
25 sexually violent predator fails to maintain a residence.

26 \* \* \*

27 (5) Specifically inform the offender or sexually violent  
28 predator of the duty to register with the appropriate  
29 authorities in any state in which the offender or sexually  
30 violent predator is a transient, is employed, carries on a

1 vocation or is a student if the state requires such  
2 registration.

3 \* \* \*

4 Section 6. Title 42 is amended by adding a section to read:

5 § 9796.1. Registration of transients.

6 (a) General rule.--An offender or sexually violent predator  
7 or other individual required to register under this subchapter  
8 who does not have a residence shall register with the  
9 Pennsylvania State Police as a transient.

10 (b) Frequency of registration.--A transient shall appear  
11 every 30 days at an approved registration site to register as a  
12 transient, to complete a verification form and to be  
13 photographed. The transient shall provide the following:

14 (1) Places the transient sleeps, including a homeless  
15 shelter or other temporary habitat. In addition, the  
16 transient shall provide a list of places the transient eats,  
17 frequents and engages in leisure activities, and any planned  
18 destination, including those outside this Commonwealth. If  
19 the transient changes or adds to the places listed under this  
20 paragraph during a 30-day period, the transient shall list  
21 these when re-registering as a transient during the next 30-  
22 day period.

23 (2) Where the transient receives mail, including a post  
24 office box.

25 (3) If the transient is also a sexually violent  
26 predator, compliance with counseling as provided in section  
27 9799.4 (relating to counseling of sexually violent  
28 predators).

29 (c) Duration of registration requirement.--The duty to  
30 register at an approved registration site every 30 days shall

1 apply until the transient establishes a residence. In the event  
2 the transient establishes a residence, the requirements of  
3 registering under section 9796 (relating to verification of  
4 residence) shall apply.

5 (d) Failure to register as a transient.--Where a transient  
6 fails to comply with the provisions of this section, the  
7 Pennsylvania State Police shall immediately notify the municipal  
8 police department of the transient's last known habitat. The  
9 local municipal police shall locate the transient and arrest the  
10 transient for violating this section. The Pennsylvania State  
11 Police shall assume responsibility for locating and arresting  
12 the transient in jurisdictions where no municipal police  
13 jurisdiction exists. The Pennsylvania State Police shall assist  
14 any municipal police department requesting assistance with  
15 locating and arresting a transient who fails to comply with the  
16 provisions of this section.

17 Section 7. Section 9797, 9798(a)(1) and (c), 9798.1(c) and  
18 9799.1(2) and (4) of Title 42 are amended to read:

19 § 9797. Victim notification.

20 (a) Duty to inform victim.--

21 (1) Where the individual is determined to be a sexually  
22 violent predator by a court under section 9795.4 (relating to  
23 assessments), the local municipal police department or the  
24 Pennsylvania State Police where no municipal police  
25 jurisdiction exists shall give written notice to the sexually  
26 violent predator's victim when the sexually violent predator  
27 registers initially and when he notifies the Pennsylvania  
28 State Police of any change of residence or if the sexually  
29 violent predator registers as a transient. This notice shall  
30 be given within 72 hours after the sexually violent predator



1 registers or notifies the Pennsylvania State Police of a  
2 change of address or registers as a transient. The notice  
3 shall contain the sexually violent predator's name and the  
4 address or addresses where he resides. If the sexually  
5 violent predator registers as a transient, the Pennsylvania  
6 State Police shall provide the information in section  
7 9796.1(b)(1) (relating to registration of transient).

8 (2) A victim may terminate the duty to inform set forth  
9 in paragraph (1) by providing the local municipal police  
10 department or the Pennsylvania State Police where no local  
11 municipal police department exists with a written statement  
12 releasing that agency from the duty to comply with this  
13 section as it pertains to that victim.

14 (b) Where an individual is not determined to be a sexually  
15 violent predator.--Where an individual is not determined to be a  
16 sexually violent predator by a court under section 9795.4, the  
17 victim shall be notified in accordance with section 201 of the  
18 act of November 24, 1998 (P.L.882, No.111), known as the Crime  
19 Victims Act. This subsection includes the circumstance of an  
20 offender registering as a transient.

21 § 9798. Other notification.

22 (a) Notice by municipality's chief law enforcement  
23 officer.--Notwithstanding any of the provisions of 18 Pa.C.S.  
24 Ch. 91 (relating to criminal history record information), the  
25 chief law enforcement officer of the full-time or part-time  
26 police department of the municipality where a sexually violent  
27 predator lives shall be responsible for providing written notice  
28 as required under this section.

29 (1) The notice shall contain:

30 (i) The name of the convicted sexually violent

1 predator.

2 (ii) The address or addresses at which he resides.

3 If, however, the sexually violent predator registers as a  
4 transient, written notice under this subparagraph shall  
5 be limited to that set forth in section 9796.1(b)(2)  
6 (relating to registration of transients).

7 (iii) The offense for which he was convicted,  
8 sentenced by a court, adjudicated delinquent or court  
9 martialled.

10 (iv) A statement that he has been determined by  
11 court order to be a sexually violent predator, which  
12 determination has or has not been terminated as of a date  
13 certain.

14 (v) A photograph of the sexually violent predator,  
15 if available.

