

THE GENERAL ASSEMBLY OF PENNSYLVANIA

HOUSE BILL

No. 2775 Session of
2006

INTRODUCED BY GANNON, CIVERA, MICOZZIE, KILLION, ADOLPH, TRUE,
BARRAR AND RAYMOND, JUNE 15, 2006

REFERRED TO COMMITTEE ON STATE GOVERNMENT, JUNE 15, 2006

AN ACT

1 Amending the act of October 15, 1980 (P.L.950, No.164), entitled
2 "A supplement to the act of April 9, 1929 (P.L.177, No.175),
3 entitled 'An act providing for and reorganizing the conduct
4 of the executive and administrative work of the Commonwealth
5 by the Executive Department thereof and the administrative
6 departments, boards, commissions, and officers thereof,
7 including the boards of trustees of State Normal Schools, or
8 Teachers Colleges; abolishing, creating, reorganizing or
9 authorizing the reorganization of certain administrative
10 departments, boards, and commissions; defining the powers and
11 duties of the Governor and other executive and administrative
12 officers, and of the several administrative departments,
13 boards, commissions, and officers; fixing the salaries of the
14 Governor, Lieutenant Governor, and certain other executive
15 and administrative officers; providing for the appointment of
16 certain administrative officers, and of all deputies and
17 other assistants and employes in certain departments, boards,
18 and commissions; and prescribing the manner in which the
19 number and compensation of the deputies and all other
20 assistants and employes of certain departments, boards and
21 commissions shall be determined,' implementing the addition
22 of section 4.1 to Article IV of the Constitution of
23 Pennsylvania; establishing the Office of Attorney General
24 elected by the citizens and setting forth powers and duties
25 of the Attorney General; creating an Office of General
26 Counsel and providing for legal services for Commonwealth
27 agencies; transferring, reorganizing or reconstituting
28 certain boards, commissions and agencies; placing certain
29 duties upon the courts and district attorneys; repealing
30 certain acts and parts of acts and making appropriations,"
31 providing for witness relocation and protection.

32 The General Assembly of the Commonwealth of Pennsylvania

1 hereby enacts as follows:

2 Section 1. The act of October 15, 1980 (P.L.950, No.164),
3 known as the Commonwealth Attorneys Act, is amended by adding a
4 section to read:

5 Section 206.1. Witness relocation and protection.

6 (a) Statewide witness relocation program.--The Attorney
7 General shall establish a Statewide witness relocation program
8 through which the Attorney General may provide for the
9 relocation and other protection of a Commonwealth witness or a
10 potential Commonwealth witness in an official proceeding or
11 investigation if the Attorney General determines that an offense
12 causing harm to the witness is likely to be committed. The
13 Attorney General may also provide for the relocation and other
14 protection of the immediate family of or a person otherwise
15 closely associated with the witness or potential witness if the
16 family or person may also be endangered on account of
17 participation of the witness in an official proceeding or
18 investigation. Expenditure of funds for relocation and other
19 protection expenses may include, but are not limited to,
20 emergency and long-term housing, the actual costs of relocation
21 and assistance with job procurement and school transfers, as
22 deemed appropriate by the Attorney General.

23 (b) Duration.--In connection with the relocation and other
24 protection of a witness, a potential witness or an immediate
25 family member or close associate of a witness or potential
26 witness, the Attorney General may fund or take any action the
27 Attorney General determines to be necessary to protect the
28 person from bodily injury or to assure the person's health,
29 safety and welfare for as long as, in the judgment of the
30 Attorney General, the danger exists. The Attorney General may

1 terminate a witness's participation if agreed upon rules are
2 violated by the witness.

3 (c) Referring agency requests for assistance.--Any district
4 attorney's office that determines a need for witness protection
5 in an official proceeding or investigation may request funding
6 from the Attorney General for the relocation and other
7 protection of a county witness, a potential witness or an
8 immediate family member or close associate of a witness or
9 potential witness. Requests shall be made and approved in a
10 timely and equitable manner as established by the Attorney
11 General.

12 (d) Authority of Attorney General.--The Attorney General may
13 enter into contracts or other agreements as may be necessary to
14 carry out this section. Any contract or agreement which would
15 result in the expenditure of funds may be entered into only to
16 the extent and in the amount as may be appropriated for such
17 purposes by the General Assembly.

18 (e) Immunity.--The Commonwealth, its officers and employees,
19 and State or county prosecuting attorneys or law enforcement
20 agencies shall not be subject to any civil liability for any
21 decision to provide or not to provide protection under this
22 section.

23 (f) Confidentiality.--All information submitted to or
24 collected by the Attorney General under this section shall be
25 confidential, shall not be considered a public record under the
26 act of June 21, 1957 (P.L.390, No.212), referred to as the
27 Right-to-Know Law, and shall not be subject to public
28 disclosure.

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