

THE GENERAL ASSEMBLY OF PENNSYLVANIA

SENATE BILL

No. 681 Session of  
2013

INTRODUCED BY GREENLEAF, ALLOWAY, ARGALL, BLAKE, BOSCOLA,  
BROWNE, BRUBAKER, ERICKSON, FARNESE, FERLO, FOLMER, FONTANA,  
HUGHES, KITCHEN, PILEGGI, RAFFERTY, SCHWANK, SOLOBAY, STACK,  
TARTAGLIONE, TEPLITZ, TOMLINSON, WASHINGTON, WILLIAMS,  
WOZNIAK AND LEACH, MARCH 13, 2013

AS RE-REPORTED FROM COMMITTEE ON APPROPRIATIONS, HOUSE OF  
REPRESENTATIVES, AS AMENDED, MARCH 11, 2014

AN ACT

1 Amending Title 42 (Judiciary and Judicial Procedure) of the  
2 Pennsylvania Consolidated Statutes, providing for the  
3 protection of victims of sexual violence OR INTIMIDATION, for <--  
4 duties of law enforcement agencies, for procedure and for  
5 penalties; and, in juvenile matters, further providing for  
6 definitions.

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

9 Section 1. Title 42 of the Pennsylvania Consolidated  
10 Statutes is amended by adding a chapter to read:

11 CHAPTER 62 62A <--

12 SEXUAL VIOLENCE VICTIM PROTECTION <--

13 PROTECTION OF VICTIMS OF SEXUAL VIOLENCE OR <--

14 INTIMIDATION

15 Sec.

16 6201 62A01. Scope of chapter. <--

17 6202 62A02. Findings and purpose. <--

1 ~~6203~~ 62A03. Definitions. <--

2 ~~6204~~ 62A04. Responsibilities of law enforcement agencies. <--

3 ~~6205~~ 62A05. Commencement of proceedings. <--

4 ~~6206~~ 62A06. Hearings. <--

5 ~~6207~~ 62A07. Relief. <--

6 ~~6208~~ 62A08. Service of orders. (RESERVED). <--

7 ~~6209~~ 62A09. Emergency relief by minor judiciary. <--

8 ~~6210~~ 62A10. Sexual assault counselor. <--

9 ~~6211~~ 62A11. Disclosure of addresses. <--

10 ~~6212~~ 62A12. Arrest for violation of order. <--

11 ~~6213~~ 62A13. Private criminal complaints for violation of order <--

12 OR AGREEMENT. <--

13 ~~6214~~ 62A14. Contempt for violation of order. <--

14 ~~6215~~ 62A15. Civil contempt or modification for violation of <--

15 order OR AGREEMENT. <--

16 ~~6216~~ 62A16. Confidentiality. <--

17 ~~6217~~ 62A17. Procedure and other remedies. <--

18 ~~6218~~ 62A18. Applicability. <--

19 ~~6219~~ 62A19. INABILITY TO PAY. <--

20 ~~6620~~ 62A20. CONSTRUCTION. <--

21 § ~~6201~~ 62A01. Scope of chapter. <--

22 This chapter relates to PROTECTION OF VICTIMS OF sexual <--

23 violence ~~victim protection~~ OR INTIMIDATION. <--

24 § ~~6102~~ 62A02. Findings and purpose. <--

25 The General Assembly finds and declares that:

26 (1) Sexual violence is the most heinous crime against a

27 person other than murder.

28 (2) Sexual violence ~~inflicts~~ AND INTIMIDATION CAN <--

29 INFLICT humiliation, degradation and terror on the victim.

30 (3) According to the Department of Justice, someone is

1 sexually assaulted every two minutes in the United States.

2 (4) Rape is recognized as one of the most underreported  
3 crimes, and studies indicate that only one in three rapes is  
4 reported to law enforcement.

5 (5) Victims of sexual violence AND INTIMIDATION desire <--  
6 safety and protection from future interactions with their  
7 offender, regardless of whether they seek criminal  
8 prosecution.

9 (6) This chapter provides the victim with a civil remedy  
10 requiring the offender to stay away from the victim, as well  
11 as other appropriate relief.

12 ~~§ 6203~~ 62A03. Definitions. <--

13 The following words and phrases when used in this chapter  
14 shall have the meanings given to them in this section unless the  
15 context clearly indicates otherwise:

16 "Adult." An individual who is 18 years of age or older.

17 "Certified copy." A paper copy of the original order of the  
18 issuing court endorsed by the appropriate clerk of that court or  
19 an electronic copy of the original order of the issuing court  
20 endorsed with a digital signature of the judge or appropriate  
21 clerk of that court, regardless of whether or not there is a  
22 raised seal on the copy of the order of the issuing court.

23 "Confidential communications." As defined in section 5945.1  
24 (relating to confidential communications with sexual assault  
25 counselors).

26 "Coparticipant." As defined in section 5945.1 (relating to  
27 confidential communications with sexual assault counselors).

28 "Court." The court or magisterial district judge having  
29 jurisdiction over the matter under and exercised as provided in  
30 this title or as otherwise provided or prescribed by law.

1 "Family or household members." Spouses or persons who have  
2 been spouses, persons living as spouses or who lived as spouses,  
3 parents and children, other persons related by consanguinity or  
4 affinity, current or former sexual or intimate partners or  
5 persons who share biological parenthood.

6 "Hearing officer." A magisterial district judge, judge of  
7 the Philadelphia Municipal Court, bail commissioner appointed  
8 under section 1123 (relating to jurisdiction and venue) ~~or,~~ <--  
9 master appointed under section 1126 (relating to masters) OR <--  
10 MASTER FOR EMERGENCY RELIEF.

11 "INTIMIDATION." CONDUCT CONSTITUTING A CRIME UNDER EITHER OF <--  
12 THE FOLLOWING PROVISIONS BETWEEN PERSONS WHO ARE NOT FAMILY OR  
13 HOUSEHOLD MEMBERS:

14 18 PA.C.S. § 2709(A)(4), (5), (6) OR (7) (RELATING TO  
15 HARASSMENT) WHERE THE CONDUCT IS COMMITTED BY A PERSON 18  
16 YEARS OF AGE OR OLDER AGAINST A PERSON UNDER 18 YEARS OF AGE.

17 18 PA.C.S. § 2709.1 (RELATING TO STALKING) WHERE THE  
18 CONDUCT IS COMMITTED BY A PERSON 18 YEARS OF AGE OR OLDER  
19 AGAINST A PERSON UNDER 18 YEARS OF AGE.

20 "Master for emergency relief." A member of the bar of the  
21 Commonwealth appointed under section ~~6209(e)~~ 62A09(e) (relating <--  
22 to emergency relief by minor judiciary).

