

THE GENERAL ASSEMBLY OF PENNSYLVANIA

SENATE BILL

No. 64

Session of
1997

INTRODUCED BY HOLL, JANUARY 17, 1997

REFERRED TO PUBLIC HEALTH AND WELFARE, JANUARY 17, 1997

AN ACT

1 Establishing within the Department of Health a commission for
2 the prevention of rape; providing for powers and duties of
3 the commission; and making an appropriation.

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

6 Section 1. Short title.

7 This act shall be known and may be cited as the Rape
8 Prevention Act.

9 Section 2. Definitions.

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

13 "Commission." The Rape Prevention Commission.

14 "Department." The Department of Health of the Commonwealth.

15 "Rape." The offense or attempt to commit the offense of
16 rape, statutory rape or involuntary deviate sexual intercourse
17 as defined in 18 Pa.C.S. §§ 3121 (relating to rape) and 3123
18 (relating to involuntary deviate sexual intercourse). The term

1 also includes other criminal sexual assaults and attempted rape.

2 "Secretary." The Secretary of Health of the Commonwealth.

3 Section 3. Commission.

4 There is hereby established within the department a
5 commission to be known as the Rape Prevention Commission to be
6 appointed by the secretary and be staffed by individuals
7 presently within the department. The secretary shall appoint a
8 commissioner to oversee operation of the commission. The
9 commissioner shall be an individual skilled in psychiatry and
10 psychoanalysis and shall receive a salary commensurate with the
11 individual's training and experience.

12 Section 4. Powers and duties.

13 (a) Studies.--The commission shall conduct a continuing
14 study and investigation of the following:

15 (1) The effectiveness of existing Federal, State and
16 local laws dealing with rape.

17 (2) The relationship, if any, between traditional legal
18 and social attitudes toward sexual roles, the act of rape and
19 the formulation of laws dealing with rape.

20 (3) The treatment of victims of rape by law enforcement
21 agencies, hospitals or other medical institutions,
22 prosecutors and the courts.

23 (4) The causes of rape, identifying, to the degree
24 possible, motivations of offenders.

25 (5) Sexual assaults in correctional institutions.

26 (6) The actual incidence of rape as compared to the
27 reported cases and the reasons why rape is sometimes
28 unreported.

29 (7) The effectiveness of existing private, local and
30 State education and counseling programs designed to prevent

1 rape.

2 (8) The status of offenders relating to rehabilitation.

3 (b) Compilations.--It shall be the duty of the commission
4 to:

5 (1) Compile, analyze and publish and annually submit,
6 through the secretary, to the General Assembly a summary of
7 the continuing study conducted under this section and the
8 research and demonstration projects conducted under section 5
9 with recommendations where appropriate.

10 (2) Develop and maintain an information clearinghouse
11 with regard to:

12 (i) Prevention of rape.

13 (ii) Treatment and counseling of the victims of rape
14 and their families.

15 (iii) Rehabilitation programs for offenders.

16 (3) Compile and publish training materials for personnel
17 who are engaged or intend to engage in programs designed to
18 prevent rape.

19 Section 5. Research and demonstration projects.

20 (a) Grants.--The secretary, through the commission, shall
21 make grants to community health centers, nonprofit private
22 organizations and public agencies determined to be qualified by
23 the commission for the purpose of conducting research and
24 demonstration projects concerning the prevention of rape.

25 (b) Objectives.--Projects funded under subsection (a) shall
26 include, but not be limited to:

27 (1) Alternative methods of planning, developing,
28 implementing and evaluating programs used in the prevention
29 of rape, the treatment and counseling of victims of rape and
30 their families and the rehabilitation of offenders.

1 (2) The application of methods developed under paragraph
2 (1).

3 Section 6. Advisory committee.

4 (a) Composition.--There is hereby established an advisory
5 committee consisting of five individuals to be appointed by the
6 Governor. The Governor shall appoint one member who is a law
7 enforcement officer, one member selected by the Pennsylvania Bar
8 Association, one member who possesses training and experience in
9 psychiatry and two members from the general public, one of whom
10 shall be a female. The first appointees shall serve a term as
11 follows: one for one year, two for two years, one for three
12 years and one for four years. Thereafter, members shall serve a
13 five-year term.

14 (b) Duties.--The advisory committee shall advise, consult
15 with and make recommendations to the commissioner on matters
16 relating to rape prevention.

17 Section 7. Appropriation.

18 The sum of \$500,000, or as much thereof as may be necessary,
19 is hereby appropriated to the Department of Health for the
20 purposes of implementing and administering this act.

21 Section 8. Effective date.

22 This act shall take effect in 60 days.