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No. _____

LEGISLATIVE REFERENCE BUREAU

AN ACT

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

INTRODUCED _____ **20** _____

By _____ **District**
NO. _____

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NO. _____

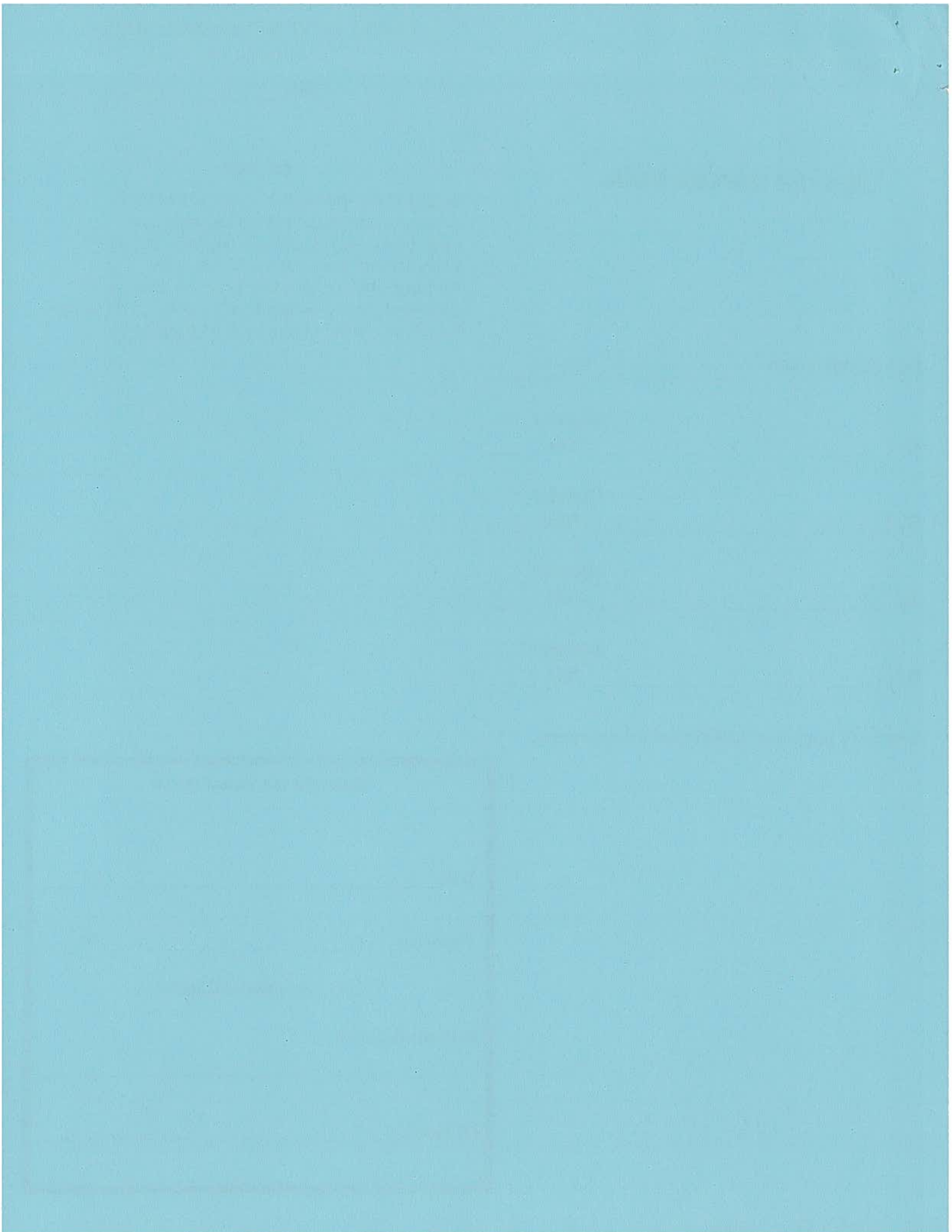
By _____ **District**
NO. _____

By _____ **District**
NO. _____

See next page for additional co-sponsors.

Referred to Committee on	
Date _____	_____ 20 _____
Reported _____	_____ 20 _____
As Committed-Amended	
Recommendation	

By Hon. _____	



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 1,684 reported arsons
15 during 2013.

16 (3) This Commonwealth experienced 9,474 arsons from 2009
17 through 2013.

18 (4) In this Commonwealth there were 482 arrests for

1 arson offenses in 2013.

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 region 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. The registry will be at the disposal of local
9 authorities.

10 (7) Other databases, such as sex offender registries,
11 serve to protect the public, as should an arsonist registry.

12 Section 3. Definitions.

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

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

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

21 (2) Convicted of an attempt to commit an offense under
22 paragraph (1).

23 Section 4. Registration required.

24 (a) General rule.--

25 (1) Except as set forth under paragraph (2), a convicted
26 arsonist is subject to lifetime registration in the manner
27 prescribed by this section.

28 (2) A juvenile offender is subject to registration in
29 accordance with this act until the offender has attained 25
30 years of age, at which time all records related to the

1 registration of the juvenile offender shall be destroyed.

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

4 (1) Name.

5 (2) Social Security number.

6 (3) All current or intended residences and all
7 information concerning current or intended enrollment as a
8 student.

9 (4) Photographs and fingerprinting as set forth under
10 section 6.