23 "Minor." An individual who is not an adult.

24 "Plaintiff." An individual who applies for a protection  
25 order, either for the benefit of that individual or on behalf of  
26 another individual.

27 "Protection order" or "order." ~~A sexual violence victim~~ <--  
28 ~~protection~~ AN order issued under this chapter DESIGNED TO <--  
29 PROTECT A VICTIM OF SEXUAL VIOLENCE OR INTIMIDATION.

30 "Rape crisis center." As defined in section 5945.1 (relating

1 to confidential communications with sexual assault counselors).

2 "Sexual assault counselor." As defined in section 5945.1  
3 (relating to confidential communications with sexual assault  
4 counselors).

5 "Sexual violence." Conduct constituting a crime under any of  
6 the following provisions of Title 18 PA.C.S. (relating to <--  
7 crimes and offenses) between persons who are not family or  
8 household members:

9 ~~18 PA.C.S. § 2709 (RELATING TO HARASSMENT) WHERE THE~~ <--  
10 ~~CONDUCT IS COMMITTED BY A PERSON 18 YEARS OF AGE OR OLDER~~  
11 ~~AGAINST A PERSON UNDER 18 YEARS OF AGE.~~

12 ~~18 PA.C.S. § 2709.1 (RELATING TO STALKING) WHERE THE~~  
13 ~~CONDUCT IS COMMITTED BY A PERSON 18 YEARS OF AGE OR OLDER~~  
14 ~~AGAINST A PERSON UNDER 18 YEARS OF AGE.~~

15 18 Pa.C.S. Ch. 31 (relating to sexual offenses), EXCEPT <--  
16 18 PA.C.S. §§ 3129 (RELATING TO SEXUAL INTERCOURSE WITH  
17 ANIMAL) AND 3130 (RELATING TO CONDUCT RELATING TO SEX  
18 OFFENDERS).

19 18 Pa.C.S. § 4304 (relating to endangering welfare of  
20 children) if the offense involved sexual contact with the  
21 victim.

22 18 Pa.C.S. § 6301(a)(1)(ii) (relating to corruption of  
23 minors).

24 18 Pa.C.S. § 6312(b) (relating to sexual abuse of  
25 children).

26 18 Pa.C.S. § 6318 (relating to unlawful contact with  
27 minor).

28 18 Pa.C.S. § 6320 (relating to sexual exploitation of  
29 children).

30 "Sheriff." The sheriff of a county or in a city of the first

1 class, the chief or head of the police department.

2 "Victim." A person who is the victim of sexual violence OR <--  
3 INTIMIDATION.

4 § ~~6204~~ 62A04. Responsibilities of law enforcement agencies. <--

5 (a) General rule.--The police department of each municipal  
6 corporation, the Pennsylvania State Police and the sheriff of  
7 each county shall ensure that all their officers, deputies and  
8 employees are familiar with the provisions of this chapter.

9 Instruction concerning ~~sexual violence victim protection~~ orders <--  
10 shall be made a part of the training curriculum for all trainee  
11 officers and deputies. All law enforcement agencies shall adopt  
12 a written policy regarding ~~sexual violence victim protection~~ <--  
13 orders ISSUED UNDER THIS CHAPTER. <--

14 (b) Notice of arrest.--The police department of each  
15 municipal corporation and the Pennsylvania State Police shall  
16 make reasonable efforts to notify any person protected by an  
17 order issued under this chapter of the arrest of the defendant  
18 for violation of an order as soon as possible. Unless the person  
19 cannot be located, notice of the arrest shall be provided not  
20 more than 24 hours after preliminary arraignment.

21 ~~(c) Statewide registry. A record and index of all valid~~ <--

22 (C) STATEWIDE REGISTRY.-- <--

23 (1) A COMPLETE AND SYSTEMATIC RECORD AND INDEX OF ALL  
24 VALID temporary and final ~~court orders of protection~~ ORDERS <--  
25 issued under this chapter shall be entered and maintained in  
26 the database established and maintained by the Pennsylvania  
27 State Police pursuant to 23 Pa.C.S. § 6105(e) (relating to  
28 responsibilities of law enforcement agencies).

29 (2) WITH RESPECT TO ORDERS ISSUED UNDER THIS CHAPTER, <--  
30 THE STATEWIDE REGISTRY SHALL INCLUDE, BUT NEED NOT BE LIMITED

1 TO, THE FOLLOWING:

2 (I) THE NAMES OF THE PLAINTIFF AND THE VICTIM, IF  
3 THE VICTIM IS NOT THE SAME INDIVIDUAL AS THE PLAINTIFF.

4 (II) THE NAME OF OTHER DESIGNATED PERSONS PROTECTED  
5 BY THE ORDER UNDER SECTION 62A07(B) (RELATING TO RELIEF).

6 (III) THE NAME AND ADDRESS OF THE DEFENDANT.

7 (IV) THE DATE THE ORDER WAS ENTERED.

8 (V) THE DATE THE ORDER EXPIRES.

9 (VI) THE RELIEF GRANTED UNDER SECTION 62A07 AND  
10 SECTION 62A09 (RELATING TO EMERGENCY RELIEF BY MINOR  
11 JUDICIARY).

12 (VII) THE JUDICIAL DISTRICT IN WHICH THE ORDER WAS  
13 ENTERED.

14 (VIII) WHERE FURNISHED, THE SOCIAL SECURITY NUMBER  
15 AND DATE OF BIRTH OF THE DEFENDANT.

16 (3) THE PROTHONOTARY SHALL SEND, ON A FORM PRESCRIBED BY  
17 THE PENNSYLVANIA STATE POLICE, A COPY OF AN ORDER TO THE  
18 STATEWIDE REGISTRY SO THAT IT IS RECEIVED WITHIN 24 HOURS OF  
19 THE ENTRY OF THE ORDER. AN AMENDMENT TO OR REVOCATION OF AN  
20 ORDER SHALL BE TRANSMITTED BY THE PROTHONOTARY WITHIN 24  
21 HOURS OF THE ENTRY OF THE ORDER FOR MODIFICATION OR  
22 REVOCATION. THE PENNSYLVANIA STATE POLICE SHALL ENTER ORDERS,  
23 AMENDMENTS AND REVOCATIONS IN THE STATEWIDE REGISTRY WITHIN  
24 EIGHT HOURS OF RECEIPT. VACATED OR EXPIRED ORDERS SHALL BE  
25 PURGED FROM THE REGISTRY.

