

THE GENERAL ASSEMBLY OF PENNSYLVANIA

HOUSE BILL

No. 75 Session of 2011

INTRODUCED BY MARSICO, CALTAGIRONE, BAKER, BARRAR, BOYD, B. BOYLE, CHRISTIANA, DeLUCA, DePASQUALE, EVERETT, FABRIZIO, GABLER, GEIST, GINGRICH, GOODMAN, GRELL, GROVE, HARRIS, HICKERNELL, HORNAMAN, HUTCHINSON, KAUFFMAN, M. K. KELLER, KILLION, KOTIK, LONGIETTI, MATZIE, MILLER, OBERLANDER, PAYNE, PICKETT, PYLE, QUINN, READSHAW, SACCONI, SAYLOR, SCAVELLO, K. SMITH, SONNEY, STEPHENS, STEVENSON, STURLA, SWANGER, TOEPEL, VULAKOVICH, WATSON, YOUNGBLOOD, BOBACK, KORTZ, REICHLEY, HESS, HELM, CAUSER, SANTARSIERO, CLYMER, GILLESPIE, DAVIS, MAJOR, TOOHL, VEREB, GILLEN, KAVULICH, FARRY, MARSHALL, BROOKS, BARBIN AND MILNE, JANUARY 19, 2011

SENATOR CORMAN, APPROPRIATIONS, IN SENATE, RE-REPORTED AS AMENDED, JUNE 18, 2012

AN ACT

1 ~~Amending Title 42 (Judiciary and Judicial Procedure) of the~~ ←
 2 ~~Pennsylvania Consolidated Statutes, further providing for~~
 3 ~~sentence for failure to comply with registration of sexual~~
 4 ~~offenders.~~
 5 AMENDING TITLES 18 (CRIMES AND OFFENSES) AND 42 (JUDICIARY AND ←
 6 JUDICIAL PROCEDURE) OF THE PENNSYLVANIA CONSOLIDATED
 7 STATUTES, MAKING CHANGES NECESSARY FOR THE ADMINISTRATION AND
 8 IMPLEMENTATION OF THE ACT OF DECEMBER 20, 2011 (P.L.446,
 9 NO.111), ENTITLED "AN ACT AMENDING TITLES 18 (CRIMES AND
 10 OFFENSES), 23 (DOMESTIC RELATIONS), 42 (JUDICIARY AND
 11 JUDICIAL PROCEDURE), 44 (LAW AND JUSTICE) AND 61 (PRISONS AND
 12 PAROLE) OF THE PENNSYLVANIA CONSOLIDATED STATUTES,
 13 EXTENSIVELY REVISING PROVISIONS RELATING TO REGISTRATION OF
 14 SEXUAL OFFENDERS PURSUANT TO FEDERAL MANDATE; AND MAKING
 15 EDITORIAL CHANGES," IN THE AREAS OF PERJURY AND FALSIFICATION
 16 IN OFFICIAL MATTERS, DISSEMINATION OF CRIMINAL HISTORY RECORD
 17 INFORMATION, DISPOSITION OF CHILDREN GENERALLY, COURT-ORDERED
 18 INVOLUNTARY TREATMENT OF CERTAIN SEXUALLY VIOLENT PERSONS AND
 19 REGISTRATION OF SEXUAL OFFENDERS; AND, IN JUVENILE MATTERS, ←
 20 FURTHER PROVIDING FOR DEFINITIONS AND FOR DISPOSITION OF
 21 DEPENDENT CHILD.

1 The General Assembly of the Commonwealth of Pennsylvania
2 hereby enacts as follows:

3 ~~Section 1. Section 9718.3(a) of Title 42 of the Pennsylvania~~ ←
4 ~~Consolidated Statutes is amended and the section is amended by~~
5 ~~adding a subsection to read:~~

6 ~~§ 9718.3. Sentence for failure to comply with registration of~~
7 ~~sexual offenders.~~

8 ~~(a) Mandatory sentence. Mandatory sentencing shall be as~~
9 ~~follows:~~

10 ~~(1) Sentencing upon conviction for a first offense shall~~
11 ~~be as follows:~~

12 ~~(i) Not less than two years for an individual who:~~

13 ~~(A) was subject to section 9795.1(a) (relating~~
14 ~~to registration) or a similar provision from another~~
15 ~~jurisdiction or former section 9793 (relating to~~
16 ~~registration of certain offenders for ten years); and~~

17 ~~(B) violated 18 Pa.C.S. § 4915(a) (1) or (2)~~
18 ~~(relating to failure to comply with registration of~~
19 ~~sexual offenders requirements).~~

20 ~~(ii) Not less than three years for an individual~~
21 ~~who:~~

22 ~~(A) was subject to section 9795.1(a) or a~~
23 ~~similar provision from another jurisdiction or former~~
24 ~~section 9793; and~~

25 ~~(B) violated 18 Pa.C.S. § 4915(a) (3).~~

26 ~~(iii) Not less than three years for an individual~~
27 ~~who:~~

28 ~~(A) was subject to section 9795.1(b) or a~~
29 ~~similar provision from another jurisdiction; and~~

30 ~~(B) violated 18 Pa.C.S. § 4915(a) (1) or (2).~~

1 ~~(iv) Not less than five years for an individual who:~~

2 ~~(A) was subject to section 9795.1(b) or a~~
3 ~~similar provision from another jurisdiction; and~~

4 ~~(B) violated 18 Pa.C.S. § 4915(a)(3).~~

5 ~~(2) Sentencing upon conviction for a second or~~
6 ~~subsequent offense shall be as follows:~~

7 ~~(i) Not less than five years for an individual who:~~

8 ~~(A) was subject to section 9795.1 or a similar~~
9 ~~provision from another jurisdiction or former section~~
10 ~~9793; and~~

11 ~~(B) violated 18 Pa.C.S. § 4915(a)(1) or (2).~~

12 ~~(ii) Not less than seven years for an individual~~
13 ~~who:~~

14 ~~(A) was subject to section 9795.1 or a similar~~
15 ~~provision from another jurisdiction or former section~~
16 ~~9793; and~~

17 ~~(B) violated 18 Pa.C.S. § 4915(a)(3).~~

18 ~~(a.1) Transients and mandatory sentence. Mandatory~~
19 ~~sentencing shall be as follows for an individual subject to~~
20 ~~registration as a transient under section 9796.1 (relating to~~
21 ~~registration of transients):~~

22 ~~(1) Sentencing upon conviction for a first offense shall~~
23 ~~be not less than two years for an individual who:~~

24 ~~(i) was subject to section 9796.1 or a similar~~
25 ~~provision from another jurisdiction; and~~

26 ~~(ii) violated 18 Pa.C.S. § 4915(a.1).~~

27 ~~(2) Sentencing upon conviction for a second or~~
28 ~~subsequent offense shall be not less than five years for an~~
29 ~~individual who:~~

30 ~~(i) was subject to section 9796.1 or a similar~~

1 ~~provision from another jurisdiction; and~~
2 ~~(ii) violated 18 Pa.C.S. § 4915(a.1).~~

3 * * *

4 ~~Section 2. The amendment or addition of 42 Pa.C.S. §~~
5 ~~9718.3(a) and (a.1) shall apply to individuals convicted after~~
6 ~~the effective date of this section.~~

7 ~~Section 3. This act shall take effect in 60 days.~~

8 SECTION 1. SECTIONS 4915(D) AND (G) AND 4915.1(B) AND (C.1) ←
9 OF TITLE 18 OF THE PENNSYLVANIA CONSOLIDATED STATUTES, AMENDED
10 OR ADDED DECEMBER 20, 2011 (P.L.446, NO.111), ARE AMENDED TO
11 READ:

12 § 4915. FAILURE TO COMPLY WITH REGISTRATION OF SEXUAL OFFENDERS
13 REQUIREMENTS.

14 * * *

15 (D) EFFECT OF NOTICE.--NEITHER FAILURE ON THE PART OF THE
16 PENNSYLVANIA STATE POLICE TO SEND NOR FAILURE OF A SEXUALLY
17 VIOLENT PREDATOR OR OFFENDER TO RECEIVE ANY NOTICE OR
18 INFORMATION PURSUANT TO 42 PA.C.S. § 9796(A.1) [OR] (B.1) OR
19 (B.3) SHALL BE A DEFENSE TO A PROSECUTION COMMENCED AGAINST AN
20 INDIVIDUAL ARISING FROM A VIOLATION OF THIS SECTION. THE
21 PROVISIONS OF 42 PA.C.S. § 9796(A.1) [AND] (B.1) OR (B.3) ARE
22 NOT AN ELEMENT OF AN OFFENSE UNDER THIS SECTION.

23 * * *

24 (G) EXPIRATION.--THIS SECTION SHALL EXPIRE [ONE YEAR AFTER
25 THE EFFECTIVE DATE OF THIS SUBSECTION] DECEMBER 20, 2012.

26 § 4915.1. FAILURE TO COMPLY WITH REGISTRATION REQUIREMENTS.

27 * * *

28 (B) GRADING FOR SEXUAL OFFENDERS WHO MUST REGISTER FOR 15
29 YEARS OR WHO ARE REQUIRED TO REGISTER IN ANOTHER JURISDICTION OR ←
30 FOREIGN COUNTRY BASED UPON A NONSEXUALLY VIOLENT OFFENSE MUST ←

1 REGISTER PURSUANT TO 42 PA.C.S. § 9799.13(7.1).--

2 (1) EXCEPT AS SET FORTH IN PARAGRAPH (3), AN INDIVIDUAL
3 [SUBJECT TO REGISTRATION UNDER 42 PA.C.S. § 9799.13 AND
4 REQUIRED TO REGISTER FOR A PERIOD OF 15 YEARS] WHO COMMITS A
5 VIOLATION OF SUBSECTION (A) (1) OR (2) COMMITS A FELONY OF THE
6 THIRD DEGREE.

7 (2) AN INDIVIDUAL [SUBJECT TO REGISTRATION UNDER 42
8 PA.C.S. § 9799.13 AND REQUIRED TO REGISTER FOR A PERIOD OF 15
9 YEARS] WHO COMMITS A VIOLATION OF SUBSECTION (A) (1) OR (2)
10 AND WHO HAS PREVIOUSLY BEEN CONVICTED OF AN OFFENSE UNDER
11 SUBSECTION (A) (1) OR (2) OR (A.1) (1) OR (2) OR A SIMILAR
12 OFFENSE COMMITS A FELONY OF THE SECOND DEGREE.

13 (3) AN INDIVIDUAL [SUBJECT TO REGISTRATION UNDER 42
14 PA.C.S. § 9799.13 AND REQUIRED TO REGISTER FOR A PERIOD OF 15
15 YEARS] WHO VIOLATES SUBSECTION (A) (3) COMMITS A FELONY OF THE
16 SECOND DEGREE.

17 (4) FOR THE PURPOSES OF THIS SUBSECTION, AN INDIVIDUAL
18 SHALL MEAN AN INDIVIDUAL THAT MEETS ANY OF THE FOLLOWING:

19 (I) IS SUBJECT TO REGISTRATION UNDER 42 PA.C.S. §
20 9799.13 AND IS REQUIRED TO REGISTER FOR A PERIOD OF 15
21 YEARS.

22 (II) IS SUBJECT TO REGISTRATION UNDER 42 PA.C.S. §
23 9799.13(7.1).

24 * * *

25 (C.1) GRADING FOR SEXUAL OFFENDERS WHO ARE TRANSIENTS WHO
26 MUST REGISTER FOR 15 YEARS.--

27 (1) EXCEPT AS SET FORTH IN PARAGRAPH (2) OR (3), AN
28 INDIVIDUAL [SUBJECT TO REGISTRATION UNDER 42 PA.C.S. §
29 9799.13 WHO IS A TRANSIENT WHO MUST REGISTER FOR 15 YEARS]
30 COMMITS A FELONY OF THE THIRD DEGREE IF THE INDIVIDUAL

1 VIOLATES SUBSECTION (A.1) (1) OR (2) .

2 (2) AN INDIVIDUAL [SUBJECT TO REGISTRATION UNDER 42
3 PA.C.S. § 9799.13 WHO IS A TRANSIENT WHO MUST REGISTER FOR 15
4 YEARS] COMMITS A FELONY OF THE SECOND DEGREE IF THE
5 INDIVIDUAL VIOLATES SUBSECTION (A.1) (3) .

6 (3) AN INDIVIDUAL [SUBJECT TO REGISTRATION UNDER 42
7 PA.C.S. § 9799.13 WHO IS A TRANSIENT WHO MUST REGISTER FOR A
8 PERIOD OF 15 YEARS] COMMITS A FELONY OF THE SECOND DEGREE IF
9 THE INDIVIDUAL VIOLATES SUBSECTION (A.1) (1) OR (2) AND HAS
10 BEEN PREVIOUSLY CONVICTED OF AN OFFENSE UNDER SUBSECTION (A)
11 (1) OR (2) OR (A.1) (1) OR (2) OR A SIMILAR OFFENSE.

12 (4) FOR THE PURPOSES OF THIS SUBSECTION, AN INDIVIDUAL
13 SHALL MEAN AN INDIVIDUAL THAT MEETS ANY OF THE FOLLOWING:

14 (I) IS SUBJECT TO REGISTRATION UNDER 42 PA.C.S. §
15 9799.13 AND IS A TRANSIENT WHO MUST REGISTER FOR A PERIOD
16 OF 15 YEARS.

17 (II) IS SUBJECT TO REGISTRATION UNDER 42 PA.C.S. §
18 9799.13(7.1) AND IS A TRANSIENT.

19 * * *

20 SECTION 2. SECTION 9123(A) INTRODUCTORY PARAGRAPH OF TITLE
21 18 IS AMENDED AND THE SECTION IS AMENDED BY ADDING A SUBSECTION
22 TO READ:

23 § 9123. JUVENILE RECORDS.

24 (A) EXPUNGEMENT OF JUVENILE RECORDS.--NOTWITHSTANDING THE
25 PROVISIONS OF SECTION 9105 (RELATING TO OTHER CRIMINAL JUSTICE
26 INFORMATION) AND EXCEPT [UPON CAUSE SHOWN] AS PROVIDED UNDER
27 SUBSECTION (A.1), EXPUNGEMENT OF RECORDS OF JUVENILE DELINQUENCY
28 CASES WHEREVER KEPT OR RETAINED SHALL OCCUR AFTER 30 DAYS'
29 NOTICE TO THE DISTRICT ATTORNEY, WHENEVER THE COURT UPON ITS
30 MOTION OR UPON THE MOTION OF A CHILD OR THE PARENTS OR GUARDIAN

1 FINDS:

2 * * *

3 (A.1) EXCEPTIONS.--SUBSECTION (A) SHALL NOT APPLY IF ANY OF
4 THE FOLLOWING APPLY:

5 (1) THE INDIVIDUAL MEETS ALL OF THE FOLLOWING:

6 (I) WAS 14 YEARS OF AGE OR OLDER AT THE TIME THE
7 INDIVIDUAL COMMITTED AN OFFENSE WHICH, IF COMMITTED BY AN
8 ADULT, WOULD BE CLASSIFIED AS:

9 (A) AN OFFENSE UNDER 18 PA.C.S. § 3121 (RELATING
10 TO RAPE), 3123 (RELATING TO INVOLUNTARY DEVIATE
11 SEXUAL INTERCOURSE) OR 3125 (RELATING TO AGGRAVATED
12 INDECENT ASSAULT).

13 (B) AN ATTEMPT, SOLICITATION OR CONSPIRACY TO
14 COMMIT AN OFFENSE UNDER 18 PA.C.S. § 3121, 3123 OR
15 3125.

16 (II) WAS ADJUDICATED DELINQUENT FOR THE OFFENSE
17 UNDER SUBPARAGRAPH (I).

18 (2) UPON CAUSE SHOWN.

19 * * *

20 SECTION 2.1. PARAGRAPH (3) OF THE DEFINITION OF "CHILD" IN
21 SECTION 6302 OF TITLE 42 IS AMENDED TO READ:

22 § 6302. DEFINITIONS.

23 THE FOLLOWING WORDS AND PHRASES WHEN USED IN THIS CHAPTER
24 SHALL HAVE, UNLESS THE CONTEXT CLEARLY INDICATES OTHERWISE, THE
25 MEANINGS GIVEN TO THEM IN THIS SECTION:

26 * * *

27 "CHILD." AN INDIVIDUAL WHO:

28 * * *

29 (3) IS UNDER THE AGE OF 21 YEARS AND WAS ADJUDICATED
30 DEPENDENT BEFORE REACHING THE AGE OF 18 YEARS [AND WHO, WHILE



1 ENGAGED IN A COURSE OF INSTRUCTION OR TREATMENT, REQUESTS THE
2 COURT TO RETAIN JURISDICTION UNTIL THE COURSE HAS BEEN
3 COMPLETED, BUT IN NO EVENT SHALL A CHILD REMAIN IN A COURSE
4 OF INSTRUCTION OR TREATMENT PAST THE AGE OF 21 YEARS.], WHO
5 HAS REQUESTED THE COURT TO RETAIN JURISDICTION AND WHO
6 REMAINS UNDER THE JURISDICTION OF THE COURT AS A DEPENDENT
7 CHILD BECAUSE THE COURT HAS DETERMINED THAT THE CHILD IS:

8 (I) COMPLETING SECONDARY EDUCATION OR AN EQUIVALENT
9 CREDENTIAL;

10 (II) ENROLLED IN AN INSTITUTION WHICH PROVIDES
11 POSTSECONDARY OR VOCATIONAL EDUCATION;

12 (III) PARTICIPATING IN A PROGRAM ACTIVELY DESIGNED
13 TO PROMOTE OR REMOVE BARRIERS TO EMPLOYMENT;

14 (IV) EMPLOYED FOR AT LEAST 80 HOURS PER MONTH; OR

15 (V) INCAPABLE OF DOING ANY OF THE ACTIVITIES
16 DESCRIBED IN SUBPARAGRAPH (I), (II), (III) OR (IV) DUE TO
17 A MEDICAL OR BEHAVIORAL HEALTH CONDITION, WHICH IS
18 SUPPORTED BY REGULARLY UPDATED INFORMATION IN THE
19 PERMANENCY PLAN OF THE CHILD.

20 * * *

21 SECTION 2.2. SECTION 6351(E) (3) OF TITLE 42 IS AMENDED BY
22 ADDING A SUBPARAGRAPH, SUBSECTION (F) IS AMENDED BY ADDING
23 PARAGRAPHS AND THE SECTION IS AMENDED BY ADDING A SUBSECTION TO
24 READ:

25 § 6351. DISPOSITION OF DEPENDENT CHILD.

26 * * *

27 (E) PERMANENCY HEARINGS.--

28 * * *

29 (3) THE COURT SHALL CONDUCT PERMANENCY HEARINGS AS
30 FOLLOWS:

1 * * *

2 (III) IF THE COURT RESUMES JURISDICTION OF THE CHILD
3 PURSUANT TO SUBSECTION (J), PERMANENCY HEARINGS SHALL BE
4 SCHEDULED IN ACCORDANCE WITH APPLICABLE LAW UNTIL COURT
5 JURISDICTION IS TERMINATED, BUT NO LATER THAN WHEN THE
6 CHILD ATTAINS 21 YEARS OF AGE.

