

THE GENERAL ASSEMBLY OF PENNSYLVANIA

HOUSE BILL

No. 525 Session of  
2007

INTRODUCED BY REED, MARSICO, ARGALL, BAKER, BARRAR, BENNINGHOFF, BENNINGTON, BEYER, BISHOP, BOYD, CAPPELLI, CAUSER, CIVERA, CLYMER, CONKLIN, COX, DALEY, DALLY, DePASQUALE, FLECK, GALLOWAY, GEIST, GIBBONS, GINGRICH, GOODMAN, GRELL, GRUCELA, HARHART, HARPER, HERSHEY, HESS, HICKERNELL, JAMES, KAUFFMAN, M. KELLER, KENNEY, KILLION, MANN, MARKOSEK, McILHATTAN, MELIO, MENSCH, METCALFE, MILLARD, R. MILLER, MUSTIO, NAILOR, O'NEILL, PAYNE, PHILLIPS, PICKETT, RAPP, READSHAW, REICHLEY, ROAE, SABATINA, SCAVELLO, SIPTROTH, SOLOBAY, SONNEY, STABACK, STEIL, STERN, R. STEVENSON, SWANGER, TRUE, TURZAI, VEREB, WATSON, WOJNAROSKI AND YOUNGBLOOD, MARCH 6, 2007

REFERRED TO COMMITTEE ON JUDICIARY, MARCH 6, 2007

AN ACT

1 Amending Title 42 (Judiciary and Judicial Procedure) of the  
2 Pennsylvania Consolidated Statutes, further providing for  
3 sexual offender registration procedures.

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

6 Section 1. Section 9795.2(a)(4)(i) and (b)(4)(i) of Title 42  
7 of the Pennsylvania Consolidated Statutes, amended November 24,  
8 2004 (P.L.1243, No.152) and November 29, 2006 (P.L.1567,  
9 No.178), are amended to read:

10 § 9795.2. Registration procedures and applicability.

11 (a) Registration.--

12 \* \* \*

13 (4) This paragraph shall apply to all offenders and  
14 sexually violent predators:

1           (i) Where the offender or sexually violent predator  
2 was granted parole by the Pennsylvania Board of Probation  
3 and Parole or the court or is sentenced to probation or  
4 intermediate punishment, the board or county office of  
5 probation and parole shall collect registration  
6 information from the offender or sexually violent  
7 predator and forward that registration information to the  
8 Pennsylvania State Police. The Department of Corrections  
9 or county correctional facility shall not release the  
10 offender or sexually violent predator until it receives  
11 verification from the Pennsylvania State Police that it  
12 has received the registration information[.] and has  
13 posted the registration information on the Internet as  
14 required under section 9798.1 (relating to information  
15 made available on the Internet). Verification by the  
16 Pennsylvania State Police may occur by electronic means,  
17 including e-mail or facsimile transmission. Where the  
18 offender or sexually violent predator is scheduled to be  
19 released from a State correctional facility or county  
20 correctional facility because of the expiration of the  
21 maximum term of incarceration, the Department of  
22 Corrections or county correctional facility shall collect  
23 the information from the offender or sexually violent  
24 predator no later than ten days prior to the maximum  
25 expiration date. The registration information shall be  
26 forwarded to the Pennsylvania State Police and shall be  
27 posted on the Internet as required under section 9798.1  
28 prior to the maximum expiration date.

29           \* \* \*

30           (b) Individuals convicted or sentenced by a court or

1 adjudicated delinquent in jurisdictions outside this  
2 Commonwealth or sentenced by court martial.--

3 (4) An individual who resides, is employed or is a  
4 student in this Commonwealth and who has been convicted of or  
5 sentenced by a court or court martial for a sexually  
6 violent offense or a similar offense under the laws of the  
7 United States or one of its territories or possessions,  
8 another state, the District of Columbia, the Commonwealth of  
9 Puerto Rico or a foreign nation, or who was required to  
10 register under a sexual offender statute in the jurisdiction  
11 where convicted, sentenced or court martial, shall register  
12 at an approved registration site within 48 hours of the  
13 individual's arrival in this Commonwealth. The provisions of  
14 this subchapter shall apply to the individual as follows:

15 (i) If the individual has been classified as a  
16 sexually violent predator as defined in section 9792  
17 (relating to definitions) or determined under the laws of  
18 the other jurisdiction or by reason of court martial to  
19 be subject to active notification and lifetime  
20 registration on the basis of a statutorily authorized  
21 administrative or judicial decision or on the basis of a  
22 statute or administrative rule requiring active  
23 notification and lifetime registration based solely on  
24 the offense for which the individual was convicted,  
25 sentenced or court martial, the individual shall,  
26 notwithstanding section 9792, be considered a sexually  
27 violent predator and subject to lifetime registration  
28 pursuant to section 9795.1(b) [(relating to  
29 registration)]. The individual shall also be subject to  
30 the provisions of this section and sections 9796

1 (relating to verification of residence), 9798 (relating  
2 to other notification) and 9798.1(c)(1) [(relating to  
3 information made available on the Internet)], except that  
4 the individual shall not be required to receive  
5 counseling unless required to do so by the other  
6 jurisdiction or by reason of court martial.

7 \* \* \*

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