26 (4) THE REGISTRY OF THE PENNSYLVANIA STATE POLICE SHALL  
27 BE AVAILABLE AT ALL TIMES TO INFORM COURTS, DISPATCHERS AND  
28 LAW ENFORCEMENT OFFICERS OF ANY VALID ORDER INVOLVING ANY  
29 DEFENDANT.

30 (5) INFORMATION CONTAINED IN THE STATEWIDE REGISTRY

1 RELATING TO ORDERS SHALL NOT BE SUBJECT TO ACCESS UNDER THE  
2 ACT OF FEBRUARY 14, 2008 (P.L.6, NO.3), KNOWN AS THE RIGHT-  
3 TO-KNOW LAW.

4 § 6205 62A05. Commencement of proceedings. <--

5 (a) General rule.--An action for a sexual violence victim <--  
6 protection order may be commenced by filing a petition with the  
7 court requesting protection from the defendant. An adult or  
8 emancipated minor may seek relief under this chapter for that  
9 person or any parent, adult household member or guardian ad  
10 litem may seek relief under this chapter on behalf of a minor  
11 child or the guardian of the person of an adult who has been  
12 declared incapacitated under 20 Pa.C.S. Ch. 55 (relating to  
13 incapacitated persons) may seek relief on behalf of an  
14 incapacitated adult, BY FILING A PETITION WITH THE COURT <--  
15 ALLEGING THE NEED FOR PROTECTION FROM THE DEFENDANT WITH RESPECT <--  
16 TO SEXUAL VIOLENCE OR INTIMIDATION.

17 (A.1) FALSE REPORTS.--A PERSON WHO KNOWINGLY GIVES FALSE  
18 INFORMATION TO A LAW ENFORCEMENT OFFICER WITH INTENT TO  
19 IMPLICATE ANOTHER UNDER THIS CHAPTER COMMITS AN OFFENSE UNDER 18  
20 PA.C.S. § 4906 (RELATING TO FALSE REPORTS TO LAW ENFORCEMENT  
21 AUTHORITIES).

22 (b) No prepayment of fees.--The petition shall be filed and  
23 service shall be made without the prepayment of fees.

24 (c) Assessment of fees and costs.--

25 (1) (i) No plaintiff seeking relief under this chapter  
26 shall be charged any fees or costs associated with the  
27 filing, issuance, registration or service of a petition,  
28 motion, complaint, order or any other filing. Prohibited  
29 fees or costs shall include, but are not limited to,  
30 those associated with modifying, withdrawing, dismissing



1 or certifying copies of a petition, motion, complaint,  
2 order or any other filing, as well as any judicial  
3 surcharge or computer system fee.

4 (ii) No plaintiff seeking relief under this chapter  
5 shall be charged any fees or costs associated with filing  
6 a motion for reconsideration or an appeal from any order  
7 or action taken under this chapter.

8 (2) When an order is granted under this chapter, fees  
9 and costs shall be assessed against the defendant. The court  
10 shall waive fees and costs upon a showing of good cause or  
11 when the court makes a finding that the defendant is not able  
12 to pay the fees and costs.

13 (3) Nothing in this section is intended to expand or  
14 diminish the court's authority to enter an order under  
15 Pa.R.C.P. No. 1023.1 (relating to Scope. Signing of  
16 Documents. Representations to the Court. Violation).

17 (C.1) SURCHARGE ON ORDER.--WHEN AN ORDER IS GRANTED UNDER <--  
18 SECTION 62A06 (RELATING TO HEARINGS), A SURCHARGE OF \$100 SHALL  
19 BE ASSESSED AGAINST THE DEFENDANT. ALL MONEYS RECEIVED FROM  
20 SURCHARGES SHALL BE DISTRIBUTED IN THE FOLLOWING ORDER OF  
21 PRIORITY:

22 (1) TWENTY-FIVE DOLLARS SHALL BE FORWARDED TO THE  
23 COMMONWEALTH AND SHALL BE USED BY THE PENNSYLVANIA STATE  
24 POLICE TO ESTABLISH AND MAINTAIN THE STATEWIDE REGISTRY OF  
25 PROTECTION ORDERS PROVIDED FOR IN SECTION 62A04(C) (RELATING  
26 TO RELATING TO RESPONSIBILITIES OF LAW ENFORCEMENT AGENCIES).

27 (2) FIFTY DOLLARS SHALL BE RETAINED BY THE COUNTY AND  
28 SHALL BE USED TO CARRY OUT THE PROVISIONS OF THIS CHAPTER AS  
29 FOLLOWS:

30 (I) TWENTY-FIVE DOLLARS SHALL BE USED BY THE

1           SHERIFF.

2           (II) TWENTY-FIVE DOLLARS SHALL BE USED BY THE COURT.

3           (3) TWENTY-FIVE DOLLARS SHALL BE FORWARDED TO THE  
4 DEPARTMENT OF PUBLIC WELFARE FOR USE FOR VICTIMS OF SEXUAL  
5 ASSAULT IN ACCORDANCE WITH THE PROVISIONS OF SECTION 2333 OF  
6 THE ACT OF APRIL 9, 1929 (P.L.177, NO.175), KNOWN AS THE  
7 ADMINISTRATIVE CODE OF 1929.

8           (4) THE SURCHARGE ALLOCATED UNDER PARAGRAPHS (1) AND (3)  
9 SHALL BE USED TO SUPPLEMENT AND NOT TO SUPPLANT ANY OTHER  
10 SOURCE OF FUNDS RECEIVED FOR THE PURPOSE OF CARRYING OUT THE  
11 PROVISIONS OF THIS CHAPTER.

12       (d) Service.--

13           (1) The court shall adopt a means of prompt and  
14 effective service. If the court so orders, the sheriff or  
15 another court-designated agency or individual shall serve the  
16 petition and protection order. Under no circumstances shall  
17 the plaintiff be obligated to serve the petition or  
18 protection order. ~~The petition and protection order shall be~~ <--  
19 ~~served upon the defendant, and the order shall be served upon~~  
20 ~~the police departments, sheriff and district attorney in the~~  
21 ~~jurisdiction where the order was entered within two business~~  
22 ~~days.~~

23           (2) THE PETITION AND ORDER SHALL BE SERVED UPON THE <--  
24 DEFENDANT.

25           (3) WITHIN TWO BUSINESS DAYS, THE ORDER SHALL BE SERVED  
26 UPON THE POLICE DEPARTMENT, SHERIFF AND DISTRICT ATTORNEY IN  
27 THE JURISDICTION WHERE THE ORDER WAS ENTERED.

28           (4) A CERTIFIED COPY OF THE ORDER SHALL BE ISSUED TO THE  
29 PLAINTIFF.

