
THE GENERAL ASSEMBLY OF PENNSYLVANIA

HOUSE BILL

No. 301 Session of
 2007

INTRODUCED BY MUNDY, BELFANTI, BENNINGTON, CARROLL, CALTAGIRONE,
DeLUCA, GOODMAN, JOSEPHS, KORTZ, LEVDANSKY, MELIO, MYERS,
PALLONE, PETRARCA, K. SMITH, STABACK, YOUNGBLOOD, FRANKEL,
CURRY, SIPTROTH, JAMES, WANSACZ, COX AND FABRIZIO,
FEBRUARY 7, 2007

SENATOR GREENLEAF, JUDICIARY, IN SENATE, AS AMENDED,
SEPTEMBER 17, 2008

AN ACT

1 Amending Title 42 (Judiciary and Judicial Procedure) of the
2 Pennsylvania Consolidated Statutes, further providing for
3 subpoena; AND, IN REGISTRATION OF SEXUAL OFFENDERS, FURTHER <—
4 PROVIDING FOR REGISTRATION.

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

7 Section 1. ~~Section 6333~~ SECTIONS 6333 AND 9795.1(A) AND (B) <—
8 of Title 42 of the Pennsylvania Consolidated Statutes ~~is~~ ARE <—
9 amended to read:

10 § 6333. Subpoena.

11 (a) General rule.--Upon application of a child, parent,
12 guardian, custodian, probation officer, district attorney, or
13 other party to the proceedings, the court, master, or the clerk
14 of the court shall issue, or the court or master may on its own
15 motion issue, subpoenas requiring attendance and testimony of
16 witnesses and production of papers at any hearing under this

1 chapter.

2 (b) Copy to parents, guardians and custodians.--

3 (1) A copy of the subpoena requiring attendance and
4 testimony of a witness who is under 18 years of age shall be
5 issued to the parent, guardian or other custodian of the
6 witness in addition to the issuance of the subpoena for the
7 witness.

8 (2) The court may waive issuance of the copy under
9 paragraph (1) for cause shown in a specific case.

10 § 9795.1. REGISTRATION. ←

11 (A) TEN-YEAR REGISTRATION.--THE FOLLOWING INDIVIDUALS SHALL
12 BE REQUIRED TO REGISTER WITH THE PENNSYLVANIA STATE POLICE FOR A
13 PERIOD OF TEN YEARS:

14 (1) INDIVIDUALS CONVICTED OF ANY OF THE FOLLOWING
15 OFFENSES:

16 18 PA.C.S. § 2901 (RELATING TO KIDNAPPING) WHERE THE
17 VICTIM IS A MINOR.

18 18 PA.C.S. § 2910 (RELATING TO LURING A CHILD INTO A
19 MOTOR VEHICLE OR STRUCTURE).

20 18 PA.C.S. § 3124.2 (RELATING TO INSTITUTIONAL SEXUAL
21 ASSAULT).

22 18 PA.C.S. § 3126 (RELATING TO INDECENT ASSAULT)
23 WHERE THE OFFENSE IS GRADED AS A MISDEMEANOR OF THE FIRST
24 DEGREE OR HIGHER.

25 18 PA.C.S. § 4302 (RELATING TO INCEST) WHERE THE
26 VICTIM IS 12 YEARS OF AGE OR OLDER BUT UNDER 18 YEARS OF
27 AGE.

28 18 PA.C.S. § 5902(B) (RELATING TO PROSTITUTION AND
29 RELATED OFFENSES) WHERE THE ACTOR PROMOTES THE
30 PROSTITUTION OF A MINOR.

1 18 PA.C.S. § 5903(A)(3), (4), (5) OR (6) (RELATING TO
2 OBSCENE AND OTHER SEXUAL MATERIALS AND PERFORMANCES)
3 WHERE THE VICTIM IS A MINOR.

4 18 PA.C.S. § 6312 (RELATING TO SEXUAL ABUSE OF
5 CHILDREN).

6 18 PA.C.S. § 6318 (RELATING TO UNLAWFUL CONTACT WITH
7 MINOR).

8 18 PA.C.S. § 6320 (RELATING TO SEXUAL EXPLOITATION OF
9 CHILDREN).

10 (2) INDIVIDUALS CONVICTED OF AN ATTEMPT, CONSPIRACY OR
11 SOLICITATION TO COMMIT ANY OF THE OFFENSES UNDER PARAGRAPH
12 (1) OR SUBSECTION (B)(2).

13 (3) INDIVIDUALS CURRENTLY RESIDING IN THIS COMMONWEALTH
14 WHO HAVE BEEN CONVICTED OF OFFENSES SIMILAR TO THE CRIMES
15 CITED IN PARAGRAPHS (1) AND (2) UNDER THE LAWS OF THE UNITED
16 STATES OR ONE OF ITS TERRITORIES OR POSSESSIONS, ANOTHER
17 STATE, THE DISTRICT OF COLUMBIA, THE COMMONWEALTH OF PUERTO
18 RICO OR A FOREIGN NATION, OR UNDER A FORMER LAW OF THIS
19 COMMONWEALTH.

20 (B) LIFETIME REGISTRATION.--THE FOLLOWING INDIVIDUALS SHALL
21 BE SUBJECT TO LIFETIME REGISTRATION:

22 (1) AN INDIVIDUAL WITH TWO OR MORE CONVICTIONS OF ANY OF
23 THE OFFENSES SET FORTH IN SUBSECTION (A).

24 (2) INDIVIDUALS CONVICTED OF ANY OF THE FOLLOWING
25 OFFENSES:

26 18 PA.C.S. § 3121 (RELATING TO RAPE).

27 18 PA.C.S. § 3123 (RELATING TO INVOLUNTARY DEVIATE
28 SEXUAL INTERCOURSE).

29 18 PA.C.S. § 3124.1 (RELATING TO SEXUAL ASSAULT).

30 18 PA.C.S. § 3125 (RELATING TO AGGRAVATED INDECENT

1 ASSAULT).

2 18 PA.C.S. § 4302 (RELATING TO INCEST) WHEN THE
3 VICTIM IS UNDER 12 YEARS OF AGE.

4 (3) SEXUALLY VIOLENT PREDATORS.

5 (4) INDIVIDUALS CURRENTLY RESIDING IN THIS COMMONWEALTH
6 WHO HAVE BEEN CONVICTED OF OFFENSES SIMILAR TO THE CRIMES
7 CITED IN PARAGRAPH (2) UNDER THE LAWS OF THE UNITED STATES OR
8 ONE OF ITS TERRITORIES OR POSSESSIONS, ANOTHER STATE, THE
9 DISTRICT OF COLUMBIA, THE COMMONWEALTH OF PUERTO RICO OR A
10 FOREIGN NATION, OR UNDER A FORMER LAW OF THIS COMMONWEALTH.

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