

## THE GENERAL ASSEMBLY OF PENNSYLVANIA

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# HOUSE BILL

## No. 2510

Session of  
2004

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INTRODUCED BY REICHLEY, O'BRIEN, KILLION, GEORGE, CRAHALLA,  
BALDWIN, BASTIAN, BELFANTI, BOYD, CAPPELLI, CAWLEY,  
DENLINGER, EGOLF, FEESE, GINGRICH, GOODMAN, GRUCELA, HARHART,  
HERSHEY, KELLER, LAUGHLIN, LEH, McCALL, SCAVELLO, B. SMITH,  
E. Z. TAYLOR, THOMAS, TIGUE, YOUNGBLOOD, BUNT, WEBER, HORSEY,  
TRUE, MILLARD AND BROWNE, APRIL 2, 2004

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AS REPORTED FROM COMMITTEE ON JUDICIARY, HOUSE OF  
REPRESENTATIVES, AS AMENDED, APRIL 13, 2004

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## AN ACT

1 Amending Title 42 (Judiciary and Judicial Procedure) of the  
2 Pennsylvania Consolidated Statutes, providing for a  
3 semiannual performance audit of registration of sexual  
4 offenders.

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

7 Section 1. Title 42 of the Pennsylvania Consolidated  
8 Statutes is amended by adding a section to read:

9 § 9799.8. Semiannual performance audit.

10 (a) Duties of the Attorney General.--The Attorney General  
11 shall:

12 (1) Conduct a performance audit semiannually to  
13 determine compliance with the requirements of this subchapter  
14 and any guidelines promulgated pursuant thereto. The audit  
15 shall, at a minimum, include a review of the practices,  
16 procedures and records of the Pennsylvania State Police, the

1 Pennsylvania Board of Probation and Parole, the Department of  
2 Corrections, the State Sexual Offenders Assessment Board, the  
3 Administrative Office of the Pennsylvania Courts and any  
4 other State or local agency the Attorney General deems  
5 necessary in order to conduct a thorough and accurate  
6 performance audit.

7 (2) Prepare a semiannual report of its findings and any  
8 action it recommends be taken by the Pennsylvania State  
9 Police, the Pennsylvania Board of Probation and Parole, the  
10 Department of Corrections, the State Sexual Offenders  
11 Assessment Board, the Administrative Office of the  
12 Pennsylvania Courts, other State or local agencies and the  
13 General Assembly to ensure compliance with this subchapter.

14 The first report shall be released to the general public NOT <—  
15 LESS THAN 18 months following the effective date of this  
16 section.

17 (3) Provide a copy of its report to the Pennsylvania  
18 State Police, the Pennsylvania Board of Probation and Parole,  
19 the Department of Corrections, the State Sexual Offenders  
20 Assessment Board, the Administrative Office of the  
21 Pennsylvania Courts, State or local agencies referenced  
22 therein, the chairman and the minority chairman of the  
23 Judiciary Committee of the Senate and the chairman and the  
24 minority chairman of the Judiciary Committee of the House of  
25 Representatives no less than 30 days prior to its release to  
26 the general public.

27 (b) Cooperation required.--Notwithstanding any other  
28 provision of law to the contrary, the Pennsylvania State Police,  
29 the Pennsylvania Board of Probation and Parole, the Department  
30 of Corrections, the State Sexual Offenders Assessment Board, the

1 Administrative Office of the Pennsylvania Courts, the  
2 Pennsylvania Commission on Sentencing and any other State or  
3 local agency requested to do so shall fully cooperate with the  
4 Attorney General and assist the office in satisfying the  
5 requirements of this section. For purposes of this subsection,  
6 full cooperation shall include, at a minimum, complete access to  
7 unredacted records, files, reports and data systems.

8       Section 2. This act shall take effect in 60 days.