30           (5) IN THE CASE OF A MINOR VICTIM OF SEXUAL VIOLENCE, A <--

1 COPY OF THE PETITION AND ORDER SHALL BE SERVED UPON THE  
2 COUNTY AGENCY AND THE DEPARTMENT OF PUBLIC WELFARE. FOR  
3 PURPOSES OF THIS SUBPARAGRAPH, THE TERM "COUNTY AGENCY" SHALL  
4 BE AS DEFINED IN 23 PA.C.S. 6303 (RELATING TO DEFINITIONS).

5 (6) A COPY OF THE ORDER SHALL BE ISSUED AS OTHERWISE  
6 ORDERED BY THE COURT OR HEARING OFFICER.

7 ~~(7) Failure to serve the police department, sheriff~~ <--  
8 ~~or district attorney's office shall not stay the effect of a~~  
9 ~~valid order.~~

10 (e) Assistance and advice to plaintiff.--The courts and  
11 hearing officers shall:

12 (1) Provide simplified forms and clerical assistance in  
13 English and Spanish to help with the writing and filing of  
14 ~~the petition for a sexual violence protection AN order for an~~ <--  
15 ~~individual not represented by counsel.~~

16 (2) Provide the plaintiff with written and oral  
17 referrals, in English and Spanish, to local sexual assault  
18 ~~services,~~ IN THE CASE OF SEXUAL VIOLENCE AND to the local <--  
19 legal services office and to the county bar association's  
20 lawyer referral service IN THE CASE OF SEXUAL VIOLENCE OR <--  
21 INTIMIDATION.

22 ~~(3) Provide the plaintiff with a certified copy of any~~ <--  
23 ~~protection order entered by the court.~~

24 (f) Effect of departure and nonresidence.--The right of the  
25 plaintiff to relief under this chapter shall not be affected by  
26 the defendant's absence from this Commonwealth or the  
27 defendant's nonresidence in this Commonwealth, provided that the  
28 court has personal jurisdiction over the defendant in accordance  
29 with section 5322 (relating to bases of personal jurisdiction  
30 over persons outside this Commonwealth).

1 § 6206 62A06. Hearings. <--

2 (a) General rule.--Within ten business days of the filing of  
3 a petition under this chapter, an expedited hearing shall be <--  
4 held before the court, at which the plaintiff must assert that  
5 the plaintiff or the person on whose behalf the petition is  
6 brought is a victim of sexual violence committed by the  
7 defendant and must prove the need for protection from the  
8 defendant by a preponderance of the evidence. The court shall,  
9 at the time the defendant is given notice of the hearing, advise  
10 the defendant of the right to be represented by counsel. A <--

11 PETITION UNDER THIS CHAPTER, A HEARING SHALL BE HELD BEFORE THE  
12 COURT, WHERE THE PLAINTIFF MUST:

13 (1) ASSERT THAT THE PLAINTIFF OR ANOTHER INDIVIDUAL, AS  
14 APPROPRIATE, IS A VICTIM OF SEXUAL VIOLENCE OR INTIMIDATION <--  
15 COMMITTED BY THE DEFENDANT; AND

16 (2) PROVE BY PREPONDERANCE OF THE EVIDENCE THAT THE  
17 PLAINTIFF OR ANOTHER INDIVIDUAL, AS APPROPRIATE, IS AT A  
18 CONTINUED RISK OF HARM FROM THE DEFENDANT.

19 (A.1) RIGHT TO COUNSEL.--THE COURT SHALL, AT THE TIME THE  
20 DEFENDANT IS GIVEN NOTICE OF THE HEARING, ADVISE THE DEFENDANT  
21 OF THE RIGHT TO BE REPRESENTED BY COUNSEL. THE NOTICE SHALL BE  
22 PRINTED AND DELIVERED IN A MANNER THAT EASILY ATTRACTS ATTENTION  
23 TO ITS CONTENTS.

24 (b) Temporary orders.--If a petitioner seeks a temporary <--  
25 protection order PLAINTIFF SEEKS A TEMPORARY ORDER for <--  
26 protection from an immediate and present danger, the court shall  
27 conduct an ex parte proceeding. The court may enter such a <--  
28 temporary order as it deems necessary to protect the plaintiff  
29 OR ANOTHER INDIVIDUAL, AS APPROPRIATE, when it finds the <--  
30 plaintiff OR ANOTHER INDIVIDUAL is in immediate and present <--

1 danger FROM THE DEFENDANT. The temporary order shall remain in <--  
2 effect until modified or terminated by the court after notice  
3 and hearing.

4 (c) Continued hearings.--~~The court may grant a continuance~~ <--  
5 ~~of the hearing for good cause shown by either party.~~ If a  
6 hearing under subsection (a) is continued and no temporary  
7 ~~protection~~ order is issued, the court may make ex parte <--  
8 temporary orders under subsection (b), as it deems necessary.  
9 § ~~6207~~ 62A07. Relief. <--

10 (a) Order or consent agreement.--~~The court may issue a~~ <--  
11 ~~protection~~ AN order or approve a consent agreement to protect <--  
12 the plaintiff OR ANOTHER INDIVIDUAL, AS APPROPRIATE, from the <--  
13 defendant.

14 (b) General rule.--~~A protection order or AN ORDER OR A~~ <--  
15 consent agreement may include:

16 (1) Prohibiting the defendant from having any contact  
17 with the ~~plaintiff~~ VICTIM, including, but not limited to, <--  
18 restraining the defendant from entering the ~~plaintiff's~~ <--  
19 VICTIM'S residence, place of employment, business or school. <--  
20 This may include prohibiting indirect contact through third  
21 parties and also prohibiting direct or indirect contact with  
22 other designated persons.

23 (2) Granting any other appropriate relief sought by the  
24 plaintiff.

25 (c) Duration and amendment of order or agreement.--A  
26 protection order or an approved consent agreement shall be for a  
27 fixed period of time not to exceed 36 months. The court may  
28 amend its order or agreement at any time upon subsequent  
29 petition filed by either party.

30 (d) Extension of protection orders.--

1           (1) An extension of a ~~protection~~ AN order may be <--  
2           granted:

3           (i) Where the court finds, after a duly filed <--  
4           petition, notice to the defendant and a hearing, in  
5           accordance with the procedures set forth in sections ~~6205~~ <--  
6           62A05 (relating to commencement of proceedings) and ~~6206~~ <--  
7           62A06 (relating to hearings), that the protection FINDS <--  
8           THAT THE EXTENSION is necessary because the defendant  
9           engaged in one or more acts or FINDS some other <--  
10           circumstances that, in the discretion of the court,  
11           demonstrate a continued risk of harm to the ~~plaintiff~~ <--  
12           VICTIM. <--

13           (ii) When a contempt petition or charge has been  
14           filed with the court or, in a county of the first class,  
15           a hearing officer, but the hearing has not occurred  
16           before the expiration of the protection order, the order  
17           shall be extended, at a minimum, until the disposition of  
18           the contempt petition.