7 (F) MATTERS TO BE DETERMINED AT PERMANENCY HEARING.--AT EACH
8 PERMANENCY HEARING, A COURT SHALL DETERMINE ALL OF THE
9 FOLLOWING:

10 * * *

11 (8.1) WHETHER THE CHILD CONTINUES TO MEET THE DEFINITION
12 OF "CHILD" AND HAS REQUESTED THAT THE COURT CONTINUE
13 JURISDICTION PURSUANT TO SECTION 6302 IF THE CHILD IS BETWEEN
14 18 AND 21 YEARS OF AGE.

15 (8.2) THAT A TRANSITION PLAN HAS BEEN PRESENTED IN
16 ACCORDANCE WITH SECTION 475 OF THE SOCIAL SECURITY ACT (49
17 STAT. 620, 42 U.S.C. § 675(5)(H)).

18 * * *

19 (J) RESUMPTION OF JURISDICTION.--AT ANY TIME PRIOR TO A
20 CHILD REACHING 21 YEARS OF AGE, A CHILD MAY REQUEST THE COURT TO
21 RESUME DEPENDENCY JURISDICTION IF:

22 (1) THE CHILD CONTINUES TO MEET THE DEFINITION OF
23 "CHILD" PURSUANT TO SECTION 6302; AND

24 (2) DEPENDENCY JURISDICTION WAS TERMINATED:

25 (I) WITHIN 90 DAYS PRIOR TO THE CHILD'S 18TH
26 BIRTHDAY; OR

27 (II) AFTER THE CHILD'S 18TH BIRTHDAY, BUT BEFORE THE
28 CHILD TURNS 21 YEARS OF AGE.

29 SECTION 3. SECTIONS 6358(A), 6403(A)(2), 6404.2(G) AND
30 9799.10(2) AND (3) OF TITLE 42, AMENDED OR ADDED DECEMBER 20,

1 2011 (P.L.446, NO.111), ARE AMENDED TO READ:

2 § 6358. ASSESSMENT OF DELINQUENT CHILDREN BY THE STATE SEXUAL
3 OFFENDERS ASSESSMENT BOARD.

4 (A) GENERAL RULE.--A CHILD WHO HAS BEEN FOUND TO BE
5 DELINQUENT FOR AN ACT OF SEXUAL VIOLENCE WHICH IF COMMITTED BY
6 AN ADULT WOULD BE A VIOLATION OF 18 PA.C.S. § 3121 (RELATING TO
7 RAPE), 3123 (RELATING TO INVOLUNTARY DEVIATE SEXUAL
8 INTERCOURSE), 3124.1 (RELATING TO SEXUAL ASSAULT), 3125
9 (RELATING TO AGGRAVATED INDECENT ASSAULT), 3126 (RELATING TO
10 INDECENT ASSAULT) OR 4302 (RELATING TO INCEST) WHO IS COMMITTED
11 TO AN INSTITUTION OR OTHER FACILITY PURSUANT TO SECTION 6352
12 (RELATING TO DISPOSITION OF DELINQUENT CHILD) AND WHO REMAINS IN
13 ANY SUCH INSTITUTION OR FACILITY AS A RESULT OF THAT
14 ADJUDICATION OF DELINQUENCY UPON ATTAINING 20 YEARS OF AGE SHALL
15 BE SUBJECT TO AN ASSESSMENT BY THE BOARD.

16 * * *

17 § 6403. COURT-ORDERED INVOLUNTARY TREATMENT.

18 (A) PERSONS SUBJECT TO INVOLUNTARY TREATMENT.--A PERSON MAY
19 BE SUBJECT TO COURT-ORDERED COMMITMENT FOR INVOLUNTARY TREATMENT
20 UNDER THIS CHAPTER IF THE PERSON:

21 * * *

22 (2) HAS BEEN COMMITTED TO AN INSTITUTION OR OTHER
23 FACILITY PURSUANT TO SECTION 6352 (RELATING TO DISPOSITION OF
24 DELINQUENT CHILD) AND REMAINS IN ANY SUCH INSTITUTION OR
25 FACILITY UPON ATTAINING 20 YEARS OF AGE AS A RESULT OF HAVING
26 BEEN ADJUDICATED DELINQUENT FOR THE ACT OF SEXUAL VIOLENCE.

27 * * *

28 § 6404.2. DURATION OF OUTPATIENT COMMITMENT AND REVIEW.

29 * * *

30 (G) COUNSELING OF SEXUALLY VIOLENT DELINQUENT CHILDREN.--FOR

1 THE TIME PERIOD UNDER SECTION 9799.15 (RELATING TO PERIOD OF
2 REGISTRATION), A SEXUALLY VIOLENT DELINQUENT CHILD SHALL ATTEND
3 AT LEAST MONTHLY COUNSELING SESSIONS IN A PROGRAM APPROVED BY
4 THE BOARD AND SHALL BE FINANCIALLY RESPONSIBLE FOR ALL FEES
5 ASSESSED FROM THE COUNSELING SESSIONS. THE BOARD SHALL MONITOR
6 COMPLIANCE. IF THE SEXUALLY VIOLENT DELINQUENT CHILD CAN PROVE
7 TO THE SATISFACTION OF THE COURT INABILITY TO AFFORD TO PAY FOR
8 THE COUNSELING SESSIONS, THE SEXUALLY VIOLENT DELINQUENT CHILD
9 SHALL ATTEND THE COUNSELING SESSIONS; AND THE [PAROLE OFFICE]
10 BOARD SHALL PAY THE REQUISITE FEES.

11 § 9799.10. PURPOSES OF SUBCHAPTER.

12 THIS SUBCHAPTER SHALL BE INTERPRETED AND CONSTRUED TO
13 EFFECTUATE THE FOLLOWING PURPOSES:

14 * * *

15 (2) TO REQUIRE INDIVIDUALS CONVICTED OR ADJUDICATED
16 DELINQUENT OF CERTAIN SEXUAL OFFENSES TO REGISTER WITH THE
17 PENNSYLVANIA STATE POLICE AND TO OTHERWISE COMPLY WITH THIS
18 SUBCHAPTER IF THOSE INDIVIDUALS RESIDE WITHIN THIS
19 COMMONWEALTH, INTEND TO RESIDE WITHIN THIS COMMONWEALTH,
20 ATTEND AN EDUCATIONAL INSTITUTION WITHIN THIS COMMONWEALTH OR
21 ARE EMPLOYED OR CONDUCT VOLUNTEER WORK WITHIN THIS
22 COMMONWEALTH.

23 (3) TO REQUIRE INDIVIDUALS CONVICTED OR ADJUDICATED
24 DELINQUENT OF CERTAIN SEXUAL OFFENSES WHO FAIL TO MAINTAIN A
25 RESIDENCE AND ARE THEREFORE HOMELESS BUT CAN STILL BE FOUND
26 WITHIN THE BORDERS OF THIS COMMONWEALTH TO REGISTER WITH THE
27 PENNSYLVANIA STATE POLICE.

28 * * *

29 SECTION 4. THE DEFINITIONS OF "APPROVED REGISTRATION SITE,"
30 "CONVICTED," "JUVENILE OFFENDER" AND "SEXUALLY VIOLENT PREDATOR"

1 IN SECTION 9799.12 OF TITLE 42, ADDED DECEMBER 20, 2011
2 (P.L.446, NO.111), ARE AMENDED TO READ:
3 § 9799.12. DEFINITIONS.

4 THE FOLLOWING WORDS AND PHRASES WHEN USED IN THIS SUBCHAPTER
5 SHALL HAVE THE MEANINGS GIVEN TO THEM IN THIS SECTION UNLESS THE
6 CONTEXT CLEARLY INDICATES OTHERWISE:

7 "APPROVED REGISTRATION SITE." [A SITE IN THIS COMMONWEALTH
8 APPROVED BY THE PENNSYLVANIA STATE POLICE:

9 (1) AT WHICH INDIVIDUALS SUBJECT TO THIS SUBCHAPTER MAY
10 REGISTER, UPDATE AND VERIFY INFORMATION OR BE FINGERPRINTED
11 AND PHOTOGRAPHED AS REQUIRED BY THIS SUBCHAPTER;

12 (2) WHICH IS CAPABLE OF SUBMITTING FINGERPRINTS
13 UTILIZING THE INTEGRATED AUTOMATED FINGERPRINT IDENTIFICATION
14 SYSTEM OR IN ANOTHER MANNER AND IN THE FORM AS THE
15 PENNSYLVANIA STATE POLICE SHALL REQUIRE; AND

16 (3) WHICH IS CAPABLE OF SUBMITTING PHOTOGRAPHS IN THE
17 FORM AS THE PENNSYLVANIA STATE POLICE SHALL REQUIRE.] A SITE
18 IN THIS COMMONWEALTH APPROVED BY THE PENNSYLVANIA STATE
19 POLICE AT WHICH INDIVIDUALS SUBJECT TO THIS SUBCHAPTER MAY
20 COMPLY WITH THIS SUBCHAPTER.

21 * * *

22 "CONVICTED." INCLUDES CONVICTION BY ENTRY OF PLEA OF GUILTY
23 OR NOLO CONTENDERE, CONVICTION AFTER TRIAL OR COURT MARTIAL AND
24 A FINDING OF NOT GUILTY DUE TO INSANITY OR OF GUILTY BUT
25 MENTALLY ILL.

26 * * *

27 "JUVENILE OFFENDER." ONE OF THE FOLLOWING:

28 (1) AN INDIVIDUAL WHO WAS 14 YEARS OF AGE OR OLDER AT
29 THE TIME THE INDIVIDUAL COMMITTED AN OFFENSE WHICH, IF
30 COMMITTED BY AN ADULT, WOULD BE CLASSIFIED AS AN OFFENSE

1 UNDER 18 PA.C.S. § 3121 (RELATING TO RAPE), 3123 (RELATING TO
2 INVOLUNTARY DEVIATE SEXUAL INTERCOURSE) OR 3125 (RELATING TO
3 AGGRAVATED INDECENT ASSAULT) OR AN ATTEMPT, SOLICITATION OR
4 CONSPIRACY TO COMMIT AN OFFENSE UNDER 18 PA.C.S. § 3121, 3123
5 OR 3125 AND EITHER:

6 (I) IS ADJUDICATED DELINQUENT FOR SUCH OFFENSE ON OR
7 AFTER THE EFFECTIVE DATE OF THIS SECTION; OR

8 (II) HAS BEEN ADJUDICATED DELINQUENT FOR SUCH
9 OFFENSE AND ON THE EFFECTIVE DATE OF THIS SECTION IS
10 SUBJECT TO THE JURISDICTION OF THE COURT ON THE BASIS OF
11 THAT ADJUDICATION OF DELINQUENCY, INCLUDING COMMITMENT TO
12 AN INSTITUTION OR FACILITY SET FORTH IN SECTION 6352(A)

13 (3) (RELATING TO A DISPOSITION OF DELINQUENT CHILD) .

14 (2) AN INDIVIDUAL WHO WAS 14 YEARS OF AGE OR OLDER AT
15 THE TIME THE INDIVIDUAL COMMITTED AN OFFENSE SIMILAR TO AN
16 OFFENSE UNDER 18 PA.C.S. § 3121, 3123 OR 3125 OR AN ATTEMPT,
17 SOLICITATION OR CONSPIRACY TO COMMIT AN OFFENSE SIMILAR TO AN
18 OFFENSE UNDER 18 PA.C.S. § 3121, 3123 OR 3125 UNDER THE LAWS
19 OF THE UNITED STATES, ANOTHER JURISDICTION OR A FOREIGN
20 COUNTRY AND WAS ADJUDICATED DELINQUENT FOR SUCH AN OFFENSE.

21 (3) AN INDIVIDUAL WHO, ON OR AFTER THE EFFECTIVE DATE OF
22 THIS PARAGRAPH, WAS REQUIRED TO REGISTER IN A SEXUAL OFFENDER
23 REGISTRY IN ANOTHER JURISDICTION OR FOREIGN COUNTRY BASED
24 UPON AN ADJUDICATION OF DELINQUENCY.

25 THE TERM DOES NOT INCLUDE A SEXUALLY VIOLENT DELINQUENT CHILD.

26 * * *

27 "SEXUALLY VIOLENT PREDATOR." AN INDIVIDUAL DETERMINED TO BE
28 A SEXUALLY VIOLENT PREDATOR UNDER SECTION 9795.4 (RELATING TO
29 ASSESSMENTS) PRIOR TO THE EFFECTIVE DATE OF THIS SUBCHAPTER, OR
30 AN INDIVIDUAL CONVICTED OF AN OFFENSE SPECIFIED IN:

1 (1) SECTION 9799.14(B) (1), (2), (3), (4), (5), (6),
2 [(7),] (8), (9) OR (10) (RELATING TO SEXUAL OFFENSES AND TIER
3 SYSTEM) OR AN ATTEMPT, CONSPIRACY OR SOLICITATION TO COMMIT
4 ANY OFFENSE UNDER SECTION 9799.14(B) (1), (2), (3), (4), (5),
5 (6), [(7),] (8), (9) OR (10);

6 (2) SECTION 9799.14(C) (1), (1.1), (1.2), (2), (3), (4),
7 (5) OR (6) OR AN ATTEMPT, CONSPIRACY OR SOLICITATION TO
8 COMMIT AN OFFENSE UNDER SECTION 9799.14(C) (1), (1.1), (1.2),
9 (2), (3), (4), (5) OR (6); OR

10 (3) SECTION 9799.14(D) (1), (2), (3), (4), (5), (6), (7),
11 (8) OR (9) OR AN ATTEMPT, CONSPIRACY OR SOLICITATION TO
12 COMMIT AN OFFENSE UNDER SECTION 9799.14(D) (1), (2), (3), (4),
13 (5), (6), (7), (8) OR (9)

14 WHO ON OR AFTER THE EFFECTIVE DATE OF THIS SUBCHAPTER IS
15 DETERMINED TO BE A SEXUALLY VIOLENT PREDATOR UNDER SECTION
16 9799.24 (RELATING TO ASSESSMENTS) DUE TO A MENTAL ABNORMALITY OR
17 PERSONALITY DISORDER THAT MAKES THE INDIVIDUAL LIKELY TO ENGAGE
18 IN PREDATORY SEXUALLY VIOLENT OFFENSES. THE TERM INCLUDES AN
19 INDIVIDUAL DETERMINED TO BE A SEXUALLY VIOLENT PREDATOR OR
20 SIMILAR DESIGNATION WHERE THE DETERMINATION OCCURRED IN ANOTHER
21 JURISDICTION, A FOREIGN COUNTRY OR BY COURT MARTIAL FOLLOWING A
22 JUDICIAL OR ADMINISTRATIVE DETERMINATION PURSUANT TO A PROCESS
23 SIMILAR TO THAT UNDER SECTION 9799.24.

24 * * *

25 SECTION 5. SECTION 9799.13 OF TITLE 42, ADDED DECEMBER 20, ←
26 2011 (P.L.446, NO.111), IS AMENDED TO READ:
27 § 9799.13. APPLICABILITY.

28 THE FOLLOWING INDIVIDUALS SHALL REGISTER WITH THE
29 PENNSYLVANIA STATE POLICE AS PROVIDED IN SECTIONS 9799.15
30 (RELATING TO PERIOD OF REGISTRATION), 9799.19 (RELATING TO

1 INITIAL REGISTRATION) AND 9799.25 (RELATING TO VERIFICATION BY
2 SEXUAL OFFENDERS AND PENNSYLVANIA STATE POLICE) AND OTHERWISE
3 COMPLY WITH THE PROVISIONS OF THIS SUBCHAPTER:

4 (1) AN INDIVIDUAL WHO, ON OR AFTER THE EFFECTIVE DATE OF
5 THIS SECTION, [HAS BEEN] IS CONVICTED OF A SEXUALLY VIOLENT
6 OFFENSE AND WHO HAS A RESIDENCE WITHIN THIS COMMONWEALTH OR
7 IS A TRANSIENT.

8 (1.1) AN INDIVIDUAL WHO, ON OR AFTER THE EFFECTIVE DATE
9 OF THIS SECTION, IS CONVICTED OF A SEXUALLY VIOLENT OFFENSE
10 IN THIS COMMONWEALTH AND DOES NOT HAVE A RESIDENCE IN THIS
11 COMMONWEALTH AND:

12 (I) IS EMPLOYED IN THIS COMMONWEALTH; OR

13 (II) IS A STUDENT IN THIS COMMONWEALTH.

14 [(1.1)] (1.2) AN INDIVIDUAL WHO, ON OR AFTER THE
15 EFFECTIVE DATE OF THIS SECTION, [HAS BEEN] IS CONVICTED OF A
16 SEXUALLY VIOLENT OFFENSE [IN THIS COMMONWEALTH] AND DOES NOT
17 HAVE A RESIDENCE WITHIN THIS COMMONWEALTH OR IS NOT A
18 TRANSIENT IN THIS COMMONWEALTH AND:

19 (I) IS EMPLOYED IN THIS COMMONWEALTH; OR

20 (II) IS A STUDENT IN THIS COMMONWEALTH.

21 (2) AN INDIVIDUAL WHO, ON OR AFTER THE EFFECTIVE DATE OF
22 THIS SECTION, IS, AS A RESULT OF A CONVICTION FOR A SEXUALLY
23 VIOLENT OFFENSE, AN INMATE IN A STATE OR COUNTY CORRECTIONAL
24 INSTITUTION OF THIS COMMONWEALTH, INCLUDING A COMMUNITY
25 CORRECTIONS CENTER OR A COMMUNITY CONTRACT FACILITY, IS BEING
26 SUPERVISED BY THE PENNSYLVANIA BOARD OF PROBATION AND PAROLE
27 OR COUNTY PROBATION OR PAROLE [OR] IS SUBJECT TO A SENTENCE ←
28 OF INTERMEDIATE PUNISHMENT [AND HAS BEEN CONVICTED OF A
29 SEXUALLY VIOLENT OFFENSE] OR HAS SUPERVISION TRANSFERRED ←
30 PURSUANT TO THE INTERSTATE COMPACT FOR ADULT SUPERVISION IN

1 ACCORDANCE WITH SECTION 9799.19(G).

2 (2.1) AN INDIVIDUAL WHO, ON OR AFTER THE EFFECTIVE DATE
3 OF THIS SECTION, IS, AS A RESULT OF A CONVICTION FOR A
4 SEXUALLY VIOLENT OFFENSE, AN INMATE IN A FEDERAL CORRECTIONAL
5 INSTITUTION OR IS SUPERVISED BY FEDERAL PROBATION AUTHORITIES
6 [AND HAS COMMITTED A SEXUALLY VIOLENT OFFENSE] AND WHO:

7 (I) HAS A RESIDENCE WITHIN THIS COMMONWEALTH OR IS A
8 TRANSIENT;

9 (II) IS EMPLOYED WITHIN THIS COMMONWEALTH; OR

10 (III) IS A STUDENT WITHIN THIS COMMONWEALTH.

