
THE GENERAL ASSEMBLY OF PENNSYLVANIA

HOUSE BILL

No. 953 Session of
2019

INTRODUCED BY CONKLIN, GILLEN, HARKINS, HILL-EVANS, KINSEY AND
READSHAW, MARCH 25, 2019

REFERRED TO COMMITTEE ON JUDICIARY, MARCH 25, 2019

AN ACT

1 Requiring persons convicted of arson and related offenses to
2 register with local authorities; providing for duties of the
3 Pennsylvania State Police and the Pennsylvania Board of
4 Probation and Parole; and imposing a penalty.

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

7 Section 1. Short title.

8 This act shall be known and may be cited as the Convicted
9 Arsonist Registry Act.

10 Section 2. Findings.

11 The General Assembly finds and declares as follows:

12 (1) Following a first arson or related offense,
13 convicted arsonists continue to commit these violent crimes.

14 (2) This Commonwealth experienced 1,492 reported arson
15 offenses from July 1, 2017, to June 30, 2018.

16 (3) This Commonwealth experienced 1,330 arson offenses
17 in 2018 and on average 3.5 acts of arson each day, or one
18 every 6 hours and 51 minutes.

19 (4) In the past year there were 312 arrests for arson in

1 this Commonwealth, which resulted in a loss of \$30,431,580.

2 (5) This Commonwealth's arrest rate of 4.6 arrests for
3 arson per 100,000 inhabitants was greater than the national
4 and northeast regional rates.

5 (6) In an effort to stymie future offenses, a database
6 of convicted arsonists needs to be maintained. Requiring
7 registration will assist in criminal investigation and
8 prevention.

9 (7) The registry should be available to local
10 authorities.

11 (8) Other databases, such as sex offender registries,
12 serve to protect the public and the same benefit is expected
13 for an arsonist registry.

14 Section 3. Definitions.

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

18 "Convicted arsonist." An individual who has been:

19 (1) Convicted or adjudicated delinquent for a violation
20 of 18 Pa.C.S. § 3301(a), (c), (d) or (f) (relating to arson
21 and related offenses) or an equivalent offense under Federal
22 law or the law of another jurisdiction.

23 (2) Convicted of an attempt to commit an offense under
24 paragraph (1).

25 "Delinquent child." As defined in 42 Pa.C.S. § 6302
26 (relating to definitions).

27 Section 4. Registration required.

28 (a) Duration of registration.--

29 (1) Except as provided under paragraph (2), a convicted
30 arsonist is subject to lifetime registration in the manner

1 prescribed by this section.

2 (2) A convicted arsonist who is a delinquent child is
3 subject to registration in accordance with this act until the
4 convicted arsonist has attained 25 years of age, at which
5 time all records related to the registration of the convicted
6 arsonist shall be destroyed.

7 (b) Information to be provided.--A registration shall
8 consist, at a minimum, of the convicted arsonist's:

9 (1) Name.

10 (2) Social Security number.

11 (3) All current or intended residences and all
12 information concerning current or intended enrollment as a
13 student.

14 (4) Photographs and fingerprinting as provided under
15 section 6.

16 (c) Procedure.--

17 (1) A convicted arsonist shall register with the
18 Pennsylvania State Police:

19 (i) within 14 days of release from incarceration;

20 (ii) upon parole from a State or county correctional
21 institution or the commencement of a sentence of
22 intermediate punishment or probation; or

23 (iii) if the conviction occurred in another
24 jurisdiction, within 14 days of arrival in this
25 Commonwealth.

26 (2) A convicted arsonist shall inform the Pennsylvania
27 State Police of:

28 (i) A change of residence or establishment of an
29 additional residence.

30 (ii) A change of institution or location at which

1 the convicted arsonist is enrolled as a student or
2 termination of enrollment.

3 (iii) Enrollment as a student, if the convicted
4 arsonist has not previously provided that information to
5 the Pennsylvania State Police.

6 Section 5. Registration information to local authorities.

7 (a) Duty to provide.--

8 (1) The Pennsylvania State Police shall provide the
9 information obtained under section 4 to the fire chiefs and
10 the chief law enforcement officers of the police departments
11 of the municipalities in which a convicted arsonist will
12 reside or be enrolled as a student.

13 (2) The Pennsylvania State Police shall provide the fire
14 chiefs and the chief law enforcement officers with the
15 address at which a convicted arsonist will reside or be
16 enrolled as a student following the convicted arsonist's
17 release from incarceration, parole or probation.

