

THE GENERAL ASSEMBLY OF PENNSYLVANIA

HOUSE BILL

No. 75 Session of 2011

INTRODUCED BY MARSICO, CALTAGIRONE, BAKER, BARRAR, BOYD, B. BOYLE, CHRISTIANA, DeLUCA, DePASQUALE, EVERETT, FABRIZIO, GABLER, GEIST, GINGRICH, GOODMAN, GRELL, GROVE, HARRIS, HICKERNELL, HORNAMAN, HUTCHINSON, KAUFFMAN, M. K. KELLER, KILLION, KOTIK, LONGIETTI, MATZIE, MILLER, OBERLANDER, PAYNE, PICKETT, PYLE, QUINN, READSHAW, SACCONI, SAYLOR, SCAVELLO, K. SMITH, SONNEY, STEPHENS, STEVENSON, STURLA, SWANGER, TOEPEL, VULAKOVICH, WATSON, YOUNGBLOOD, BOBACK, KORTZ, REICHLEY, HESS, HELM, CAUSER, SANTARSIERO, CLYMER, GILLESPIE, DAVIS, MAJOR, TOOHL, VEREB, GILLEN, KAVULICH, FARRY, MARSHALL, BROOKS, BARBIN AND MILNE, JANUARY 19, 2011

AS AMENDED ON THIRD CONSIDERATION, IN SENATE, JUNE 25, 2012

AN ACT

1 ~~Amending Title 42 (Judiciary and Judicial Procedure) of the~~ ←
 2 ~~Pennsylvania Consolidated Statutes, further providing for~~
 3 ~~sentence for failure to comply with registration of sexual~~
 4 ~~offenders.~~
 5 AMENDING TITLES 18 (CRIMES AND OFFENSES) AND 42 (JUDICIARY AND ←
 6 JUDICIAL PROCEDURE) OF THE PENNSYLVANIA CONSOLIDATED
 7 STATUTES, MAKING CHANGES NECESSARY FOR THE ADMINISTRATION AND
 8 IMPLEMENTATION OF THE ACT OF DECEMBER 20, 2011 (P.L.446,
 9 NO.111), ENTITLED "AN ACT AMENDING TITLES 18 (CRIMES AND
 10 OFFENSES), 23 (DOMESTIC RELATIONS), 42 (JUDICIARY AND
 11 JUDICIAL PROCEDURE), 44 (LAW AND JUSTICE) AND 61 (PRISONS AND
 12 PAROLE) OF THE PENNSYLVANIA CONSOLIDATED STATUTES,
 13 EXTENSIVELY REVISING PROVISIONS RELATING TO REGISTRATION OF
 14 SEXUAL OFFENDERS PURSUANT TO FEDERAL MANDATE; AND MAKING
 15 EDITORIAL CHANGES," IN THE AREAS OF PERJURY AND FALSIFICATION
 16 IN OFFICIAL MATTERS, DISSEMINATION OF CRIMINAL HISTORY RECORD
 17 INFORMATION, DISPOSITION OF CHILDREN GENERALLY, COURT-ORDERED
 18 INVOLUNTARY TREATMENT OF CERTAIN SEXUALLY VIOLENT PERSONS AND
 19 REGISTRATION OF SEXUAL OFFENDERS; AND, IN JUVENILE MATTERS, ←
 20 FURTHER PROVIDING FOR DEFINITIONS AND FOR DISPOSITION OF
 21 DEPENDENT CHILD.

22 The General Assembly of the Commonwealth of Pennsylvania

1 hereby enacts as follows:

2 ~~Section 1. Section 9718.3(a) of Title 42 of the Pennsylvania~~ ←
3 ~~Consolidated Statutes is amended and the section is amended by~~
4 ~~adding a subsection to read:~~

5 ~~§ 9718.3. Sentence for failure to comply with registration of~~
6 ~~sexual offenders.~~

7 ~~(a) Mandatory sentence. Mandatory sentencing shall be as~~
8 ~~follows:~~

9 ~~(1) Sentencing upon conviction for a first offense shall~~
10 ~~be as follows:~~

11 ~~(i) Not less than two years for an individual who:~~

12 ~~(A) was subject to section 9795.1(a) (relating~~
13 ~~to registration) or a similar provision from another~~
14 ~~jurisdiction or former section 9793 (relating to~~
15 ~~registration of certain offenders for ten years); and~~

16 ~~(B) violated 18 Pa.C.S. § 4915(a) (1) or (2)~~
17 ~~(relating to failure to comply with registration of~~
18 ~~sexual offenders requirements).~~

19 ~~(ii) Not less than three years for an individual~~
20 ~~who:~~

21 ~~(A) was subject to section 9795.1(a) or a~~
22 ~~similar provision from another jurisdiction or former~~
23 ~~section 9793; and~~

24 ~~(B) violated 18 Pa.C.S. § 4915(a) (3).~~

25 ~~(iii) Not less than three years for an individual~~
26 ~~who:~~

27 ~~(A) was subject to section 9795.1(b) or a~~
28 ~~similar provision from another jurisdiction; and~~

29 ~~(B) violated 18 Pa.C.S. § 4915(a) (1) or (2).~~

30 ~~(iv) Not less than five years for an individual who:~~

1 ~~(A) was subject to section 9795.1(b) or a~~
2 ~~similar provision from another jurisdiction; and~~
3 ~~(B) violated 18 Pa.C.S. § 4915(a)(3).~~

4 ~~(2) Sentencing upon conviction for a second or~~
5 ~~subsequent offense shall be as follows:~~

6 ~~(i) Not less than five years for an individual who:~~

7 ~~(A) was subject to section 9795.1 or a similar~~
8 ~~provision from another jurisdiction or former section~~
9 ~~9793; and~~

10 ~~(B) violated 18 Pa.C.S. § 4915(a)(1) or (2).~~

11 ~~(ii) Not less than seven years for an individual~~
12 ~~who:~~

13 ~~(A) was subject to section 9795.1 or a similar~~
14 ~~provision from another jurisdiction or former section~~
15 ~~9793; and~~

16 ~~(B) violated 18 Pa.C.S. § 4915(a)(3).~~

17 ~~(a.1) Transients and mandatory sentence. Mandatory~~
18 ~~sentencing shall be as follows for an individual subject to~~
19 ~~registration as a transient under section 9796.1 (relating to~~
20 ~~registration of transients):~~

21 ~~(1) Sentencing upon conviction for a first offense shall~~
22 ~~be not less than two years for an individual who:~~

23 ~~(i) was subject to section 9796.1 or a similar~~
24 ~~provision from another jurisdiction; and~~

25 ~~(ii) violated 18 Pa.C.S. § 4915(a.1).~~

26 ~~(2) Sentencing upon conviction for a second or~~
27 ~~subsequent offense shall be not less than five years for an~~
28 ~~individual who:~~

29 ~~(i) was subject to section 9796.1 or a similar~~
30 ~~provision from another jurisdiction; and~~

1 ~~(ii) violated 18 Pa.C.S. § 4915(a.1).~~

2 * * *

3 ~~Section 2. The amendment or addition of 42 Pa.C.S. §~~
4 ~~9718.3(a) and (a.1) shall apply to individuals convicted after~~
5 ~~the effective date of this section.~~

6 ~~Section 3. This act shall take effect in 60 days.~~

7 SECTION 1. SECTIONS 4915(D) AND (G) AND 4915.1(B) AND (C.1) ←
8 OF TITLE 18 OF THE PENNSYLVANIA CONSOLIDATED STATUTES, AMENDED
9 OR ADDED DECEMBER 20, 2011 (P.L.446, NO.111), ARE AMENDED TO
10 READ:

11 § 4915. FAILURE TO COMPLY WITH REGISTRATION OF SEXUAL OFFENDERS
12 REQUIREMENTS.

13 * * *

14 (D) EFFECT OF NOTICE.--NEITHER FAILURE ON THE PART OF THE
15 PENNSYLVANIA STATE POLICE TO SEND NOR FAILURE OF A SEXUALLY
16 VIOLENT PREDATOR OR OFFENDER TO RECEIVE ANY NOTICE OR
17 INFORMATION PURSUANT TO 42 PA.C.S. § 9796(A.1) [OR] (B.1) OR
18 (B.3) SHALL BE A DEFENSE TO A PROSECUTION COMMENCED AGAINST AN
19 INDIVIDUAL ARISING FROM A VIOLATION OF THIS SECTION. THE
20 PROVISIONS OF 42 PA.C.S. § 9796(A.1) [AND] (B.1) OR (B.3) ARE
21 NOT AN ELEMENT OF AN OFFENSE UNDER THIS SECTION.

22 * * *

23 (G) EXPIRATION.--THIS SECTION SHALL EXPIRE [ONE YEAR AFTER
24 THE EFFECTIVE DATE OF THIS SUBSECTION] DECEMBER 20, 2012.

25 § 4915.1. FAILURE TO COMPLY WITH REGISTRATION REQUIREMENTS.

26 * * *

27 (B) GRADING FOR SEXUAL OFFENDERS WHO MUST REGISTER FOR 15
28 YEARS OR WHO ARE REQUIRED TO REGISTER IN ANOTHER JURISDICTION OR ←
29 FOREIGN COUNTRY BASED UPON A NONSEXUALLY VIOLENT OFFENSE MUST ←
30 REGISTER PURSUANT TO 42 PA.C.S. § 9799.13(7.1).--

1 (1) EXCEPT AS SET FORTH IN PARAGRAPH (3), AN INDIVIDUAL
2 [SUBJECT TO REGISTRATION UNDER 42 PA.C.S. § 9799.13 AND
3 REQUIRED TO REGISTER FOR A PERIOD OF 15 YEARS] WHO COMMITS A
4 VIOLATION OF SUBSECTION (A) (1) OR (2) COMMITS A FELONY OF THE
5 THIRD DEGREE.

6 (2) AN INDIVIDUAL [SUBJECT TO REGISTRATION UNDER 42
7 PA.C.S. § 9799.13 AND REQUIRED TO REGISTER FOR A PERIOD OF 15
8 YEARS] WHO COMMITS A VIOLATION OF SUBSECTION (A) (1) OR (2)
9 AND WHO HAS PREVIOUSLY BEEN CONVICTED OF AN OFFENSE UNDER
10 SUBSECTION (A) (1) OR (2) OR (A.1) (1) OR (2) OR A SIMILAR
11 OFFENSE COMMITS A FELONY OF THE SECOND DEGREE.

12 (3) AN INDIVIDUAL [SUBJECT TO REGISTRATION UNDER 42
13 PA.C.S. § 9799.13 AND REQUIRED TO REGISTER FOR A PERIOD OF 15
14 YEARS] WHO VIOLATES SUBSECTION (A) (3) COMMITS A FELONY OF THE
15 SECOND DEGREE.

16 (4) FOR THE PURPOSES OF THIS SUBSECTION, AN INDIVIDUAL
17 SHALL MEAN AN INDIVIDUAL THAT MEETS ANY OF THE FOLLOWING:

18 (I) IS SUBJECT TO REGISTRATION UNDER 42 PA.C.S. §
19 9799.13 AND IS REQUIRED TO REGISTER FOR A PERIOD OF 15
20 YEARS.

21 (II) IS SUBJECT TO REGISTRATION UNDER 42 PA.C.S. §
22 9799.13(7.1).