11 (3) AN INDIVIDUAL WHO IS REQUIRED TO REGISTER OR WAS
12 REQUIRED TO REGISTER AND FAILED TO REGISTER WITH THE
13 PENNSYLVANIA STATE POLICE UNDER THIS SUBCHAPTER PRIOR TO THE
14 EFFECTIVE DATE OF THIS SECTION AND WHO HAS NOT FULFILLED THE
15 PERIOD OF REGISTRATION AS OF THE EFFECTIVE DATE OF THIS
16 SECTION.

17 [(4) AN INDIVIDUAL WHO WAS REQUIRED TO REGISTER WITH THE
18 PENNSYLVANIA STATE POLICE PURSUANT TO FORMER SECTION 9795.1
19 (RELATING TO REGISTRATION) AND:

20 (I) HAS FULFILLED THE PERIOD OF REGISTRATION
21 PROVIDED IN FORMER SECTION 9795.1(A) OR HAS BEEN REMOVED
22 FROM THE REGISTRY UNDER FORMER SECTION 9795.5 (RELATING
23 TO EXEMPTION FROM CERTAIN NOTIFICATIONS); AND

24 (II) ON OR AFTER THE EFFECTIVE DATE OF THIS SECTION,
25 IS CONVICTED OF A SEXUALLY VIOLENT OFFENSE OR CONVICTED
26 OF AN OFFENSE GRADED AS A FELONY.

27 (4.1) AN INDIVIDUAL WHO WAS REQUIRED TO REGISTER UNDER
28 THIS SUBCHAPTER AND HAS FULFILLED THE PERIOD OF REGISTRATION
29 PROVIDED IN THIS SUBCHAPTER AND WHO, ON OR AFTER THE
30 EFFECTIVE DATE OF THIS SECTION, IS CONVICTED OF A SEXUALLY

1 VIOLENT OFFENSE OR OF AN OFFENSE GRADED AS A FELONY.

2 (5) AN INDIVIDUAL WHO, ON OR AFTER THE EFFECTIVE DATE OF
3 THIS SECTION, WAS REQUIRED TO REGISTER WITH THE PENNSYLVANIA
4 STATE POLICE PURSUANT TO THIS SUBCHAPTER AND:

5 (I) HAS FULFILLED THE PERIOD OF REGISTRATION
6 PROVIDED IN THIS SUBCHAPTER; AND

7 (II) ON OR AFTER THE EFFECTIVE DATE OF THIS SECTION,
8 IS CONVICTED OF AN OFFENSE GRADED AS A FELONY.

9 (6) AN INDIVIDUAL WHO, ON OR AFTER THE EFFECTIVE DATE OF
10 THIS SECTION, WAS REQUIRED TO REGISTER WITH THE PENNSYLVANIA
11 STATE POLICE PURSUANT TO THIS SUBCHAPTER AND:

12 (I) HAS BEEN REMOVED FROM THE REGISTRY PURSUANT TO
13 SECTION 9799.17 (RELATING TO TERMINATION OF PERIOD OF
14 REGISTRATION FOR JUVENILE OFFENDERS); AND

15 (II) IS SUBSEQUENTLY CONVICTED OF AN OFFENSE GRADED
16 AS A FELONY.]

17 (7) AN INDIVIDUAL WHO, ON OR AFTER THE EFFECTIVE DATE OF
18 THIS SECTION, IS REQUIRED TO REGISTER IN A SEXUAL OFFENDER
19 REGISTRY IN ANOTHER JURISDICTION OR IN A FOREIGN COUNTRY
20 BASED UPON A CONVICTION FOR A SEXUALLY VIOLENT OFFENSE OR
21 UNDER A SEXUAL OFFENDER STATUTE IN THE JURISDICTION WHERE THE
22 INDIVIDUAL IS CONVICTED AND:

23 (I) HAS A RESIDENCE IN THIS COMMONWEALTH OR IS A
24 TRANSIENT;

25 (II) IS EMPLOYED WITHIN THIS COMMONWEALTH; OR

26 (III) IS A STUDENT WITHIN THIS COMMONWEALTH.

27 (7.1) AN INDIVIDUAL WHO, ON OR AFTER THE EFFECTIVE DATE
28 OF THIS SECTION, IS REQUIRED TO REGISTER IN A SEXUAL OFFENDER
29 REGISTRY IN ANOTHER JURISDICTION OR FOREIGN COUNTRY BASED
30 UPON A CONVICTION OF [A SEXUAL OFFENSE WHICH IS NOT

1 CLASSIFIED AS A SEXUALLY VIOLENT OFFENSE] AN OFFENSE SET
2 FORTH IN SECTION 9799.14(B) (23) (RELATING TO SEXUAL OFFENSES
3 AND TIER SYSTEM) AND:

4 (I) HAS A RESIDENCE IN THIS COMMONWEALTH OR IS A
5 TRANSIENT;

6 (II) IS EMPLOYED WITHIN THIS COMMONWEALTH; OR

7 (III) IS A STUDENT WITHIN THIS COMMONWEALTH.

8 (7.2) AN INDIVIDUAL WHO, ON OR AFTER THE EFFECTIVE DATE
9 OF THIS PARAGRAPH, IS CONVICTED OF A SEXUALLY VIOLENT OFFENSE
10 IN ANOTHER JURISDICTION OR FOREIGN COUNTRY, OR IS
11 INCARCERATED OR UNDER SUPERVISION AS A RESULT OF A CONVICTION
12 FOR A SEXUALLY VIOLENT OFFENSE IN ANOTHER JURISDICTION OR
13 FOREIGN COUNTRY AND:

14 (I) HAS A RESIDENCE IN THIS COMMONWEALTH OR IS A
15 TRANSIENT;

16 (II) IS EMPLOYED WITHIN THIS COMMONWEALTH; OR

17 (III) IS A STUDENT WITHIN THIS COMMONWEALTH.

18 (8) AN INDIVIDUAL WHO, ON OR AFTER THE EFFECTIVE DATE OF
19 THIS SECTION, IS A JUVENILE OFFENDER WHO WAS ADJUDICATED
20 DELINQUENT WITHIN THIS COMMONWEALTH OR WAS ADJUDICATED
21 DELINQUENT IN ANOTHER JURISDICTION OR A FOREIGN COUNTRY AND:

22 (I) HAS A RESIDENCE WITHIN THIS COMMONWEALTH;

23 (II) IS EMPLOYED WITHIN THIS COMMONWEALTH; OR

24 (III) IS A STUDENT WITHIN THIS COMMONWEALTH.

25 (8.1) AN INDIVIDUAL WHO IS A JUVENILE OFFENDER WHO IS
26 ADJUDICATED DELINQUENT IN THIS COMMONWEALTH ON OR AFTER THE
27 EFFECTIVE DATE OF THIS PARAGRAPH, BUT WHO DOES NOT HAVE A
28 RESIDENCE WITHIN THIS COMMONWEALTH, IS NOT A TRANSIENT, IS
29 NOT EMPLOYED IN THIS COMMONWEALTH OR IS NOT A STUDENT WITHIN
30 THIS COMMONWEALTH, MUST REGISTER WITH THE PENNSYLVANIA STATE

1 POLICE IN ACCORDANCE WITH SECTION 9799.19 (RELATING TO
2 INITIAL REGISTRATION) PRIOR TO LEAVING THIS COMMONWEALTH.

3 (9) AN INDIVIDUAL WHO, ON OR AFTER THE EFFECTIVE DATE OF
4 THIS SECTION, IS A SEXUALLY VIOLENT DELINQUENT CHILD WHO IS
5 COMMITTED FOR INVOLUNTARY TREATMENT OR, ON THE EFFECTIVE DATE OF
6 THIS SECTION, IS UNDER COMMITMENT RECEIVING INVOLUNTARY
7 TREATMENT IN THE STATE-OWNED FACILITY OR UNIT AS SET FORTH IN
8 CHAPTER 64 (RELATING TO COURT-ORDERED INVOLUNTARY TREATMENT OF
9 CERTAIN SEXUALLY VIOLENT PERSONS).

10 SECTION 6. SECTION 9799.14(B)(12) AND (21), (C)(9), (12) AND
11 (17) AND (D)(12), (13) AND (15) OF TITLE 42, ADDED DECEMBER 20,
12 2011 (P.L.446, NO.111), ARE AMENDED AND SUBSECTION (B) IS
13 AMENDED BY ADDING A PARAGRAPH TO READ:

14 § 9799.14. SEXUAL OFFENSES AND TIER SYSTEM.

15 * * *

16 (B) TIER I SEXUAL OFFENSES.--THE FOLLOWING OFFENSES SHALL BE
17 CLASSIFIED AS TIER I SEXUAL OFFENSES:

18 * * *

19 (12) 18 U.S.C. § [2252] 2252(A)(4) (RELATING TO CERTAIN
20 ACTIVITIES RELATING TO MATERIAL INVOLVING THE SEXUAL
21 EXPLOITATION OF MINORS).

22 * * *

23 (21) A COMPARABLE MILITARY OFFENSE OR SIMILAR OFFENSE
24 UNDER THE LAWS OF ANOTHER JURISDICTION OR FOREIGN COUNTRY, OR
25 UNDER A FORMER LAW OF THIS COMMONWEALTH.

26 * * *

27 (23) A CONVICTION FOR A SEXUAL OFFENSE IN ANOTHER
28 JURISDICTION OR FOREIGN COUNTRY THAT IS NOT SET FORTH IN THIS
29 SECTION, BUT NEVERTHELESS REQUIRES REGISTRATION UNDER A
30 SEXUAL OFFENDER STATUTE IN THE JURISDICTION OR FOREIGN

1 COUNTRY.

2 (C) TIER II SEXUAL OFFENSES.--THE FOLLOWING OFFENSES SHALL
3 BE CLASSIFIED AS TIER II SEXUAL OFFENSES:

4 * * *

5 (9) 18 U.S.C. § 2244 (RELATING TO ABUSIVE SEXUAL
6 CONTACT) WHERE THE VICTIM IS 13 YEARS OF AGE OR OLDER BUT
7 UNDER 18 YEARS OF AGE.

8 * * *

9 (12) 18 U.S.C. § [2252] 2252(A)(1), (2) OR (3).

10 * * *

11 (17) A COMPARABLE MILITARY OFFENSE OR SIMILAR OFFENSE
12 UNDER THE LAWS OF ANOTHER JURISDICTION OR FOREIGN COUNTRY, OR
13 UNDER A FORMER LAW OF THIS COMMONWEALTH.

14 * * *

15 (D) TIER III SEXUAL OFFENSES.--THE FOLLOWING OFFENSES SHALL
16 BE CLASSIFIED AS TIER III SEXUAL OFFENSES:

17 * * *

18 (12) 18 U.S.C. § 2244 WHERE THE VICTIM IS UNDER 13 YEARS ←
19 OF AGE.

20 (13) A COMPARABLE MILITARY OFFENSE OR SIMILAR OFFENSE
21 UNDER THE LAWS OF ANOTHER JURISDICTION OR COUNTRY, OR UNDER A
22 FORMER LAW OF THIS COMMONWEALTH.

23 * * *

24 (15) [AN OFFENSE LISTED AS A TIER II SEXUAL OFFENSE
25 WHERE THERE IS A SUBSEQUENT CONVICTION FOR AN OFFENSE GRADED
26 AS A FELONY.] (RESERVED).

27 * * *

28 SECTION 7. SECTION 9799.15(A)(1), (4) AND (7), (C), (F), (G)
29 AND (H) OF TITLE 42, ADDED DECEMBER 20, 2011 (P.L.446, NO.111),
30 ARE AMENDED, SUBSECTION (A) IS AMENDED BY ADDING A PARAGRAPH AND

1 THE SECTION IS AMENDED BY ADDING A SUBSECTION TO READ:

2 § 9799.15. PERIOD OF REGISTRATION.

3 (A) PERIOD OF REGISTRATION.--SUBJECT TO SUBSECTION (C), AN
4 INDIVIDUAL SPECIFIED IN SECTION 9799.13 (RELATING TO
5 APPLICABILITY) SHALL REGISTER WITH THE PENNSYLVANIA STATE POLICE
6 AS FOLLOWS:

7 (1) AN INDIVIDUAL CONVICTED OF A TIER I SEXUAL OFFENSE,
8 EXCEPT AN OFFENSE SET FORTH IN SECTION 9799.14(B)(23)
9 (RELATING TO SEXUAL OFFENSES AND TIER SYSTEM), SHALL REGISTER
10 FOR A PERIOD OF 15 YEARS.

11 * * *

12 (4) A JUVENILE OFFENDER WHO WAS ADJUDICATED DELINQUENT
13 IN THIS COMMONWEALTH, OR WHO WAS ADJUDICATED DELINQUENT IN
14 ANOTHER JURISDICTION OR FOREIGN COUNTRY AS A CONSEQUENCE OF
15 HAVING COMMITTED AN OFFENSE SIMILAR TO AN OFFENSE WHICH WOULD
16 REQUIRE THE INDIVIDUAL TO REGISTER IF THE OFFENSE WAS
17 COMMITTED IN THIS COMMONWEALTH, SHALL REGISTER FOR THE LIFE
18 OF THE INDIVIDUAL.

19 (4.1) A JUVENILE OFFENDER WHO IS REQUIRED TO REGISTER IN
20 A SEXUAL OFFENDER REGISTRY IN ANOTHER JURISDICTION OR FOREIGN
21 COUNTRY AS A CONSEQUENCE OF HAVING BEEN ADJUDICATED
22 DELINQUENT FOR AN OFFENSE SIMILAR TO AN OFFENSE WHICH, IF
23 COMMITTED IN THIS COMMONWEALTH, WOULD NOT REQUIRE THE
24 INDIVIDUAL TO REGISTER SHALL REGISTER FOR A PERIOD OF TIME
25 EQUAL TO THAT REQUIRED OF THE INDIVIDUAL IN THE OTHER
26 JURISDICTION OR FOREIGN COUNTRY.

27 * * *

28 (7) AN INDIVIDUAL SUBJECT TO REGISTRATION UNDER SECTION
29 [9799.13] 9799.13(7.1) SHALL REGISTER FOR THE PERIOD OF TIME
30 EQUAL TO THE TIME FOR WHICH THE INDIVIDUAL WAS REQUIRED TO

1 REGISTER IN ANOTHER JURISDICTION OR FOREIGN COUNTRY.

2 * * *

3 (C) PERIOD OF REGISTRATION TOLLED.--THE FOLLOWING SHALL
4 APPLY:

5 (1) THE PERIOD OF REGISTRATION SET FORTH IN SUBSECTION
6 (A) SHALL BE TOLLED FOR THE PERIOD OF TIME IN WHICH THE
7 INDIVIDUAL SPECIFIED IN SECTION 9799.13 IS:

8 (I) INCARCERATED IN A FEDERAL, STATE OR COUNTY
9 CORRECTIONAL INSTITUTION, EXCLUDING A COMMUNITY CONTRACT
10 FACILITY OR COMMUNITY CORRECTIONS CENTER;

11 (II) SUBJECT TO A SENTENCE OF INTERMEDIATE
12 PUNISHMENT WHICH IS RESTRICTIVE AND WHERE THE INDIVIDUAL
13 IS SENTENCED TO A PERIOD OF INCARCERATION;

14 (III) COMMITTED TO AN INSTITUTION OR FACILITY SET
15 FORTH IN SECTION 6352(A)(3) THAT PROVIDES THE INDIVIDUAL
16 WITH 24-HOUR-PER-DAY SUPERVISION AND CARE; [OR]

17 (IV) COMMITTED TO AND RECEIVING INVOLUNTARY
18 INPATIENT TREATMENT IN THE STATE-OWNED FACILITY OR UNIT
19 SET FORTH IN CHAPTER 64 (RELATING TO COURT-ORDERED
20 INVOLUNTARY TREATMENT OF CERTAIN SEXUALLY VIOLENT
21 PERSONS) [.] ; OR

22 (V) INCARCERATED IN A FEDERAL CORRECTIONAL
23 INSTITUTION, EXCLUDING A COMMUNITY CONTRACT FACILITY OR
24 COMMUNITY CORRECTIONS CENTER.

25 (2) THIS SUBSECTION SHALL APPLY TO AN INDIVIDUAL
26 SPECIFIED IN SECTION 9799.13 WHO IS RECOMMITTED TO A FEDERAL,
27 STATE OR COUNTY CORRECTIONAL INSTITUTION FOR A PAROLE
28 VIOLATION OR WHO HAS BEEN SENTENCED TO AN ADDITIONAL TERM OF
29 IMPRISONMENT. [IN THE CASE OF RECOMMITMENT, THE DEPARTMENT OF
30 CORRECTIONS OR THE COUNTY CORRECTIONAL FACILITY SHALL NOTIFY

1 THE PENNSYLVANIA STATE POLICE OF THE ADMISSION OF THE
2 INDIVIDUAL.] IN ADDITION, THIS SUBSECTION SHALL APPLY TO AN
3 INDIVIDUAL COMMITTED TO OR RECOMMITTED TO A FEDERAL
4 CORRECTIONAL INSTITUTION. IN THE CASE OF RECOMMITMENT TO A
5 STATE OR COUNTY CORRECTIONAL INSTITUTION, THE DEPARTMENT OF
6 CORRECTIONS OR THE COUNTY CORRECTIONAL FACILITY SHALL NOTIFY
7 THE PENNSYLVANIA STATE POLICE OF THE ADMISSION OF THE
8 INDIVIDUAL.

9 * * *

10 (F) SEXUALLY VIOLENT PREDATORS.--[AN INDIVIDUAL CONVICTED OF
11 A TIER I SEXUAL OFFENSE, A TIER II SEXUAL OFFENSE OR A TIER III
12 SEXUAL OFFENSE WHO IS DETERMINED TO BE A] A SEXUALLY VIOLENT
13 PREDATOR [UNDER SECTION 9799.24] SHALL APPEAR IN PERSON AT AN
14 APPROVED REGISTRATION SITE TO:

15 (1) PROVIDE OR VERIFY THE INFORMATION SET FORTH IN
16 SECTION 9799.16(B); [AND]

17 (2) BE PHOTOGRAPHED QUARTERLY[.]; AND

18 (3) STATE WHETHER HE IS IN COMPLIANCE WITH SECTION
19 9799.36 (RELATING TO COUNSELING OF SEXUALLY VIOLENT
20 PREDATORS).

21 (G) IN-PERSON APPEARANCE TO UPDATE INFORMATION.--IN ADDITION
22 TO THE PERIODIC IN-PERSON APPEARANCE REQUIRED IN [SUBSECTION]
23 SUBSECTIONS (E), (F) AND (H), AN INDIVIDUAL SPECIFIED IN SECTION
24 9799.13 SHALL APPEAR IN PERSON AT AN APPROVED REGISTRATION SITE
25 WITHIN THREE BUSINESS DAYS TO PROVIDE CURRENT INFORMATION
26 RELATING TO:

27 (1) A CHANGE IN NAME, INCLUDING AN ALIAS.

