

THE GENERAL ASSEMBLY OF PENNSYLVANIA

HOUSE BILL

No. 1856 Session of
2007

INTRODUCED BY SABATINA, BELFANTI, BLACKWELL, BRENNAN, CAPPELLI,
CASORIO, GEIST, GRUCELA, HENNESSEY, HORNAMAN, KOTIK, LENTZ,
QUIGLEY, READSHAW, RUBLEY, SIPTROTH, SOLOBAY, STURLA,
J. TAYLOR AND THOMAS, SEPTEMBER 27, 2007

REFERRED TO COMMITTEE ON JUDICIARY, SEPTEMBER 27, 2007

AN ACT

1 Amending Title 18 (Crimes and Offenses) of the Pennsylvania
2 Consolidated Statutes, providing for probable cause arrests
3 in misdemeanor sexual offenses.

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

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

8 § 3108. Probable cause arrests in misdemeanor sexual offenses.

9 (a) Right of arrest.--A police officer shall have the same
10 right of arrest without a warrant as in a felony whenever the
11 officer has probable cause to believe a person committed a
12 misdemeanor of the first degree in violation of any of the
13 following:

14 (1) Section 3126 (relating to indecent assault).

15 (2) Section 3127 (relating to indecent exposure).

16 (b) Presence of officer not required.--Whether or not the
17 offense occurred in the presence of the police officer shall not

1 affect the police officer's right of arrest under subsection
2 (a).

3 (c) Contact with victim or eyewitness.--A police officer may
4 not arrest a person pursuant to this section without first
5 directly speaking with the victim or eyewitnesses to the
6 offense.

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