

---

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.

11          \* \* \*

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