28 (2) A COMMENCEMENT OF RESIDENCE, CHANGE IN RESIDENCE,
29 TERMINATION OF RESIDENCE OR FAILURE TO MAINTAIN A RESIDENCE,
30 THUS MAKING THE INDIVIDUAL A TRANSIENT.

1 (3) COMMENCEMENT OF EMPLOYMENT, A CHANGE IN THE LOCATION
2 OR ENTITY IN WHICH THE INDIVIDUAL IS EMPLOYED OR A
3 TERMINATION OF EMPLOYMENT.

4 (4) INITIAL ENROLLMENT AS A STUDENT, A CHANGE IN
5 ENROLLMENT AS A STUDENT OR TERMINATION AS A STUDENT.

6 (5) AN ADDITION AND A CHANGE IN TELEPHONE NUMBER,
7 INCLUDING A CELL PHONE NUMBER, OR A TERMINATION OF TELEPHONE
8 NUMBER, INCLUDING A CELL PHONE NUMBER.

9 (6) AN ADDITION, A CHANGE IN AND TERMINATION OF A MOTOR
10 VEHICLE OWNED OR OPERATED, INCLUDING WATERCRAFT OR AIRCRAFT.
11 IN ORDER TO FULFILL THE REQUIREMENTS OF THIS PARAGRAPH, THE
12 INDIVIDUAL MUST PROVIDE ANY LICENSE PLATE NUMBERS AND
13 REGISTRATION NUMBERS AND OTHER IDENTIFIERS AND AN ADDITION TO
14 OR CHANGE IN THE ADDRESS OF THE PLACE THE VEHICLE IS STORED.

15 (7) A COMMENCEMENT OF TEMPORARY LODGING, A CHANGE IN
16 TEMPORARY LODGING OR A TERMINATION OF TEMPORARY LODGING. IN
17 ORDER TO FULFILL THE REQUIREMENTS OF THIS PARAGRAPH, THE
18 INDIVIDUAL MUST PROVIDE THE SPECIFIC LENGTH OF TIME AND THE
19 DATES DURING WHICH THE INDIVIDUAL WILL BE TEMPORARILY LODGED.

20 (8) [A] AN ADDITION, CHANGE IN OR TERMINATION OF E-MAIL
21 ADDRESS, INSTANT MESSAGE ADDRESS OR ANY OTHER DESIGNATIONS
22 USED IN INTERNET COMMUNICATIONS OR POSTINGS.

23 (9) AN ADDITION, CHANGE IN OR TERMINATION OF INFORMATION
24 RELATED TO OCCUPATIONAL AND PROFESSIONAL LICENSING, INCLUDING
25 TYPE OF LICENSE HELD AND LICENSE NUMBER.

26 (H) TRANSIENTS, JUVENILE OFFENDERS AND SEXUALLY VIOLENT
27 DELINQUENT CHILDREN.--IF THE INDIVIDUAL SPECIFIED IN SECTION
28 9799.13 IS A TRANSIENT, A JUVENILE OFFENDER OR A SEXUALLY
29 VIOLENT DELINQUENT CHILD, THE FOLLOWING APPLY:

30 (1) IF THE INDIVIDUAL IS A TRANSIENT, THE INDIVIDUAL

1 SHALL APPEAR IN PERSON AT AN APPROVED REGISTRATION SITE TO
2 PROVIDE OR TO VERIFY THE INFORMATION SET FORTH IN SECTION
3 9799.16(B) AND TO BE PHOTOGRAPHED MONTHLY. THE DUTY TO APPEAR
4 IN PERSON MONTHLY AND TO BE PHOTOGRAPHED SHALL APPLY UNTIL A
5 TRANSIENT ESTABLISHES A RESIDENCE. IN THE EVENT A TRANSIENT
6 ESTABLISHES A RESIDENCE, THE REQUIREMENT OF PERIODIC IN-
7 PERSON APPEARANCES SET FORTH IN SUBSECTION (E) SHALL APPLY.

8 (2) IF THE INDIVIDUAL IS A JUVENILE OFFENDER WHO IS NOT
9 A TRANSIENT, THE INDIVIDUAL SHALL APPEAR AT AN APPROVED
10 REGISTRATION SITE TO PROVIDE OR VERIFY THE INFORMATION SET
11 FORTH IN SECTION 9799.16(B) AND TO BE PHOTOGRAPHED QUARTERLY.

12 (3) IF THE INDIVIDUAL IS A SEXUALLY VIOLENT DELINQUENT
13 CHILD WHO IS NOT A TRANSIENT, THE INDIVIDUAL SHALL APPEAR AT
14 AN APPROVED REGISTRATION SITE TO PROVIDE OR VERIFY THE
15 INFORMATION SET FORTH IN SECTION 9799.16(B) AND TO BE
16 PHOTOGRAPHED QUARTERLY.

17 * * *

18 (J) IN-PERSON REPORTING BY INCARCERATED OR COMMITTED
19 INDIVIDUALS.--THE REQUIREMENTS OF SUBSECTIONS (E), (F), (G) AND
20 (H) DO NOT APPLY WHERE THE INDIVIDUAL SPECIFIED IN SECTION
21 9799.13 IS:

22 (1) INCARCERATED IN A CORRECTIONAL INSTITUTION,
23 EXCLUDING A COMMUNITY CONTRACT FACILITY OR COMMUNITY
24 CORRECTIONS CENTER;

25 (2) SUBJECT TO A SENTENCE OF INTERMEDIATE PUNISHMENT
26 WHICH IS RESTRICTIVE AND WHERE THE INDIVIDUAL IS SENTENCED TO
27 A PERIOD OF INCARCERATION;

28 (3) COMMITTED TO AN INSTITUTION OR FACILITY SET FORTH IN
29 SECTION 6352(A) (3) WHICH PROVIDES THE INDIVIDUAL WITH 24-
30 HOURLY SUPERVISION AND CARE; OR

1 (4) COMMITTED TO AND RECEIVING INVOLUNTARY INPATIENT
2 TREATMENT IN THE STATE-OWNED FACILITY OR UNIT SET FORTH IN
3 CHAPTER 64 (RELATING TO COURT-ORDERED INVOLUNTARY TREATMENT
4 OF CERTAIN SEXUALLY VIOLENT PERSONS).

5 SECTION 8. SECTIONS 9799.16(B) (5) AND (6), (C) INTRODUCTORY
6 PARAGRAPH AND (D), 9799.17 AND 9799.18(A) (4), (5) AND (6) AND
7 (D) (1) OF TITLE 42, ADDED DECEMBER 20, 2011 (P.L.446, NO.111),
8 ARE AMENDED TO READ:

9 § 9799.16. REGISTRY.

10 * * *

11 (B) INFORMATION PROVIDED BY SEXUAL OFFENDER.--AN INDIVIDUAL
12 SPECIFIED IN SECTION 9799.13 (RELATING TO APPLICABILITY) SHALL
13 PROVIDE THE FOLLOWING INFORMATION WHICH SHALL BE INCLUDED IN THE
14 REGISTRY:

15 * * *

16 (5) ADDRESS OF EACH RESIDENCE OR INTENDED RESIDENCE, ~~---~~ ←
17 ~~INCLUDING THE LOCATION AT WHICH THE INDIVIDUAL RECEIVES MAIL~~
18 ~~INCLUDING A POST OFFICE BOX, WHETHER OR NOT THE RESIDENCE OR~~
19 ~~INTENDED RESIDENCE IS LOCATED WITHIN THIS COMMONWEALTH AND~~ ←
20 ~~THE LOCATION AT WHICH THE INDIVIDUAL RECEIVES MAIL, INCLUDING~~
21 ~~A POST OFFICE BOX.~~ IF THE INDIVIDUAL [ENTERS THIS

22 COMMONWEALTH AND] FAILS TO MAINTAIN A RESIDENCE AND IS
23 THEREFORE A TRANSIENT, THE INDIVIDUAL SHALL PROVIDE
24 INFORMATION FOR THE REGISTRY AS SET FORTH IN PARAGRAPH (6).

25 (6) IF THE INDIVIDUAL IS A TRANSIENT, THE INDIVIDUAL
26 SHALL PROVIDE INFORMATION ABOUT THE TRANSIENT'S TEMPORARY
27 HABITAT OR OTHER TEMPORARY PLACE OF ABODE OR DWELLING,
28 INCLUDING, BUT NOT LIMITED TO, A HOMELESS SHELTER OR PARK. IN
29 ADDITION, THE TRANSIENT SHALL PROVIDE A LIST OF PLACES THE
30 TRANSIENT EATS, FREQUENTS AND ENGAGES IN LEISURE ACTIVITIES

1 AND ANY PLANNED DESTINATIONS, INCLUDING THOSE OUTSIDE THIS
2 COMMONWEALTH. IF THE TRANSIENT CHANGES OR ADDS TO THE PLACES
3 LISTED UNDER THIS PARAGRAPH DURING A [30-DAY] MONTHLY PERIOD,
4 THE TRANSIENT SHALL LIST THESE WHEN REGISTERING AS A
5 TRANSIENT DURING THE NEXT [30-DAY] MONTHLY PERIOD. IN
6 ADDITION, THE TRANSIENT SHALL PROVIDE THE PLACE THE TRANSIENT
7 RECEIVES MAIL, INCLUDING A POST OFFICE BOX. IF THE TRANSIENT
8 HAS BEEN DESIGNATED AS A SEXUALLY VIOLENT PREDATOR, THE
9 TRANSIENT SHALL STATE WHETHER HE IS IN COMPLIANCE WITH
10 SECTION 9799.36 (RELATING TO COUNSELING OF SEXUALLY VIOLENT
11 PREDATORS). THE DUTY TO PROVIDE THE INFORMATION SET FORTH IN
12 THIS PARAGRAPH SHALL APPLY UNTIL THE TRANSIENT ESTABLISHES A
13 RESIDENCE. IN THE EVENT A TRANSIENT ESTABLISHES A RESIDENCE,
14 THE REQUIREMENTS OF SECTION 9799.15 (E) (RELATING TO PERIOD OF
15 REGISTRATION) SHALL APPLY.

16 * * *

17 (C) CRIMINAL JUSTICE INFORMATION.--THE PENNSYLVANIA STATE
18 POLICE SHALL ENSURE THAT THE FOLLOWING INFORMATION IS INCLUDED
19 IN, OR ELECTRONICALLY ACCESSIBLE BY, THE REGISTRY:

20 * * *

21 (D) COOPERATION.--[THE] THERE SHALL BE COOPERATION BETWEEN
22 THE PENNSYLVANIA STATE POLICE [SHALL COOPERATE WITH], STATE AND
23 COUNTY CORRECTIONAL INSTITUTIONS, THE PENNSYLVANIA BOARD OF
24 PROBATION AND PAROLE, THE COUNTY OFFICE OF PROBATION AND PAROLE,
25 ANY COURT WITH JURISDICTION OVER A SEXUAL OFFENDER, THE CHIEF
26 JUVENILE PROBATION OFFICER OF THE COURT, JUVENILE PROBATION AND
27 PAROLE AND THE DEPARTMENT OF PUBLIC WELFARE TO ENSURE THAT THE
28 INFORMATION SET FORTH IN SUBSECTIONS (B) AND (C) IS PROVIDED AND
29 PLACED IN THE REGISTRY.

30 § 9799.17. TERMINATION OF PERIOD OF REGISTRATION FOR JUVENILE

1 OFFENDERS.

2 (A) JUVENILE OFFENDER.--AN INDIVIDUAL WHO IS A JUVENILE
3 OFFENDER, WITH THE EXCEPTION OF A JUVENILE OFFENDER WHOSE PERIOD
4 OF REGISTRATION IS DETERMINED BY SECTION 9799.15(A) (4.1)
5 (RELATING TO PERIOD OF REGISTRATION), SHALL HAVE THE REQUIREMENT
6 TO REGISTER TERMINATED IF ALL OF THE FOLLOWING APPLY:

7 (1) AT LEAST 25 YEARS HAVE ELAPSED SINCE THE INDIVIDUAL
8 WAS:

9 (I) ADJUDICATED DELINQUENT FOR AN OFFENSE WHICH, IF
10 COMMITTED BY AN ADULT, WOULD BE CLASSIFIED AS AN OFFENSE
11 UNDER 18 PA.C.S. § 3121 (RELATING TO RAPE), 3123 (RELATING TO
12 INVOLUNTARY DEVIATE SEXUAL INTERCOURSE) OR 3125 (RELATING TO
13 AGGRAVATED INDECENT ASSAULT) OR AN ATTEMPT, SOLICITATION OR
14 CONSPIRACY TO COMMIT AN OFFENSE UNDER 18 PA.C.S. § 3121, 3123
15 OR 3125, EXCLUDING TIME SPENT UNDER THE SUPERVISION OF THE
16 COURT, INCLUDING COMMITMENT TO AN INSTITUTION OR FACILITY SET
17 FORTH IN SECTION 6352(A) (3) (RELATING TO DEPOSITION OF
18 DELINQUENT CHILD); OR

19 (II) ADJUDICATED DELINQUENT FOR AN OFFENSE IN
20 ANOTHER JURISDICTION OR FOREIGN COUNTRY WHICH IS SIMILAR
21 TO THAT WHICH IF COMMITTED BY AN ADULT IN THIS
22 COMMONWEALTH WOULD BE CLASSIFIED AS AN OFFENSE UNDER 18
23 PA.C.S. § 3121, 3123 OR 3125 OR AN ATTEMPT, SOLICITATION
24 OR CONSPIRACY TO COMMIT AN OFFENSE UNDER 18 PA.C.S. §
25 3121, 3123 OR 3125.

26 (2) FOR A PERIOD OF 25 YEARS PRIOR TO THE FILING OF THE
27 PETITION, THE INDIVIDUAL HAS NOT BEEN CONVICTED OF A
28 SUBSEQUENT SEXUALLY VIOLENT OFFENSE OR A SUBSEQUENT OFFENSE:

29 (I) GRADED AS A MISDEMEANOR OF THE SECOND DEGREE OR
30 HIGHER; OR

1 (II) WHICH IS PUNISHABLE BY A TERM OF IMPRISONMENT
2 GREATER THAN ONE YEAR.

3 (3) THE INDIVIDUAL SUCCESSFULLY COMPLETED COURT-ORDERED
4 SUPERVISION WITHOUT REVOCATION.

5 (4) THE INDIVIDUAL SUCCESSFULLY COMPLETED A TREATMENT
6 PROGRAM FOR SEXUAL OFFENDERS RECOGNIZED BY THE JUVENILE COURT
7 IN THIS COMMONWEALTH OR ANOTHER JURISDICTION OR THE UNITED
8 STATES ATTORNEY GENERAL UNDER SECTION 115(B)(1) OF THE ADAM
9 WALSH CHILD PROTECTION AND SAFETY ACT OF 2006 (PUBLIC LAW
10 109-248, 42 U.S.C. § 16915(B)(1)).

11 (B) PROCEDURE.--AN INDIVIDUAL WHO WAS ADJUDICATED DELINQUENT
12 IN THIS COMMONWEALTH, AND WHO SEEKS TO TERMINATE THE OBLIGATION
13 TO REGISTER PURSUANT TO SUBSECTION (A) MAY PETITION THE COURT OF
14 COMMON PLEAS OF THE COUNTY IN WHICH THE INDIVIDUAL WAS
15 ADJUDICATED DELINQUENT FOR TERMINATION. AN INDIVIDUAL WHO WAS
16 ADJUDICATED DELINQUENT IN ANOTHER JURISDICTION OR FOREIGN
17 COUNTRY MAY PETITION THE COURT OF COMMON PLEAS IN THE COUNTY IN
18 WHICH THE INDIVIDUAL HAS ESTABLISHED A RESIDENCE IN THIS
19 COMMONWEALTH. THE COURT SHALL:

20 (1) WITHIN 120 DAYS OF THE FILING OF THE PETITION UNDER
21 THIS SUBSECTION, HOLD A HEARING TO DETERMINE WHETHER TO
22 TERMINATE THE OBLIGATION TO REGISTER. THE PETITIONER AND THE
23 DISTRICT ATTORNEY SHALL BE GIVEN NOTICE OF THE HEARING AND AN
24 OPPORTUNITY TO BE HEARD, THE RIGHT TO CALL WITNESSES, THE
25 RIGHT TO CALL EXPERT WITNESSES AND THE RIGHT TO CROSS-EXAMINE
26 WITNESSES. THE PETITIONER SHALL HAVE THE RIGHT TO COUNSEL AND
27 TO HAVE A LAWYER APPOINTED IF THE PETITIONER CANNOT AFFORD
28 ONE.

29 (2) TERMINATE THE OBLIGATION TO REGISTER ONLY UPON A
30 FINDING OF CLEAR AND CONVINCING EVIDENCE THAT THE PETITIONER

1 HAS SATISFIED THE CRITERIA IN SUBSECTION (A) AND THAT
2 ALLOWING THE PETITIONER TO TERMINATE THE OBLIGATION TO
3 REGISTER IS NOT LIKELY TO POSE A THREAT TO THE SAFETY OF ANY
4 OTHER PERSON. THE BURDEN OF PROOF SHALL BE ON THE PETITIONER.

5 (C) NOTICE.--A COURT GRANTING RELIEF UNDER THIS SECTION
6 SHALL NOTIFY THE MEGAN'S LAW UNIT OF THE PENNSYLVANIA STATE
7 POLICE IN WRITING WITHIN TEN DAYS FROM THE DATE RELIEF IS
8 GRANTED.

9 (D) RIGHT TO APPEAL.--THE PETITIONER AND THE COMMONWEALTH
10 SHALL HAVE THE RIGHT TO APPELLATE REVIEW OF THE ACTIONS OF THE
11 COURT TAKEN UNDER THIS SECTION. AN APPEAL BY THE COMMONWEALTH
12 SHALL STAY THE ORDER OF THE COURT.

13 (E) PROHIBITION.--THIS SECTION SHALL NOT APPLY TO AN
14 INDIVIDUAL WHO:

15 (1) HAS BEEN DESIGNATED AS A SEXUALLY VIOLENT PREDATOR.

16 (2) HAS BEEN CONVICTED OF A SEXUALLY VIOLENT OFFENSE WHO
17 IS REQUIRED TO REGISTER FOR A PERIOD OF 15 YEARS OR A PERIOD
18 OF 25 YEARS.

19 (3) HAS BEEN CONVICTED OF A SEXUALLY VIOLENT OFFENSE WHO
20 IS REQUIRED TO REGISTER FOR A PERIOD OF LIFE.

21 (4) IS A SEXUALLY VIOLENT DELINQUENT CHILD.

22 § 9799.18. INFORMATION SHARING.