19           (2) Service of an extended ~~protection~~ order shall be <--  
20           made in accordance with sections ~~6205(d)~~ ~~62A05(D)~~ and ~~6208~~ <--  
21           62A08 (relating to service of orders).

22           ~~(3) There shall be no limitation SECTION 62A05(D) on the~~ <--  
23           number of extensions that may be granted.

24           (3) THERE SHALL BE NO LIMITATION ON THE NUMBER OF <--  
25           EXTENSIONS THAT MAY BE GRANTED.

26           (e) Notice.--Notice shall be given to the defendant stating  
27           that violations of the ~~protection~~ order will subject the <--  
28           defendant to arrest under section ~~6212~~ 62A12 (relating to arrest <--  
29           for violation of order) or contempt of court under section ~~6214~~ <--  
30           62A14 (relating to contempt for violation of order). <--

1 (f) Incarceration.--When the defendant is or was  
2 incarcerated and will be released from custody in the next 90  
3 days or has been released from custody within the past 90 days,  
4 a plaintiff does not need to show that the defendant engaged in  
5 one or more acts that indicate A continued risk of harm to the <--  
6 plaintiff VICTIM in order to obtain an extension or a subsequent <--  
7 protection order under this act CHAPTER. <--

8 (G) IDENTIFYING INFORMATION.--ANY ORDER ISSUED UNDER THIS <--  
9 CHAPTER SHALL, WHEN FURNISHED BY EITHER PARTY, SPECIFY THE  
10 SOCIAL SECURITY NUMBER AND DATE OF BIRTH OF THE DEFENDANT.

11 ~~§ 6208. Service of orders.~~ <--

12 ~~A copy of a protection order shall be issued to the~~  
13 ~~plaintiff, the defendant, the sheriff and the police department~~  
14 ~~with appropriate jurisdiction to enforce the order in accordance~~  
15 ~~with the provisions of this chapter or as ordered by the court~~  
16 ~~or hearing officer.~~

17 § 62A08. (RESERVED). <--

18 ~~§ 6209 62A09. Emergency relief by minor judiciary.~~ <--

19 (a) General rule.--When:

20 (1) in counties with fewer than four judges, the court  
21 is unavailable:

22 (i) from the close of business at the end of each  
23 day to the resumption of business the next morning;

24 (ii) from the end of the business week to the  
25 beginning of the business week; and

26 (iii) during the business day by reason of duties  
27 outside the county, illness or vacation;

28 (2) in counties with at least four judges, the court is  
29 unavailable:

30 (i) from the close of business at the end of each

1 day to the resumption of business the next morning; and  
2 (ii) from the end of the business week to the  
3 beginning of the business week;  
4 a petition may be filed before a hearing officer who may grant  
5 relief in accordance with section ~~6207~~ 62A07 (relating to <--  
6 relief) if the hearing officer deems it necessary to protect the  
7 plaintiff VICTIM upon good cause shown in an ex parte <--  
8 proceeding. Immediate and present danger to the plaintiff POSED <--  
9 BY THE DEFENDANT TO THE VICTIM shall constitute good cause for  
10 the purposes of this subsection.  
11 (b) Expiration of order.--A ~~protection~~ AN order issued under <--  
12 subsection (a) shall expire at the end of the next business day  
13 the court deems itself available. The court shall schedule  
14 hearings on orders entered by hearing officers under subsection  
15 (a) and shall review and continue in effect ~~protection~~ orders <--  
16 that are necessary to protect the plaintiff OR ANOTHER <--  
17 INDIVIDUAL, AS APPROPRIATE, until the hearing, at which time the  
18 plaintiff may seek a temporary ~~protection~~ order from the court. <--  
19 (c) Certification of order to court.--An emergency  
20 ~~protection~~ order issued under this section and any documentation <--  
21 in support thereof shall be immediately certified to the court.  
22 The certification to the court shall have the effect of  
23 commencing proceedings under section ~~6205~~ 62A05 (relating to <--  
24 commencement of proceedings) and invoking the other provisions  
25 of this chapter. If it is not already alleged in a petition for  
26 an emergency order, the plaintiff shall file a verified  
27 statement setting forth the reasons for the need for protection  
28 at least five days prior to the hearing. Service of the verified  
29 statement shall be made subject to section ~~6205(d)~~ 62A05(D). <--  
30 (d) Instructions regarding the commencement of



1 proceedings.--Upon issuance of an emergency protection order, <--  
2 the hearing officer shall provide the plaintiff instructions  
3 regarding the commencement of proceedings in the court at the  
4 beginning of the next business day and regarding the procedures  
5 for initiating a contempt charge should the defendant violate  
6 the emergency protection order. The hearing officer shall also <--  
7 advise the plaintiff of the existence of rape crisis centers in  
8 the county or in nearby counties IN THE CASE OF SEXUAL VIOLENCE <--  
9 and inform the plaintiff of the availability of legal assistance  
10 without cost if the plaintiff is unable to pay for them IN THE <--  
11 CASE OF SEXUAL VIOLENCE OR INTIMIDATION.

12 (e) Master of emergency relief.--The president judge of a  
13 court of common pleas of a judicial district may, with the  
14 approval of the Administrative Office of Pennsylvania Courts,  
15 provide for the selection and appointment of a master for  
16 emergency relief on a full-time or part-time basis. The number  
17 of masters for emergency relief shall be fixed by the president  
18 judge with the approval of the Administrative Office of  
19 Pennsylvania Courts. The compensation of a master for emergency  
20 relief shall be fixed and paid by the county.

21 § ~~6210~~ 62A10. Sexual assault counselor. <--

22 A sexual assault counselor may accompany and provide  
23 assistance to a plaintiff in any legal proceeding or hearing  
24 under this chapter WHICH RELATES TO SEXUAL VIOLENCE. <--

25 § ~~6211~~ 62A11. Disclosure of addresses. <--

26 (a) General rule.--During the course of a proceeding under  
27 this chapter, the court or hearing officer may consider whether  
28 the plaintiff OR VICTIM, AS APPROPRIATE, is endangered by <--  
29 disclosure of the permanent or temporary address of the  
30 plaintiff OR VICTIM. The court shall consider the wishes of the <--

1 plaintiff regarding the disclosure of the address. Neither in  
2 the pleadings nor during proceedings or hearings under this  
3 chapter shall the court or hearing officer require disclosure of  
4 the address of a rape crisis center or the plaintiff OR VICTIM, <--  
5 AS APPROPRIATE.

