

THE GENERAL ASSEMBLY OF PENNSYLVANIA

HOUSE BILL

No. 376 Session of
1995

INTRODUCED BY WOZNIAK, ROONEY, STABACK, BLAUM, McCALL, BATTISTO,
TIGUE, DeLUCA, GEIST, WASHINGTON, FLEAGLE, KING, STERN,
WAUGH, SURRA, HERSHEY, DALEY, TRELLO, DEMPSEY, LEH, READSHAW,
ROBERTS, LAUGHLIN, RAYMOND, PRESTON, MARKOSEK, EGOLF, FAJT,
ARMSTRONG, BELARDI AND CIVERA, JANUARY 27, 1995

REFERRED TO COMMITTEE ON JUDICIARY, JANUARY 27, 1995

AN ACT

1 Amending Title 18 (Crimes and Offenses) of the Pennsylvania
2 Consolidated Statutes, providing for child sex offender
3 registration.

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

6 Section 1. Chapter 31 of Title 18 of the Pennsylvania
7 Consolidated Statutes is amended by adding a subchapter to read:

8 SUBCHAPTER C

9 CHILD SEX OFFENDER REGISTRATION

10 Sec.

11 3141. Definitions.

12 3142. Registration requirements.

13 3143. Offender registration form.

14 3144. Registration procedure.

15 3145. Penalties.

16 § 3141. Definitions.

17 The following words and phrases when used in this subchapter

1 shall have the meanings given to them in this section unless the
2 context clearly indicates otherwise:

3 "Correctional institution." As defined in section 501
4 (relating to definitions).

5 "Offender registration form." A form which outlines the
6 responsibilities as prescribed in this subchapter of a person
7 convicted of a sexual offense involving children and as further
8 described in section 3143 (relating to offender registration
9 form).

10 "Sexual offense involving children." Any of the following:

11 (1) An offense under section 3122 (relating to statutory
12 rape).

13 (2) An offense under any of the following provisions
14 where the victim is under 18 years of age:

15 Section 3121 (relating to rape).

16 Section 3123 (relating to involuntary deviate sexual
17 intercourse).

18 Section 3124 (relating to voluntary deviate sexual
19 intercourse).

20 Section 3125 (relating to aggravated indecent
21 assault).

22 Section 3126 (relating to indecent assault).

23 Section 3127 (relating to indecent exposure).

24 Section 4302 (relating to incest).

25 (3) An offense in another jurisdiction which is
26 substantially similar to offenses listed in paragraph (1) or
27 (2).

28 "State police." The Pennsylvania State Police.

29 § 3142. Registration requirements.

30 (a) Inmate of correctional institution.--Any person

1 convicted of a sexual offense involving children enumerated in
2 paragraph (1) or (2) of the definition of "sexual offense
3 involving children" in section 3141 (relating to definitions)
4 who is confined to a correctional institution for such offense
5 shall be required to read, complete and sign an offender
6 registration form to be provided by the correctional institution
7 upon parole or release.

8 (b) Other convicted persons.--Any person convicted of a
9 sexual offense involving children enumerated in paragraph (1) or
10 (2) of the definition of "sexual offense involving children" in
11 section 3141 who receives a suspended or alternative sentence or
12 probation for committing a sexual offense involving children
13 shall be required to read, complete and sign an offender
14 registration form provided by the court.

15 (c) Persons convicted in other jurisdiction.--Any person
16 convicted in another jurisdiction of a sexual offense involving
17 children, as described in paragraph (3) of the definition of
18 "sexual offense involving children" in section 3141, must
19 contact the State police within 30 days upon entering this
20 Commonwealth and shall be required to read, complete and sign an
21 offender registration form within ten days of such contact.

22 § 3143. Offender registration form.

23 (a) General rule.--The offender registration form shall set
24 forth the responsibilities as prescribed in this subchapter of a
25 person convicted of a sexual offense involving children. This
26 form shall include the following:

- 27 (1) Name.
- 28 (2) Date of birth.
- 29 (3) Social Security number.
- 30 (4) Photograph.

1 (5) Fingerprints.

2 (6) Offense or offenses committed, including place and
3 date of conviction.

4 (7) Residential address upon release and subsequent
5 updated information as required under this subchapter.

6 (b) Duty of State police.--The State police shall develop
7 this form. The form shall include a provision to be signed by
8 the offender indicating that he has read and understands the
9 requirements imposed under this subchapter.

10 § 3144. Registration procedure.

11 (a) General rule.--The correctional institution or court
12 issuing an offender registration form pursuant to section
13 3142(a) and (b) (relating to registration requirements) shall
14 send copies of the completed and signed form to the chief of
15 police of the municipality in which the offender intends to
16 reside, to the State police and to the offender. If an offender
17 registers pursuant to section 3142(c), the State police shall
18 send copies to the chief of police of the municipality and to
19 the offender. All information contained in the offender
20 registration form shall be entered into the central repository
21 of criminal information maintained by the State police under Ch.
22 91 (relating to criminal history record information).

23 Notwithstanding any provision of Ch. 91, all information
24 collected under this subchapter shall be public information.

25 (b) Change of residence.--Any person required to register
26 under this subchapter who changes residence or temporarily
27 resides in any area for more than 21 days shall register with
28 the local chief of police and notify the State police in writing
29 of the new address within ten days of that time. The State
30 police shall send a copy of the updated offender registration

1 form to the chief of police of the new municipality.

2 (c) Residence away from jurisdiction.--If an offender
3 resides in an area which is not under the jurisdiction of a
4 local law enforcement agency, he shall be relieved of the
5 applicable registration requirement but shall continue to notify
6 the State police as required under this subchapter. The State
7 police shall not be required to notify local law enforcement if
8 the offender is not under the jurisdiction of such agency. Any
9 person required to register under this subchapter shall be
10 subject to this requirement for a period of 15 years subsequent
11 to the date of the initial completion of the offender
12 registration form as required in section 3142(a) and (b). Any
13 person required to register under section 3142(c) shall be
14 subject to this subchapter for 15 years subsequent to the
15 completion of the sentence imposed in the jurisdiction in which
16 the conviction was obtained.

17 § 3145. Penalties.

18 Any person convicted of a sexual offense involving children
19 who fails to fulfill the requirements of this subchapter commits
20 a misdemeanor of the third degree and shall, upon conviction, be
21 sentenced to pay a fine of \$2,500, or to imprisonment for not
22 more than one year, or both.

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