23 (A) GENERAL RULE.--THE PENNSYLVANIA STATE POLICE SHALL,
24 WITHIN THREE BUSINESS DAYS, [TRANSFER] MAKE AVAILABLE
25 INFORMATION PROVIDED BY AN INDIVIDUAL SET FORTH IN SECTION
26 9799.13 (RELATING TO APPLICABILITY) UNDER SECTIONS 9799.15(G)
27 AND (I) (RELATING TO PERIOD OF REGISTRATION), 9799.16(B)
28 (RELATING TO REGISTRY) AND 9799.19 (RELATING TO INITIAL
29 REGISTRATION) TO:

30 * * *

1 (4) THE DISTRICT ATTORNEY OF THE COUNTY IN WHICH THE
2 INDIVIDUAL:

3 (I) ESTABLISHES A RESIDENCE OR TERMINATES A
4 RESIDENCE, OR IS TRANSIENT;

5 (II) COMMENCES EMPLOYMENT OR TERMINATES EMPLOYMENT;

6 OR

7 (III) ENROLLS AS A STUDENT OR TERMINATES ENROLLMENT
8 AS A STUDENT.

9 (5) THE CHIEF LAW ENFORCEMENT OFFICER OF THE POLICE
10 DEPARTMENT OF THE MUNICIPALITY IN WHICH THE INDIVIDUAL:

11 (I) ESTABLISHES A RESIDENCE OR TERMINATES A
12 RESIDENCE, OR IS TRANSIENT;

13 (II) COMMENCES EMPLOYMENT OR TERMINATES EMPLOYMENT;

14 OR

15 (III) ENROLLS AS A STUDENT OR TERMINATES ENROLLMENT
16 AS A STUDENT.

17 (6) THE COUNTY OFFICE OF PROBATION AND PAROLE FOR THE
18 COUNTY IN WHICH THE INDIVIDUAL:

19 (I) ESTABLISHES A RESIDENCE OR TERMINATES A
20 RESIDENCE, OR IS TRANSIENT;

21 (II) COMMENCES EMPLOYMENT OR TERMINATES EMPLOYMENT;

22 OR

23 (III) ENROLLS AS A STUDENT OR TERMINATES ENROLLMENT
24 AS A STUDENT.

25 * * *

26 (D) INTERNATIONAL TRAVEL.--THE PENNSYLVANIA STATE POLICE
27 SHALL, WITHIN THREE BUSINESS DAYS, TRANSFER INFORMATION ABOUT
28 INTERNATIONAL TRAVEL PROVIDED BY THE SEXUAL OFFENDER UNDER
29 SECTION 9799.15(I) TO:

30 (1) A JURISDICTION IN WHICH THE SEXUAL OFFENDER IS

1 REQUIRED TO REGISTER THE SEXUAL OFFENDER'S RESIDENCE, AS A
2 TRANSIENT, EMPLOYMENT OR ENROLLMENT AS A STUDENT.

3 * * *

4 SECTION 9. SECTION 9799.19(B), (B.1) INTRODUCTORY PARAGRAPH
5 (H), (I) AND (J) OF TITLE 42, ADDED DECEMBER 20, 2011 (P.L.446,
6 NO.111), ARE AMENDED AND THE SECTION IS AMENDED BY ADDING
7 SUBSECTIONS TO READ:

8 § 9799.19. INITIAL REGISTRATION.

9 * * *

10 (B) INITIAL REGISTRATION IF INCARCERATED WITHIN COMMONWEALTH
11 OR BY FEDERAL COURT ON EFFECTIVE DATE OF SECTION.--THE FOLLOWING
12 APPLY:

13 (1) IF THE INDIVIDUAL IS, [ON] PRIOR TO THE EFFECTIVE
14 DATE OF THIS SECTION, INCARCERATED IN A FEDERAL, STATE OR
15 COUNTY CORRECTIONAL FACILITY, THE INDIVIDUAL SHALL PROVIDE
16 THE INFORMATION SET FORTH IN SECTION 9799.16(B) (RELATING TO
17 REGISTRY) TO THE APPROPRIATE OFFICIAL OF THE FEDERAL, STATE
18 OR COUNTY CORRECTIONAL FACILITY OR THE PENNSYLVANIA BOARD OF
19 PROBATION AND PAROLE FOR INCLUSION IN THE REGISTRY BEFORE
20 BEING RELEASED DUE TO:

21 (I) THE EXPIRATION OF SENTENCE, IN WHICH CASE THE
22 INFORMATION SHALL BE COLLECTED NO LATER THAN TEN DAYS
23 PRIOR TO THE MAXIMUM EXPIRATION DATE;

24 (II) PAROLE;

25 (III) STATE OR COUNTY INTERMEDIATE PUNISHMENT WHERE
26 THE SENTENCE IS RESTRICTIVE AND THE INDIVIDUAL IS
27 SENTENCED TO A PERIOD OF INCARCERATION IN A STATE OR
28 COUNTY CORRECTIONAL INSTITUTION OR A WORK RELEASE
29 FACILITY; OR

30 (IV) SPECIAL PROBATION SUPERVISED BY THE

1 PENNSYLVANIA BOARD OF PROBATION AND PAROLE.

2 (2) FOR INDIVIDUALS SET FORTH IN PARAGRAPH (1), THE
3 APPROPRIATE OFFICIAL OF THE FEDERAL, STATE OR COUNTY
4 CORRECTIONAL FACILITY OR THE PENNSYLVANIA BOARD OF PROBATION
5 AND PAROLE SHALL COLLECT AND FORWARD THE INFORMATION IN
6 SECTION 9799.16(B) TO THE PENNSYLVANIA STATE POLICE. THE
7 APPROPRIATE OFFICIAL SHALL, IN ADDITION, ENSURE THAT THE
8 INFORMATION SET FORTH IN SECTION 9799.16(C) IS COLLECTED AND
9 FORWARDED TO THE PENNSYLVANIA STATE POLICE. THE INFORMATION
10 IN SECTION 9799.16(B) AND (C) SHALL BE INCLUDED IN THE
11 REGISTRY. WITH RESPECT TO INDIVIDUALS RELEASED UNDER
12 PARAGRAPH (1) (II), (III) OR (IV), THE STATE OR COUNTY
13 CORRECTIONAL FACILITY SHALL NOT RELEASE THE INDIVIDUAL UNTIL
14 IT RECEIVES VERIFICATION FROM THE PENNSYLVANIA STATE POLICE
15 THAT IT HAS RECEIVED THE INFORMATION SET FORTH IN SECTION
16 9799.16(B) AND (C). VERIFICATION MAY TAKE PLACE BY ELECTRONIC
17 MEANS. WITH RESPECT TO INDIVIDUALS RELEASED UNDER PARAGRAPH
18 (1) (I), IF THE INDIVIDUAL REFUSES TO PROVIDE THE INFORMATION
19 SET FORTH IN SECTION 9799.16(B), THE STATE OR COUNTY
20 CORRECTIONAL INSTITUTION SHALL NOTIFY THE PENNSYLVANIA STATE
21 POLICE OR THE MUNICIPAL POLICE DEPARTMENT WITH JURISDICTION
22 OVER THE FACILITY OF THE FAILURE TO PROVIDE THE INFORMATION
23 AND OF THE EXPECTED DATE, TIME AND LOCATION OF THE RELEASE OF
24 THE INDIVIDUAL.

25 (B.1) INITIAL REGISTRATION IF SENTENCED TO A COUNTY OR STATE
26 CORRECTIONAL FACILITY ON OR AFTER THE EFFECTIVE DATE OF
27 SECTION.--IF THE INDIVIDUAL IS, ON OR AFTER THE EFFECTIVE DATE
28 OF THIS SECTION, SENTENCED TO A PERIOD OF INCARCERATION IN A
29 COUNTY OR STATE CORRECTIONAL FACILITY, THE INDIVIDUAL SHALL
30 PROVIDE THE INFORMATION SET FORTH IN SECTION 9799.16(B) AS

1 FOLLOWS:

2 * * *

3 (E.1) INITIAL REGISTRATION FOR COUNTY OR FEDERAL
4 PROBATIONERS ON THE EFFECTIVE DATE OF THIS SECTION.--

5 (1) IF THE INDIVIDUAL IS, ON THE EFFECTIVE DATE OF THIS
6 SECTION, ALREADY SERVING A SENTENCE OF COUNTY PROBATION, THE
7 APPROPRIATE OFFICE OF PROBATION AND PAROLE SERVING THE COUNTY
8 SHALL REGISTER THE INDIVIDUAL WITHIN 48 HOURS. THE
9 APPROPRIATE OFFICIAL OF THAT OFFICE SHALL COLLECT THE
10 INFORMATION SET FORTH IN SECTION 9799.16(B) AND FORWARD THAT
11 INFORMATION TO THE PENNSYLVANIA STATE POLICE. THE
12 PENNSYLVANIA STATE POLICE SHALL ENSURE THAT THE INFORMATION
13 SET FORTH IN SECTION 9799.16(C) IS COLLECTED. THE INFORMATION
14 IN SECTION 9799.16(B) AND (C) SHALL BE INCLUDED IN THE
15 REGISTRY. IF THE INDIVIDUAL FAILS TO COMPLY, THE APPROPRIATE
16 OFFICIAL OF THAT OFFICE SHALL NOTIFY THE PENNSYLVANIA STATE
17 POLICE.

18 (2) IF THE INDIVIDUAL IS, ON THE EFFECTIVE DATE OF THIS
19 SECTION, ALREADY UNDER THE SUPERVISION OF FEDERAL PROBATION
20 AUTHORITIES FOR A SEXUALLY VIOLENT OFFENSE, THE INDIVIDUAL
21 SHALL PROVIDE THE INFORMATION SET FORTH IN SECTION 9799.16(B)
22 BY APPEARING AT AN APPROVED REGISTRATION SITE WITHIN 48 HOURS
23 OF THE EFFECTIVE DATE OF THIS SECTION.

24 (E.2) INITIAL REGISTRATION FOR COUNTY OR STATE PAROLEES ON
25 THE EFFECTIVE DATE OF THIS SECTION.--

26 (1) IF THE INDIVIDUAL IS, ON THE EFFECTIVE DATE OF THIS
27 SECTION, ALREADY SERVING A SENTENCE OF COUNTY PAROLE, THE
28 APPROPRIATE OFFICE OF PROBATION AND PAROLE SERVING THE COUNTY
29 SHALL REGISTER THE INDIVIDUAL WITHIN 48 HOURS. THE
30 APPROPRIATE OFFICIAL OF THAT OFFICE SHALL COLLECT THE

1 INFORMATION SET FORTH IN SECTION 9799.16(B) AND FORWARD THAT
2 INFORMATION TO THE PENNSYLVANIA STATE POLICE. THE
3 PENNSYLVANIA STATE POLICE SHALL ENSURE THAT THE INFORMATION
4 SET FORTH IN SECTION 9799.16(C) IS COLLECTED. THE INFORMATION
5 IN SECTION 9799.16(B) AND (C) SHALL BE INCLUDED IN THE
6 REGISTRY. IF THE INDIVIDUAL FAILS TO COMPLY, THE APPROPRIATE
7 OFFICIAL OF THAT OFFICE SHALL NOTIFY THE PENNSYLVANIA STATE
8 POLICE.

9 (2) IF THE INDIVIDUAL IS, ON THE EFFECTIVE DATE OF THIS
10 SECTION, ALREADY SERVING A SENTENCE OF STATE PAROLE, THE
11 PENNSYLVANIA BOARD OF PROBATION AND PAROLE SHALL REGISTER THE
12 INDIVIDUAL WITHIN 48 HOURS. THE APPROPRIATE OFFICIAL OF
13 PENNSYLVANIA BOARD OF PROBATION AND PAROLE SHALL COLLECT THE
14 INFORMATION SET FORTH IN SECTION 9799.16(B) FROM THE
15 INDIVIDUAL AND FORWARD THE INFORMATION TO THE PENNSYLVANIA
16 STATE POLICE. THE PENNSYLVANIA STATE POLICE SHALL ENSURE THAT
17 THE INFORMATION SET FORTH IN SECTION 9799.16(C) IS COLLECTED.
18 THE INFORMATION IN SECTION 9799.16(B) AND (C) SHALL BE
19 INCLUDED IN THE REGISTRY. IF THE INDIVIDUAL FAILS TO COMPLY,
20 THE APPROPRIATE OFFICIAL OF THE PENNSYLVANIA BOARD OF
21 PROBATION AND PAROLE SHALL NOTIFY THE PENNSYLVANIA STATE
22 POLICE.

23 * * *

24 (H) INITIAL REGISTRATION OF JUVENILE OFFENDER OR SEXUALLY
25 VIOLENT DELINQUENT CHILD.--[IF THE INDIVIDUAL IS A JUVENILE
26 OFFENDER OR A SEXUALLY VIOLENT DELINQUENT CHILD, THE FOLLOWING
27 APPLY:]

28 (1) IF THE INDIVIDUAL IS A JUVENILE OFFENDER WHO IS
29 ADJUDICATED DELINQUENT BY A COURT ON OR AFTER THE EFFECTIVE
30 DATE OF THIS SECTION, THE FOLLOWING APPLY:

1 (I) THE COURT SHALL REQUIRE THE INDIVIDUAL TO
2 PROVIDE THE INFORMATION SET FORTH IN SECTION 9799.16(B)
3 TO THE CHIEF JUVENILE PROBATION OFFICER OF THE COURT AS
4 FOLLOWS:

5 (A) EXCEPT AS SET FORTH IN CLAUSE (B), AT THE
6 TIME OF DISPOSITION UNDER SECTION 6352 (RELATING TO
7 DISPOSITION OF DELINQUENT CHILD) .

8 (B) AT THE TIME THE INDIVIDUAL IS ADJUDICATED
9 DELINQUENT UNDER SECTION 6341 (RELATING TO
10 ADJUDICATION) IF:

11 (I) THE ADJUDICATION OF DELINQUENCY OCCURS
12 IN ANY COUNTY OTHER THAN THE INDIVIDUAL'S COUNTY
13 OF RESIDENCE; AND

14 (II) THE COURT INTENDS TO TRANSFER THE
15 INDIVIDUAL'S CASE FOR DISPOSITION TO THE
16 INDIVIDUAL'S COUNTY OF RESIDENCE UNDER SECTION
17 6321(C) (RELATING TO COMMENCEMENT OF
18 PROCEEDINGS).

19 (II) THE CHIEF JUVENILE PROBATION OFFICER SHALL
20 COLLECT THE INFORMATION IN SECTION 9799.16(B) AND (C) AND
21 FORWARD IT TO THE PENNSYLVANIA STATE POLICE FOR INCLUSION
22 IN THE REGISTRY AS DIRECTED BY THE PENNSYLVANIA STATE
23 POLICE. IF THE JUVENILE OFFENDER IS, UNDER SECTION
24 6352(A)(3), SUBJECT TO COURT-ORDERED PLACEMENT IN AN
25 INSTITUTION OR FACILITY [SET FORTH IN SECTION 6352(A)(3)]
26 WHICH PROVIDES THE JUVENILE WITH 24-HOUR-PER-DAY
27 SUPERVISION AND CARE, THE INSTITUTION OR FACILITY SHALL
28 ENSURE THE INFORMATION PROVIDED BY THE JUVENILE OFFENDER
29 PURSUANT TO SECTION 9799.16(B) IS UPDATED TO REFLECT
30 ACCURATE INFORMATION PRIOR TO RELEASE. THE INSTITUTION OR

1 FACILITY MAY NOT RELEASE THE JUVENILE OFFENDER UNTIL IT
2 RECEIVES VERIFICATION FROM THE PENNSYLVANIA STATE POLICE
3 THAT THE INFORMATION REQUIRED UNDER SECTION 9799.16(B)
4 AND (C) HAS BEEN ENTERED IN THE REGISTRY.

5 (2) IF [THE INDIVIDUAL IS], ON THE EFFECTIVE DATE OF
6 THIS SECTION, THE INDIVIDUAL IS A JUVENILE OFFENDER AND IS
7 SUBJECT TO THE JURISDICTION OF THE COURT PURSUANT TO A
8 DISPOSITION ENTERED UNDER SECTION 6352 AND IS ON PROBATION OR
9 THE INDIVIDUAL IS OTHERWISE BEING SUPERVISED IN THE
10 COMMUNITY, INCLUDING PLACEMENT IN A FOSTER FAMILY HOME OR
11 OTHER RESIDENTIAL SETTING WHICH PROVIDES THE INDIVIDUAL WITH
12 LESS THAN 24-HOUR-PER-DAY SUPERVISION AND CARE, THE
13 INDIVIDUAL SHALL PROVIDE THE INFORMATION SET FORTH IN SECTION
14 9799.16(B) TO THE CHIEF JUVENILE PROBATION OFFICER OF THE
15 COURT WITHIN 30 DAYS OF THE EFFECTIVE DATE OF THIS SECTION.
16 THE CHIEF JUVENILE PROBATION OFFICER SHALL COLLECT THE
17 INFORMATION SET FORTH IN SECTION 9799.16(B) AND (C) AND
18 FORWARD IT TO THE PENNSYLVANIA STATE POLICE FOR INCLUSION IN
19 THE REGISTRY, AS DIRECTED BY THE PENNSYLVANIA STATE POLICE.

20 (3) IF THE INDIVIDUAL IS, ON THE EFFECTIVE DATE OF THIS
21 SECTION, ALREADY A JUVENILE OFFENDER AND IS SUBJECT TO THE
22 JURISDICTION OF A COURT PURSUANT TO A DISPOSITION ENTERED
23 UNDER SECTION 6352 AND IS, UNDER SECTION 6352, SUBJECT TO
24 COURT-ORDERED PLACEMENT IN AN INSTITUTION OR FACILITY [SET
25 FORTH IN SECTION 6352] WHICH PROVIDES THE JUVENILE WITH 24-
26 HOURLY-PER-DAY SUPERVISION AND CARE, THE DIRECTOR OF THE
27 INSTITUTION OR FACILITY OR A DESIGNEE SHALL MAKE THE JUVENILE
28 OFFENDER AVAILABLE FOR AND FACILITATE THE COLLECTION OF THE
29 INFORMATION SET FORTH IN SECTION 9799.16(B) AND (C) AS
30 DIRECTED BY THE PENNSYLVANIA STATE POLICE FOR INCLUSION IN

1 THE REGISTRY. THE PENNSYLVANIA STATE POLICE MAY REQUIRE THE
2 INSTITUTION OR FACILITY TO TRANSPORT THE JUVENILE OFFENDER TO
3 AND FROM AN APPROVED REGISTRATION SITE IN ORDER TO FULFILL
4 THE REQUIREMENT OF THIS PARAGRAPH. IN ORDER TO FULFILL THE
5 REQUIREMENTS OF THIS PARAGRAPH, THE CHIEF JUVENILE PROBATION
6 OFFICER OF THE COURT SHALL, WITHIN TEN DAYS OF THE EFFECTIVE
7 DATE OF THIS SECTION, NOTIFY THE DIRECTOR OF THE INSTITUTION
8 OR FACILITY AND THE PENNSYLVANIA STATE POLICE THAT THE
9 JUVENILE OFFENDER IS REQUIRED TO REGISTER UNDER THIS
10 SUBCHAPTER. IN ADDITION, THE INSTITUTION OR FACILITY SHALL
11 ENSURE THAT THE INFORMATION PROVIDED BY THE JUVENILE OFFENDER
12 PURSUANT TO SECTION 9799.16(B) IS UPDATED TO REFLECT ACCURATE
13 INFORMATION PRIOR TO RELEASE. THE JUVENILE OFFENDER MAY NOT
14 BE RELEASED UNTIL THE INSTITUTION OR FACILITY RECEIVES
15 VERIFICATION FROM THE PENNSYLVANIA STATE POLICE THAT THE
16 INFORMATION REQUIRED UNDER SECTION 9799.16(B) AND (C) HAS
17 BEEN ENTERED INTO THE REGISTRY.