23 * * *

24 (C.1) GRADING FOR SEXUAL OFFENDERS WHO ARE TRANSIENTS WHO
25 MUST REGISTER FOR 15 YEARS.--

26 (1) EXCEPT AS SET FORTH IN PARAGRAPH (2) OR (3), AN
27 INDIVIDUAL [SUBJECT TO REGISTRATION UNDER 42 PA.C.S. §
28 9799.13 WHO IS A TRANSIENT WHO MUST REGISTER FOR 15 YEARS]
29 COMMITS A FELONY OF THE THIRD DEGREE IF THE INDIVIDUAL
30 VIOLATES SUBSECTION (A.1) (1) OR (2).

1 (2) AN INDIVIDUAL [SUBJECT TO REGISTRATION UNDER 42
2 PA.C.S. § 9799.13 WHO IS A TRANSIENT WHO MUST REGISTER FOR 15
3 YEARS] COMMITS A FELONY OF THE SECOND DEGREE IF THE
4 INDIVIDUAL VIOLATES SUBSECTION (A.1) (3) .

5 (3) AN INDIVIDUAL [SUBJECT TO REGISTRATION UNDER 42
6 PA.C.S. § 9799.13 WHO IS A TRANSIENT WHO MUST REGISTER FOR A
7 PERIOD OF 15 YEARS] COMMITS A FELONY OF THE SECOND DEGREE IF
8 THE INDIVIDUAL VIOLATES SUBSECTION (A.1) (1) OR (2) AND HAS
9 BEEN PREVIOUSLY CONVICTED OF AN OFFENSE UNDER SUBSECTION (A)
10 (1) OR (2) OR (A.1) (1) OR (2) OR A SIMILAR OFFENSE.

11 (4) FOR THE PURPOSES OF THIS SUBSECTION, AN INDIVIDUAL
12 SHALL MEAN AN INDIVIDUAL THAT MEETS ANY OF THE FOLLOWING:

13 (I) IS SUBJECT TO REGISTRATION UNDER 42 PA.C.S. §
14 9799.13 AND IS A TRANSIENT WHO MUST REGISTER FOR A PERIOD
15 OF 15 YEARS.

16 (II) IS SUBJECT TO REGISTRATION UNDER 42 PA.C.S. §
17 9799.13(7.1) AND IS A TRANSIENT.

18 * * *

19 SECTION 2. SECTION 9123(A) INTRODUCTORY PARAGRAPH OF TITLE
20 18 IS AMENDED AND THE SECTION IS AMENDED BY ADDING A SUBSECTION
21 TO READ:

22 § 9123. JUVENILE RECORDS.

23 (A) EXPUNGEMENT OF JUVENILE RECORDS.--NOTWITHSTANDING THE
24 PROVISIONS OF SECTION 9105 (RELATING TO OTHER CRIMINAL JUSTICE
25 INFORMATION) AND EXCEPT [UPON CAUSE SHOWN] AS PROVIDED UNDER
26 SUBSECTION (A.1), EXPUNGEMENT OF RECORDS OF JUVENILE DELINQUENCY
27 CASES WHEREVER KEPT OR RETAINED SHALL OCCUR AFTER 30 DAYS'
28 NOTICE TO THE DISTRICT ATTORNEY, WHENEVER THE COURT UPON ITS
29 MOTION OR UPON THE MOTION OF A CHILD OR THE PARENTS OR GUARDIAN
30 FINDS:

1 * * *

2 (A.1) EXCEPTIONS.--SUBSECTION (A) SHALL NOT APPLY IF ANY OF
3 THE FOLLOWING APPLY:

4 (1) THE INDIVIDUAL MEETS ALL OF THE FOLLOWING:

5 (I) WAS 14 YEARS OF AGE OR OLDER AT THE TIME THE
6 INDIVIDUAL COMMITTED AN OFFENSE WHICH, IF COMMITTED BY AN
7 ADULT, WOULD BE CLASSIFIED AS:

8 (A) AN OFFENSE UNDER 18 PA.C.S. § 3121 (RELATING
9 TO RAPE), 3123 (RELATING TO INVOLUNTARY DEVIATE
10 SEXUAL INTERCOURSE) OR 3125 (RELATING TO AGGRAVATED
11 INDECENT ASSAULT).

12 (B) AN ATTEMPT, SOLICITATION OR CONSPIRACY TO
13 COMMIT AN OFFENSE UNDER 18 PA.C.S. § 3121, 3123 OR
14 3125.

15 (II) WAS ADJUDICATED DELINQUENT FOR THE OFFENSE
16 UNDER SUBPARAGRAPH (I).

17 (2) UPON CAUSE SHOWN.

18 * * *

19 SECTION 2.1. PARAGRAPH (3) OF THE DEFINITION OF "CHILD" IN
20 SECTION 6302 OF TITLE 42 IS AMENDED TO READ:
21 § 6302. DEFINITIONS.

22 THE FOLLOWING WORDS AND PHRASES WHEN USED IN THIS CHAPTER
23 SHALL HAVE, UNLESS THE CONTEXT CLEARLY INDICATES OTHERWISE, THE
24 MEANINGS GIVEN TO THEM IN THIS SECTION:

25 * * *

26 "CHILD." AN INDIVIDUAL WHO:

27 * * *

28 (3) IS UNDER THE AGE OF 21 YEARS AND WAS ADJUDICATED
29 DEPENDENT BEFORE REACHING THE AGE OF 18 YEARS [AND WHO, WHILE
30 ENGAGED IN A COURSE OF INSTRUCTION OR TREATMENT, REQUESTS THE



1 COURT TO RETAIN JURISDICTION UNTIL THE COURSE HAS BEEN
2 COMPLETED, BUT IN NO EVENT SHALL A CHILD REMAIN IN A COURSE
3 OF INSTRUCTION OR TREATMENT PAST THE AGE OF 21 YEARS.], WHO
4 HAS REQUESTED THE COURT TO RETAIN JURISDICTION AND WHO
5 REMAINS UNDER THE JURISDICTION OF THE COURT AS A DEPENDENT
6 CHILD BECAUSE THE COURT HAS DETERMINED THAT THE CHILD IS:

7 (I) COMPLETING SECONDARY EDUCATION OR AN EQUIVALENT
8 CREDENTIAL;

9 (II) ENROLLED IN AN INSTITUTION WHICH PROVIDES
10 POSTSECONDARY OR VOCATIONAL EDUCATION;

11 (III) PARTICIPATING IN A PROGRAM ACTIVELY DESIGNED
12 TO PROMOTE OR REMOVE BARRIERS TO EMPLOYMENT;

13 (IV) EMPLOYED FOR AT LEAST 80 HOURS PER MONTH; OR

14 (V) INCAPABLE OF DOING ANY OF THE ACTIVITIES
15 DESCRIBED IN SUBPARAGRAPH (I), (II), (III) OR (IV) DUE TO
16 A MEDICAL OR BEHAVIORAL HEALTH CONDITION, WHICH IS
17 SUPPORTED BY REGULARLY UPDATED INFORMATION IN THE
18 PERMANENCY PLAN OF THE CHILD.

19 * * *

20 SECTION 2.2. SECTION 6351(E) (3) OF TITLE 42 IS AMENDED BY
21 ADDING A SUBPARAGRAPH, SUBSECTION (F) IS AMENDED BY ADDING
22 PARAGRAPHS AND THE SECTION IS AMENDED BY ADDING A SUBSECTION TO
23 READ:

24 § 6351. DISPOSITION OF DEPENDENT CHILD.

25 * * *

26 (E) PERMANENCY HEARINGS.--

27 * * *

28 (3) THE COURT SHALL CONDUCT PERMANENCY HEARINGS AS
29 FOLLOWS:

30 * * *

1 (III) IF THE COURT RESUMES JURISDICTION OF THE CHILD
2 PURSUANT TO SUBSECTION (J), PERMANENCY HEARINGS SHALL BE
3 SCHEDULED IN ACCORDANCE WITH APPLICABLE LAW UNTIL COURT
4 JURISDICTION IS TERMINATED, BUT NO LATER THAN WHEN THE
5 CHILD ATTAINS 21 YEARS OF AGE.

6 (F) MATTERS TO BE DETERMINED AT PERMANENCY HEARING.--AT EACH
7 PERMANENCY HEARING, A COURT SHALL DETERMINE ALL OF THE
8 FOLLOWING:

9 * * *

10 (8.1) WHETHER THE CHILD CONTINUES TO MEET THE DEFINITION
11 OF "CHILD" AND HAS REQUESTED THAT THE COURT CONTINUE
12 JURISDICTION PURSUANT TO SECTION 6302 IF THE CHILD IS BETWEEN
13 18 AND 21 YEARS OF AGE.

14 (8.2) THAT A TRANSITION PLAN HAS BEEN PRESENTED IN
15 ACCORDANCE WITH SECTION 475 OF THE SOCIAL SECURITY ACT (49
16 STAT. 620, 42 U.S.C. § 675(5)(H)).

17 * * *

18 (J) RESUMPTION OF JURISDICTION.--AT ANY TIME PRIOR TO A
19 CHILD REACHING 21 YEARS OF AGE, A CHILD MAY REQUEST THE COURT TO
20 RESUME DEPENDENCY JURISDICTION IF:

21 (1) THE CHILD CONTINUES TO MEET THE DEFINITION OF
22 "CHILD" PURSUANT TO SECTION 6302; AND

23 (2) DEPENDENCY JURISDICTION WAS TERMINATED:

24 (I) WITHIN 90 DAYS PRIOR TO THE CHILD'S 18TH
25 BIRTHDAY; OR

26 (II) ON OR AFTER THE CHILD'S 18TH BIRTHDAY, BUT
27 BEFORE THE CHILD TURNS 21 YEARS OF AGE.

28 SECTION 3. SECTIONS 6358(A), 6403(A)(2), 6404.2(G) AND
29 9799.10(2) AND (3) OF TITLE 42, AMENDED OR ADDED DECEMBER 20,
30 2011 (P.L.446, NO.111), ARE AMENDED TO READ:



1 § 6358. ASSESSMENT OF DELINQUENT CHILDREN BY THE STATE SEXUAL
2 OFFENDERS ASSESSMENT BOARD.

3 (A) GENERAL RULE.--A CHILD WHO HAS BEEN FOUND TO BE
4 DELINQUENT FOR AN ACT OF SEXUAL VIOLENCE WHICH IF COMMITTED BY
5 AN ADULT WOULD BE A VIOLATION OF 18 PA.C.S. § 3121 (RELATING TO
6 RAPE), 3123 (RELATING TO INVOLUNTARY DEVIATE SEXUAL
7 INTERCOURSE), 3124.1 (RELATING TO SEXUAL ASSAULT), 3125
8 (RELATING TO AGGRAVATED INDECENT ASSAULT), 3126 (RELATING TO
9 INDECENT ASSAULT) OR 4302 (RELATING TO INCEST) WHO IS COMMITTED
10 TO AN INSTITUTION OR OTHER FACILITY PURSUANT TO SECTION 6352
11 (RELATING TO DISPOSITION OF DELINQUENT CHILD) AND WHO REMAINS IN
12 ANY SUCH INSTITUTION OR FACILITY AS A RESULT OF THAT
13 ADJUDICATION OF DELINQUENCY UPON ATTAINING 20 YEARS OF AGE SHALL
14 BE SUBJECT TO AN ASSESSMENT BY THE BOARD.

15 * * *

16 § 6403. COURT-ORDERED INVOLUNTARY TREATMENT.

