
THE GENERAL ASSEMBLY OF PENNSYLVANIA

HOUSE BILL

No. 2998 Session of 1994

INTRODUCED BY CORRIGAN, TRELLO, NAILOR, BELARDI, FARGO, GEIST,
DeLUCA, STABACK, TANGRETTI, SURRA, YANDRISEVITS, ULIANA,
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HERSHEY, SANTONI, E. Z. TAYLOR, EGOLF, TIGUE, McCALL,
RICHARDSON, LUCYK, RAYMOND, WILLIAMS, BELFANTI AND JAROLIN,
SEPTEMBER 27, 1994

REFERRED TO COMMITTEE ON JUDICIARY, SEPTEMBER 27, 1994

AN ACT

1 Amending Title 18 (Crimes and Offenses) of the Pennsylvania
2 Consolidated Statutes, providing for registration of habitual
3 sexual offenders of children; and imposing a penalty.

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

6 Section 1. Title 18 of the Pennsylvania Consolidated
7 Statutes is amended by adding a chapter to read:

8 CHAPTER 93

9 REGISTRATION OF HABITUAL SEXUAL

10 OFFENDERS OF CHILDREN

11 Sec.

12 9301. Definitions.

13 9302. Duty to register.

14 9303. Discharge of habitual sexual offender of children from
15 penal institution.

16 9304. Duties of court.

1 9305. Change of address.

2 9306. Duration of registration.

3 9307. Registration requirements.

4 9308. Public inspection of registration data prohibited.

5 9309. Penalty.

6 § 9301. Definitions.

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

10 "Habitual sexual offender of children." A person who is
11 convicted for a second or subsequent time of an offense
12 enumerated in Chapter 31 (relating to sexual offenses) or
13 section 6312 (relating to sexual abuse of children) if the
14 victim is 17 years of age or younger.

15 (1) A conviction of attempt to commit an offense defined
16 in this section shall constitute a conviction for the
17 purposes of this chapter.

18 (2) Convictions which result from or are connected with
19 the same act or result from offenses committed at the same
20 time shall be counted as one conviction.

21 (3) A conviction set aside under law is not a conviction
22 for the purposes of this chapter.

23 (4) A conviction of an offense under the law of another
24 state which is substantially equivalent to an offense
25 enumerated in Chapter 31 or section 6312 shall constitute a
26 conviction for the purpose of this chapter.

27 § 9302. Duty to register.

28 A habitual sexual offender of children shall, within 30 days
29 of his coming into any county in which he resides or is
30 temporarily domiciled for more than 30 days, register with the

1 chief of police of the jurisdiction in which he resides or, in
2 the event there is no chief of police, with the Pennsylvania
3 State Police.

4 § 9303. Discharge of habitual sexual offender of children from
5 penal institution.

6 A habitual sexual offender of children who is discharged or
7 paroled from a prison, hospital or other institution or facility
8 where he was confined because of a conviction of one of the
9 offenses defined in section 9301 (relating to definitions)
10 shall, prior to discharge, parole or release, be informed of his
11 duty to register under this chapter by the institution or
12 facility in which he was confined. The institution or facility
13 shall require the person to read and sign a form prepared by the
14 Pennsylvania State Police stating that the duty to register and
15 the procedure for registration have been explained to him. The
16 institution or facility shall obtain the address where the
17 person expects to reside upon his discharge, parole or release
18 and shall report the address to the Pennsylvania State Police.
19 The institution or facility shall give one copy of the form to
20 the person and shall send two copies to the Pennsylvania State
21 Police who shall forward one copy to the chief of police of the
22 jurisdiction where the person expects to reside upon his
23 discharge, parole or release. The parole officer of a habitual
24 sexual offender shall notify the chief of police of the
25 jurisdiction where the parolee offender resides of parolee's
26 residence and place of employment on an annual basis.

27 § 9304. Duties of court.

28 (a) Upon conviction.--Upon conviction of an offense defined
29 in section 9301 (relating to definitions), the court shall
30 certify that the person is a habitual sexual offender of

1 children and shall include the certification in the order of
2 commitment.

3 (b) Upon release.--A habitual sexual offender of children
4 who is released on probation or discharged upon payment of a
5 fine because of the commission of, or attempt to commit, one of
6 the offenses defined in section 9301 shall, prior to release, be
7 informed of his duty to register under this chapter by the court
8 in which he was convicted. The court shall require the person to
9 read and sign a form prepared by the Pennsylvania State Police
10 stating that the duty to register and the procedure for
11 registration have been explained to him. The court shall obtain
12 the address where the person expects to reside upon his release
13 and shall report the address to the Pennsylvania State Police.
14 The court shall give one copy of the form to the person and
15 shall send two copies to the Pennsylvania State Police who shall
16 forward one copy to the chief of police of the jurisdiction
17 where the person expects to reside upon his release.

18 § 9305. Change of address.

19 If any person required to register under this chapter changes
20 his residence address, he shall inform the chief of police of
21 the jurisdiction with whom he last registered of his new
22 address, in writing, within ten days. The chief of police of the
23 jurisdiction shall, within three days of receipt, forward the
24 information to the Pennsylvania State Police and to the chief of
25 police of the jurisdiction of the new place of residence.

26 § 9306. Duration of registration.

27 A person required to register under this chapter shall be
28 required to register for a period of twenty-five years after
29 conviction, if not confined to a penal institution, hospital or
30 any other institution or facility. If so confined, the person

1 shall be required to register for a period of twenty-five years
2 after parole, discharge or release from the facility. Liability
3 for registration terminates only if the person does not during
4 the applicable ten-year period again become liable to register
5 under the provisions of this chapter.

6 § 9307. Registration requirements.

7 Registration under this chapter shall consist of a statement
8 in writing signed by the registrant giving information as may be
9 required by the Pennsylvania State Police, which may include the
10 fingerprints and photograph of the applicant. Within three days
11 the registering chief of police of the jurisdiction shall
12 forward the statement and any other required information to the
13 Pennsylvania State Police.

14 § 9308. Public inspection of registration data permitted.

15 The statements or any other information required by this
16 chapter shall be open to inspection by the public.

17 § 9309. Penalty.

18 A person required to register under this chapter who violates
19 any of its provisions commits a misdemeanor of the second
20 degree.

21 Section 2. This act shall take effect in 90 days.