6 (b) Order.--Where the court concludes that the defendant  
7 poses a threat of continued danger to the plaintiff POSES A <--  
8 CONTINUED RISK OF HARM TO THE VICTIM and where the plaintiff  
9 requests that the address, telephone number and information  
10 about the plaintiff's VICTIM'S whereabouts not be disclosed, the <--  
11 court shall enter an order directing that law enforcement  
12 agencies, human service agencies and school districts shall not  
13 disclose the presence of the plaintiff VICTIM in the <--  
14 jurisdiction or district or furnish any address, telephone  
15 number or any other demographic information about the plaintiff <--  
16 VICTIM except by further order of the court. <--  
17 § ~~6212~~ 62A12. Arrest for violation of order. <--

18 (a) General rule.--An arrest for a violation of a protection <--  
19 order or court approved consent agreement AN ORDER issued under  
20 this chapter may be without warrant upon probable cause, whether  
21 or not the violation is committed in the presence of the police  
22 officer or sheriff, in circumstances where the defendant has  
23 violated a provision of a protection AN order consistent with <--  
24 section ~~6207~~ 62A07 (relating to relief). The police officer or <--  
25 sheriff may verify the existence of a protection AN order by <--  
26 telephone, radio or other electronic communication with the  
27 appropriate police department, PENNSYLVANIA STATE POLICE <--  
28 REGISTRY or issuing authority. A police officer or sheriff shall  
29 arrest a defendant for violating a protection AN order by a <--  
30 court within the judicial district or issued by a court in

1 another judicial district within this Commonwealth.

2 (b) Procedure following arrest.--

3 (1) Subsequent to an arrest, the defendant shall be  
4 taken by the police officer or sheriff without unnecessary  
5 delay before the court in the judicial district where the  
6 contempt is alleged to have occurred.

7 (2) When that court is unavailable, the police officer  
8 or sheriff shall convey the defendant to a magisterial  
9 district judge designated as appropriate by local rules of  
10 court or, in counties of the first class, to the appropriate  
11 hearing officer.

12 (c) Preliminary arraignment.--The defendant shall be  
13 afforded a preliminary arraignment without unnecessary delay.

14 (d) Other emergency powers unaffected.--This section shall  
15 not be construed to in any way limit any of the other powers for  
16 emergency relief provided under this chapter.

17 (e) Hearing.--~~An expedited~~ A hearing shall be scheduled <--  
18 within ten business days of the filing of the charge or  
19 complaint of indirect criminal contempt. The hearing and any  
20 adjudication shall not preclude a hearing on other criminal  
21 charges underlying the contempt, nor shall a hearing or  
22 adjudication on other criminal charges preclude a hearing on a  
23 charge of indirect criminal contempt.

24 § ~~6213~~ 62A13. Private criminal complaints for violation of <--  
25 order OR AGREEMENT. <--

26 (a) General rule.--A plaintiff may file a private criminal  
27 complaint against a defendant, alleging indirect criminal  
28 contempt for a violation of any provision of a ~~protection~~ AN <--  
29 order or court-approved consent agreement issued under this  
30 chapter, with the court, the office of the district attorney or

1 the magisterial district judge in the jurisdiction or county  
2 where the violation occurred, EXCEPT THAT IN A COUNTY OF THE <--  
3 FIRST CLASS, A COMPLAINT MAY ONLY BE FILED WITH THE FAMILY  
4 DIVISION OF THE COURT OF COMMON PLEAS OR THE OFFICE OF DISTRICT  
5 ATTORNEY.

6 (b) Procedure service.--

7 (1) Procedure for filing and service of a private  
8 criminal complaint shall be provided as set forth by local  
9 rule.

10 (2) Nothing in this subsection is intended to expand or  
11 diminish the court's authority to enter an order pursuant to  
12 Pa.R.C.P. No. 1023.1 (relating to ~~scope. signing of~~ <--  
13 documents. representations to the court. violation SCOPE. <--  
14 SIGNING OF DOCUMENTS. REPRESENTATIONS TO THE COURT.  
15 VIOLATION).

16 (c) Fees and costs.--

17 (1) No fees or costs associated with the prosecution of  
18 the private criminal complaint shall be assigned to the  
19 plaintiff, including, but not limited to, filing, service,  
20 failure to prosecute, withdrawal or dismissal.

21 (2) (i) After a finding of indirect criminal contempt,  
22 fees and costs may be assigned against the defendant.

23 (ii) The court shall waive fees and costs imposed  
24 under this chapter upon a showing of good cause or if the  
25 court makes a finding that the defendant is not able to  
26 pay the costs associated with the indirect criminal  
27 contempt action.

28 (3) Nothing in this subsection shall be construed to  
29 expand or diminish the court's authority to enter an order  
30 under Pa.R.C.P. No.1023.1 (~~relating to Scope. Signing of~~ <--

1 Documents. Representation to Court. Violation).

2 § ~~6214~~ 62A14. Contempt for violation of order. <--

3 (a) General rule.--Where the police department, sheriff or  
4 the plaintiff has filed charges of indirect criminal contempt  
5 against a defendant for violation of a ~~protection~~ AN order or <--  
6 court-approved CONSENT agreement entered into under this <--  
7 chapter, the court may hold the defendant in indirect criminal  
8 contempt and punish the defendant in accordance with law.

9 (b) Jurisdiction.--A court shall have jurisdiction over  
10 indirect criminal contempt charges for violation of a protection  
11 order in the county where the violation occurred AND IN THE <--  
12 COUNTY WHERE THE ORDER WAS GRANTED.

13 (c) Minor defendant.--Any defendant who is a minor and who  
14 is charged with indirect criminal contempt for allegedly  
15 violating a protection order RELATED TO SEXUAL VIOLENCE shall be <--  
16 considered to have committed an alleged delinquent act as that  
17 term is defined in section 6302 (relating to definitions) and  
18 shall be treated as provided in Chapter 63 (relating to juvenile  
19 matters).

20 (d) Trial and punishment.--

21 (1) Notwithstanding section 4136(a) (relating to rights  
22 of persons charged with certain indirect criminal contempts),  
23 the defendant shall not have the right to a jury trial on the  
24 charge of indirect criminal contempt; however, the defendant  
25 shall be entitled to counsel.

26 (2) A sentence for indirect criminal contempt under this  
27 ~~act~~ CHAPTER may include: <--

28 (i) A fine of not less than \$300 nor more than  
29 \$1,000 ~~or~~ AND imprisonment for a period not exceeding six <--  
30 months, ~~or both.~~ <--

1           (ii) A fine of not less than \$300 nor more than  
2           \$1,000 ~~or~~ AND supervised probation for a period not <--  
3           exceeding six months, ~~or both.~~ <--

4           (iii) An order for any other relief provided for  
5           under this ~~act~~ CHAPTER. <--

6           (3) Upon conviction for indirect criminal contempt and  
7           at the request of the plaintiff, the court shall also grant  
8           an extension of the protection order for an additional term.