17 (A) PERSONS SUBJECT TO INVOLUNTARY TREATMENT.--A PERSON MAY
18 BE SUBJECT TO COURT-ORDERED COMMITMENT FOR INVOLUNTARY TREATMENT
19 UNDER THIS CHAPTER IF THE PERSON:

20 * * *

21 (2) HAS BEEN COMMITTED TO AN INSTITUTION OR OTHER
22 FACILITY PURSUANT TO SECTION 6352 (RELATING TO DISPOSITION OF
23 DELINQUENT CHILD) AND REMAINS IN ANY SUCH INSTITUTION OR
24 FACILITY UPON ATTAINING 20 YEARS OF AGE AS A RESULT OF HAVING
25 BEEN ADJUDICATED DELINQUENT FOR THE ACT OF SEXUAL VIOLENCE.

26 * * *

27 § 6404.2. DURATION OF OUTPATIENT COMMITMENT AND REVIEW.

28 * * *

29 (G) COUNSELING OF SEXUALLY VIOLENT DELINQUENT CHILDREN.--FOR
30 THE TIME PERIOD UNDER SECTION 9799.15 (RELATING TO PERIOD OF

1 REGISTRATION), A SEXUALLY VIOLENT DELINQUENT CHILD SHALL ATTEND
2 AT LEAST MONTHLY COUNSELING SESSIONS IN A PROGRAM APPROVED BY
3 THE BOARD AND SHALL BE FINANCIALLY RESPONSIBLE FOR ALL FEES
4 ASSESSED FROM THE COUNSELING SESSIONS. THE BOARD SHALL MONITOR
5 COMPLIANCE. IF THE SEXUALLY VIOLENT DELINQUENT CHILD CAN PROVE
6 TO THE SATISFACTION OF THE COURT INABILITY TO AFFORD TO PAY FOR
7 THE COUNSELING SESSIONS, THE SEXUALLY VIOLENT DELINQUENT CHILD
8 SHALL ATTEND THE COUNSELING SESSIONS; AND THE [PAROLE OFFICE]
9 BOARD SHALL PAY THE REQUISITE FEES.

10 § 9799.10. PURPOSES OF SUBCHAPTER.

11 THIS SUBCHAPTER SHALL BE INTERPRETED AND CONSTRUED TO
12 EFFECTUATE THE FOLLOWING PURPOSES:

13 * * *

14 (2) TO REQUIRE INDIVIDUALS CONVICTED OR ADJUDICATED
15 DELINQUENT OF CERTAIN SEXUAL OFFENSES TO REGISTER WITH THE
16 PENNSYLVANIA STATE POLICE AND TO OTHERWISE COMPLY WITH THIS
17 SUBCHAPTER IF THOSE INDIVIDUALS RESIDE WITHIN THIS
18 COMMONWEALTH, INTEND TO RESIDE WITHIN THIS COMMONWEALTH,
19 ATTEND AN EDUCATIONAL INSTITUTION WITHIN THIS COMMONWEALTH OR
20 ARE EMPLOYED OR CONDUCT VOLUNTEER WORK WITHIN THIS
21 COMMONWEALTH.

22 (3) TO REQUIRE INDIVIDUALS CONVICTED OR ADJUDICATED
23 DELINQUENT OF CERTAIN SEXUAL OFFENSES WHO FAIL TO MAINTAIN A
24 RESIDENCE AND ARE THEREFORE HOMELESS BUT CAN STILL BE FOUND
25 WITHIN THE BORDERS OF THIS COMMONWEALTH TO REGISTER WITH THE
26 PENNSYLVANIA STATE POLICE.

27 * * *

28 SECTION 4. THE DEFINITIONS OF "APPROVED REGISTRATION SITE,"
29 "CONVICTED," "JUVENILE OFFENDER" AND "SEXUALLY VIOLENT PREDATOR"
30 IN SECTION 9799.12 OF TITLE 42, ADDED DECEMBER 20, 2011

1 (P.L.446, NO.111), ARE AMENDED TO READ:

2 § 9799.12. DEFINITIONS.

3 THE FOLLOWING WORDS AND PHRASES WHEN USED IN THIS SUBCHAPTER
4 SHALL HAVE THE MEANINGS GIVEN TO THEM IN THIS SECTION UNLESS THE
5 CONTEXT CLEARLY INDICATES OTHERWISE:

6 "APPROVED REGISTRATION SITE." [A SITE IN THIS COMMONWEALTH
7 APPROVED BY THE PENNSYLVANIA STATE POLICE:

8 (1) AT WHICH INDIVIDUALS SUBJECT TO THIS SUBCHAPTER MAY
9 REGISTER, UPDATE AND VERIFY INFORMATION OR BE FINGERPRINTED
10 AND PHOTOGRAPHED AS REQUIRED BY THIS SUBCHAPTER;

11 (2) WHICH IS CAPABLE OF SUBMITTING FINGERPRINTS
12 UTILIZING THE INTEGRATED AUTOMATED FINGERPRINT IDENTIFICATION
13 SYSTEM OR IN ANOTHER MANNER AND IN THE FORM AS THE
14 PENNSYLVANIA STATE POLICE SHALL REQUIRE; AND

15 (3) WHICH IS CAPABLE OF SUBMITTING PHOTOGRAPHS IN THE
16 FORM AS THE PENNSYLVANIA STATE POLICE SHALL REQUIRE.] A SITE
17 IN THIS COMMONWEALTH APPROVED BY THE PENNSYLVANIA STATE
18 POLICE AT WHICH INDIVIDUALS SUBJECT TO THIS SUBCHAPTER MAY
19 COMPLY WITH THIS SUBCHAPTER.

20 * * *

21 "CONVICTED." INCLUDES CONVICTION BY ENTRY OF PLEA OF GUILTY
22 OR NOLO CONTENDERE, CONVICTION AFTER TRIAL OR COURT MARTIAL AND
23 A FINDING OF NOT GUILTY DUE TO INSANITY OR OF GUILTY BUT
24 MENTALLY ILL.

25 * * *

26 "JUVENILE OFFENDER." ONE OF THE FOLLOWING:

27 (1) AN INDIVIDUAL WHO WAS 14 YEARS OF AGE OR OLDER AT
28 THE TIME THE INDIVIDUAL COMMITTED AN OFFENSE WHICH, IF
29 COMMITTED BY AN ADULT, WOULD BE CLASSIFIED AS AN OFFENSE
30 UNDER 18 PA.C.S. § 3121 (RELATING TO RAPE), 3123 (RELATING TO

1 INVOLUNTARY DEVIATE SEXUAL INTERCOURSE) OR 3125 (RELATING TO
2 AGGRAVATED INDECENT ASSAULT) OR AN ATTEMPT, SOLICITATION OR
3 CONSPIRACY TO COMMIT AN OFFENSE UNDER 18 PA.C.S. § 3121, 3123
4 OR 3125 AND EITHER:

5 (I) IS ADJUDICATED DELINQUENT FOR SUCH OFFENSE ON OR
6 AFTER THE EFFECTIVE DATE OF THIS SECTION; OR

7 (II) HAS BEEN ADJUDICATED DELINQUENT FOR SUCH
8 OFFENSE AND ON THE EFFECTIVE DATE OF THIS SECTION IS
9 SUBJECT TO THE JURISDICTION OF THE COURT ON THE BASIS OF
10 THAT ADJUDICATION OF DELINQUENCY, INCLUDING COMMITMENT TO
11 AN INSTITUTION OR FACILITY SET FORTH IN SECTION 6352(A)
12 (3) (RELATING TO A DISPOSITION OF DELINQUENT CHILD).

13 (2) AN INDIVIDUAL WHO WAS 14 YEARS OF AGE OR OLDER AT
14 THE TIME THE INDIVIDUAL COMMITTED AN OFFENSE SIMILAR TO AN
15 OFFENSE UNDER 18 PA.C.S. § 3121, 3123 OR 3125 OR AN ATTEMPT,
16 SOLICITATION OR CONSPIRACY TO COMMIT AN OFFENSE SIMILAR TO AN
17 OFFENSE UNDER 18 PA.C.S. § 3121, 3123 OR 3125 UNDER THE LAWS
18 OF THE UNITED STATES, ANOTHER JURISDICTION OR A FOREIGN
19 COUNTRY AND WAS ADJUDICATED DELINQUENT FOR SUCH AN OFFENSE.

20 (3) AN INDIVIDUAL WHO, ON OR AFTER THE EFFECTIVE DATE OF
21 THIS PARAGRAPH, WAS REQUIRED TO REGISTER IN A SEXUAL OFFENDER
22 REGISTRY IN ANOTHER JURISDICTION OR FOREIGN COUNTRY BASED
23 UPON AN ADJUDICATION OF DELINQUENCY.

24 THE TERM DOES NOT INCLUDE A SEXUALLY VIOLENT DELINQUENT CHILD.

25 * * *

26 "SEXUALLY VIOLENT PREDATOR." AN INDIVIDUAL DETERMINED TO BE
27 A SEXUALLY VIOLENT PREDATOR UNDER SECTION 9795.4 (RELATING TO
28 ASSESSMENTS) PRIOR TO THE EFFECTIVE DATE OF THIS SUBCHAPTER, OR
29 AN INDIVIDUAL CONVICTED OF AN OFFENSE SPECIFIED IN:

30 (1) SECTION 9799.14(B) (1), (2), (3), (4), (5), (6),

1 [(7),] (8), (9) OR (10) (RELATING TO SEXUAL OFFENSES AND TIER
2 SYSTEM) OR AN ATTEMPT, CONSPIRACY OR SOLICITATION TO COMMIT
3 ANY OFFENSE UNDER SECTION 9799.14(B) (1), (2), (3), (4), (5),
4 (6), [(7),] (8), (9) OR (10);

5 (2) SECTION 9799.14(C) (1), (1.1), (1.2), (2), (3), (4),
6 (5) OR (6) OR AN ATTEMPT, CONSPIRACY OR SOLICITATION TO
7 COMMIT AN OFFENSE UNDER SECTION 9799.14(C) (1), (1.1), (1.2),
8 (2), (3), (4), (5) OR (6); OR

9 (3) SECTION 9799.14(D) (1), (2), (3), (4), (5), (6), (7),
10 (8) OR (9) OR AN ATTEMPT, CONSPIRACY OR SOLICITATION TO
11 COMMIT AN OFFENSE UNDER SECTION 9799.14(D) (1), (2), (3), (4),
12 (5), (6), (7), (8) OR (9)

13 WHO ON OR AFTER THE EFFECTIVE DATE OF THIS SUBCHAPTER IS
14 DETERMINED TO BE A SEXUALLY VIOLENT PREDATOR UNDER SECTION
15 9799.24 (RELATING TO ASSESSMENTS) DUE TO A MENTAL ABNORMALITY OR
16 PERSONALITY DISORDER THAT MAKES THE INDIVIDUAL LIKELY TO ENGAGE
17 IN PREDATORY SEXUALLY VIOLENT OFFENSES. THE TERM INCLUDES AN
18 INDIVIDUAL DETERMINED TO BE A SEXUALLY VIOLENT PREDATOR OR
19 SIMILAR DESIGNATION WHERE THE DETERMINATION OCCURRED IN ANOTHER
20 JURISDICTION, A FOREIGN COUNTRY OR BY COURT MARTIAL FOLLOWING A
21 JUDICIAL OR ADMINISTRATIVE DETERMINATION PURSUANT TO A PROCESS
22 SIMILAR TO THAT UNDER SECTION 9799.24.

23 * * *

24 SECTION 5. SECTION 9799.13 OF TITLE 42, ADDED DECEMBER 20, ←
25 2011 (P.L.446, NO.111), IS AMENDED TO READ:

26 § 9799.13. APPLICABILITY.

