

THE GENERAL ASSEMBLY OF PENNSYLVANIA

SENATE BILL

No. 895 Session of  
1993

INTRODUCED BY GREENLEAF, HART, HELFRICK, HOLL, LEMMOND,  
PETERSON, REIBMAN AND SCHWARTZ, APRIL 2, 1993

REFERRED TO JUDICIARY, APRIL 2, 1993

AN ACT

1 Amending Title 42 (Judiciary and Judicial Procedure) of the  
2 Pennsylvania Consolidated Statutes, providing for evidence of  
3 victim's sexual conduct.

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

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

8 § 5937. Evidence of victim's sexual conduct.

9 (a) General rule.--Evidence of specific instances of the  
10 alleged victim's past sexual conduct, opinion evidence of the  
11 alleged victim's past sexual conduct and reputation evidence of  
12 the alleged victim's past sexual conduct shall not be admissible  
13 in any civil matter before any tribunal of this Commonwealth,  
14 except evidence of the alleged victim's past sexual conduct with  
15 the defendant where consent of the alleged victim is at issue  
16 and such evidence is otherwise admissible pursuant to the rules  
17 of evidence.

18 (b) Evidentiary proceedings.--A defendant who proposes to

1 offer evidence of the alleged victim's past sexual conduct  
2 pursuant to subsection (a) shall file a written motion and offer  
3 of proof at the time of trial. If at the time of trial the court  
4 determines that the motion and offer of proof are sufficient on  
5 their faces, the court shall order an in camera hearing and  
6 shall make findings on the record as to the relevance and  
7 admissibility of the proposed evidence pursuant to the standards  
8 set forth in subsection (a).

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