

THE GENERAL ASSEMBLY OF PENNSYLVANIA

HOUSE BILL

No. 2531 Session of
2008

INTRODUCED BY R. TAYLOR, LENTZ, BELFANTI, BRENNAN, BOBACK,
CONKLIN, CURRY, DePASQUALE, FRANKEL, GEORGE, GIBBONS,
GOODMAN, GRUCELA, HARHAI, HARKINS, HORNAMAN, KORTZ, KOTIK,
LEACH, MAHONEY, MANN, McCALL, McILHATTAN, MELIO, MOYER, MURT,
ROCK, SAYLOR, SCAVELLO, SHAPIRO, SIPTROTH, M. SMITH, SOLOBAY,
SURRA, J. TAYLOR, WANSACZ, J. WHITE, YOUNGBLOOD, BEYER,
HENNESSEY, HERSHEY, D. O'BRIEN AND GEIST, JUNE 4, 2008

REFERRED TO COMMITTEE ON JUDICIARY, JUNE 4, 2008

AN ACT

1 Amending Title 18 (Crimes and Offenses) of the Pennsylvania
2 Consolidated Statutes, further providing for the offense of
3 loitering and prowling.

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

6 Section 1. Section 5506 of Title 18 of the Pennsylvania
7 Consolidated Statutes is amended to read:

8 § 5506. Loitering and prowling [at night time].

9 (a) General rule.--Whoever at night time maliciously loiters
10 or maliciously prowls around a dwelling house or any other place
11 used wholly or in part for living or dwelling purposes,
12 belonging to or occupied by another, [is guilty of] commits a
13 misdemeanor of the third degree.

14 (b) Schools, playgrounds, etc.--Whoever maliciously loiters
15 or maliciously prowls around a school, public playground, school
16 bus stop or day-care center when children are present commits a

1 misdemeanor of the third degree.

2 (c) Persons required to be registered.--A person subject to
3 registration under 42 Pa.C.S. § 9795.1 (relating to
4 registration) who committed a sexually violent offense upon a
5 child and who intentionally loiters or intentionally prowls
6 without a specific, reasonable and lawful purpose around any
7 school, public playground, school bus stop or day-care center,
8 knowing or having reason to know that a child is present,
9 commits a misdemeanor of the second degree.

10 (d) Sexually violent predator.--Notwithstanding subsection
11 (c), a sexually violent predator who committed a sexually
12 violent offense upon a child and who intentionally loiters or
13 intentionally prowls without a specific, reasonable and lawful
14 purpose around any school, public playground, school bus stop or
15 day-care center, knowing or having reason to know that a child
16 is present, commits a misdemeanor of the first degree.

17 (e) Definitions.--As used in this section, the following
18 words and phrases shall have the meanings given to them in this
19 subsection:

20 "Child." An individual under 18 years of age.

21 "School." Any elementary or secondary publicly funded
22 educational institution, any elementary or secondary private
23 school licensed by the Department of Education or any elementary
24 or secondary parochial school.

25 "Sexually violent offense." The term as defined under 42
26 Pa.C.S. § 9792 (relating to definitions).

27 "Sexually violent predator." The term as defined under 42
28 Pa.C.S. § 9792 (relating to definitions).

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