27 THE FOLLOWING INDIVIDUALS SHALL REGISTER WITH THE
28 PENNSYLVANIA STATE POLICE AS PROVIDED IN SECTIONS 9799.15
29 (RELATING TO PERIOD OF REGISTRATION), 9799.19 (RELATING TO
30 INITIAL REGISTRATION) AND 9799.25 (RELATING TO VERIFICATION BY

1 SEXUAL OFFENDERS AND PENNSYLVANIA STATE POLICE) AND OTHERWISE
2 COMPLY WITH THE PROVISIONS OF THIS SUBCHAPTER:

3 (1) AN INDIVIDUAL WHO, ON OR AFTER THE EFFECTIVE DATE OF
4 THIS SECTION, [HAS BEEN] IS CONVICTED OF A SEXUALLY VIOLENT
5 OFFENSE AND WHO HAS A RESIDENCE WITHIN THIS COMMONWEALTH OR
6 IS A TRANSIENT.

7 (1.1) AN INDIVIDUAL WHO, ON OR AFTER THE EFFECTIVE DATE
8 OF THIS SECTION, IS CONVICTED OF A SEXUALLY VIOLENT OFFENSE
9 IN THIS COMMONWEALTH AND DOES NOT HAVE A RESIDENCE IN THIS
10 COMMONWEALTH AND:

11 (I) IS EMPLOYED IN THIS COMMONWEALTH; OR

12 (II) IS A STUDENT IN THIS COMMONWEALTH.

13 [(1.1)] (1.2) AN INDIVIDUAL WHO, ON OR AFTER THE
14 EFFECTIVE DATE OF THIS SECTION, [HAS BEEN] IS CONVICTED OF A
15 SEXUALLY VIOLENT OFFENSE [IN THIS COMMONWEALTH] AND DOES NOT
16 HAVE A RESIDENCE WITHIN THIS COMMONWEALTH OR IS NOT A
17 TRANSIENT IN THIS COMMONWEALTH AND:

18 (I) IS EMPLOYED IN THIS COMMONWEALTH; OR

19 (II) IS A STUDENT IN THIS COMMONWEALTH.

20 (2) AN INDIVIDUAL WHO, ON OR AFTER THE EFFECTIVE DATE OF
21 THIS SECTION, IS, AS A RESULT OF A CONVICTION FOR A SEXUALLY
22 VIOLENT OFFENSE, AN INMATE IN A STATE OR COUNTY CORRECTIONAL
23 INSTITUTION OF THIS COMMONWEALTH, INCLUDING A COMMUNITY
24 CORRECTIONS CENTER OR A COMMUNITY CONTRACT FACILITY, IS BEING
25 SUPERVISED BY THE PENNSYLVANIA BOARD OF PROBATION AND PAROLE
26 OR COUNTY PROBATION OR PAROLE [OR], IS SUBJECT TO A SENTENCE ←
27 OF INTERMEDIATE PUNISHMENT [AND HAS BEEN CONVICTED OF A
28 SEXUALLY VIOLENT OFFENSE] OR HAS SUPERVISION TRANSFERRED ←
29 PURSUANT TO THE INTERSTATE COMPACT FOR ADULT SUPERVISION IN
30 ACCORDANCE WITH SECTION 9799.19(G).

1 (2.1) AN INDIVIDUAL WHO, ON OR AFTER THE EFFECTIVE DATE
2 OF THIS SECTION, IS, AS A RESULT OF A CONVICTION FOR A
3 SEXUALLY VIOLENT OFFENSE, AN INMATE IN A FEDERAL CORRECTIONAL
4 INSTITUTION OR IS SUPERVISED BY FEDERAL PROBATION AUTHORITIES
5 [AND HAS COMMITTED A SEXUALLY VIOLENT OFFENSE] AND WHO:

6 (I) HAS A RESIDENCE WITHIN THIS COMMONWEALTH OR IS A
7 TRANSIENT;

8 (II) IS EMPLOYED WITHIN THIS COMMONWEALTH; OR

9 (III) IS A STUDENT WITHIN THIS COMMONWEALTH.

10 (3) AN INDIVIDUAL WHO IS REQUIRED TO REGISTER OR WAS
11 REQUIRED TO REGISTER AND FAILED TO REGISTER WITH THE
12 PENNSYLVANIA STATE POLICE UNDER THIS SUBCHAPTER PRIOR TO THE
13 EFFECTIVE DATE OF THIS SECTION AND WHO HAS NOT FULFILLED THE
14 PERIOD OF REGISTRATION AS OF THE EFFECTIVE DATE OF THIS
15 SECTION.

16 [(4) AN INDIVIDUAL WHO WAS REQUIRED TO REGISTER WITH THE
17 PENNSYLVANIA STATE POLICE PURSUANT TO FORMER SECTION 9795.1
18 (RELATING TO REGISTRATION) AND:

19 (I) HAS FULFILLED THE PERIOD OF REGISTRATION
20 PROVIDED IN FORMER SECTION 9795.1 (A) OR HAS BEEN REMOVED
21 FROM THE REGISTRY UNDER FORMER SECTION 9795.5 (RELATING
22 TO EXEMPTION FROM CERTAIN NOTIFICATIONS); AND

23 (II) ON OR AFTER THE EFFECTIVE DATE OF THIS SECTION,
24 IS CONVICTED OF A SEXUALLY VIOLENT OFFENSE OR CONVICTED
25 OF AN OFFENSE GRADED AS A FELONY.

26 (4.1) AN INDIVIDUAL WHO WAS REQUIRED TO REGISTER UNDER
27 THIS SUBCHAPTER AND HAS FULFILLED THE PERIOD OF REGISTRATION
28 PROVIDED IN THIS SUBCHAPTER AND WHO, ON OR AFTER THE
29 EFFECTIVE DATE OF THIS SECTION, IS CONVICTED OF A SEXUALLY
30 VIOLENT OFFENSE OR OF AN OFFENSE GRADED AS A FELONY.

1 (5) AN INDIVIDUAL WHO, ON OR AFTER THE EFFECTIVE DATE OF
2 THIS SECTION, WAS REQUIRED TO REGISTER WITH THE PENNSYLVANIA
3 STATE POLICE PURSUANT TO THIS SUBCHAPTER AND:

4 (I) HAS FULFILLED THE PERIOD OF REGISTRATION
5 PROVIDED IN THIS SUBCHAPTER; AND

6 (II) ON OR AFTER THE EFFECTIVE DATE OF THIS SECTION,
7 IS CONVICTED OF AN OFFENSE GRADED AS A FELONY.

8 (6) AN INDIVIDUAL WHO, ON OR AFTER THE EFFECTIVE DATE OF
9 THIS SECTION, WAS REQUIRED TO REGISTER WITH THE PENNSYLVANIA
10 STATE POLICE PURSUANT TO THIS SUBCHAPTER AND:

11 (I) HAS BEEN REMOVED FROM THE REGISTRY PURSUANT TO
12 SECTION 9799.17 (RELATING TO TERMINATION OF PERIOD OF
13 REGISTRATION FOR JUVENILE OFFENDERS); AND

14 (II) IS SUBSEQUENTLY CONVICTED OF AN OFFENSE GRADED
15 AS A FELONY.]

16 (7) AN INDIVIDUAL WHO, ON OR AFTER THE EFFECTIVE DATE OF
17 THIS SECTION, IS REQUIRED TO REGISTER IN A SEXUAL OFFENDER
18 REGISTRY IN ANOTHER JURISDICTION OR IN A FOREIGN COUNTRY
19 BASED UPON A CONVICTION FOR A SEXUALLY VIOLENT OFFENSE OR
20 UNDER A SEXUAL OFFENDER STATUTE IN THE JURISDICTION WHERE THE
21 INDIVIDUAL IS CONVICTED AND:

22 (I) HAS A RESIDENCE IN THIS COMMONWEALTH OR IS A
23 TRANSIENT;

24 (II) IS EMPLOYED WITHIN THIS COMMONWEALTH; OR

25 (III) IS A STUDENT WITHIN THIS COMMONWEALTH.

26 (7.1) AN INDIVIDUAL WHO, ON OR AFTER THE EFFECTIVE DATE
27 OF THIS SECTION, IS REQUIRED TO REGISTER IN A SEXUAL OFFENDER
28 REGISTRY IN ANOTHER JURISDICTION OR FOREIGN COUNTRY BASED
29 UPON A CONVICTION OF [A SEXUAL OFFENSE WHICH IS NOT
30 CLASSIFIED AS A SEXUALLY VIOLENT OFFENSE] AN OFFENSE SET

1 FORTH IN SECTION 9799.14(B) (23) (RELATING TO SEXUAL OFFENSES
2 AND TIER SYSTEM) AND:

3 (I) HAS A RESIDENCE IN THIS COMMONWEALTH OR IS A
4 TRANSIENT;

5 (II) IS EMPLOYED WITHIN THIS COMMONWEALTH; OR

6 (III) IS A STUDENT WITHIN THIS COMMONWEALTH.

7 (7.2) AN INDIVIDUAL WHO, ON OR AFTER THE EFFECTIVE DATE
8 OF THIS PARAGRAPH, IS CONVICTED OF A SEXUALLY VIOLENT OFFENSE
9 IN ANOTHER JURISDICTION OR FOREIGN COUNTRY, OR IS
10 INCARCERATED OR UNDER SUPERVISION AS A RESULT OF A CONVICTION
11 FOR A SEXUALLY VIOLENT OFFENSE IN ANOTHER JURISDICTION OR
12 FOREIGN COUNTRY AND:

13 (I) HAS A RESIDENCE IN THIS COMMONWEALTH OR IS A
14 TRANSIENT;

15 (II) IS EMPLOYED WITHIN THIS COMMONWEALTH; OR

16 (III) IS A STUDENT WITHIN THIS COMMONWEALTH.

17 (8) AN INDIVIDUAL WHO, ON OR AFTER THE EFFECTIVE DATE OF
18 THIS SECTION, IS A JUVENILE OFFENDER WHO WAS ADJUDICATED
19 DELINQUENT WITHIN THIS COMMONWEALTH OR WAS ADJUDICATED
20 DELINQUENT IN ANOTHER JURISDICTION OR A FOREIGN COUNTRY AND:

21 (I) HAS A RESIDENCE WITHIN THIS COMMONWEALTH;

22 (II) IS EMPLOYED WITHIN THIS COMMONWEALTH; OR

23 (III) IS A STUDENT WITHIN THIS COMMONWEALTH.

24 (8.1) AN INDIVIDUAL WHO IS A JUVENILE OFFENDER WHO IS
25 ADJUDICATED DELINQUENT IN THIS COMMONWEALTH ON OR AFTER THE
26 EFFECTIVE DATE OF THIS PARAGRAPH, BUT WHO DOES NOT HAVE A
27 RESIDENCE WITHIN THIS COMMONWEALTH, IS NOT A TRANSIENT, IS
28 NOT EMPLOYED IN THIS COMMONWEALTH OR IS NOT A STUDENT WITHIN
29 THIS COMMONWEALTH, MUST REGISTER WITH THE PENNSYLVANIA STATE
30 POLICE IN ACCORDANCE WITH SECTION 9799.19 (RELATING TO

1 INITIAL REGISTRATION) PRIOR TO LEAVING THIS COMMONWEALTH.

2 (9) AN INDIVIDUAL WHO, ON OR AFTER THE EFFECTIVE DATE OF
3 THIS SECTION, IS A SEXUALLY VIOLENT DELINQUENT CHILD WHO IS
4 COMMITTED FOR INVOLUNTARY TREATMENT OR, ON THE EFFECTIVE DATE OF
5 THIS SECTION, IS UNDER COMMITMENT RECEIVING INVOLUNTARY
6 TREATMENT IN THE STATE-OWNED FACILITY OR UNIT AS SET FORTH IN
7 CHAPTER 64 (RELATING TO COURT-ORDERED INVOLUNTARY TREATMENT OF
8 CERTAIN SEXUALLY VIOLENT PERSONS).

