

THE GENERAL ASSEMBLY OF PENNSYLVANIA

SENATE BILL

No. 827 Session of 2009

INTRODUCED BY ORIE, RAFFERTY, PILEGGI, ALLOWAY, WASHINGTON,
WARD, ERICKSON, BROWNE, MUSTO, FONTANA, WOZNIAK AND STACK,
MAY 1, 2009

REFERRED TO JUDICIARY, MAY 1, 2009

AN ACT

1 Amending Title 42 (Judiciary and Judicial Procedure) of the
2 Pennsylvania Consolidated Statutes, further providing for
3 global positioning system technology.

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

6 Section 1. Section 9798.3 of Title 42 of the Pennsylvania
7 Consolidated Statutes is amended to read:

8 § 9798.3. Global positioning system technology.

9 (a) Supervision conditions.--The Pennsylvania Board of
10 Probation and Parole and county probation authorities may impose
11 supervision conditions that include offender tracking through
12 global positioning system technology.

13 (b) Mandatory supervisory tracking.--The Pennsylvania Board
14 of Probation and Parole, a county probation or parole authority
15 or the Pennsylvania State Police shall track the following
16 individuals for the period of registration required under
17 section 9795.1 (relating to registration) when the individual
18 has been:

1 (1) determined to be a sexually violent predator as
2 provided for under this chapter;

3 (2) convicted of a sexually violent offense occurring on
4 or after first being subject to a period of registration
5 under section 9795.1; or

6 (3) convicted of violating 18 Pa.C.S. § 4915 (relating
7 to failure to comply with registration of sexual offenders
8 requirements).

9 (c) Costs.--A person tracked through electronic monitoring
10 shall bear the associated costs unless it is determined by the
11 tracking authority that such costs would result in undue
12 economic hardship to the person.

13 (d) Tampering with tracking device.--Tampering with or
14 removing a tracking device required under this section shall be
15 graded as follows:

16 (1) An individual subject to registration under section
17 9795.1(a) who commits a violation of this section commits a
18 felony of the third degree.

19 (2) An individual subject to registration under section
20 9795.1(b)(1), (2) or (3) who commits a violation of this
21 section commits a felony of the second degree.

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