

THE GENERAL ASSEMBLY OF PENNSYLVANIA

SENATE BILL

No. 1111 Session of  
2024

INTRODUCED BY BAKER, YAW, K. WARD, LANGERHOLC, PENNYCUICK,  
VOGEL, BROWN, MARTIN, BREWSTER AND SANTARSIERO,  
MARCH 12, 2024

REFERRED TO JUDICIARY, MARCH 12, 2024

AN ACT

1 Amending Title 42 (Judiciary and Judicial Procedure) of the  
2 Pennsylvania Consolidated Statutes, in sentencing, further  
3 providing for definitions and for sexual offenses and tier  
4 system.

5 The General Assembly of the Commonwealth of Pennsylvania  
6 hereby enacts as follows:

7 Section 1. The definition of "sexually violent predator" in  
8 section 9799.12 of Title 42 of the Pennsylvania Consolidated  
9 Statutes is amended to read:

10 § 9799.12. Definitions.

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

14 \* \* \*

15 "Sexually violent predator." An individual who committed a  
16 sexually violent offense under the laws of this Commonwealth or  
17 an attempt, conspiracy or solicitation to commit a sexually  
18 violent offense under the laws of this Commonwealth on or after

December 20, 2012, [for which the individual was convicted,  
specified in:

(1) section 9799.14(b)(1), (2), (3), (4), (5), (6), (8),  
(9) or (10) (relating to sexual offenses and tier system) or  
an attempt, conspiracy or solicitation to commit any offense  
under section 9799.14(b)(1), (2), (3), (4), (5), (6), (8),  
(9) or (10);

(2) section 9799.14(c)(1), (1.1), (1.2), (1.3), (2),  
(3), (4), (5) or (6) or an attempt, conspiracy or  
solicitation to commit an offense under section 9799.14(c)  
(1), (1.1), (1.2), (1.3), (2), (3), (4), (5) or (6); or

(3) section 9799.14(d)(1), (2), (3), (4), (5), (6), (7),  
(8) or (9) or an attempt, conspiracy or solicitation to  
commit an offense under section 9799.14(d)(1), (2), (3), (4),  
(5), (6), (7), (8) or (9)]

who is determined to be a sexually violent predator under  
section 9799.24 (relating to assessments) due to a mental  
abnormality or personality disorder that makes the individual  
likely to engage in predatory sexually violent offenses. The  
term includes an individual determined to be a sexually violent  
predator or similar designation where the determination occurred  
in another jurisdiction, a foreign country or by court martial  
following a judicial or administrative determination pursuant to  
a process similar to that under section 9799.24 where the  
determination or designation is based on the commitment of a  
sexually violent offense on or after December 20, 2012, for  
which the individual was convicted.

\* \* \*

Section 2. Section 9799.14(b), (c) and (d) of Title 42 are  
amended to read:

1 § 9799.14. Sexual offenses and tier system.

2 \* \* \*

3 (b) Tier I sexual offenses.--The following offenses, or an  
4 attempt, conspiracy or solicitation to commit any of the  
5 following offenses, shall be classified as Tier I sexual  
6 offenses:

7 (1) 18 Pa.C.S. § 2902(b) (relating to unlawful  
8 restraint).

9 (2) 18 Pa.C.S. § 2903(b) (relating to false  
10 imprisonment).

11 (3) 18 Pa.C.S. § 2904 (relating to interference with  
12 custody of children), except in cases where the defendant is  
13 the child's parent, guardian or other lawful custodian.

14 (4) 18 Pa.C.S. § 2910 (relating to luring a child into a  
15 motor vehicle or structure).

16 (4.1) 18 Pa.C.S. § 3011(a)(1) and (2) (relating to  
17 trafficking in individuals).

18 (4.2) 18 Pa.C.S. § 3013 (relating to patronizing a  
19 victim of sexual servitude).

20 (5) 18 Pa.C.S. § 3124.2(a) and (a.4)(1) (relating to  
21 institutional sexual assault).

22 (6) 18 Pa.C.S. § 3126(a)(1) (relating to indecent  
23 assault).

24 (7) (Reserved).

25 (8) 18 Pa.C.S. § 6301(a)(1)(ii) (relating to corruption  
26 of minors).

27 (9) 18 Pa.C.S. § 6312(d) (relating to sexual abuse of  
28 children).

29 (10) 18 Pa.C.S. § 7507.1. (relating to invasion of  
30 privacy).

1 (11) 18 U.S.C. § 1801 (relating to video voyeurism).

2 (12) 18 U.S.C. § 2252(a)(4) (relating to certain  
3 activities relating to material involving the sexual  
4 exploitation of minors).

5 (13) 18 U.S.C. § 2252A (relating to certain activities  
6 relating to material constituting or containing child  
7 pornography).

8 (14) 18 U.S.C. § 2252B (relating to misleading domain  
9 names on the Internet).

10 (15) 18 U.S.C. § 2252C (relating to misleading words or  
11 digital images on the Internet).

12 (16) 18 U.S.C. § 2422(a) (relating to coercion and  
13 enticement).

14 (17) 18 U.S.C. § 2423(b) (relating to transportation of  
15 minors).