9           (4) Upon conviction for indirect criminal contempt, the  
10           court shall notify the sheriff of the jurisdiction which  
11           issued the protection order of the conviction.

12           (5) ALL MONEYS RECEIVED UNDER THIS SECTION SHALL BE <--  
13           DISTRIBUTED IN THE FOLLOWING ORDER OF PRIORITY:

14           (I) ONE HUNDRED DOLLARS SHALL BE FORWARDED TO THE  
15           COMMONWEALTH AND SHALL BE USED BY THE PENNSYLVANIA STATE  
16           POLICE TO ESTABLISH AND MAINTAIN THE STATEWIDE REGISTRY  
17           OF PROTECTION ORDERS PROVIDED FOR IN SECTION 62A04(C)  
18           (RELATING TO RESPONSIBILITIES OF LAW ENFORCEMENT  
19           AGENCIES).

20           (II) ONE HUNDRED DOLLARS SHALL BE RETAINED BY THE  
21           COUNTY AND SHALL BE USED TO CARRY OUT THE PROVISIONS OF  
22           THIS CHAPTER AS FOLLOWS:

23                   (A) FIFTY DOLLARS SHALL BE USED BY THE SHERIFF.

24                   (B) FIFTY DOLLARS SHALL BE USED BY THE COURT.

25           (III) ONE HUNDRED DOLLARS SHALL BE FORWARDED TO THE  
26           DEPARTMENT OF PUBLIC WELFARE FOR USE FOR VICTIMS OF  
27           SEXUAL ASSAULT IN ACCORDANCE WITH THE PROVISIONS OF  
28           SECTION 2333 OF THE ACT OF APRIL 9, 1929 (P.L.177,  
29           NO.175), KNOWN AS THE ADMINISTRATIVE CODE OF 1929.

30           (IV) ANY ADDITIONAL MONEY SHALL BE DISTRIBUTED IN

1 THE MANNER UNDER SUBPARAGRAPH (I).

2 (e) Notification upon release.--

3 (1) The appropriate releasing authority or other  
4 official as designated by local rule shall use all reasonable  
5 means to notify the victim sufficiently in advance of the  
6 release of the offender from any incarceration imposed under  
7 subsection (d). Notification shall be required for work  
8 release, furlough, medical leave, community service,  
9 discharge, escape and recapture. Notification shall include  
10 the terms and conditions imposed on any temporary release  
11 from custody.

12 (2) The plaintiff must keep the appropriate releasing  
13 authority or other official as designated by local rule  
14 advised of contact information; failure to do so will  
15 constitute waiver of any right to notification under this  
16 section.

17 (f) Multiple remedies.--Disposition of a charge of indirect  
18 criminal contempt shall not preclude the prosecution of other  
19 criminal charges associated with the incident giving rise to the  
20 contempt, nor shall disposition of other criminal charges  
21 preclude prosecution of indirect criminal contempt associated  
22 with the criminal conduct giving rise to the charges.

23 § ~~6215~~ 62A15. Civil contempt or modification for violation of <--  
24 order OR AGREEMENT. <--

25 (a) General rule.--A plaintiff may file a petition for civil  
26 contempt with the issuing court alleging that the defendant has  
27 violated any provision of a ~~protection~~ AN order or <--  
28 court-approved CONSENT agreement entered into under this <--  
29 chapter.

30 (b) Civil contempt order.--Upon finding of a violation of a

1 protection order OR COURT-APPROVED CONSENT AGREEMENT ISSUED <--  
2 UNDER THIS CHAPTER, the court, either pursuant to petition for  
3 civil contempt or on its own accord, may hold the defendant in  
4 civil contempt and constrain the defendant in accordance with  
5 law.

6 (c) Sentencing.--A sentence for civil contempt under this  
7 chapter may include imprisonment until the defendant complies  
8 with provisions of the order or COURT-APPROVED CONSENT AGREEMENT <--  
9 OR demonstrates the intent to do so, but in no case shall a term  
10 of imprisonment under this section exceed a period of six  
11 months.

12 (d) Jury trial and counsel.--Notwithstanding section 4136(a)  
13 (relating to rights of persons charged with certain indirect  
14 criminal contempts), the defendant shall not have a right to a  
15 jury trial; however, the defendant shall be entitled to counsel.  
16 § ~~6216~~ 62A16. Confidentiality. <--

17 (a) Nature of privilege.--

18 (1) Unless a victim OF SEXUAL VIOLENCE who consults a <--  
19 sexual assault counselor for the purpose of securing advice,  
20 counseling or assistance waives the privilege in a signed  
21 writing prior to testimony or disclosure, a sexual assault  
22 counselor or a coparticipant who is present during sexual  
23 assault counseling or advocacy shall not be competent nor  
24 permitted to testify, release the records of or to otherwise  
25 disclose confidential communications made to or by the  
26 counselor by or to the victim. THE PRIVILEGE SHALL TERMINATE <--  
27 UPON THE DEATH OF THE VICTIM.

28 (2) Neither the sexual assault counselor nor the victim  
29 shall waive the privilege of confidential communications by  
30 reporting facts of physical or sexual violence under 23



1 Pa.C.S. Ch. 63 (relating to child protective services), a  
2 Federal or State mandatory reporting statute or a local  
3 mandatory reporting ordinance.

4 (b) Scope.--The provisions of this section applicable to the  
5 victim OF SEXUAL VIOLENCE shall also apply to a person who seeks <--  
6 advice, counseling or assistance from a sexual assault counselor  
7 regarding the victim.

8 § ~~6217~~ 62A17. Procedure and other remedies. <--

9 (A) GENERAL RULE.--Unless otherwise indicated under this <--  
10 chapter, a proceeding under this chapter shall be in accordance  
11 with applicable general rules and shall be in addition to any  
12 other available civil or criminal remedies. The plaintiff and  
13 the defendant may seek modification of a protection order issued  
14 under section ~~6207~~ 62A07 (relating to relief) at any time during <--  
15 the pendency of the order. ~~Modification~~ EXCEPT AS OTHERWISE <--  
16 PROVIDED IN THIS CHAPTER, MODIFICATION may be ordered after the  
17 filing of a petition for modification, service of the petition,  
18 and a hearing on the petition.