18 (4) IF THE INDIVIDUAL IS, ON THE EFFECTIVE DATE OF THIS
19 SECTION, ALREADY A SEXUALLY VIOLENT DELINQUENT CHILD AND
20 RECEIVING INVOLUNTARY TREATMENT IN THE STATE-OWNED FACILITY
21 OR UNIT UNDER CHAPTER 64 (RELATING TO COURT-ORDERED
22 INVOLUNTARY TREATMENT OF CERTAIN SEXUALLY VIOLENT PERSONS),
23 THE DIRECTOR OF THE FACILITY OR UNIT OR A DESIGNEE SHALL MAKE
24 THE SEXUALLY VIOLENT DELINQUENT CHILD AVAILABLE FOR AND
25 FACILITATE THE COLLECTION OF THE INFORMATION SET FORTH IN
26 SECTION 9799.16(B) AND (C) AS DIRECTED BY THE PENNSYLVANIA
27 STATE POLICE FOR INCLUSION IN THE REGISTRY. THE PENNSYLVANIA
28 STATE POLICE MAY REQUIRE THE FACILITY OR UNIT TO TRANSPORT
29 THE SEXUALLY VIOLENT DELINQUENT CHILD TO AND FROM AN APPROVED
30 REGISTRATION SITE IN ORDER TO FULFILL THE REQUIREMENT OF THIS

1 PARAGRAPH. IN ADDITION, THE FACILITY OR UNIT SHALL ENSURE
2 THAT THE INFORMATION PROVIDED BY THE SEXUALLY VIOLENT
3 DELINQUENT CHILD PURSUANT TO SECTION 9799.16(B) IS UPDATED TO
4 REFLECT ACCURATE INFORMATION PRIOR TO RELEASE. THE FACILITY
5 OR UNIT MAY NOT TRANSFER THE SEXUALLY VIOLENT CHILD TO
6 OUTPATIENT TREATMENT UNTIL IT HAS RECEIVED VERIFICATION FROM
7 THE PENNSYLVANIA STATE POLICE THAT IT HAS RECEIVED THE
8 INFORMATION SET FORTH IN SECTION 9799.16(B) AND (C).

9 (5) IF THE INDIVIDUAL IS, ON OR AFTER THE EFFECTIVE DATE
10 OF THIS SECTION, DETERMINED BY THE COURT TO BE A SEXUALLY
11 VIOLENT DELINQUENT CHILD AND COMMITTED FOR INVOLUNTARY
12 TREATMENT TO THE STATE-OWNED FACILITY OR UNIT UNDER CHAPTER
13 64, THE FOLLOWING APPLY:

14 (I) THE COURT SHALL REQUIRE THE INDIVIDUAL TO
15 PROVIDE THE INFORMATION SET FORTH IN SECTION 9799.16(B)
16 TO THE CHIEF JUVENILE PROBATION OFFICER OF THE COURT AT
17 THE TIME OF COMMITMENT. THE CHIEF JUVENILE PROBATION
18 OFFICER SHALL COLLECT AND FORWARD THE INFORMATION TO THE
19 PENNSYLVANIA STATE POLICE FOR INCLUSION IN THE REGISTRY.
20 THE CHIEF JUVENILE PROBATION OFFICER SHALL, AT THE TIME
21 OF COMMITMENT, ALSO ENSURE THAT THE INFORMATION SET FORTH
22 IN SECTION 9799.16(C) IS COLLECTED AND FORWARDED TO THE
23 PENNSYLVANIA STATE POLICE FOR INCLUSION IN THE REGISTRY.
24 THE PENNSYLVANIA STATE POLICE MAY REQUIRE THE FACILITY OR
25 UNIT TO TRANSPORT THE SEXUALLY VIOLENT DELINQUENT CHILD
26 TO AND FROM AN APPROVED REGISTRATION SITE IN ORDER TO
27 FULFILL THE REQUIREMENT OF INITIAL REGISTRATION AT THE
28 TIME OF COMMITMENT.

29 (II) THE FACILITY OR UNIT SHALL ENSURE THAT THE
30 INFORMATION PROVIDED BY THE SEXUALLY VIOLENT DELINQUENT

1 CHILD PURSUANT TO SECTION 9799.16(B) IS UPDATED TO
2 REFLECT ACCURATE INFORMATION PRIOR TO TRANSFER TO
3 INVOLUNTARY OUTPATIENT TREATMENT PURSUANT TO SECTION
4 6404.1 (RELATING TO TRANSFER TO INVOLUNTARY OUTPATIENT
5 TREATMENT) OR DISCHARGE. THE COURT MAY NOT TRANSFER THE
6 SEXUALLY VIOLENT DELINQUENT CHILD TO OUTPATIENT TREATMENT
7 OR DISCHARGE THE CHILD FROM THE FACILITY OR UNIT UNTIL IT
8 HAS RECEIVED VERIFICATION FROM THE PENNSYLVANIA STATE
9 POLICE THAT THE INFORMATION REQUIRED UNDER SECTION
10 9799.16(B) AND (C) HAS BEEN ENTERED IN THE REGISTRY.

11 (I) INITIAL REGISTRATION IF CONVICTED OR ADJUDICATED
12 DELINQUENT OUTSIDE COMMONWEALTH.--[THE FOLLOWING APPLY:]

13 (1) [IF THE INDIVIDUAL IS, ON OR AFTER THE EFFECTIVE
14 DATE OF THIS SECTION, CONVICTED OF A SEXUALLY VIOLENT OFFENSE
15 IN ANOTHER JURISDICTION OR A FOREIGN COUNTRY OR OF A
16 COMPARABLE MILITARY OFFENSE, THE] AN INDIVIDUAL SUBJECT TO
17 REGISTRATION UNDER SECTION 9799.13(7), (7.1) OR (7.2)
18 (RELATING TO APPLICABILITY) SHALL APPEAR IN PERSON AT AN
19 APPROVED REGISTRATION SITE TO PROVIDE THE INFORMATION SET
20 FORTH IN SECTION 9799.16(B) TO THE PENNSYLVANIA STATE POLICE
21 WITHIN THREE BUSINESS DAYS OF ESTABLISHING RESIDENCE,
22 COMMENCING EMPLOYMENT OR COMMENCING ENROLLMENT AS A STUDENT
23 WITHIN THIS COMMONWEALTH. IN ADDITION, THE INDIVIDUAL SHALL
24 COMPLY WITH THE OTHER PROVISIONS OF THIS SUBCHAPTER,
25 INCLUDING SECTION 9799.15 (RELATING TO PERIOD OF
26 REGISTRATION). IF THE INDIVIDUAL FAILS TO ESTABLISH A
27 RESIDENCE BUT NEVERTHELESS RESIDES IN THIS COMMONWEALTH, THE
28 INDIVIDUAL SHALL REGISTER AS A TRANSIENT. THE PENNSYLVANIA
29 STATE POLICE SHALL ENSURE THAT THE INFORMATION SET FORTH IN
30 SECTION 9799.16(C) WITH RESPECT TO THE INDIVIDUAL IS

1 COLLECTED AND ENTERED IN THE REGISTRY.

2 (2) IF THE INDIVIDUAL IS, ON OR AFTER THE EFFECTIVE DATE
3 OF THIS SECTION, A JUVENILE OFFENDER AS DEFINED IN PARAGRAPH
4 (2) OR (3) OF THE DEFINITION OF "JUVENILE OFFENDER" IN
5 SECTION 9799.12 (RELATING TO DEFINITIONS), THE INDIVIDUAL
6 SHALL APPEAR IN PERSON AT AN APPROVED REGISTRATION SITE TO
7 PROVIDE THE INFORMATION SET FORTH IN SECTION 9799.16(B) TO
8 THE PENNSYLVANIA STATE POLICE WITHIN THREE BUSINESS DAYS OF
9 ESTABLISHING RESIDENCE, COMMENCING EMPLOYMENT OR COMMENCING
10 ENROLLMENT AS A STUDENT WITHIN THIS COMMONWEALTH. IN
11 ADDITION, THE INDIVIDUAL SHALL COMPLY WITH THE OTHER
12 PROVISIONS OF THIS SUBCHAPTER, INCLUDING SECTION 9799.15. IF
13 THE INDIVIDUAL FAILS TO ESTABLISH A RESIDENCE BUT
14 NEVERTHELESS RESIDES IN THIS COMMONWEALTH, THE INDIVIDUAL
15 SHALL REGISTER AS A TRANSIENT. THE PENNSYLVANIA STATE POLICE
16 SHALL ENSURE THAT THE INFORMATION SET FORTH IN SECTION
17 9799.16(C) WITH RESPECT TO THE INDIVIDUAL IS COLLECTED AND
18 ENTERED IN THE REGISTRY.

19 (3) IF THE INDIVIDUAL IS, ON OR AFTER THE EFFECTIVE DATE
20 OF THIS SECTION, CONVICTED OF A SEXUALLY VIOLENT OFFENSE AND
21 INCARCERATED IN A FEDERAL CORRECTIONAL INSTITUTION OR BEING
22 SUPERVISED BY FEDERAL PROBATION AUTHORITIES, THE INDIVIDUAL
23 SHALL APPEAR IN PERSON AT AN APPROVED REGISTRATION SITE TO
24 PROVIDE THE INFORMATION SET FORTH IN SECTION 9799.16(B) TO
25 THE PENNSYLVANIA STATE POLICE WITHIN THREE BUSINESS DAYS OF
26 ESTABLISHING RESIDENCE, COMMENCING EMPLOYMENT OR COMMENCING
27 ENROLLMENT AS A STUDENT IN THIS COMMONWEALTH. IN ADDITION,
28 THE INDIVIDUAL SHALL COMPLY WITH OTHER PROVISIONS OF THIS
29 SUBCHAPTER, INCLUDING SECTION 9799.15. IF THE INDIVIDUAL
30 FAILS TO ESTABLISH A RESIDENCE BUT NEVERTHELESS RESIDES IN

1 THIS COMMONWEALTH, THE INDIVIDUAL SHALL REGISTER AS A
2 TRANSIENT. THE PENNSYLVANIA STATE POLICE SHALL ENSURE THAT
3 THE INFORMATION SET FORTH IN SECTION 9799.16(C) WITH RESPECT
4 TO THE INDIVIDUAL IS COLLECTED AND ENTERED INTO THE REGISTRY.

5 (J) FORMER LAW AND [INITIAL] REGISTRATION.--[IF THE
6 INDIVIDUAL WAS REQUIRED TO REGISTER UNDER THIS SUBCHAPTER BEFORE
7 THE EFFECTIVE DATE OF THIS SECTION AND HAS NOT FULFILLED THE
8 PERIOD OF REGISTRATION, THE] AN INDIVIDUAL SUBJECT TO
9 REGISTRATION UNDER SECTION 9799.13(3) SHALL APPEAR AT AN
10 APPROVED REGISTRATION SITE TO UPDATE REGISTRATION OR, IF
11 NECESSARY, TO PROVIDE THE INFORMATION SET FORTH IN SECTION
12 9799.16(B) TO THE PENNSYLVANIA STATE POLICE WITHIN 90 DAYS OF
13 THE EFFECTIVE DATE OF THIS SECTION. IN ADDITION, THE INDIVIDUAL
14 SHALL COMPLY WITH THE OTHER PROVISIONS OF THIS SUBCHAPTER,
15 INCLUDING SECTION 9799.15. IF THE INDIVIDUAL FAILS TO ESTABLISH
16 A RESIDENCE, THE INDIVIDUAL SHALL REGISTER AS A TRANSIENT. THE
17 PENNSYLVANIA STATE POLICE SHALL ENSURE THAT THE INFORMATION SET
18 FORTH IN SECTION 9799.16(C) WITH RESPECT TO THE INDIVIDUAL IS
19 COLLECTED AND ENTERED IN THE REGISTRY.

20 SECTION 10. SECTIONS 9799.20 INTRODUCTORY PARAGRAPH,
21 9799.21, 9799.22, 9799.23(A) INTRODUCTORY PARAGRAPH AND (2),
22 9799.25(B) (1) AND (C) INTRODUCTORY PARAGRAPH AND (1), 9799.26(A)
23 (1) (I) AND (II) AND 9799.27(A) (2) AND (B), ADDED DECEMBER 20,
24 2011 (P.L.446, NO.111), ARE AMENDED TO READ:

25 § 9799.20. DUTY TO INFORM.

26 IN ORDER TO IMPLEMENT THE PROVISIONS OF SECTION 9799.19
27 (RELATING TO INITIAL REGISTRATION), AS APPROPRIATE, THE
28 PENNSYLVANIA STATE POLICE, THE COURT HAVING JURISDICTION OVER
29 THE SEXUAL OFFENDER, THE CHIEF JUVENILE PROBATION OFFICER OF THE
30 COURT AND THE APPROPRIATE OFFICIAL OF THE PENNSYLVANIA BOARD OF

1 PROBATION AND PAROLE, COUNTY OFFICE OF PROBATION AND PAROLE, THE
2 DEPARTMENT OF PUBLIC WELFARE OR A STATE OR COUNTY CORRECTIONAL
3 INSTITUTION SHALL:

4 * * *

5 § 9799.21. PENALTY.

6 (A) REGISTRATION.--AN INDIVIDUAL SET FORTH IN SECTION
7 9799.13 (RELATING TO APPLICABILITY) MAY BE SUBJECT TO
8 PROSECUTION UNDER 18 PA.C.S. § 4915.1 (RELATING TO FAILURE TO
9 COMPLY WITH REGISTRATION REQUIREMENTS) IF THE INDIVIDUAL FAILS
10 TO:

11 (1) REGISTER WITH THE PENNSYLVANIA STATE POLICE AS SET
12 FORTH IN SECTION 9799.15 (RELATING TO PERIOD OF
13 REGISTRATION), 9799.19 (RELATING TO INITIAL REGISTRATION) OR
14 9799.25 (RELATING TO VERIFICATION BY SEXUAL OFFENDERS AND
15 PENNSYLVANIA STATE POLICE);

16 (2) VERIFY THE INFORMATION PROVIDED BY THE INDIVIDUAL OR
17 BE PHOTOGRAPHED AS PROVIDED IN SECTIONS 9799.15, 9799.19 AND
18 9799.25; OR

19 (3) PROVIDE ACCURATE INFORMATION WHEN REGISTERING UNDER
20 SECTIONS 9799.15, 9799.19 AND 9799.25.

21 (B) COUNSELING.--A SEXUALLY VIOLENT PREDATOR OR SEXUALLY
22 VIOLENT DELINQUENT CHILD MAY BE SUBJECT TO PROSECUTION UNDER 18
23 PA.C.S. § 4915.1 IF HE FAILS TO COMPLY WITH SECTION 9799.36
24 (RELATING TO COUNSELING OF SEXUALLY VIOLENT PREDATORS).

25 § 9799.22. ENFORCEMENT.

26 (A) FAILURE TO COMPLY.--WHEN AN INDIVIDUAL SET FORTH IN
27 SECTION 9799.13 (RELATING TO APPLICABILITY) FAILS TO COMPLY WITH
28 SECTION [9799.21(1), (2) OR (3)] 9799.19 (RELATING TO INITIAL
29 REGISTRATION), 9799.21 (RELATING TO PENALTY) OR 9799.36
30 (RELATING TO COUNSELING OF SEXUALLY VIOLENT PREDATORS), THE

1 PENNSYLVANIA STATE POLICE SHALL EITHER:

2 (1) IN COOPERATION WITH THE DISTRICT ATTORNEY, SEEK
3 ISSUANCE OF A WARRANT FOR THE ARREST OF THE INDIVIDUAL AND
4 LOCATE AND ARREST THE INDIVIDUAL FOR VIOLATING THIS SECTION[;
5 OR].

6 (2) [NOTIFY] NOTIFY THE MUNICIPAL POLICE DEPARTMENT
7 WHERE THE INDIVIDUAL HAS A RESIDENCE, IS TRANSIENT, IS
8 EMPLOYED OR IS ENROLLED AS A STUDENT. THE MUNICIPAL POLICE
9 SHALL, IN COOPERATION WITH THE DISTRICT ATTORNEY, SEEK
10 ISSUANCE OF A WARRANT FOR THE ARREST OF THE INDIVIDUAL AND
11 LOCATE AND ARREST THE INDIVIDUAL FOR VIOLATING THIS SECTION.
12 IN MUNICIPALITIES WHERE NO MUNICIPAL POLICE DEPARTMENT
13 EXISTS, THE PENNSYLVANIA STATE POLICE SHALL PROCEED UNDER
14 PARAGRAPH (1).

15 (B) WHEN INDIVIDUAL CANNOT BE FOUND.--IN THE EVENT THE
16 INDIVIDUAL CANNOT BE LOCATED, THE [PENNSYLVANIA STATE POLICE
17 SHALL] FOLLOWING APPLY:

18 (1) [ENTER] THE PENNSYLVANIA STATE POLICE SHALL ENTER
19 INFORMATION ON THE INTERNET WEBSITE OF SEXUAL OFFENDERS AND
20 IN THE REGISTRY INDICATING THAT THE INDIVIDUAL CANNOT BE
21 LOCATED.

22 (2) [PROVIDE] THE PENNSYLVANIA STATE POLICE SHALL
23 PROVIDE INFORMATION TO THE NATIONAL SEX OFFENDER REGISTRY AND
24 NCIC TO REFLECT THAT THE INDIVIDUAL CANNOT BE LOCATED.

25 (3) [NOTIFY] THE PENNSYLVANIA STATE POLICE SHALL NOTIFY
26 THE UNITED STATES MARSHALS SERVICE.

27 (4) [IN COOPERATION WITH THE DISTRICT ATTORNEY, SEEK
28 ISSUANCE OF A WARRANT FOR THE ARREST OF THE INDIVIDUAL.] IF A
29 WARRANT IS ISSUED PURSUANT TO THIS [PARAGRAPH] SUBSECTION,
30 THE [PENNSYLVANIA STATE POLICE] POLICE DEPARTMENT EXECUTING

1 THE WARRANT SHALL PROVIDE INFORMATION TO THE NATIONAL CRIME
2 INFORMATION CENTER WANTED PERSON FILE TO REFLECT THAT A
3 WARRANT HAS BEEN ISSUED FOR THE INDIVIDUAL'S ARREST.