9 SECTION 6. SECTION 9799.14(B)(12) AND (21), (C)(9), (12) AND
10 (17) AND (D)(12), (13) AND (15) OF TITLE 42, ADDED DECEMBER 20,
11 2011 (P.L.446, NO.111), ARE AMENDED AND SUBSECTION (B) IS
12 AMENDED BY ADDING A PARAGRAPH TO READ:

13 § 9799.14. SEXUAL OFFENSES AND TIER SYSTEM.

14 * * *

15 (B) TIER I SEXUAL OFFENSES.--THE FOLLOWING OFFENSES SHALL BE
16 CLASSIFIED AS TIER I SEXUAL OFFENSES:

17 * * *

18 (12) 18 U.S.C. § [2252] 2252(A)(4) (RELATING TO CERTAIN
19 ACTIVITIES RELATING TO MATERIAL INVOLVING THE SEXUAL
20 EXPLOITATION OF MINORS).

21 * * *

22 (21) A COMPARABLE MILITARY OFFENSE OR SIMILAR OFFENSE
23 UNDER THE LAWS OF ANOTHER JURISDICTION OR FOREIGN COUNTRY, OR
24 UNDER A FORMER LAW OF THIS COMMONWEALTH.

25 * * *

26 (23) A CONVICTION FOR A SEXUAL OFFENSE IN ANOTHER
27 JURISDICTION OR FOREIGN COUNTRY THAT IS NOT SET FORTH IN THIS
28 SECTION, BUT NEVERTHELESS REQUIRES REGISTRATION UNDER A
29 SEXUAL OFFENDER STATUTE IN THE JURISDICTION OR FOREIGN
30 COUNTRY.

1 (C) TIER II SEXUAL OFFENSES.--THE FOLLOWING OFFENSES SHALL
2 BE CLASSIFIED AS TIER II SEXUAL OFFENSES:

3 * * *

4 (9) 18 U.S.C. § 2244 (RELATING TO ABUSIVE SEXUAL
5 CONTACT) WHERE THE VICTIM IS 13 YEARS OF AGE OR OLDER BUT
6 UNDER 18 YEARS OF AGE.

7 * * *

8 (12) 18 U.S.C. § [2252] 2252(A)(1), (2) OR (3).

9 * * *

10 (17) A COMPARABLE MILITARY OFFENSE OR SIMILAR OFFENSE
11 UNDER THE LAWS OF ANOTHER JURISDICTION OR FOREIGN COUNTRY, OR
12 UNDER A FORMER LAW OF THIS COMMONWEALTH.

13 * * *

14 (D) TIER III SEXUAL OFFENSES.--THE FOLLOWING OFFENSES SHALL
15 BE CLASSIFIED AS TIER III SEXUAL OFFENSES:

16 * * *

17 (12) 18 U.S.C. § 2244 WHERE THE VICTIM IS UNDER 13 YEARS ←
18 OF AGE.

19 (13) A COMPARABLE MILITARY OFFENSE OR SIMILAR OFFENSE
20 UNDER THE LAWS OF ANOTHER JURISDICTION OR COUNTRY, OR UNDER A
21 FORMER LAW OF THIS COMMONWEALTH.

22 * * *

23 (15) [AN OFFENSE LISTED AS A TIER II SEXUAL OFFENSE
24 WHERE THERE IS A SUBSEQUENT CONVICTION FOR AN OFFENSE GRADED
25 AS A FELONY.] (RESERVED).

26 * * *

27 SECTION 7. SECTION 9799.15(A)(1), (4) AND (7), (C), (F), (G)
28 AND (H) OF TITLE 42, ADDED DECEMBER 20, 2011 (P.L.446, NO.111),
29 ARE AMENDED, SUBSECTION (A) IS AMENDED BY ADDING A PARAGRAPH AND
30 THE SECTION IS AMENDED BY ADDING A SUBSECTION TO READ:

1 § 9799.15. PERIOD OF REGISTRATION.

2 (A) PERIOD OF REGISTRATION.--SUBJECT TO SUBSECTION (C), AN
3 INDIVIDUAL SPECIFIED IN SECTION 9799.13 (RELATING TO
4 APPLICABILITY) SHALL REGISTER WITH THE PENNSYLVANIA STATE POLICE
5 AS FOLLOWS:

6 (1) AN INDIVIDUAL CONVICTED OF A TIER I SEXUAL OFFENSE,
7 EXCEPT AN OFFENSE SET FORTH IN SECTION 9799.14(B)(23)
8 (RELATING TO SEXUAL OFFENSES AND TIER SYSTEM), SHALL REGISTER
9 FOR A PERIOD OF 15 YEARS.

10 * * *

11 (4) A JUVENILE OFFENDER WHO WAS ADJUDICATED DELINQUENT
12 IN THIS COMMONWEALTH, OR WHO WAS ADJUDICATED DELINQUENT IN
13 ANOTHER JURISDICTION OR FOREIGN COUNTRY AS A CONSEQUENCE OF
14 HAVING COMMITTED AN OFFENSE SIMILAR TO AN OFFENSE WHICH WOULD
15 REQUIRE THE INDIVIDUAL TO REGISTER IF THE OFFENSE WAS
16 COMMITTED IN THIS COMMONWEALTH, SHALL REGISTER FOR THE LIFE
17 OF THE INDIVIDUAL.

18 (4.1) A JUVENILE OFFENDER WHO IS REQUIRED TO REGISTER IN
19 A SEXUAL OFFENDER REGISTRY IN ANOTHER JURISDICTION OR FOREIGN
20 COUNTRY AS A CONSEQUENCE OF HAVING BEEN ADJUDICATED
21 DELINQUENT FOR AN OFFENSE SIMILAR TO AN OFFENSE WHICH, IF
22 COMMITTED IN THIS COMMONWEALTH, WOULD NOT REQUIRE THE
23 INDIVIDUAL TO REGISTER SHALL REGISTER FOR A PERIOD OF TIME
24 EQUAL TO THAT REQUIRED OF THE INDIVIDUAL IN THE OTHER
25 JURISDICTION OR FOREIGN COUNTRY.

26 * * *

27 (7) AN INDIVIDUAL SUBJECT TO REGISTRATION UNDER SECTION
28 [9799.13] 9799.13(7.1) SHALL REGISTER FOR THE PERIOD OF TIME
29 EQUAL TO THE TIME FOR WHICH THE INDIVIDUAL WAS REQUIRED TO
30 REGISTER IN ANOTHER JURISDICTION OR FOREIGN COUNTRY.

1 * * *

2 (C) PERIOD OF REGISTRATION TOLLED.--THE FOLLOWING SHALL
3 APPLY:

4 (1) THE PERIOD OF REGISTRATION SET FORTH IN SUBSECTION
5 (A) SHALL BE TOLLED FOR THE PERIOD OF TIME IN WHICH THE
6 INDIVIDUAL SPECIFIED IN SECTION 9799.13 IS:

7 (I) INCARCERATED IN A FEDERAL, STATE OR COUNTY
8 CORRECTIONAL INSTITUTION, EXCLUDING A COMMUNITY CONTRACT
9 FACILITY OR COMMUNITY CORRECTIONS CENTER;

10 (II) SUBJECT TO A SENTENCE OF INTERMEDIATE
11 PUNISHMENT WHICH IS RESTRICTIVE AND WHERE THE INDIVIDUAL
12 IS SENTENCED TO A PERIOD OF INCARCERATION;

13 (III) COMMITTED TO AN INSTITUTION OR FACILITY SET
14 FORTH IN SECTION 6352(A)(3) THAT PROVIDES THE INDIVIDUAL
15 WITH 24-HOUR-PER-DAY SUPERVISION AND CARE; [OR]

16 (IV) COMMITTED TO AND RECEIVING INVOLUNTARY
17 INPATIENT TREATMENT IN THE STATE-OWNED FACILITY OR UNIT
18 SET FORTH IN CHAPTER 64 (RELATING TO COURT-ORDERED
19 INVOLUNTARY TREATMENT OF CERTAIN SEXUALLY VIOLENT
20 PERSONS) [.] OR

21 (V) INCARCERATED IN A FEDERAL CORRECTIONAL
22 INSTITUTION, EXCLUDING A COMMUNITY CONTRACT FACILITY OR
23 COMMUNITY CORRECTIONS CENTER.

24 (2) THIS SUBSECTION SHALL APPLY TO AN INDIVIDUAL
25 SPECIFIED IN SECTION 9799.13 WHO IS RECOMMITTED TO A FEDERAL,
26 STATE OR COUNTY CORRECTIONAL INSTITUTION FOR A PAROLE
27 VIOLATION OR WHO HAS BEEN SENTENCED TO AN ADDITIONAL TERM OF
28 IMPRISONMENT. [IN THE CASE OF RECOMMITMENT, THE DEPARTMENT OF
29 CORRECTIONS OR THE COUNTY CORRECTIONAL FACILITY SHALL NOTIFY
30 THE PENNSYLVANIA STATE POLICE OF THE ADMISSION OF THE

1 INDIVIDUAL.] IN ADDITION, THIS SUBSECTION SHALL APPLY TO AN
2 INDIVIDUAL COMMITTED TO OR RECOMMITTED TO A FEDERAL
3 CORRECTIONAL INSTITUTION. IN THE CASE OF RECOMMITMENT TO A
4 STATE OR COUNTY CORRECTIONAL INSTITUTION, THE DEPARTMENT OF
5 CORRECTIONS OR THE COUNTY CORRECTIONAL FACILITY SHALL NOTIFY
6 THE PENNSYLVANIA STATE POLICE OF THE ADMISSION OF THE
7 INDIVIDUAL.

8 * * *

9 (F) SEXUALLY VIOLENT PREDATORS.--[AN INDIVIDUAL CONVICTED OF
10 A TIER I SEXUAL OFFENSE, A TIER II SEXUAL OFFENSE OR A TIER III
11 SEXUAL OFFENSE WHO IS DETERMINED TO BE A] A SEXUALLY VIOLENT
12 PREDATOR [UNDER SECTION 9799.24] SHALL APPEAR IN PERSON AT AN
13 APPROVED REGISTRATION SITE TO:

14 (1) PROVIDE OR VERIFY THE INFORMATION SET FORTH IN
15 SECTION 9799.16(B); [AND]

16 (2) BE PHOTOGRAPHED QUARTERLY[.]; AND

17 (3) STATE WHETHER HE IS IN COMPLIANCE WITH SECTION
18 9799.36 (RELATING TO COUNSELING OF SEXUALLY VIOLENT
19 PREDATORS).

20 (G) IN-PERSON APPEARANCE TO UPDATE INFORMATION.--IN ADDITION
21 TO THE PERIODIC IN-PERSON APPEARANCE REQUIRED IN [SUBSECTION]
22 SUBSECTIONS (E), (F) AND (H), AN INDIVIDUAL SPECIFIED IN SECTION
23 9799.13 SHALL APPEAR IN PERSON AT AN APPROVED REGISTRATION SITE
24 WITHIN THREE BUSINESS DAYS TO PROVIDE CURRENT INFORMATION
25 RELATING TO:

26 (1) A CHANGE IN NAME, INCLUDING AN ALIAS.

