

THE GENERAL ASSEMBLY OF PENNSYLVANIA

SENATE BILL

No. 1054 Session of
2006

INTRODUCED BY PIPPY, BRIGHTBILL, CONTI, PUNT, MUSTO, RAFFERTY,
ERICKSON, WENGER, REGOLA, PICCOLA, FONTANA, PILEGGI, BOSCOLA,
SCARNATI, BROWNE, WAUGH, VANCE, WONDERLING, WOZNIAK, STACK,
RHOADES, KITCHEN AND MELLOW, JANUARY 3, 2006

REFERRED TO JUDICIARY, JANUARY 3, 2006

AN ACT

1 Amending Title 42 (Judiciary and Judicial Procedure) of the
2 Pennsylvania Consolidated Statutes, further providing for sex
3 offender information made available on the Internet.

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

6 Section 1. Section 9798.1(b) and (c) of Title 42 of the
7 Pennsylvania Consolidated Statutes, added November 24, 2004
8 (P.L.1243, No.152), are amended to read:

9 § 9798.1. Information made available on the Internet.

10 * * *

11 (b) Internet posting of sexually violent predators, lifetime
12 registrants and other offenders.--The Commissioner of the
13 Pennsylvania State Police shall, in the manner and form directed
14 by the Governor:

15 (1) Develop and maintain a system for making the
16 information described in subsection (c) publicly available by
17 electronic means so that the public may, without limitation,

1 obtain access to the information via an Internet website to
2 view an individual record or the records of all sexually
3 violent predators, lifetime registrants and other offenders
4 who are registered with the Pennsylvania State Police.

5 (2) Ensure that the Internet website contains warnings
6 that any person who uses the information contained therein to
7 threaten, intimidate or harass another or who otherwise
8 misuses that information may be criminally prosecuted.

9 (3) Ensure that the Internet website contains an
10 explanation of its limitations, including statements advising
11 that a positive identification of a sexually violent
12 predator, lifetime registrant or other offender whose record
13 has been made available may be confirmed only by
14 fingerprints; that some information contained on the Internet
15 website may be outdated or inaccurate; and that the Internet
16 website is not a comprehensive listing of every person who
17 has ever committed a sex offense in Pennsylvania.

18 (4) Strive to ensure the information contained on the
19 Internet website is accurate and that the data therein is
20 revised and updated as appropriate in a timely and efficient
21 manner.

22 (5) Provide on the Internet website general information
23 designed to inform and educate the public about sex offenders
24 and sexually violent predators and the operation of this
25 subchapter as well as pertinent and appropriate information
26 concerning crime prevention and personal safety, with
27 appropriate links to other relevant Internet websites
28 operated by the Commonwealth of Pennsylvania.

29 (6) Identify when the victim is a minor and the specific
30 age of the victim is known, the age of the victim, which

1 shall be included with a special designation.

2 (c) Information permitted to be disclosed regarding
3 individuals.--Notwithstanding 18 Pa.C.S. Ch. 91 (relating to
4 criminal history information), the Internet website shall
5 contain the following information on each individual subject to
6 registration under this subchapter:

7 [(1) For sexually violent predators only the following
8 information shall be posted on the Internet website:

9 [(i)] (1) name and any aliases;

10 [(ii)] (2) year of birth;

11 [(iii)] (3) the street address, city, county and zip
12 code of all residences;

13 [(iv)] (4) the street address, city, county and zip
14 code of any institution or location at which the person
15 is enrolled as a student;

16 [(v)] (5) the city, county and zip code of any
17 employment location;

18 [(vi)] (6) a photograph of the offender, which shall
19 be updated not less than annually;

20 [(vii)] (7) a description of the offense or offenses
21 which triggered the application of this subchapter; and

22 [(viii)] (8) the date of the offense and conviction,
23 if available.

24 [(2) For all other lifetime registrants and offenders
25 subject to registration only the following information shall
26 be posted on the Internet website:

27 (i) name and any aliases;

28 (ii) year of birth;

29 (iii) the city, county and zip code of all
30 residences;

1 (iv) the city, county and zip code of any
2 institution or location at which the person is enrolled
3 as a student;

4 (v) the city, county and zip code of any employment
5 location;

6 (vi) a photograph of the offender, which shall be
7 updated not less than annually;

8 (vii) a description of the offense or offenses which
9 triggered the application of this subchapter; and

10 (viii) the date of the offense and conviction, if
11 available.]

12 * * *

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