4 (C) NOTICE FROM ANOTHER JURISDICTION.--WHEN ANOTHER
5 JURISDICTION NOTIFIES THE [COMMONWEALTH] PENNSYLVANIA STATE
6 POLICE THAT A SEXUAL OFFENDER HAS TERMINATED RESIDENCE,
7 EMPLOYMENT OR ENROLLMENT AS A STUDENT IN THAT JURISDICTION AND
8 INTENDS TO ESTABLISH A RESIDENCE IN THIS COMMONWEALTH, COMMENCE
9 EMPLOYMENT IN THIS COMMONWEALTH OR COMMENCE ENROLLMENT AS A
10 STUDENT IN THIS COMMONWEALTH AND THAT SEXUAL OFFENDER FAILS TO
11 APPEAR IN THIS COMMONWEALTH TO REGISTER AS PROVIDED IN SECTION
12 9799.15 (RELATING TO PERIOD OF REGISTRATION), THE PENNSYLVANIA
13 STATE POLICE SHALL NOTIFY THE OTHER JURISDICTION THAT THE SEXUAL
14 OFFENDER FAILED TO APPEAR. THIS SUBSECTION ALSO APPLIES TO A
15 TRANSIENT WHO FAILS TO APPEAR.

16 (D) DUTY TO INFORM PENNSYLVANIA STATE POLICE.--IN ORDER TO
17 IMPLEMENT [THE PROVISIONS OF SECTION 9799.15 AND SECTION 9799.19
18 (RELATING TO INITIAL REGISTRATION)] THIS SUBCHAPTER, THE COURT
19 WITH JURISDICTION OVER THE SEXUAL OFFENDER, THE CHIEF JUVENILE
20 PROBATION OFFICER OF THE COURT AND THE APPROPRIATE OFFICIAL OF
21 THE PENNSYLVANIA BOARD OF PROBATION AND PAROLE, THE COUNTY
22 OFFICE OF PROBATION AND PAROLE, THE DEPARTMENT OF PUBLIC WELFARE
23 OR A STATE OR COUNTY CORRECTIONAL INSTITUTION SHALL INFORM THE
24 PENNSYLVANIA STATE POLICE IF THE INDIVIDUAL REFUSES TO PROVIDE
25 THE INFORMATION REQUIRED[. THE] BY THIS SUBCHAPTER SO THAT THE
26 PENNSYLVANIA STATE POLICE [SHALL LOCATE AND ARREST THE
27 INDIVIDUAL FOR A VIOLATION OF 18 PA.C.S. § 4915.1 (RELATING TO
28 FAILURE TO COMPLY WITH REGISTRATION REQUIREMENTS) MAY COMPLY
29 WITH THIS SECTION.

30 § 9799.23. COURT NOTIFICATION AND CLASSIFICATION REQUIREMENTS.

1 (A) NOTICE TO SEXUAL OFFENDERS.--AT THE TIME OF SENTENCING
2 [OR], OF DISPOSITION[,] IN THE CASE OF A JUVENILE OFFENDER OR OF
3 COMMITMENT IN THE CASE OF A SEXUALLY VIOLENT DELINQUENT CHILD,
4 THE COURT SHALL INFORM THE SEXUAL OFFENDER OF THE PROVISIONS OF
5 THIS SUBCHAPTER. THE COURT SHALL:

6 * * *

7 (2) SPECIFICALLY INFORM THE SEXUAL OFFENDER OF:

8 (I) THE DUTY TO REGISTER IN ACCORDANCE WITH SECTIONS
9 9799.15 (RELATING TO PERIOD OF REGISTRATION), 9799.16(B)
10 (RELATING TO REGISTRY), 9799.19 (RELATING TO INITIAL
11 REGISTRATION) AND 9799.25 (RELATING TO VERIFICATION BY
12 SEXUAL OFFENDERS AND PENNSYLVANIA STATE POLICE); AND

13 (II) THE DUTY TO ATTEND COUNSELING IN ACCORDANCE
14 WITH:

15 (A) SECTION 9799.36 (RELATING TO COUNSELING OF
16 SEXUALLY VIOLENT PREDATORS) IF APPLICABLE; OR

17 (B) SECTION 6404.2(G) (RELATING TO DURATION OF
18 OUTPATIENT COMMITMENT AND REVIEW) IF APPLICABLE.

19 * * *

20 § 9799.25. VERIFICATION BY SEXUAL OFFENDERS AND PENNSYLVANIA
21 STATE POLICE.

22 * * *

23 (B) DEADLINE.--THE FOLLOWING APPLY:

24 (1) A SEXUAL OFFENDER SHALL APPEAR AS REQUIRED UNDER
25 SUBSECTION (A) WITHIN TEN DAYS [OF] BEFORE THE DATE
26 DESIGNATED BY THE PENNSYLVANIA STATE POLICE. FAILURE TO
27 APPEAR WITHIN TEN DAYS MAY SUBJECT THE SEXUAL OFFENDER TO
28 PROSECUTION UNDER 18 PA.C.S. § 4915.1 (RELATING TO FAILURE TO
29 COMPLY WITH REGISTRATION REQUIREMENTS).

30 * * *

1 (C) FACILITATION OF VERIFICATION.--THE PENNSYLVANIA STATE
2 POLICE SHALL ADMINISTER AND FACILITATE THE PROCESS OF
3 VERIFICATION OF INFORMATION, INCLUDING COMPLIANCE WITH
4 COUNSELING IN THE CASE OF SEXUALLY VIOLENT PREDATORS AND
5 SEXUALLY VIOLENT DELINQUENT CHILDREN, AND PHOTOGRAPHING THE
6 SEXUAL OFFENDER BY:

7 (1) SENDING A NOTICE BY FIRST CLASS UNITED STATES MAIL
8 TO EACH SEXUAL OFFENDER AT THE [OFFENDER'S] LAST REPORTED
9 [RESIDENCE OR] LOCATION[, INCLUDING A POST OFFICE BOX] WHERE
10 THE OFFENDER RECEIVES MAIL. THE NOTICE SHALL BE SENT NOT MORE
11 THAN 30 DAYS NOR LESS THAN 15 DAYS PRIOR TO THE DATE A SEXUAL
12 OFFENDER IS REQUIRED TO APPEAR PURSUANT TO SUBSECTION (A) .
13 THE NOTICE SHALL REMIND THE SEXUAL OFFENDER OF THE SEXUAL
14 OFFENDER'S RESPONSIBILITIES UNDER THIS SUBCHAPTER, INCLUDING
15 COUNSELING IN THE CASE OF SEXUALLY VIOLENT PREDATORS AND
16 SEXUALLY VIOLENT DELINQUENT CHILDREN, AND PROVIDE A LIST OF
17 APPROVED REGISTRATION SITES.

18 * * *

19 § 9799.26. VICTIM NOTIFICATION.

20 (A) DUTY TO INFORM VICTIM.--

21 (1) IF AN OFFENDER IS DETERMINED TO BE A SEXUALLY
22 VIOLENT PREDATOR OR A SEXUALLY VIOLENT DELINQUENT CHILD, THE
23 MUNICIPAL POLICE DEPARTMENT OR THE PENNSYLVANIA STATE POLICE,
24 IF NO MUNICIPAL POLICE JURISDICTION EXISTS, SHALL GIVE
25 WRITTEN NOTICE TO THE VICTIM WHEN THE SEXUALLY VIOLENT
26 PREDATOR OR THE SEXUALLY VIOLENT DELINQUENT CHILD REGISTERS
27 INITIALLY UNDER SECTION 9799.19 (RELATING TO INITIAL
28 REGISTRATION) OR UNDER SECTION 9799.15(G) (2), (3) OR (4)
29 (RELATING TO PERIOD OF REGISTRATION). THE NOTICE SHALL BE
30 GIVEN WITHIN 72 HOURS AFTER THE SEXUALLY VIOLENT PREDATOR OR

1 THE SEXUALLY VIOLENT DELINQUENT CHILD REGISTERS OR NOTIFIES
2 THE PENNSYLVANIA STATE POLICE OF CURRENT INFORMATION UNDER
3 SECTION 9799.15(G). THE NOTICE SHALL CONTAIN THE FOLLOWING
4 INFORMATION ABOUT THE SEXUALLY VIOLENT PREDATOR OR SEXUALLY
5 VIOLENT DELINQUENT CHILD:

6 (I) NAME.

7 (II) RESIDENCE. THIS SUBPARAGRAPH INCLUDES WHETHER
8 THE SEXUALLY VIOLENT PREDATOR OR SEXUALLY VIOLENT
9 DELINQUENT CHILD IS A TRANSIENT, IN WHICH CASE THE NOTICE
10 SHALL CONTAIN INFORMATION ABOUT THE TRANSIENT'S TEMPORARY
11 HABITAT OR OTHER TEMPORARY PLACE OF ABODE OR DWELLING,
12 INCLUDING, BUT NOT LIMITED TO, A HOMELESS SHELTER OR
13 PARK. IN ADDITION, THE NOTICE SHALL CONTAIN A LIST OF
14 PLACES THE TRANSIENT EATS, FREQUENTS AND ENGAGES IN
15 LEISURE ACTIVITIES.

16 * * *

17 § 9799.27. OTHER NOTIFICATION.

18 (A) NOTICE.--NOTWITHSTANDING THE PROVISIONS OF CHAPTER 63
19 (RELATING TO JUVENILE MATTERS) AND 18 PA.C.S. CH. 91 (RELATING
20 TO CRIMINAL HISTORY RECORD INFORMATION), THE CHIEF LAW
21 ENFORCEMENT OFFICER OF THE POLICE DEPARTMENT OF THE MUNICIPALITY
22 WHERE A SEXUALLY VIOLENT PREDATOR OR SEXUALLY VIOLENT DELINQUENT
23 CHILD LIVES OR, IN THE CASE OF A SEXUALLY VIOLENT PREDATOR OR
24 SEXUALLY VIOLENT DELINQUENT CHILD FAILING TO ESTABLISH A
25 RESIDENCE AND BEING A TRANSIENT, THE CHIEF LAW ENFORCEMENT
26 OFFICER OF THE POLICE DEPARTMENT OF THE TRANSIENT'S LAST KNOWN
27 HABITAT, SHALL BE RESPONSIBLE FOR PROVIDING WRITTEN NOTICE AS
28 REQUIRED UNDER THIS SECTION. THE NOTICE SHALL CONTAIN:

29 * * *

30 (2) THE ADDRESS OF THE RESIDENCE OF THE INDIVIDUAL. IF

1 THE INDIVIDUAL IS A TRANSIENT, WRITTEN NOTICE UNDER THIS
2 PARAGRAPH SHALL CONSIST OF INFORMATION ABOUT THE TRANSIENT'S
3 TEMPORARY HABITAT OR OTHER TEMPORARY PLACE OF ABODE OR
4 DWELLING, INCLUDING, BUT NOT LIMITED TO, A HOMELESS SHELTER
5 OR PARK, AND A LIST OF THE PLACES THE TRANSIENT EATS,
6 FREQUENTS AND ENGAGES IN LEISURE ACTIVITIES.

7 * * *

8 THE NOTICE SHALL NOT INCLUDE ANY INFORMATION THAT MIGHT REVEAL
9 THE VICTIM'S NAME, IDENTITY AND RESIDENCE.

10 (B) TO WHOM WRITTEN NOTICE IS PROVIDED.--THE CHIEF LAW
11 ENFORCEMENT OFFICER SHALL PROVIDE WRITTEN NOTICE UNDER
12 SUBSECTION (A) TO THE FOLLOWING PERSONS:

13 (1) NEIGHBORS OF THE SEXUALLY VIOLENT PREDATOR OR
14 SEXUALLY VIOLENT DELINQUENT CHILD. AS USED IN THIS PARAGRAPH:

15 (I) IN THE CASE OF A SEXUALLY VIOLENT PREDATOR OR
16 SEXUALLY VIOLENT DELINQUENT CHILD BEING A TRANSIENT,
17 "NEIGHBOR" INCLUDES RESIDENTS IN THE AREA OF THE
18 TRANSIENT'S LAST KNOWN TEMPORARY HABITAT OR OTHER
19 TEMPORARY PLACE OF ABODE OR DWELLING, INCLUDING, BUT NOT
20 LIMITED TO, A HOMELESS SHELTER OR PARK.

21 (II) WHERE THE SEXUALLY VIOLENT PREDATOR LIVES IN A
22 COMMON INTEREST COMMUNITY, THE TERM "NEIGHBOR" INCLUDES
23 THE UNIT OWNERS' ASSOCIATION AND RESIDENTS OF THE COMMON
24 INTEREST COMMUNITY.

25 (2) THE DIRECTOR OF THE COUNTY CHILDREN AND YOUTH AGENCY
26 OF THE COUNTY WHERE THE SEXUALLY VIOLENT PREDATOR OR SEXUALLY
27 VIOLENT DELINQUENT CHILD HAS A RESIDENCE OR, IN THE CASE OF A
28 SEXUALLY VIOLENT PREDATOR OR SEXUALLY VIOLENT DELINQUENT
29 CHILD FAILING TO ESTABLISH A RESIDENCE AND BEING A TRANSIENT,
30 THE DIRECTOR OF THE COUNTY CHILDREN AND YOUTH AGENCY OF THE

1 COUNTY OF THE SEXUALLY VIOLENT PREDATOR'S OR SEXUALLY VIOLENT
2 DELINQUENT CHILD'S LAST KNOWN TEMPORARY HABITAT OR OTHER
3 TEMPORARY PLACE OF ABODE OR DWELLING, INCLUDING, BUT NOT
4 LIMITED TO, A HOMELESS SHELTER OR PARK.

5 (3) THE SUPERINTENDENT OF EACH SCHOOL DISTRICT AND THE
6 EQUIVALENT OFFICIAL FOR EACH PRIVATE AND PAROCHIAL SCHOOL
7 ENROLLING STUDENTS UP THROUGH GRADE 12 IN THE MUNICIPALITY
8 WHERE THE SEXUALLY VIOLENT PREDATOR OR SEXUALLY VIOLENT
9 DELINQUENT CHILD HAS A RESIDENCE OR, IN THE CASE OF A
10 SEXUALLY VIOLENT PREDATOR OR SEXUALLY VIOLENT DELINQUENT
11 CHILD FAILING TO ESTABLISH A RESIDENCE AND BEING A TRANSIENT,
12 THE SUPERINTENDENT OF EACH SCHOOL DISTRICT AND THE EQUIVALENT
13 OFFICIAL FOR PRIVATE AND PAROCHIAL SCHOOLS ENROLLING STUDENTS
14 UP THROUGH GRADE 12 IN THE MUNICIPALITY OF THE SEXUALLY
15 VIOLENT PREDATOR'S OR SEXUALLY VIOLENT DELINQUENT CHILD'S
16 LAST KNOWN TEMPORARY HABITAT OR OTHER TEMPORARY PLACE OF
17 ABODE OR DWELLING, INCLUDING, BUT NOT LIMITED TO, A HOMELESS
18 SHELTER OR PARK.

19 (4) THE SUPERINTENDENT OF EACH SCHOOL DISTRICT AND THE
20 EQUIVALENT OFFICIAL FOR EACH PRIVATE AND PAROCHIAL SCHOOL
21 LOCATED WITHIN A ONE-MILE RADIUS OF WHERE THE SEXUALLY
22 VIOLENT PREDATOR OR SEXUALLY VIOLENT DELINQUENT CHILD HAS A
23 RESIDENCE OR, IN THE CASE OF A SEXUALLY VIOLENT PREDATOR OR
24 SEXUALLY VIOLENT DELINQUENT CHILD FAILING TO ESTABLISH A
25 RESIDENCE AND BEING A TRANSIENT, THE SUPERINTENDENT OF EACH
26 SCHOOL DISTRICT AND THE EQUIVALENT OFFICIAL FOR EACH PRIVATE
27 AND PAROCHIAL SCHOOL WITHIN A ONE-MILE RADIUS OF THE SEXUALLY
28 VIOLENT PREDATOR'S OR SEXUALLY VIOLENT DELINQUENT CHILD'S
29 LAST KNOWN TEMPORARY HABITAT OR OTHER TEMPORARY PLACE OF
30 ABODE OR DWELLING, INCLUDING, BUT NOT LIMITED TO, A HOMELESS

1 SHELTER OR PARK.

2 (5) THE LICENSEE OF EACH CERTIFIED DAY-CARE CENTER AND
3 LICENSED PRESCHOOL PROGRAM AND OWNER OR OPERATOR OF EACH
4 REGISTERED FAMILY DAY-CARE HOME IN THE MUNICIPALITY WHERE THE
5 SEXUALLY VIOLENT PREDATOR OR SEXUALLY VIOLENT DELINQUENT
6 CHILD HAS A RESIDENCE OR, IN THE CASE OF A SEXUALLY VIOLENT
7 PREDATOR OR SEXUALLY VIOLENT DELINQUENT CHILD FAILING TO
8 ESTABLISH A RESIDENCE AND BEING A TRANSIENT, THE LICENSEE OF
9 EACH CERTIFIED DAY-CARE CENTER AND LICENSED PRESCHOOL PROGRAM
10 AND OWNER OR OPERATOR OF EACH REGISTERED FAMILY DAY-CARE HOME
11 IN THE MUNICIPALITY OF THE SEXUALLY VIOLENT PREDATOR'S OR
12 SEXUALLY VIOLENT DELINQUENT CHILD'S LAST KNOWN TEMPORARY
13 HABITAT OR OTHER TEMPORARY PLACE OF ABODE OR DWELLING,
14 INCLUDING, BUT NOT LIMITED TO, A HOMELESS SHELTER OR PARK.

15 (6) THE PRESIDENT OF EACH COLLEGE, UNIVERSITY AND
16 COMMUNITY COLLEGE LOCATED WITHIN 1,000 FEET OF WHERE THE
17 SEXUALLY VIOLENT PREDATOR OR SEXUALLY VIOLENT DELINQUENT
18 CHILD HAS A RESIDENCE OR, IN THE CASE OF A SEXUALLY VIOLENT
19 PREDATOR OR SEXUALLY VIOLENT DELINQUENT CHILD FAILING TO
20 ESTABLISH A RESIDENCE AND BEING A TRANSIENT, THE PRESIDENT OF
21 EACH COLLEGE, UNIVERSITY AND COMMUNITY COLLEGE LOCATED WITHIN
22 1,000 FEET OF THE SEXUALLY VIOLENT PREDATOR'S OR SEXUALLY
23 VIOLENT DELINQUENT CHILD'S LAST KNOWN TEMPORARY HABITAT OR
24 OTHER TEMPORARY PLACE OF ABODE OR DWELLING, INCLUDING, BUT
25 NOT LIMITED TO, A HOMELESS SHELTER OR PARK.

26 * * *

27 SECTION 11. SECTION 9799.28(A)(1)(I) AND (II), (B)(3), (4),
28 (5), (6) AND (9) AND (E) OF TITLE 42, ADDED DECEMBER 20, 2011
29 (P.L.446, NO.111), ARE AMENDED AND SUBSECTION (B) IS AMENDED BY
30 ADDING PARAGRAPHS TO READ:

1 § 9799.28. PUBLIC INTERNET WEBSITE.

