

THE GENERAL ASSEMBLY OF PENNSYLVANIA

SENATE BILL

No. 260 Session of
2009

INTRODUCED BY BAKER, VOGEL, TARTAGLIONE, SCARNATI, ALLOWAY,
FOLMER, KITCHEN, PICCOLA, ERICKSON, WASHINGTON, RAFFERTY,
MUSTO, BROWNE, HUGHES, STOUT, ORIE, YAW, WOZNIAK, SMUCKER,
PIPPY, O'PAKE, LOGAN, EARLL, WONDERLING, KASUNIC, BRUBAKER,
WILLIAMS AND BOSCOLA, FEBRUARY 19, 2009

SENATOR GREENLEAF, JUDICIARY, AS AMENDED, DECEMBER 15, 2009

AN ACT

1 Amending Title 18 (Crimes and Offenses) of the Pennsylvania
2 Consolidated Statutes, IN MINORS, further providing for THE
3 OFFENSE OF 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. The Attorney~~ ←
11 ~~General shall have concurrent prosecutorial jurisdiction with~~
12 ~~the district attorney for violations under this section and any~~
13 ~~crime arising out of the activity prohibited by this section.~~

14 (F.1) CRIMINAL ACTION.-- ←

15 (1) A DISTRICT ATTORNEY SHALL HAVE THE AUTHORITY TO
16 INVESTIGATE AND TO INSTITUTE CRIMINAL PROCEEDINGS FOR ANY
17 VIOLATION OF THIS SECTION.

1 (2) IN ADDITION TO THE AUTHORITY CONFERRED UPON THE
2 ATTORNEY GENERAL BY THE ACT OF OCTOBER 15, 1980 (P.L.950,
3 NO.164), KNOWN AS THE COMMONWEALTH ATTORNEYS ACT, THE
4 ATTORNEY GENERAL SHALL HAVE THE AUTHORITY TO INVESTIGATE AND
5 TO INSTITUTE CRIMINAL PROCEEDINGS FOR ANY VIOLATION OF THIS
6 SECTION OR ANY SERIES OF VIOLATIONS OF THIS SECTION INVOLVING
7 MORE THAN ONE COUNTY OF THIS COMMONWEALTH OR INVOLVING ANY
8 COUNTY OF THIS COMMONWEALTH AND ANOTHER STATE. No person
9 charged with a violation of this section by the Attorney
10 General shall have standing to challenge the authority of the
11 Attorney General to INVESTIGATE OR prosecute the case, and,
12 if any such challenge is made, the challenge shall be
13 dismissed and no relief shall be available in the courts of
14 this Commonwealth to the person making the challenge.
15 Section 2. This act shall take effect in 60 days.

