

THE GENERAL ASSEMBLY OF PENNSYLVANIA

SENATE BILL

No. 883 Session of
2007

INTRODUCED BY RAFFERTY, ORIE, ERICKSON, MADIGAN, FONTANA,
TARTAGLIONE, MUSTO, FUMO, KASUNIC, WONDERLING AND COSTA,
MAY 21, 2007

REFERRED TO JUDICIARY, MAY 21, 2007

AN ACT

1 Amending Title 18 (Crimes and Offenses) of the Pennsylvania
2 Consolidated Statutes, barring the presence of sexual
3 offenders in protected areas.

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 section to read:

8 § 3131. Sexual offenders barred from protected areas.

9 (a) General rule.--A sexual offender who intentionally or
10 knowingly enters a protected area other than to serve a criminal
11 sentence or receive health care commits a felony of the third
12 degree.

13 (b) Changed circumstances.--If a protected area is newly
14 constructed or established in such manner as to incorporate the
15 legal residence of a sexual offender, the sexual offender
16 violates subsection (a) if the sexual offender fails to leave
17 the new protected area within six months of construction or
18 establishment of the new protected area.

1 (c) Definitions.--As used in this section, the following
2 words and phrases shall have the meanings given to them in this
3 subsection:

4 "Protected area." Any of the following:

5 (1) In a city of the first, second, second A or third
6 class or a borough having a population in excess of 3,000 as
7 determined by the 2000 decennial census, the area within
8 1,500 feet of an elementary or secondary school, a child-care
9 center or a playground.

10 (2) In a municipality other than those enumerated in
11 paragraph (1), the area within 3,000 feet of an elementary or
12 secondary school, a child-care center or a playground.

13 "Sexual offender." A person determined to be a sexually
14 violent predator pursuant to 42 Pa.C.S. Ch. 97 Subch. H
15 (relating to registration of sexual offenders) if a victim of
16 any sexual offense committed by the person was under 13 years of
17 age.

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