AN ACT

Amending the act of November 29, 2006 (P.L.1471, No.165),
entitled "An act providing for a sexual assault evidence
collection program and for powers and duties of the
Department of Health and the Pennsylvania State Police;
establishing civil immunity; and providing for rights of
sexual assault victims," further providing for sexual assault
evidence collection program.

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

Section 1. Section 3(c.1) of the act of November 29, 2006
(P.L.1471, No.165), known as the Sexual Assault Testing and
Evidence Collection Act, is amended by adding a paragraph to
read:

Section 3. Sexual assault evidence collection program.

* * *

(c.1) Anonymous submissions.--The following shall apply to
sexual assault evidence obtained by a health care facility at
the request or with the consent of the victim who does not wish
to make a report to law enforcement:
(6) Failure to report injuries under 18 Pa.C.S. § 5106(a)(2) (relating to failure to report injuries by firearm or criminal act) shall not constitute an offense if anonymous submission is made under this subsection.

SECTION 2. THE FOLLOWING APPLY:

(1) THE PENNSYLVANIA STATE POLICE SHALL, IN CONSULTATION WITH THE PENNSYLVANIA COALITION AGAINST RAPE, CONDUCT A STUDY AND ISSUE A REPORT UNDER PARAGRAPH (2) THAT EXAMINES THE RESOURCES REQUIRED TO IMPLEMENT A RAPE KIT TRACKING SYSTEM IN THIS COMMONWEALTH THAT SHALL:

(I) BE OPERATED AND MANAGED BY THE PENNSYLVANIA STATE POLICE FOR THE PURPOSE OF TRACKING ALL RAPE KITS COLLECTED FOR TESTING OR ANALYSIS UNDER SECTION 3 OF THE ACT.

(II) BE ACCESSIBLE TO SEXUAL ASSAULT VICTIMS AND OTHER AUTHORIZED USERS AS DETERMINED BY THE PENNSYLVANIA STATE POLICE.

(III) FUNCTION AS AN ONLINE ACCESSIBLE DATABASE CAPABLE OF RECEIVING, MAINTAINING, STORING AND PRESERVING TRACKING INFORMATION RELATED TO THE TESTING AND ANALYSIS OF ALL RAPE KITS, INCLUDING THE FOLLOWING:

(A) THE LOCATION AND TESTING STATUS OF RAPE KITS.

(B) VICTIM REFERRALS, INCLUDING AN INDIVIDUAL'S RIGHTS AS A CRIME VICTIM UNDER THE ACT OF NOVEMBER 24, 1998 (P.L.882, NO.111), KNOWN AS THE CRIME VICTIMS ACT.

(C) CONTACT INFORMATION FOR LOCAL RAPE CRISIS
SERVICES AND THE STATEWIDE RAPE CRISIS HOTLINE.

(IV) ALLOW LAW ENFORCEMENT AGENCIES, FORENSIC LABORATORIES, HOSPITALS, HEALTH CARE FACILITIES OR OTHER PERSONS OR ENTITIES HAVING USE OR CUSTODY OF RAPE KITS TO ENTER INFORMATION INTO THE TRACKING SYSTEM.

(2) THE PENNSYLVANIA STATE POLICE SHALL ISSUE A REPORT OF ITS FINDINGS AND RECOMMENDATIONS TO THE HOUSE OF REPRESENTATIVES WITHIN 12 MONTHS OF THE EFFECTIVE DATE OF THIS SECTION. THE REPORT SHALL, AT A MINIMUM, IDENTIFY THE FOLLOWING:

(I) THE RESOURCES AND TRAINING NEEDED TO IMPLEMENT, MANAGE AND MAINTAIN A RAPE KIT TRACKING SYSTEM.

(II) THE COSTS ASSOCIATED WITH IMPLEMENTING, MANAGING AND MAINTAINING A RAPE KIT TRACKING SYSTEM.

(III) POTENTIAL SOURCES OF FUNDING FOR IMPLEMENTING, MANAGING AND MAINTAINING A RAPE KIT TRACKING SYSTEM.

(IV) THE BENEFITS TO VICTIMS AND PUBLIC SAFETY ASSOCIATED WITH IMPLEMENTING A RAPE KIT TRACKING SYSTEM IN THIS COMMONWEALTH AND RECOMMENDATIONS ON IMPLEMENTING, MANAGING AND MAINTAINING AN EFFICIENT AND COST-EFFECTIVE RAPE KIT TRACKING SYSTEM.

(3) THE PENNSYLVANIA STATE POLICE SHALL POST THE REPORT ISSUED UNDER PARAGRAPH (2) ON ITS PUBLICLY ACCESSIBLE INTERNET WEBSITE.

Section 2 3. This act shall take effect in 60 days.  

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