19 (B) REMEDIES FOR BAD FAITH.--NOTWITHSTANDING ANY OTHER <--  
20 PROVISION OF LAW, UPON FINDING THAT AN INDIVIDUAL COMMENCED A  
21 PROCEEDING UNDER THIS CHAPTER IN BAD FAITH, A COURT SHALL DIRECT  
22 THE INDIVIDUAL TO PAY TO THE DEFENDANT ACTUAL DAMAGES AND  
23 REASONABLE ATTORNEY FEES. FAILURE TO PROVE AN ALLEGATION OF  
24 CONTINUED RISK OF HARM BY A PREPONDERANCE OF THE EVIDENCE SHALL  
25 NOT, BY ITSELF, RESULT IN A FINDING OF BAD FAITH.

26 § ~~6218~~ 62A18. Applicability. <--

27 The provisions of the following acts relating to victims who  
28 are protected by an order issued under 23 Pa.C.S. Ch. 61  
29 (RELATING TO PROTECTION FROM ABUSE) shall apply also to victims <--  
30 who are protected by an order issued under this chapter:

1           (1) The act of November 24, 1998 (P.L.882, No.111),  
2           known as the Crime Victims Act.

3           (2) 23 Pa.C.S. Ch. 67 (relating to domestic and sexual  
4           violence victim address confidentiality).

5   § 62A19. INABILITY TO PAY.

<--

6           (A) ORDER FOR INSTALLMENT PAYMENTS.--UPON PLEA AND PROOF  
7           THAT A PERSON IS WITHOUT THE FINANCIAL MEANS TO PAY A FINE, A  
8           FEE OR A COST, A COURT MAY ORDER PAYMENT OF MONEY OWED IN  
9           INSTALLMENTS APPROPRIATE TO THE CIRCUMSTANCES OF THE PERSON AND  
10           SHALL FIX THE AMOUNTS, TIMES AND MANNER OF PAYMENT.

11           (B) ELECTRONIC PAYMENT.--THE TREASURER OF EACH COUNTY MAY  
12           ALLOW THE USE OF CREDIT CARDS AND BANK CARDS IN THE PAYMENT OF  
13           MONEY OWED UNDER THIS CHAPTER.

14   § 62A20. CONSTRUCTION.

15           NOTHING IN THIS CHAPTER SHALL BE CONSTRUED TO PRECLUDE AN  
16           ACTION FOR WRONGFUL USE OF CIVIL PROCESS IN ACCORDANCE WITH  
17           SUBCHAPTER E OF CHAPTER 83 (RELATING TO WRONGFUL USE OF CIVIL  
18           PROCEEDINGS) OR CRIMINAL PROSECUTION FOR A VIOLATION OF 18  
19           PA.C.S. CH. 49 (RELATING TO FALSIFICATION AND INTIMIDATION).

20           Section 2. The definition of "delinquent act" in section  
21           6302 of Title 42 is amended to read:

22   § 6302. Definitions.

23           The following words and phrases when used in this chapter  
24           shall have, unless the context clearly indicates otherwise, the  
25           meanings given to them in this section:

26           \* \* \*

27           "Delinquent act."

28           (1) The term means an act designated a crime under the  
29           law of this Commonwealth, or of another state if the act  
30           occurred in that state, or under Federal law, or under local

1 ordinances or an act which constitutes indirect criminal  
2 contempt under Ch. 62 62A (relating to sexual violence victim  
3 protection) (RELATING TO PROTECTION OF VICTIMS OF SEXUAL <--  
4 VIOLENCE OR INTIMIDATION) WITH RESPECT TO SEXUAL VIOLENCE or  
5 23 Pa.C.S. Ch. 61 (relating to protection from abuse).

6 (2) The term shall not include:

7 (i) The crime of murder.

8 (ii) Any of the following prohibited conduct where  
9 the child was 15 years of age or older at the time of the  
10 alleged conduct and a deadly weapon as defined in 18  
11 Pa.C.S. § 2301 (relating to definitions) was used during  
12 the commission of the offense which, if committed by an  
13 adult, would be classified as:

14 (A) Rape as defined in 18 Pa.C.S. § 3121  
15 (relating to rape).

16 (B) Involuntary deviate sexual intercourse as  
17 defined in 18 Pa.C.S. § 3123 (relating to involuntary  
18 deviate sexual intercourse).

19 (C) Aggravated assault as defined in 18 Pa.C.S.  
20 § 2702(a)(1) or (2) (relating to aggravated assault).

21 (D) Robbery as defined in 18 Pa.C.S. § 3701(a)  
22 (1)(i), (ii) or (iii) (relating to robbery).

23 (E) Robbery of motor vehicle as defined in 18  
24 Pa.C.S. § 3702 (relating to robbery of motor  
25 vehicle).

26 (F) Aggravated indecent assault as defined in 18  
27 Pa.C.S. § 3125 (relating to aggravated indecent  
28 assault).

29 (G) Kidnapping as defined in 18 Pa.C.S. § 2901  
30 (relating to kidnapping).

1 (H) Voluntary manslaughter.

2 (I) An attempt, conspiracy or solicitation to  
3 commit murder or any of these crimes as provided in  
4 18 Pa.C.S. §§ 901 (relating to criminal attempt), 902  
5 (relating to criminal solicitation) and 903 (relating  
6 to criminal conspiracy).

7 (iii) Any of the following prohibited conduct where  
8 the child was 15 years of age or older at the time of the  
9 alleged conduct and has been previously adjudicated  
10 delinquent of any of the following prohibited conduct  
11 which, if committed by an adult, would be classified as:

12 (A) Rape as defined in 18 Pa.C.S. § 3121.

13 (B) Involuntary deviate sexual intercourse as  
14 defined in 18 Pa.C.S. § 3123.

15 (C) Robbery as defined in 18 Pa.C.S. § 3701(a)  
16 (1)(i), (ii) or (iii).

17 (D) Robbery of motor vehicle as defined in 18  
18 Pa.C.S. § 3702.

19 (E) Aggravated indecent assault as defined in 18  
20 Pa.C.S. § 3125.

21 (F) Kidnapping as defined in 18 Pa.C.S. § 2901.

22 (G) Voluntary manslaughter.

23 (H) An attempt, conspiracy or solicitation to  
24 commit murder or any of these crimes as provided in  
25 18 Pa.C.S. §§ 901, 902 and 903.

26 (iv) Summary offenses, unless the child fails to  
27 comply with a lawful sentence imposed thereunder, in  
28 which event notice of such fact shall be certified to the  
29 court.

30 (v) A crime committed by a child who has been found

1 guilty in a criminal proceeding for other than a summary  
2 offense.

3 \* \* \*

4 Section 3. This act shall take effect ~~in 180 days~~ JULY 1, <--  
5 2015.