27 (2) A COMMENCEMENT OF RESIDENCE, CHANGE IN RESIDENCE,
28 TERMINATION OF RESIDENCE OR FAILURE TO MAINTAIN A RESIDENCE,
29 THUS MAKING THE INDIVIDUAL A TRANSIENT.

30 (3) COMMENCEMENT OF EMPLOYMENT, A CHANGE IN THE LOCATION

1 OR ENTITY IN WHICH THE INDIVIDUAL IS EMPLOYED OR A
2 TERMINATION OF EMPLOYMENT.

3 (4) INITIAL ENROLLMENT AS A STUDENT, A CHANGE IN
4 ENROLLMENT AS A STUDENT OR TERMINATION AS A STUDENT.

5 (5) AN ADDITION AND A CHANGE IN TELEPHONE NUMBER,
6 INCLUDING A CELL PHONE NUMBER, OR A TERMINATION OF TELEPHONE
7 NUMBER, INCLUDING A CELL PHONE NUMBER.

8 (6) AN ADDITION, A CHANGE IN AND TERMINATION OF A MOTOR
9 VEHICLE OWNED OR OPERATED, INCLUDING WATERCRAFT OR AIRCRAFT.
10 IN ORDER TO FULFILL THE REQUIREMENTS OF THIS PARAGRAPH, THE
11 INDIVIDUAL MUST PROVIDE ANY LICENSE PLATE NUMBERS AND
12 REGISTRATION NUMBERS AND OTHER IDENTIFIERS AND AN ADDITION TO
13 OR CHANGE IN THE ADDRESS OF THE PLACE THE VEHICLE IS STORED.

14 (7) A COMMENCEMENT OF TEMPORARY LODGING, A CHANGE IN
15 TEMPORARY LODGING OR A TERMINATION OF TEMPORARY LODGING. IN
16 ORDER TO FULFILL THE REQUIREMENTS OF THIS PARAGRAPH, THE
17 INDIVIDUAL MUST PROVIDE THE SPECIFIC LENGTH OF TIME AND THE
18 DATES DURING WHICH THE INDIVIDUAL WILL BE TEMPORARILY LODGED.

19 (8) [A] AN ADDITION, CHANGE IN OR TERMINATION OF E-MAIL
20 ADDRESS, INSTANT MESSAGE ADDRESS OR ANY OTHER DESIGNATIONS
21 USED IN INTERNET COMMUNICATIONS OR POSTINGS.

22 (9) AN ADDITION, CHANGE IN OR TERMINATION OF INFORMATION
23 RELATED TO OCCUPATIONAL AND PROFESSIONAL LICENSING, INCLUDING
24 TYPE OF LICENSE HELD AND LICENSE NUMBER.

25 (H) TRANSIENTS, JUVENILE OFFENDERS AND SEXUALLY VIOLENT
26 DELINQUENT CHILDREN.--IF THE INDIVIDUAL SPECIFIED IN SECTION
27 9799.13 IS A TRANSIENT, A JUVENILE OFFENDER OR A SEXUALLY
28 VIOLENT DELINQUENT CHILD, THE FOLLOWING APPLY:

29 (1) IF THE INDIVIDUAL IS A TRANSIENT, THE INDIVIDUAL
30 SHALL APPEAR IN PERSON AT AN APPROVED REGISTRATION SITE TO

1 PROVIDE OR TO VERIFY THE INFORMATION SET FORTH IN SECTION
2 9799.16(B) AND TO BE PHOTOGRAPHED MONTHLY. THE DUTY TO APPEAR
3 IN PERSON MONTHLY AND TO BE PHOTOGRAPHED SHALL APPLY UNTIL A
4 TRANSIENT ESTABLISHES A RESIDENCE. IN THE EVENT A TRANSIENT
5 ESTABLISHES A RESIDENCE, THE REQUIREMENT OF PERIODIC IN-
6 PERSON APPEARANCES SET FORTH IN SUBSECTION (E) SHALL APPLY.

7 (2) IF THE INDIVIDUAL IS A JUVENILE OFFENDER WHO IS NOT
8 A TRANSIENT, THE INDIVIDUAL SHALL APPEAR AT AN APPROVED
9 REGISTRATION SITE TO PROVIDE OR VERIFY THE INFORMATION SET
10 FORTH IN SECTION 9799.16(B) AND TO BE PHOTOGRAPHED QUARTERLY.

11 (3) IF THE INDIVIDUAL IS A SEXUALLY VIOLENT DELINQUENT
12 CHILD WHO IS NOT A TRANSIENT, THE INDIVIDUAL SHALL APPEAR AT
13 AN APPROVED REGISTRATION SITE TO PROVIDE OR VERIFY THE
14 INFORMATION SET FORTH IN SECTION 9799.16(B) AND TO BE
15 PHOTOGRAPHED QUARTERLY.

16 * * *

17 (J) IN-PERSON REPORTING BY INCARCERATED OR COMMITTED
18 INDIVIDUALS.--THE REQUIREMENTS OF SUBSECTIONS (E), (F), (G) AND
19 (H) DO NOT APPLY WHERE THE INDIVIDUAL SPECIFIED IN SECTION
20 9799.13 IS:

21 (1) INCARCERATED IN A CORRECTIONAL INSTITUTION,
22 EXCLUDING A COMMUNITY CONTRACT FACILITY OR COMMUNITY
23 CORRECTIONS CENTER;

24 (2) SUBJECT TO A SENTENCE OF INTERMEDIATE PUNISHMENT
25 WHICH IS RESTRICTIVE AND WHERE THE INDIVIDUAL IS SENTENCED TO
26 A PERIOD OF INCARCERATION;

27 (3) COMMITTED TO AN INSTITUTION OR FACILITY SET FORTH IN
28 SECTION 6352(A)(3) WHICH PROVIDES THE INDIVIDUAL WITH 24-
29 HOURLY SUPERVISION AND CARE; OR

30 (4) COMMITTED TO AND RECEIVING INVOLUNTARY INPATIENT

1 TREATMENT IN THE STATE-OWNED FACILITY OR UNIT SET FORTH IN
2 CHAPTER 64 (RELATING TO COURT-ORDERED INVOLUNTARY TREATMENT
3 OF CERTAIN SEXUALLY VIOLENT PERSONS).

4 SECTION 8. SECTIONS 9799.16(B) (5) AND (6), (C) INTRODUCTORY
5 PARAGRAPH AND (D), 9799.17 AND 9799.18(A) (4), (5) AND (6) AND
6 (D) (1) OF TITLE 42, ADDED DECEMBER 20, 2011 (P.L.446, NO.111),
7 ARE AMENDED TO READ:

8 § 9799.16. REGISTRY.

9 * * *

10 (B) INFORMATION PROVIDED BY SEXUAL OFFENDER.--AN INDIVIDUAL
11 SPECIFIED IN SECTION 9799.13 (RELATING TO APPLICABILITY) SHALL
12 PROVIDE THE FOLLOWING INFORMATION WHICH SHALL BE INCLUDED IN THE
13 REGISTRY:

14 * * *

15 (5) ADDRESS OF EACH RESIDENCE OR INTENDED RESIDENCE, ~~←~~
16 ~~INCLUDING THE LOCATION AT WHICH THE INDIVIDUAL RECEIVES MAIL~~
17 ~~INCLUDING A POST OFFICE BOX, WHETHER OR NOT THE RESIDENCE OR~~
18 ~~INTENDED RESIDENCE IS LOCATED WITHIN THIS COMMONWEALTH AND~~ ←
19 ~~THE LOCATION AT WHICH THE INDIVIDUAL RECEIVES MAIL, INCLUDING~~
20 ~~A POST OFFICE BOX.~~ IF THE INDIVIDUAL [ENTERS THIS
21 COMMONWEALTH AND] FAILS TO MAINTAIN A RESIDENCE AND IS
22 THEREFORE A TRANSIENT, THE INDIVIDUAL SHALL PROVIDE
23 INFORMATION FOR THE REGISTRY AS SET FORTH IN PARAGRAPH (6).

24 (6) IF THE INDIVIDUAL IS A TRANSIENT, THE INDIVIDUAL
25 SHALL PROVIDE INFORMATION ABOUT THE TRANSIENT'S TEMPORARY
26 HABITAT OR OTHER TEMPORARY PLACE OF ABODE OR DWELLING,
27 INCLUDING, BUT NOT LIMITED TO, A HOMELESS SHELTER OR PARK. IN
28 ADDITION, THE TRANSIENT SHALL PROVIDE A LIST OF PLACES THE
29 TRANSIENT EATS, FREQUENTS AND ENGAGES IN LEISURE ACTIVITIES
30 AND ANY PLANNED DESTINATIONS, INCLUDING THOSE OUTSIDE THIS

1 COMMONWEALTH. IF THE TRANSIENT CHANGES OR ADDS TO THE PLACES
2 LISTED UNDER THIS PARAGRAPH DURING A [30-DAY] MONTHLY PERIOD,
3 THE TRANSIENT SHALL LIST THESE WHEN REGISTERING AS A
4 TRANSIENT DURING THE NEXT [30-DAY] MONTHLY PERIOD. IN
5 ADDITION, THE TRANSIENT SHALL PROVIDE THE PLACE THE TRANSIENT
6 RECEIVES MAIL, INCLUDING A POST OFFICE BOX. IF THE TRANSIENT
7 HAS BEEN DESIGNATED AS A SEXUALLY VIOLENT PREDATOR, THE
8 TRANSIENT SHALL STATE WHETHER HE IS IN COMPLIANCE WITH
9 SECTION 9799.36 (RELATING TO COUNSELING OF SEXUALLY VIOLENT
10 PREDATORS). THE DUTY TO PROVIDE THE INFORMATION SET FORTH IN
11 THIS PARAGRAPH SHALL APPLY UNTIL THE TRANSIENT ESTABLISHES A
12 RESIDENCE. IN THE EVENT A TRANSIENT ESTABLISHES A RESIDENCE,
13 THE REQUIREMENTS OF SECTION 9799.15 (E) (RELATING TO PERIOD OF
14 REGISTRATION) SHALL APPLY.

15 * * *

16 (C) CRIMINAL JUSTICE INFORMATION.--THE PENNSYLVANIA STATE
17 POLICE SHALL ENSURE THAT THE FOLLOWING INFORMATION IS INCLUDED
18 IN, OR ELECTRONICALLY ACCESSIBLE BY, THE REGISTRY:

19 * * *

20 (D) COOPERATION.--[THE] THERE SHALL BE COOPERATION BETWEEN
21 THE PENNSYLVANIA STATE POLICE [SHALL COOPERATE WITH], STATE AND
22 COUNTY CORRECTIONAL INSTITUTIONS, THE PENNSYLVANIA BOARD OF
23 PROBATION AND PAROLE, THE COUNTY OFFICE OF PROBATION AND PAROLE,
24 ANY COURT WITH JURISDICTION OVER A SEXUAL OFFENDER, THE CHIEF
25 JUVENILE PROBATION OFFICER OF THE COURT, JUVENILE PROBATION AND
26 PAROLE AND THE DEPARTMENT OF PUBLIC WELFARE TO ENSURE THAT THE
27 INFORMATION SET FORTH IN SUBSECTIONS (B) AND (C) IS PROVIDED AND
28 PLACED IN THE REGISTRY.

29 § 9799.17. TERMINATION OF PERIOD OF REGISTRATION FOR JUVENILE
30 OFFENDERS.