2 (A) INFORMATION TO BE MADE AVAILABLE THROUGH INTERNET.--THE
3 PENNSYLVANIA STATE POLICE SHALL, IN THE MANNER AND FORM DIRECTED
4 BY THE GOVERNOR:

5 (1) DEVELOP AND MAINTAIN A SYSTEM FOR MAKING INFORMATION
6 ABOUT INDIVIDUALS CONVICTED OF A SEXUALLY VIOLENT OFFENSE,
7 SEXUALLY VIOLENT PREDATORS AND SEXUALLY VIOLENT DELINQUENT
8 CHILDREN PUBLICLY AVAILABLE BY ELECTRONIC MEANS VIA AN
9 INTERNET WEBSITE. IN ORDER TO FULFILL ITS DUTIES UNDER THIS
10 SECTION, THE PENNSYLVANIA STATE POLICE SHALL ENSURE THAT THE
11 INTERNET WEBSITE:

12 (I) CONTAINS A FEATURE TO PERMIT A MEMBER OF THE
13 PUBLIC TO OBTAIN RELEVANT INFORMATION FOR AN INDIVIDUAL
14 CONVICTED OF A SEXUALLY VIOLENT OFFENSE, A SEXUALLY
15 VIOLENT PREDATOR OR A SEXUALLY VIOLENT DELINQUENT CHILD
16 BY A [SINGLE] QUERY OF THE INTERNET WEBSITE BASED ON
17 SEARCH CRITERIA INCLUDING SEARCHES FOR ANY GIVEN ZIP CODE
18 OR GEOGRAPHIC RADIUS SET BY THE USER.

19 (II) CONTAINS A FEATURE TO ALLOW A MEMBER OF THE
20 PUBLIC TO RECEIVE ELECTRONIC NOTIFICATION WHEN AN
21 INDIVIDUAL CONVICTED OF A SEXUALLY VIOLENT OFFENSE,
22 SEXUALLY VIOLENT PREDATOR OR SEXUALLY VIOLENT DELINQUENT
23 CHILD PROVIDES INFORMATION UNDER SECTION 9799.15(G)(2),
24 (3) OR (4) (RELATING TO PERIOD OF REGISTRATION) [RELATING
25 TO]. THIS FEATURE SHALL ALSO ALLOW A MEMBER OF THE PUBLIC
26 TO RECEIVE ELECTRONIC NOTIFICATION WHEN THE INDIVIDUAL
27 CONVICTED OF A SEXUALLY VIOLENT OFFENSE, SEXUALLY VIOLENT
28 PREDATOR OR SEXUALLY VIOLENT DELINQUENT CHILD MOVES INTO
29 OR OUT OF A GEOGRAPHIC AREA CHOSEN BY THE USER.

30 * * *

1 (B) REQUIRED INFORMATION.--NOTWITHSTANDING CHAPTER 63
2 (RELATING TO JUVENILE MATTERS) AND 18 PA.C.S. CH. 91 (RELATING
3 TO CRIMINAL HISTORY RECORD INFORMATION), THE INTERNET WEBSITE
4 SHALL CONTAIN THE FOLLOWING INFORMATION REGARDING AN INDIVIDUAL
5 CONVICTED OF A SEXUALLY VIOLENT OFFENSE, A SEXUALLY VIOLENT
6 PREDATOR OR A SEXUALLY VIOLENT DELINQUENT CHILD:

7 * * *

8 (3) STREET ADDRESS, [CITY,] ~~MUNICIPALITY-OTHER THAN~~ ←
9 ~~COUNTY,~~ COUNTY, STATE AND ZIP CODE OF RESIDENCES AND INTENDED
10 RESIDENCES. IN THE CASE OF AN INDIVIDUAL CONVICTED OF A
11 SEXUALLY VIOLENT OFFENSE, A SEXUALLY VIOLENT PREDATOR OR A
12 SEXUALLY VIOLENT DELINQUENT CHILD WHO FAILS TO ESTABLISH A
13 RESIDENCE AND IS THEREFORE A TRANSIENT, THE INTERNET WEBSITE
14 SHALL CONTAIN INFORMATION ABOUT THE TRANSIENT'S TEMPORARY
15 HABITAT OR OTHER TEMPORARY PLACE OF ABODE OR DWELLING,
16 INCLUDING, BUT NOT LIMITED TO, A HOMELESS SHELTER OR PARK. IN
17 ADDITION, THE INTERNET WEBSITE SHALL CONTAIN A LIST OF PLACES
18 THE TRANSIENT EATS, FREQUENTS AND ENGAGES IN LEISURE
19 ACTIVITIES.

20 (4) STREET ADDRESS, [CITY,] ~~MUNICIPALITY-OTHER THAN~~ ←
21 ~~COUNTY,~~ COUNTY, STATE AND ZIP CODE OF ANY LOCATION AT WHICH
22 AN INDIVIDUAL CONVICTED OF A SEXUALLY VIOLENT OFFENSE, A
23 SEXUALLY VIOLENT PREDATOR OR A SEXUALLY VIOLENT DELINQUENT
24 CHILD IS ENROLLED AS A STUDENT.

25 (5) STREET ADDRESS, [CITY,] ~~MUNICIPALITY-OTHER THAN~~ ←
26 ~~COUNTY,~~ COUNTY, STATE AND ZIP CODE OF A FIXED LOCATION WHERE
27 AN INDIVIDUAL CONVICTED OF A SEXUALLY VIOLENT OFFENSE, A
28 SEXUALLY VIOLENT PREDATOR OR A SEXUALLY VIOLENT DELINQUENT
29 CHILD IS EMPLOYED. IF AN INDIVIDUAL CONVICTED OF A SEXUALLY
30 VIOLENT OFFENSE, A SEXUALLY VIOLENT PREDATOR OR A SEXUALLY

1 VIOLENT DELINQUENT CHILD IS NOT EMPLOYED AT A FIXED ADDRESS,
2 THE INFORMATION SHALL INCLUDE [GENERAL TRAVEL ROUTES AND]
3 GENERAL AREAS OF WORK.

4 (6) CURRENT FACIAL PHOTOGRAPH OF AN INDIVIDUAL CONVICTED
5 OF A SEXUALLY VIOLENT OFFENSE, A SEXUALLY VIOLENT PREDATOR OR
6 A SEXUALLY VIOLENT DELINQUENT CHILD. THIS PARAGRAPH REQUIRES,
7 IF AVAILABLE, THE LAST EIGHT FACIAL PHOTOGRAPHS TAKEN OF THE
8 INDIVIDUAL AND THE DATE EACH PHOTOGRAPH WAS ENTERED INTO THE
9 REGISTRY.

10 * * *

11 (9) [THE SEXUALLY VIOLENT OFFENSE] OFFENSE FOR WHICH
12 ~~†an†~~THE INDIVIDUAL ~~†~~CONVICTED OF A SEXUALLY VIOLENT OFFENSE, ←
13 A SEXUALLY VIOLENT PREDATOR OR A SEXUALLY VIOLENT DELINQUENT
14 CHILD† is registered under this subchapter AND OTHER SEXUALLY ←
15 VIOLENT OFFENSES FOR WHICH THE INDIVIDUAL WAS CONVICTED.

16 * * *

17 (12) DATE ON WHICH THE INDIVIDUAL CONVICTED OF A ←
18 SEXUALLY VIOLENT OFFENSE, A SEXUALLY VIOLENT PREDATOR OR A
19 SEXUALLY VIOLENT DELINQUENT CHILD IS MADE ACTIVE WITHIN THE
20 REGISTRY AND DATE WHEN THE INDIVIDUAL MOST RECENTLY UPDATED
21 HIS REGISTRATION INFORMATION. ←

22 (13) INDICATION AS TO WHETHER THE INDIVIDUAL IS A
23 SEXUALLY VIOLENT PREDATOR, SEXUALLY VIOLENT DELINQUENT CHILD
24 OR CONVICTED OF A TIER I, TIER II OR TIER III SEXUAL OFFENSE.

25 (14) IF APPLICABLE, INDICATION THAT AN INDIVIDUAL
26 CONVICTED OF A SEXUALLY VIOLENT OFFENSE, A SEXUALLY VIOLENT ←
27 PREDATOR OR A SEXUALLY VIOLENT DELINQUENT CHILD IS
28 INCARCERATED OR COMMITTED OR IS A TRANSIENT. ←

29 * * *

30 (E) DURATION OF POSTING.--THE INFORMATION LISTED IN

1 SUBSECTION (B) SHALL BE MADE AVAILABLE ON THE INTERNET WEBSITE
2 UNLESS[:

3 (1) AN] ~~THE AN~~ INDIVIDUAL ~~†~~CONVICTED OF A SEXUALLY ←
4 VIOLENT OFFENSE, A SEXUALLY VIOLENT PREDATOR OR A SEXUALLY
5 VIOLENT DELINQUENT CHILD~~†~~ IS DECEASED[, IN WHICH CASE THE ←
6 INTERNET WEBSITE SHALL CONTAIN A NOTICE OF THE DEATH.

7 (2) AN INDIVIDUAL CONVICTED OF A SEXUALLY VIOLENT
8 OFFENSE, A SEXUALLY VIOLENT PREDATOR OR A SEXUALLY VIOLENT
9 DELINQUENT CHILD HAS TERMINATED RESIDENCE, HAS TERMINATED
10 EMPLOYMENT OR HAS TERMINATED ENROLLMENT AS A STUDENT WITHIN
11 THIS COMMONWEALTH, IN WHICH CASE THE INTERNET WEBSITE SHALL
12 CONTAIN A NOTICE INDICATING SUCH INFORMATION] OR IS NO LONGER
13 REQUIRED TO REGISTER UNDER THIS SUBCHAPTER.

14 SECTION 12. SECTIONS 9799.32(3), 9799.34(2), 9799.36(A) AND
15 9799.41 OF TITLE 42, ADDED DECEMBER 20, 2011 (P.L.446, NO.111),
16 ARE AMENDED TO READ:

17 § 9799.32. PENNSYLVANIA STATE POLICE.

18 THE PENNSYLVANIA STATE POLICE HAVE THE FOLLOWING DUTIES:

19 * * *

20 (3) TO WRITE [REGULATIONS] GUIDELINES REGARDING NEIGHBOR
21 NOTIFICATION UNDER SECTION 9799.27(B)(1) (RELATING TO OTHER
22 NOTIFICATION).

23 * * *

24 § 9799.34. DUTIES OF FACILITIES HOUSING SEXUAL OFFENDERS.

25 THE DEPARTMENT OF CORRECTIONS, A COUNTY CORRECTIONAL
26 FACILITY, AN INSTITUTION OR FACILITY SET FORTH IN SECTION
27 6352(A)(3) (RELATING TO DISPOSITION OF DELINQUENT CHILD) AND THE
28 SEPARATE, STATE-OWNED FACILITY OR UNIT ESTABLISHED UNDER CHAPTER
29 64 (RELATING TO COURT-ORDERED INVOLUNTARY TREATMENT OF CERTAIN
30 SEXUALLY VIOLENT PERSONS) SHALL HAVE THE FOLLOWING DUTIES:

1 * * *

2 (2) ON A FORM PRESCRIBED BY THE PENNSYLVANIA STATE
3 POLICE, TO NOTIFY THE PENNSYLVANIA STATE POLICE EACH TIME A
4 SEXUAL OFFENDER IS INCARCERATED, COMMITTED OR RELEASED,
5 INCLUDING SUPERVISED RELEASE [OR TRANSFER TO ANOTHER
6 CORRECTIONAL INSTITUTION OR FACILITY OR INSTITUTION, IN]. IN
7 THE CASE OF A JUVENILE OFFENDER OR SEXUALLY VIOLENT
8 DELINQUENT CHILD, THE FACILITY SHALL NOTIFY THE PENNSYLVANIA
9 STATE POLICE EACH TIME THE INDIVIDUAL IS COMMITTED, RELEASED
10 OR TRANSFERRED TO ANOTHER FACILITY OR INSTITUTION. THIS
11 PARAGRAPH SHALL INCLUDE A COMMUNITY CORRECTIONS CENTER OR
12 COMMUNITY CONTRACT FACILITY.

13 * * *

14 § 9799.36. COUNSELING OF SEXUALLY VIOLENT PREDATORS.

15 (A) GENERAL RULE.--A SEXUALLY VIOLENT PREDATOR WHO IS NOT
16 INCARCERATED SHALL BE REQUIRED TO ATTEND AT LEAST MONTHLY
17 COUNSELING SESSIONS IN A PROGRAM APPROVED BY THE BOARD AND BE
18 FINANCIALLY RESPONSIBLE FOR ALL FEES ASSESSED FROM THE
19 COUNSELING SESSIONS. THE BOARD SHALL MONITOR THE COMPLIANCE OF
20 THE SEXUALLY VIOLENT PREDATOR. IF THE SEXUALLY VIOLENT PREDATOR
21 CAN PROVE TO THE SATISFACTION OF THE COURT THAT THE SEXUALLY
22 VIOLENT PREDATOR CANNOT AFFORD TO PAY FOR THE COUNSELING
23 SESSIONS, THE SEXUALLY VIOLENT PREDATOR SHALL NONETHELESS ATTEND
24 THE COUNSELING SESSIONS, AND THE PAROLE OFFICE SHALL PAY THE
25 REQUISITE FEES.

26 * * *

27 § 9799.41. EXPIRATION.

28 THE FOLLOWING PROVISIONS SHALL EXPIRE [ONE YEAR AFTER THE
29 EFFECTIVE DATE OF THIS SECTION] DECEMBER 20, 2012:

30 SECTION 9718.3 (RELATING TO SENTENCE FOR FAILURE TO

1 COMPLY WITH REGISTRATION OF SEXUAL OFFENDERS) .

2 SECTION 9791 (RELATING TO LEGISLATIVE FINDINGS AND

3 DECLARATION OF POLICY) .

4 SECTION 9792 (RELATING TO DEFINITIONS) .

5 SECTION 9795.1 (RELATING TO REGISTRATION) .

6 SECTION 9795.2 (RELATING TO REGISTRATION PROCEDURES AND

7 APPLICABILITY) .

8 SECTION 9795.3 (RELATING TO SENTENCING COURT

9 INFORMATION) .

10 SECTION 9795.4 (RELATING TO ASSESSMENTS) .

11 SECTION 9795.5 (RELATING TO EXEMPTION FROM CERTAIN

12 NOTIFICATIONS) .

13 SECTION 9796 (RELATING TO VERIFICATION OF RESIDENCE) .

14 SECTION 9797 (RELATING TO VICTIM NOTIFICATION) .

15 SECTION 9798 (RELATING TO OTHER NOTIFICATION) .

16 SECTION 9798.1 (RELATING TO INFORMATION MADE AVAILABLE ON

17 THE INTERNET AND ELECTRONIC NOTIFICATION) .

18 SECTION 9798.2 (RELATING TO ADMINISTRATION) .

19 SECTION 9798.3 (RELATING TO GLOBAL POSITIONING SYSTEM

20 TECHNOLOGY) .

21 SECTION 9799 (RELATING TO IMMUNITY FOR GOOD FAITH

22 CONDUCT) .

23 SECTION 9799.1 (RELATING TO DUTIES OF PENNSYLVANIA STATE

24 POLICE) .

25 SECTION 9799.2 (RELATING TO DUTIES OF PENNSYLVANIA BOARD

26 OF PROBATION AND PAROLE) .

27 SECTION 9799.3 (RELATING TO BOARD) .

28 SECTION 9799.4 (RELATING TO COUNSELING OF SEXUALLY

29 VIOLENT PREDATORS) .

30 SECTION 9799.7 (RELATING TO EXEMPTION FROM NOTIFICATION

1 FOR CERTAIN LICENSEES AND THEIR EMPLOYEES) .

2 SECTION 9799.8 (RELATING TO ANNUAL PERFORMANCE AUDIT) .

3 SECTION 9799.9 (RELATING TO PHOTOGRAPHS AND
4 FINGERPRINTING) .

5 SECTION 13. THE GENERAL ASSEMBLY FINDS AND DECLARES THAT,
6 UNDER PRINCIPLES OF STATUTORY CONSTRUCTION, THE EFFECTIVE DATE
7 OF SECTION 18(2) OF THE ACT OF DECEMBER 20, 2011 (P.L.446,
8 NO.111), IS DECEMBER 20, 2012.

9 SECTION 14. THIS ACT SHALL TAKE EFFECT AS FOLLOWS:

10 (1) THE AMENDMENT OR ADDITION OF THE FOLLOWING
11 PROVISIONS OF TITLE 18 SHALL TAKE EFFECT DECEMBER 20, 2012:

12 (I) SECTION 4915.1(B) AND (C.1) .

13 (II) SECTION 9123(A) INTRODUCTORY PARAGRAPH AND
14 (A.1) .

15 (2) THE AMENDMENT OR ADDITION OF THE FOLLOWING
16 PROVISIONS OF TITLE 42 SHALL TAKE EFFECT DECEMBER 20, 2012:

17 (I) SECTION 6358(A) .

18 (II) SECTION 6403(A) (2) .

19 (III) SECTION 6404.2(G)

20 (IV) SECTION 9799.10(2) AND (3) .

21 (V) THE DEFINITIONS OF "APPROVED REGISTRATION SITE,"
22 "CONVICTED," "JUVENILE OFFENDER" AND "SEXUALLY VIOLENT
23 PREDATOR" IN SECTION 9799.12.

24 (VI) SECTION 9799.13.

25 (VII) SECTION 9799.14(B) (12), (21) AND (23), (C) (9),
26 (12) AND (17) AND (D) (12), (13) AND (15) .

27 (VIII) SECTION 9799.15(A) (1), (4), (4.1) AND (7),
28 (C), (F), (G), (H) AND (J) .

29 (IX) SECTION 9799.16(B) (5) AND (6), (C) INTRODUCTORY
30 PARAGRAPH AND (D) .

1 (X) SECTION 9799.17.
2 (XI) SECTION 9799.18(A) (4), (5) AND (6) AND (D) (1).
3 (XII) SECTION 9799.19(B), (B.1) INTRODUCTORY
4 PARAGRAPH, (E.1), (E.2), (H), (I) AND (J).
5 (XIII) SECTION 9799.20 INTRODUCTORY PARAGRAPH.
6 (XIV) SECTION 9799.21.
7 (XV) SECTION 9799.22.
8 (XVI) SECTION 9799.23(A) INTRODUCTORY PARAGRAPH AND
9 (2).
10 (XVII) SECTION 9799.25(B) (1) AND (C) INTRODUCTORY
11 PARAGRAPH AND (1).
12 (XVIII) SECTION 9799.26(A) (1) (I) AND (II).
13 (XIX) SECTION 9799.27(A) (2) AND (B).
14 SECTION 9799.28 (A) (1) (I) AND (II), (B) (3), (4), (5),
15 (6), (9), (12), (13) AND (14) AND (E).
16 (XX) SECTION 9799.34(2).
17 (XXI) SECTION 9799.36(A).
18 (2.1) THE FOLLOWING PROVISIONS SHALL TAKE EFFECT JULY 1, ←
19 2012, OR IMMEDIATELY, WHICHEVER IS LATER:
20 (I) THE AMENDMENT OF PARAGRAPH (3) OF THE DEFINITION
21 OF "CHILD" IN 42 PA.C.S. § 6302.
22 (II) THE ADDITION OF 42 PA.C.S. § 6351(E) (3) (III),
23 (F) (8.1) AND (8.2) AND (J).
24 (3) THE REMAINDER OF THIS ACT SHALL TAKE EFFECT
25 IMMEDIATELY.