18 (b) Notice of failure to comply.--The Pennsylvania State
19 Police shall provide notice to the fire chiefs and the chief law
20 enforcement officers of the police departments of the
21 municipalities notified under subsection (a) when a convicted
22 arsonist fails to comply with the registration requirements of
23 this act and request, as appropriate, that the police
24 departments assist in locating and apprehending the convicted
25 arsonist.

26 (c) Additional notice requirement.--The Pennsylvania State
27 Police shall provide notice to the fire chiefs and the chief law
28 enforcement officers of the police departments of the
29 municipalities notified under subsection (a) when the
30 Pennsylvania State Police is in receipt of information

1 indicating the individual will no longer reside or be enrolled
2 as a student in the municipality.

3 Section 6. Photographs and fingerprinting.

4 A convicted arsonist shall register and submit to
5 fingerprinting and photographing as required by this act at
6 approved registration sites. Fingerprinting shall, at a minimum,
7 require submission of a full set of fingerprints. Photographing
8 shall, at a minimum, require submission to photographs of the
9 face and any scars, marks, tattoos or other unique features of
10 the convicted arsonist.

11 Section 7. Penalty.

12 A convicted arsonist who fails to register with the
13 Pennsylvania State Police as required under this act commits a
14 misdemeanor of the third degree.

15 Section 8. Sentencing court information.

16 The sentencing court shall inform a convicted arsonist at the
17 time of sentencing of the provisions of this act. The court
18 shall:

19 (1) Specifically inform the convicted arsonist of the
20 duty to register and provide the information required for
21 each registration.

22 (2) Specifically inform the convicted arsonist of the
23 duty to inform the Pennsylvania State Police within 14 days
24 if the convicted arsonist changes residence, establishes an
25 additional residence or changes the institution or location
26 at which the convicted arsonist is enrolled as a student or
27 terminates enrollment.

28 (3) Specifically inform the convicted arsonist of the
29 duty to inform the Pennsylvania State Police within 14 days
30 of becoming enrolled as a student if the convicted arsonist

1 has not previously provided that information to the
2 Pennsylvania State Police.

3 (4) Order the fingerprints and photograph of the
4 convicted arsonist to be provided to the Pennsylvania State
5 Police upon sentencing.

6 (5) Order the convicted arsonist to sign a form stating
7 that the duty to register under this act has been explained.

8 Section 9. Duties of Pennsylvania State Police.

9 The Pennsylvania State Police shall:

10 (1) Establish and maintain a State registry of convicted
11 arsonists.

12 (2) In consultation with the Department of Corrections,
13 the Office of Attorney General and the Pennsylvania Board of
14 Probation and Parole, promulgate guidelines necessary for the
15 general administration of this act. The guidelines shall
16 establish procedures to allow convicted arsonists to fulfill
17 these requirements at approved registration sites throughout
18 this Commonwealth. The Pennsylvania State Police shall
19 publish a list of approved registration sites in the
20 Pennsylvania Bulletin and provide a list of approved
21 registration sites in any notice sent to convicted arsonists.

22 (3) Notify, within five days of receiving a convicted
23 arsonist's registration, the fire chief and the chief law
24 enforcement officer of the police department having primary
25 jurisdiction of the municipalities in which the convicted
26 arsonist resides or is enrolled as a student of the fact that
27 the convicted arsonist has been registered with the
28 Pennsylvania State Police under this act.

29 Section 10. Duties of Pennsylvania Board of Probation and
30 Parole.

1 The Pennsylvania Board of Probation and Parole shall:

2 (1) Develop a notification form to inform State and
3 county prison and probation and parole personnel how to
4 inform a convicted arsonist of the convicted arsonist's
5 duties under this act.

6 (2) In cooperation with the Department of Corrections
7 and other Commonwealth agencies, obtain the following
8 information regarding a convicted arsonist:

9 (i) Name, including any aliases.

10 (ii) Identifying factors.

11 (iii) Anticipated future residence.

12 (iv) Offense history.

13 (v) Photograph of the convicted arsonist.

14 (3) Immediately transmit the information under paragraph
15 (2) to the Pennsylvania State Police for immediate entry into
16 the State registry of convicted arsonists.

17 Section 11. Availability of registration information.

18 The registration information obtained under this act shall
19 not be open to inspection by the public or by any person other
20 than a law enforcement officer, fire chief or individual charged
21 with the investigation of a fire.

22 Section 12. Applicability.

23 This act shall apply to individuals convicted or adjudicated
24 delinquent on or after the effective date of this section for an
25 offense requiring registration under this act.

26 Section 13. Effective date.

27 This act shall take effect in 60 days.