1 (A) JUVENILE OFFENDER.--AN INDIVIDUAL WHO IS A JUVENILE
2 OFFENDER, WITH THE EXCEPTION OF A JUVENILE OFFENDER WHOSE PERIOD
3 OF REGISTRATION IS DETERMINED BY SECTION 9799.15(A)(4.1)
4 (RELATING TO PERIOD OF REGISTRATION), SHALL HAVE THE REQUIREMENT
5 TO REGISTER TERMINATED IF ALL OF THE FOLLOWING APPLY:

6 (1) AT LEAST 25 YEARS HAVE ELAPSED SINCE THE INDIVIDUAL
7 WAS:

8 (I) ADJUDICATED DELINQUENT FOR AN OFFENSE WHICH, IF
9 COMMITTED BY AN ADULT, WOULD BE CLASSIFIED AS AN OFFENSE
10 UNDER 18 PA.C.S. § 3121 (RELATING TO RAPE), 3123 (RELATING TO
11 INVOLUNTARY DEVIATE SEXUAL INTERCOURSE) OR 3125 (RELATING TO
12 AGGRAVATED INDECENT ASSAULT) OR AN ATTEMPT, SOLICITATION OR
13 CONSPIRACY TO COMMIT AN OFFENSE UNDER 18 PA.C.S. § 3121, 3123
14 OR 3125, EXCLUDING TIME SPENT UNDER THE SUPERVISION OF THE
15 COURT, INCLUDING COMMITMENT TO AN INSTITUTION OR FACILITY SET
16 FORTH IN SECTION 6352(A)(3) (RELATING TO DEPOSITION OF
17 DELINQUENT CHILD); OR

18 (II) ADJUDICATED DELINQUENT FOR AN OFFENSE IN
19 ANOTHER JURISDICTION OR FOREIGN COUNTRY WHICH IS SIMILAR
20 TO THAT WHICH IF COMMITTED BY AN ADULT IN THIS
21 COMMONWEALTH WOULD BE CLASSIFIED AS AN OFFENSE UNDER 18
22 PA.C.S. § 3121, 3123 OR 3125 OR AN ATTEMPT, SOLICITATION
23 OR CONSPIRACY TO COMMIT AN OFFENSE UNDER 18 PA.C.S. §
24 3121, 3123 OR 3125.

25 (2) FOR A PERIOD OF 25 YEARS PRIOR TO THE FILING OF THE
26 PETITION, THE INDIVIDUAL HAS NOT BEEN CONVICTED OF A
27 SUBSEQUENT SEXUALLY VIOLENT OFFENSE OR A SUBSEQUENT OFFENSE:

28 (I) GRADED AS A MISDEMEANOR OF THE SECOND DEGREE OR
29 HIGHER; OR

30 (II) WHICH IS PUNISHABLE BY A TERM OF IMPRISONMENT

1 GREATER THAN ONE YEAR.

2 (3) THE INDIVIDUAL SUCCESSFULLY COMPLETED COURT-ORDERED
3 SUPERVISION WITHOUT REVOCATION.

4 (4) THE INDIVIDUAL SUCCESSFULLY COMPLETED A TREATMENT
5 PROGRAM FOR SEXUAL OFFENDERS RECOGNIZED BY THE JUVENILE COURT
6 IN THIS COMMONWEALTH OR ANOTHER JURISDICTION OR THE UNITED
7 STATES ATTORNEY GENERAL UNDER SECTION 115(B)(1) OF THE ADAM
8 WALSH CHILD PROTECTION AND SAFETY ACT OF 2006 (PUBLIC LAW
9 109-248, 42 U.S.C. § 16915(B)(1)).

10 (B) PROCEDURE.--AN INDIVIDUAL WHO WAS ADJUDICATED DELINQUENT
11 IN THIS COMMONWEALTH, AND WHO SEEKS TO TERMINATE THE OBLIGATION
12 TO REGISTER PURSUANT TO SUBSECTION (A) MAY PETITION THE COURT OF
13 COMMON PLEAS OF THE COUNTY IN WHICH THE INDIVIDUAL WAS
14 ADJUDICATED DELINQUENT FOR TERMINATION. AN INDIVIDUAL WHO WAS
15 ADJUDICATED DELINQUENT IN ANOTHER JURISDICTION OR FOREIGN
16 COUNTRY MAY PETITION THE COURT OF COMMON PLEAS IN THE COUNTY IN
17 WHICH THE INDIVIDUAL HAS ESTABLISHED A RESIDENCE IN THIS
18 COMMONWEALTH. THE COURT SHALL:

19 (1) WITHIN 120 DAYS OF THE FILING OF THE PETITION UNDER
20 THIS SUBSECTION, HOLD A HEARING TO DETERMINE WHETHER TO
21 TERMINATE THE OBLIGATION TO REGISTER. THE PETITIONER AND THE
22 DISTRICT ATTORNEY SHALL BE GIVEN NOTICE OF THE HEARING AND AN
23 OPPORTUNITY TO BE HEARD, THE RIGHT TO CALL WITNESSES, THE
24 RIGHT TO CALL EXPERT WITNESSES AND THE RIGHT TO CROSS-EXAMINE
25 WITNESSES. THE PETITIONER SHALL HAVE THE RIGHT TO COUNSEL AND
26 TO HAVE A LAWYER APPOINTED IF THE PETITIONER CANNOT AFFORD
27 ONE.

28 (2) TERMINATE THE OBLIGATION TO REGISTER ONLY UPON A
29 FINDING OF CLEAR AND CONVINCING EVIDENCE THAT THE PETITIONER
30 HAS SATISFIED THE CRITERIA IN SUBSECTION (A) AND THAT

1 ALLOWING THE PETITIONER TO TERMINATE THE OBLIGATION TO
2 REGISTER IS NOT LIKELY TO POSE A THREAT TO THE SAFETY OF ANY
3 OTHER PERSON. THE BURDEN OF PROOF SHALL BE ON THE PETITIONER.

4 (C) NOTICE.--A COURT GRANTING RELIEF UNDER THIS SECTION
5 SHALL NOTIFY THE MEGAN'S LAW UNIT OF THE PENNSYLVANIA STATE
6 POLICE IN WRITING WITHIN TEN DAYS FROM THE DATE RELIEF IS
7 GRANTED.

8 (D) RIGHT TO APPEAL.--THE PETITIONER AND THE COMMONWEALTH
9 SHALL HAVE THE RIGHT TO APPELLATE REVIEW OF THE ACTIONS OF THE
10 COURT TAKEN UNDER THIS SECTION. AN APPEAL BY THE COMMONWEALTH
11 SHALL STAY THE ORDER OF THE COURT.

12 (E) PROHIBITION.--THIS SECTION SHALL NOT APPLY TO AN
13 INDIVIDUAL WHO:

14 (1) HAS BEEN DESIGNATED AS A SEXUALLY VIOLENT PREDATOR.

15 (2) HAS BEEN CONVICTED OF A SEXUALLY VIOLENT OFFENSE WHO
16 IS REQUIRED TO REGISTER FOR A PERIOD OF 15 YEARS OR A PERIOD
17 OF 25 YEARS.

18 (3) HAS BEEN CONVICTED OF A SEXUALLY VIOLENT OFFENSE WHO
19 IS REQUIRED TO REGISTER FOR A PERIOD OF LIFE.

20 (4) IS A SEXUALLY VIOLENT DELINQUENT CHILD.

21 § 9799.18. INFORMATION SHARING.

22 (A) GENERAL RULE.--THE PENNSYLVANIA STATE POLICE SHALL,
23 WITHIN THREE BUSINESS DAYS, [TRANSFER] MAKE AVAILABLE
24 INFORMATION PROVIDED BY AN INDIVIDUAL SET FORTH IN SECTION
25 9799.13 (RELATING TO APPLICABILITY) UNDER SECTIONS 9799.15(G)
26 AND (I) (RELATING TO PERIOD OF REGISTRATION), 9799.16(B)
27 (RELATING TO REGISTRY) AND 9799.19 (RELATING TO INITIAL
28 REGISTRATION) TO:

29 * * *

30 (4) THE DISTRICT ATTORNEY OF THE COUNTY IN WHICH THE

1 INDIVIDUAL:

2 (I) ESTABLISHES A RESIDENCE OR TERMINATES A
3 RESIDENCE, OR IS TRANSIENT;

4 (II) COMMENCES EMPLOYMENT OR TERMINATES EMPLOYMENT;
5 OR

6 (III) ENROLLS AS A STUDENT OR TERMINATES ENROLLMENT
7 AS A STUDENT.

8 (5) THE CHIEF LAW ENFORCEMENT OFFICER OF THE POLICE
9 DEPARTMENT OF THE MUNICIPALITY IN WHICH THE INDIVIDUAL:

10 (I) ESTABLISHES A RESIDENCE OR TERMINATES A
11 RESIDENCE, OR IS TRANSIENT;

12 (II) COMMENCES EMPLOYMENT OR TERMINATES EMPLOYMENT;
13 OR

14 (III) ENROLLS AS A STUDENT OR TERMINATES ENROLLMENT
15 AS A STUDENT.

16 (6) THE COUNTY OFFICE OF PROBATION AND PAROLE FOR THE
17 COUNTY IN WHICH THE INDIVIDUAL:

18 (I) ESTABLISHES A RESIDENCE OR TERMINATES A
19 RESIDENCE, OR IS TRANSIENT;

20 (II) COMMENCES EMPLOYMENT OR TERMINATES EMPLOYMENT;
21 OR

22 (III) ENROLLS AS A STUDENT OR TERMINATES ENROLLMENT
23 AS A STUDENT.

24 * * *

25 (D) INTERNATIONAL TRAVEL.--THE PENNSYLVANIA STATE POLICE
26 SHALL, WITHIN THREE BUSINESS DAYS, TRANSFER INFORMATION ABOUT
27 INTERNATIONAL TRAVEL PROVIDED BY THE SEXUAL OFFENDER UNDER
28 SECTION 9799.15 (I) TO:

29 (1) A JURISDICTION IN WHICH THE SEXUAL OFFENDER IS
30 REQUIRED TO REGISTER THE SEXUAL OFFENDER'S RESIDENCE, AS A

1 TRANSIENT, EMPLOYMENT OR ENROLLMENT AS A STUDENT.

2 * * *

3 SECTION 9. SECTION 9799.19(B), (B.1) INTRODUCTORY PARAGRAPH
4 (H), (I) AND (J) OF TITLE 42, ADDED DECEMBER 20, 2011 (P.L.446,
5 NO.111), ARE AMENDED AND THE SECTION IS AMENDED BY ADDING
6 SUBSECTIONS TO READ:

7 § 9799.19. INITIAL REGISTRATION.

8 * * *

9 (B) INITIAL REGISTRATION IF INCARCERATED WITHIN COMMONWEALTH
10 OR BY FEDERAL COURT ON EFFECTIVE DATE OF SECTION.--THE FOLLOWING
11 APPLY:

12 (1) IF THE INDIVIDUAL IS, [ON] PRIOR TO THE EFFECTIVE
13 DATE OF THIS SECTION, INCARCERATED IN A FEDERAL, STATE OR
14 COUNTY CORRECTIONAL FACILITY, THE INDIVIDUAL SHALL PROVIDE
15 THE INFORMATION SET FORTH IN SECTION 9799.16(B) (RELATING TO
16 REGISTRY) TO THE APPROPRIATE OFFICIAL OF THE FEDERAL, STATE
17 OR COUNTY CORRECTIONAL FACILITY OR THE PENNSYLVANIA BOARD OF
18 PROBATION AND PAROLE FOR INCLUSION IN THE REGISTRY BEFORE
19 BEING RELEASED DUE TO:

20 (I) THE EXPIRATION OF SENTENCE, IN WHICH CASE THE
21 INFORMATION SHALL BE COLLECTED NO LATER THAN TEN DAYS
22 PRIOR TO THE MAXIMUM EXPIRATION DATE;

23 (II) PAROLE;

24 (III) STATE OR COUNTY INTERMEDIATE PUNISHMENT WHERE
25 THE SENTENCE IS RESTRICTIVE AND THE INDIVIDUAL IS
26 SENTENCED TO A PERIOD OF INCARCERATION IN A STATE OR
27 COUNTY CORRECTIONAL INSTITUTION OR A WORK RELEASE
28 FACILITY; OR

29 (IV) SPECIAL PROBATION SUPERVISED BY THE
30 PENNSYLVANIA BOARD OF PROBATION AND PAROLE.

