

THE GENERAL ASSEMBLY OF PENNSYLVANIA

HOUSE BILL

No. 843 Session of
2009

INTRODUCED BY REICHLEY, BAKER, BEYER, BOYD, CALTAGIRONE, CIVERA,
CREIGHTON, CUTLER, DALLY, EVERETT, GEIST, GIBBONS, GOODMAN,
GRELL, GROVE, HARPER, HARRIS, HESS, HICKERNELL, W. KELLER,
KILLION, MAJOR, MANN, MENSCH, MILNE, MOUL, MURT, OBERLANDER,
O'NEILL, PAYNE, PETRARCA, PICKETT, PYLE, RAPP, ROAE, ROCK,
ROHRER, SCAVELLO, SIPTROTH, SOLOBAY, STERN, STEVENSON,
SWANGER, TRUE, VEREB, VULAKOVICH, WATSON, YOUNGBLOOD, QUINN
AND FREEMAN, MARCH 11, 2009

AS REPORTED FROM COMMITTEE ON JUDICIARY, HOUSE OF
REPRESENTATIVES, AS AMENDED, APRIL 21, 2009

AN ACT

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

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

6 Section 1. Section 6312 of Title 18 of the Pennsylvania
7 Consolidated Statutes is amended by adding a subsection to read:
8 § 6312. Sexual abuse of children.

9 * * *

10 ~~(g) Concurrent jurisdiction to prosecute.~~



11 ~~(1) The Attorney General shall have concurrent~~
12 ~~prosecutorial jurisdiction with the district attorney for~~
13 ~~violations under this section and any crime arising out of~~
14 ~~the activity prohibited by this section.~~

15 ~~(2) No person charged with a violation of this section~~

1 (G) CRIMINAL ACTION.--

2 (1) A DISTRICT ATTORNEY SHALL HAVE THE AUTHORITY TO
3 INVESTIGATE AND TO INSTITUTE CRIMINAL PROCEEDINGS FOR ANY
4 VIOLATION OF THIS SECTION.

5 (2) IN ADDITION TO THE AUTHORITY CONFERRED UPON THE
6 ATTORNEY GENERAL BY THE ACT OF OCTOBER 15, 1980 (P.L. 950,
7 NO. 164), KNOWN AS THE COMMONWEALTH ATTORNEYS ACT, THE
8 ATTORNEY GENERAL SHALL HAVE THE AUTHORITY TO INVESTIGATE AND
9 TO INSTITUTE CRIMINAL PROCEEDINGS FOR ANY VIOLATION OF THIS
10 SECTION OR ANY SERIES OF VIOLATIONS OF THE SECTION INVOLVING
11 MORE THAN ONE COUNTY OF THE COMMONWEALTH OR INVOLVING ANY
12 COUNTY OF THE COMMONWEALTH AND ANOTHER STATE. NO PERSON
13 CHARGED WITH A VIOLATION OF THIS SECTION by the Attorney
14 General shall have standing to challenge the authority of the
15 Attorney General to INVESTIGATE OR prosecute the case, and,
16 if any such challenge is made, the challenge shall be
17 dismissed and no relief shall be available in the courts of
18 this Commonwealth to the person making the challenge.

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