16 \* \* \*

17 (c) Urgency of notification.--The municipal police  
18 department's chief law enforcement officer shall provide notice  
19 within the following time frames:

20 (1) To neighbors, notice shall be provided within five  
21 days after information of the sexually violent predator's  
22 release date and residence has been received by the chief law  
23 enforcement officer. If the sexually violent predator  
24 registers as a transient, notice shall be provided within  
25 five days after information of the transient's release date  
26 and information under section 9796.1 have been received by  
27 the chief law enforcement officer. Notwithstanding the  
28 provisions of subsections (a) and (b), verbal notification  
29 may be used if written notification would delay meeting this  
30 time requirement.

(2) To the persons specified in subsection (b) (2), (3), (4) and (5), notice shall be provided within seven days after the chief law enforcement officer receives information regarding the sexually violent predator's release date and residence. If the sexually violent predator registers as a transient, notice shall be provided within seven days after the chief law enforcement officer receives information regarding the transient's release date and the information required under section 9796.1.

\* \* \*

§ 9798.1. Information made available on the Internet.

\* \* \*

(c) Information permitted to be disclosed regarding individuals.--Notwithstanding 18 Pa.C.S. Ch. 91 (relating to criminal history record information), the Internet website shall contain the following information on each individual:

(1) For sexually violent predators, the following information shall be posted on the Internet website:

(i) name and all known aliases;

(ii) year of birth;

(iii) the street address, municipality, county and zip code of all residences, including, where applicable, the name of the prison or other place of confinement;

(iv) the street address, municipality, county, zip code and name of any institution or location at which the person is enrolled as a student;

(v) the municipality, county and zip code of any employment location;

(vi) a photograph of the offender, which shall be updated not less than annually;

1           (vii) a physical description of the offender,  
2 including sex, height, weight, eye color, hair color and  
3 race;

4           (viii) any identifying marks, including scars,  
5 birthmarks and tattoos;

6           (ix) the license plate number and description of any  
7 vehicle owned or registered to the offender;

8           (x) whether the offender is currently compliant with  
9 registration requirements;

10          (xi) whether the victim is a minor;

11          (xii) a description of the offense or offenses which  
12 triggered the application of this subchapter; [and]

13          (xiii) the date of the offense and conviction, if  
14 available; and

15          (xiv) whether the sexually violent predator is  
16 registered as a transient. If the sexually violent  
17 predator is registered as a transient, the information in  
18 section 9796.1(b)(2) (relating to registration of  
19 transients) shall be provided in addition to the  
20 information set forth in subsection (c)(1).

21          (2) For all other lifetime registrants and offenders  
22 subject to registration, the information set forth in  
23 paragraph (1) shall be posted on the Internet website. If the  
24 lifetime registrant or offender is registered as a transient,  
25 the information provided in section 9796.1(b)(2) shall be  
26 provided in addition to the information set forth in  
27 subsection (c)(1).

28          \* \* \*

29   § 9799.1. Duties of Pennsylvania State Police.

30          The Pennsylvania State Police shall:

1           \* \* \*

2           (2) In consultation with the Department of Corrections,  
3 the Office of Attorney General, the Pennsylvania Board of  
4 Probation and Parole and the chairman and the minority  
5 chairman of the Judiciary Committee of the Senate and the  
6 chairman and the minority chairman of the Judiciary Committee  
7 of the House of Representatives, promulgate guidelines  
8 necessary for the general administration of this subchapter.  
9 These guidelines shall establish procedures to allow an  
10 individual subject to the requirements of sections 9795.1  
11 (relating to registration) [and], 9796 (relating to  
12 verification of residence) and 9796.1 (relating to  
13 registration of transients) to fulfill these requirements at  
14 approved registration sites throughout this Commonwealth. The  
15 Pennsylvania State Police shall publish a list of approved  
16 registration sites in the Pennsylvania Bulletin and provide a  
17 list of approved registration sites in any notices sent to  
18 individuals required to register under section 9795.1. An  
19 approved registration site shall be capable of submitting  
20 fingerprints, photographs and any other information required  
21 electronically to the Pennsylvania State Police. The  
22 Pennsylvania State Police shall require that approved  
23 registration sites submit fingerprints utilizing the  
24 Integrated Automated Fingerprint Identification System or in  
25 another manner and in such form as the Pennsylvania State  
26 Police shall require. The Pennsylvania State Police shall  
27 require that approved registration sites submit photographs  
28 utilizing the Commonwealth Photo Imaging Network or in  
29 another manner and in such form as the Pennsylvania State  
30 Police shall require. Approved registration sites shall not

1 be limited to sites managed by the Pennsylvania State Police  
2 and shall include sites managed by local law enforcement  
3 agencies that meet the criteria for approved registration  
4 sites set forth in this paragraph.

5 \* \* \*

6 (4) Notify, within five days of receiving the offender's  
7 or the sexually violent predator's registration, the chief  
8 law enforcement officers of the police departments having  
9 primary jurisdiction of the municipalities in which an  
10 offender or sexually violent predator is registered as a  
11 transient, resides, is employed or enrolled as a student of  
12 the fact that the offender or sexually violent predator has  
13 been registered with the Pennsylvania State Police pursuant  
14 to sections 9795.2 (relating to registration procedures and  
15 applicability) [and] 9796 [(relating to verification of  
16 residence)] or section 9796.1.

17 \* \* \*

18 Section 8. This act shall take effect in 60 days.