16 (18) 18 U.S.C. § 2423(c).

17 (19) 18 U.S.C. § 2424 (relating to filing factual  
18 statement about alien individual).

19 (20) 18 U.S.C. § 2425 (relating to use of interstate  
20 facilities to transmit information about a minor).

21 (21) A comparable military offense or similar offense  
22 under the laws of another jurisdiction or foreign country or  
23 under a former law of this Commonwealth.

24 [(22) An attempt, conspiracy or solicitation to commit  
25 an offense listed in paragraph (1), (2), (3), (4), (5), (6),  
26 (7), (8), (9), (10), (11), (12), (13), (14), (15), (16),  
27 (17), (18), (19), (20) or (21).]

28 (23) A conviction for a sexual offense in another  
29 jurisdiction or foreign country that is not set forth in this  
30 section, but nevertheless requires registration under a

sexual offender statute in the jurisdiction or foreign country.

(c) Tier II sexual offenses.--The following offenses, or an attempt, conspiracy or solicitation to commit any of the following offenses, shall be classified as Tier II sexual offenses:

(1) 18 Pa.C.S. § 3011(b).

(1.1) 18 Pa.C.S. § 3122.1(a)(2) (relating to statutory sexual assault).

(1.2) 18 Pa.C.S. § 3124.2(a.2) and (a.3).

(1.3) 18 Pa.C.S. § 3126(a)(2), (3), (4), (5), (6) or (8).

(1.4) 18 Pa.C.S. § 3012 (relating to involuntary servitude) as it relates to sexual servitude.

(2) 18 Pa.C.S. § 5902(b.1) (relating to prostitution and related offenses).

(3) 18 Pa.C.S. § 5903(a)(3)(ii), (4)(ii), (5)(ii) or (6) (relating to obscene and other sexual materials and performances).

(4) 18 Pa.C.S. § 6312(b) and (c).

(5) 18 Pa.C.S. § 6318 (relating to unlawful contact with minor).

(6) 18 Pa.C.S. § 6320 (relating to sexual exploitation of children).

(7) 18 U.S.C. § 1591 (relating to sex trafficking of children by force, fraud, or coercion).

(8) 18 U.S.C. § 2243 (relating to sexual abuse of a minor or ward).

(9) 18 U.S.C. § 2244 (relating to abusive sexual contact) where the victim is 13 years of age or older but

1 under 18 years of age.

2 (10) 18 U.S.C. § 2251 (relating to sexual exploitation  
3 of children).

4 (11) 18 U.S.C. § 2251A (relating to selling or buying of  
5 children).

6 (12) 18 U.S.C. § 2252(a)(1), (2) or (3).

7 (13) 18 U.S.C. § 2260 (relating to production of  
8 sexually explicit depictions of a minor for importation into  
9 the United States).

10 (14) 18 U.S.C. § 2421 (relating to transportation  
11 generally).

12 (15) 18 U.S.C. § 2422(b).

13 (16) 18 U.S.C. § 2423(a).

14 (17) A comparable military offense or similar offense  
15 under the laws of another jurisdiction or foreign country or  
16 under a former law of this Commonwealth.

17 [(18) An attempt, conspiracy or solicitation to commit  
18 an offense listed in paragraph (1), (1.1), (1.2), (1.3), (2),  
19 (3), (4), (5), (6), (7), (8), (9), (10), (11), (12), (13),  
20 (14), (15), (16) or (17).]

21 (d) Tier III sexual offenses.--The following offenses, or an  
22 attempt, conspiracy or solicitation to commit any of the  
23 following offenses, shall be classified as Tier III sexual  
24 offenses:

25 (1) 18 Pa.C.S. § 2901(a.1) (relating to kidnapping).

26 (2) 18 Pa.C.S. § 3121 (relating to rape).

27 (3) 18 Pa.C.S. § 3122.1(b) (relating to statutory sexual  
28 assault).

29 (4) 18 Pa.C.S. § 3123 (relating to involuntary deviate  
30 sexual intercourse).

(5) 18 Pa.C.S. § 3124.1 (relating to sexual assault).

(6) 18 Pa.C.S. § 3124.2(a.1) and (a.4)(2).

(7) 18 Pa.C.S. § 3125 (relating to aggravated indecent assault).

(8) 18 Pa.C.S. § 3126(a)(7).

(9) 18 Pa.C.S. § 4302(b) (relating to incest).

(10) 18 U.S.C. § 2241 (relating to aggravated sexual abuse).

(11) 18 U.S.C. § 2242 (relating to sexual abuse).

(12) 18 U.S.C. § 2244 where the victim is under 13 years of age.

(13) A comparable military offense or similar offense under the laws of another jurisdiction or country or under a former law of this Commonwealth.

[(14) An attempt, conspiracy or solicitation to commit an offense listed in paragraph (1), (2), (3), (4), (5), (6), (7), (8), (9), (10), (11), (12) or (13).]

(15) (Reserved).

(16) Two or more convictions of offenses listed as Tier I or Tier II sexual offenses.

(17) One conviction of a sexually violent offense and one conviction of a sexually violent offense as defined in section 9799.55 (relating to registration).

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