11 (c) Procedure.--

12 (1) A convicted arsonist is required to register with
13 the Pennsylvania State Police within 14 days of release from
14 incarceration, parole from a State or county correctional
15 institution or the commencement of a sentence of intermediate
16 punishment or probation or, if the conviction occurred in
17 another jurisdiction, within 14 days of arrival in this
18 Commonwealth.

19 (2) A convicted arsonist shall inform the Pennsylvania
20 State Police of:

21 (i) Any change of residence or establishment of an
22 additional residence.

23 (ii) Any change of institution or location at which
24 the person is enrolled as a student or termination of
25 enrollment.

26 (iii) Becoming enrolled as a student if the
27 individual has not previously provided that information
28 to the Pennsylvania State Police.

29 Section 5. Registration information to local authorities.

30 (a) Provision of information.--The Pennsylvania State Police

1 shall provide the information obtained under section 4 to the
2 fire chiefs and the chief law enforcement officers of the police
3 departments of the municipalities in which the individual will
4 reside or be enrolled as a student. In addition, the
5 Pennsylvania State Police shall provide the fire chiefs and the
6 chief law enforcement officers with the address at which the
7 individual will reside or be enrolled as a student following the
8 individual's release from incarceration, parole or probation.

9 (b) Notice of failure to comply.--The Pennsylvania State
10 Police shall provide notice to the fire chiefs and the chief law
11 enforcement officers of the police departments of the
12 municipalities notified under subsection (a) when an individual
13 fails to comply with the registration requirements of this act
14 and request, as appropriate, that the police departments assist
15 in locating and apprehending the individual.

16 (c) Additional notice requirement.--The Pennsylvania State
17 Police shall provide notice to the fire chiefs and the chief law
18 enforcement officers of the police departments of the
19 municipalities notified under subsection (a) when the
20 Pennsylvania State Police is in receipt of information
21 indicating the individual will no longer reside or be enrolled
22 as a student in the municipality.

23 Section 6. Photographs and fingerprinting.

24 An individual subject to section 4 shall register and submit
25 to fingerprinting and photographing as required by this act at
26 approved registration sites. Fingerprinting shall, at a minimum,
27 require submission of a full set of fingerprints. Photographing
28 shall, at a minimum, require submission to photographs of the
29 face and any scars, marks, tattoos or other unique features of
30 the individual.

1 Section 7. Penalty.

2 An individual subject to registration under section 4 who
3 fails to register with the Pennsylvania State Police as required
4 under this act commits a misdemeanor of the third degree.

5 Section 8. Sentencing court information.

6 The sentencing court shall inform a convicted arsonist at the
7 time of sentencing of the provisions of this act. The court
8 shall:

9 (1) Specifically inform the convicted arsonist of the
10 duty to register and provide the information required for
11 each registration.

12 (2) Specifically inform the convicted arsonist of the
13 duty to inform the Pennsylvania State Police within 14 days
14 if the convicted arsonist changes residence, establishes an
15 additional residence or changes the institution or location
16 at which the person is enrolled as a student or terminates
17 enrollment.

18 (3) Specifically inform the convicted arsonist of the
19 duty to inform the Pennsylvania State Police within 14 days
20 of becoming enrolled as a student if the convicted arsonist
21 has not previously provided that information to the
22 Pennsylvania State Police.

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

26 (5) Require the convicted arsonist to sign a form
27 stating that the duty to register under this act has been
28 explained.

29 Section 9. Duties of Pennsylvania State Police.

30 The Pennsylvania State Police shall:

1 (1) Create and maintain a State registry of convicted
2 arsonists.

3 (2) In consultation with the Department of Corrections,
4 the Office of Attorney General and the Pennsylvania Board of
5 Probation and Parole, promulgate guidelines necessary for the
6 general administration of this act. These guidelines shall
7 establish procedures to allow an individual subject to the
8 registration to fulfill these requirements at approved
9 registration sites throughout this Commonwealth. The
10 Pennsylvania State Police shall publish a list of approved
11 registration sites in the Pennsylvania Bulletin and provide a
12 list of approved registration sites in any notices sent to
13 individuals required to register under section 4.

14 (3) Notify, within five days of receiving the convicted
15 arsonist's registration, the fire chiefs and the chief law
16 enforcement officers of the police departments having primary
17 jurisdiction of the municipalities in which a convicted
18 arsonist resides or is enrolled as a student of the fact that
19 the convicted arsonist has been registered with the
20 Pennsylvania State Police under this act.

21 Section 10. Duties of Pennsylvania Board of Probation and
22 Parole.

23 The Pennsylvania Board of Probation and Parole shall:

24 (1) Create a notification form which will inform State
25 and county prison and probation and parole personnel how to
26 inform convicted arsonists required to register under this
27 act of their duty under the law.

28 (2) In cooperation with the Department of Corrections
29 and other Commonwealth agencies, obtain the following
30 information regarding a convicted arsonist:

- 1 (i) Name, including any aliases.
- 2 (ii) Identifying factors.
- 3 (iii) Anticipated future residence.
- 4 (iv) Offense history.
- 5 (v) Photograph of the convicted arsonist.

6 (3) Immediately transmit the information under paragraph
7 (2) to the Pennsylvania State Police for immediate entry into
8 the State registry of convicted arsonists.

9 Section 11. Availability of registration information.

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

14 Section 12. Applicability.

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

18 Section 13. Effective date.

19 This act shall take effect in 60 days.