1 (2) FOR INDIVIDUALS SET FORTH IN PARAGRAPH (1), THE
2 APPROPRIATE OFFICIAL OF THE FEDERAL, STATE OR COUNTY
3 CORRECTIONAL FACILITY OR THE PENNSYLVANIA BOARD OF PROBATION
4 AND PAROLE SHALL COLLECT AND FORWARD THE INFORMATION IN
5 SECTION 9799.16(B) TO THE PENNSYLVANIA STATE POLICE. THE
6 APPROPRIATE OFFICIAL SHALL, IN ADDITION, ENSURE THAT THE
7 INFORMATION SET FORTH IN SECTION 9799.16(C) IS COLLECTED AND
8 FORWARDED TO THE PENNSYLVANIA STATE POLICE. THE INFORMATION
9 IN SECTION 9799.16(B) AND (C) SHALL BE INCLUDED IN THE
10 REGISTRY. WITH RESPECT TO INDIVIDUALS RELEASED UNDER
11 PARAGRAPH (1)(II), (III) OR (IV), THE STATE OR COUNTY
12 CORRECTIONAL FACILITY SHALL NOT RELEASE THE INDIVIDUAL UNTIL
13 IT RECEIVES VERIFICATION FROM THE PENNSYLVANIA STATE POLICE
14 THAT IT HAS RECEIVED THE INFORMATION SET FORTH IN SECTION
15 9799.16(B) AND (C). VERIFICATION MAY TAKE PLACE BY ELECTRONIC
16 MEANS. WITH RESPECT TO INDIVIDUALS RELEASED UNDER PARAGRAPH
17 (1)(I), IF THE INDIVIDUAL REFUSES TO PROVIDE THE INFORMATION
18 SET FORTH IN SECTION 9799.16(B), THE STATE OR COUNTY
19 CORRECTIONAL INSTITUTION SHALL NOTIFY THE PENNSYLVANIA STATE
20 POLICE OR THE MUNICIPAL POLICE DEPARTMENT WITH JURISDICTION
21 OVER THE FACILITY OF THE FAILURE TO PROVIDE THE INFORMATION
22 AND OF THE EXPECTED DATE, TIME AND LOCATION OF THE RELEASE OF
23 THE INDIVIDUAL.

24 (B.1) INITIAL REGISTRATION IF SENTENCED TO A COUNTY OR STATE
25 CORRECTIONAL FACILITY ON OR AFTER THE EFFECTIVE DATE OF
26 SECTION.--IF THE INDIVIDUAL IS, ON OR AFTER THE EFFECTIVE DATE
27 OF THIS SECTION, SENTENCED TO A PERIOD OF INCARCERATION IN A
28 COUNTY OR STATE CORRECTIONAL FACILITY, THE INDIVIDUAL SHALL
29 PROVIDE THE INFORMATION SET FORTH IN SECTION 9799.16(B) AS
30 FOLLOWS:

1 * * *

2 (E.1) INITIAL REGISTRATION FOR COUNTY OR FEDERAL
3 PROBATIONERS ON THE EFFECTIVE DATE OF THIS SECTION.--

4 (1) IF THE INDIVIDUAL IS, ON THE EFFECTIVE DATE OF THIS
5 SECTION, ALREADY SERVING A SENTENCE OF COUNTY PROBATION, THE
6 APPROPRIATE OFFICE OF PROBATION AND PAROLE SERVING THE COUNTY
7 SHALL REGISTER THE INDIVIDUAL WITHIN 48 HOURS. THE
8 APPROPRIATE OFFICIAL OF THAT OFFICE SHALL COLLECT THE
9 INFORMATION SET FORTH IN SECTION 9799.16(B) AND FORWARD THAT
10 INFORMATION TO THE PENNSYLVANIA STATE POLICE. THE
11 PENNSYLVANIA STATE POLICE SHALL ENSURE THAT THE INFORMATION
12 SET FORTH IN SECTION 9799.16(C) IS COLLECTED. THE INFORMATION
13 IN SECTION 9799.16(B) AND (C) SHALL BE INCLUDED IN THE
14 REGISTRY. IF THE INDIVIDUAL FAILS TO COMPLY, THE APPROPRIATE
15 OFFICIAL OF THAT OFFICE SHALL NOTIFY THE PENNSYLVANIA STATE
16 POLICE.

17 (2) IF THE INDIVIDUAL IS, ON THE EFFECTIVE DATE OF THIS
18 SECTION, ALREADY UNDER THE SUPERVISION OF FEDERAL PROBATION
19 AUTHORITIES FOR A SEXUALLY VIOLENT OFFENSE, THE INDIVIDUAL
20 SHALL PROVIDE THE INFORMATION SET FORTH IN SECTION 9799.16(B)
21 BY APPEARING AT AN APPROVED REGISTRATION SITE WITHIN 48 HOURS
22 OF THE EFFECTIVE DATE OF THIS SECTION.

23 (E.2) INITIAL REGISTRATION FOR COUNTY OR STATE PAROLEES ON
24 THE EFFECTIVE DATE OF THIS SECTION.--

25 (1) IF THE INDIVIDUAL IS, ON THE EFFECTIVE DATE OF THIS
26 SECTION, ALREADY SERVING A SENTENCE OF COUNTY PAROLE, THE
27 APPROPRIATE OFFICE OF PROBATION AND PAROLE SERVING THE COUNTY
28 SHALL REGISTER THE INDIVIDUAL WITHIN 48 HOURS. THE
29 APPROPRIATE OFFICIAL OF THAT OFFICE SHALL COLLECT THE
30 INFORMATION SET FORTH IN SECTION 9799.16(B) AND FORWARD THAT

1 INFORMATION TO THE PENNSYLVANIA STATE POLICE. THE
2 PENNSYLVANIA STATE POLICE SHALL ENSURE THAT THE INFORMATION
3 SET FORTH IN SECTION 9799.16(C) IS COLLECTED. THE INFORMATION
4 IN SECTION 9799.16(B) AND (C) SHALL BE INCLUDED IN THE
5 REGISTRY. IF THE INDIVIDUAL FAILS TO COMPLY, THE APPROPRIATE
6 OFFICIAL OF THAT OFFICE SHALL NOTIFY THE PENNSYLVANIA STATE
7 POLICE.

8 (2) IF THE INDIVIDUAL IS, ON THE EFFECTIVE DATE OF THIS
9 SECTION, ALREADY SERVING A SENTENCE OF STATE PAROLE, THE
10 PENNSYLVANIA BOARD OF PROBATION AND PAROLE SHALL REGISTER THE
11 INDIVIDUAL WITHIN 48 HOURS. THE APPROPRIATE OFFICIAL OF
12 PENNSYLVANIA BOARD OF PROBATION AND PAROLE SHALL COLLECT THE
13 INFORMATION SET FORTH IN SECTION 9799.16(B) FROM THE
14 INDIVIDUAL AND FORWARD THE INFORMATION TO THE PENNSYLVANIA
15 STATE POLICE. THE PENNSYLVANIA STATE POLICE SHALL ENSURE THAT
16 THE INFORMATION SET FORTH IN SECTION 9799.16(C) IS COLLECTED.
17 THE INFORMATION IN SECTION 9799.16(B) AND (C) SHALL BE
18 INCLUDED IN THE REGISTRY. IF THE INDIVIDUAL FAILS TO COMPLY,
19 THE APPROPRIATE OFFICIAL OF THE PENNSYLVANIA BOARD OF
20 PROBATION AND PAROLE SHALL NOTIFY THE PENNSYLVANIA STATE
21 POLICE.

22 * * *

23 (H) INITIAL REGISTRATION OF JUVENILE OFFENDER OR SEXUALLY
24 VIOLENT DELINQUENT CHILD.--[IF THE INDIVIDUAL IS A JUVENILE
25 OFFENDER OR A SEXUALLY VIOLENT DELINQUENT CHILD, THE FOLLOWING
26 APPLY:]

27 (1) IF THE INDIVIDUAL IS A JUVENILE OFFENDER WHO IS
28 ADJUDICATED DELINQUENT BY A COURT ON OR AFTER THE EFFECTIVE
29 DATE OF THIS SECTION, THE FOLLOWING APPLY:

30 (I) THE COURT SHALL REQUIRE THE INDIVIDUAL TO

1 PROVIDE THE INFORMATION SET FORTH IN SECTION 9799.16(B)
2 TO THE CHIEF JUVENILE PROBATION OFFICER OF THE COURT AS
3 FOLLOWS:

4 (A) EXCEPT AS SET FORTH IN CLAUSE (B), AT THE
5 TIME OF DISPOSITION UNDER SECTION 6352 (RELATING TO
6 DISPOSITION OF DELINQUENT CHILD).

7 (B) AT THE TIME THE INDIVIDUAL IS ADJUDICATED
8 DELINQUENT UNDER SECTION 6341 (RELATING TO
9 ADJUDICATION) IF:

10 (I) THE ADJUDICATION OF DELINQUENCY OCCURS
11 IN ANY COUNTY OTHER THAN THE INDIVIDUAL'S COUNTY
12 OF RESIDENCE; AND

13 (II) THE COURT INTENDS TO TRANSFER THE
14 INDIVIDUAL'S CASE FOR DISPOSITION TO THE
15 INDIVIDUAL'S COUNTY OF RESIDENCE UNDER SECTION
16 6321(C) (RELATING TO COMMENCEMENT OF
17 PROCEEDINGS).

18 (II) THE CHIEF JUVENILE PROBATION OFFICER SHALL
19 COLLECT THE INFORMATION IN SECTION 9799.16(B) AND (C) AND
20 FORWARD IT TO THE PENNSYLVANIA STATE POLICE FOR INCLUSION
21 IN THE REGISTRY AS DIRECTED BY THE PENNSYLVANIA STATE
22 POLICE. IF THE JUVENILE OFFENDER IS UNDER SECTION
23 6352(A)(3), SUBJECT TO COURT-ORDERED PLACEMENT IN AN
24 INSTITUTION OR FACILITY [SET FORTH IN SECTION 6352(A)(3)]
25 WHICH PROVIDES THE JUVENILE WITH 24-HOUR-PER-DAY
26 SUPERVISION AND CARE, THE INSTITUTION OR FACILITY SHALL
27 ENSURE THE INFORMATION PROVIDED BY THE JUVENILE OFFENDER
28 PURSUANT TO SECTION 9799.16(B) IS UPDATED TO REFLECT
29 ACCURATE INFORMATION PRIOR TO RELEASE. THE INSTITUTION OR
30 FACILITY MAY NOT RELEASE THE JUVENILE OFFENDER UNTIL IT

1 RECEIVES VERIFICATION FROM THE PENNSYLVANIA STATE POLICE
2 THAT THE INFORMATION REQUIRED UNDER SECTION 9799.16(B)
3 AND (C) HAS BEEN ENTERED IN THE REGISTRY.

4 (2) IF [THE INDIVIDUAL IS], ON THE EFFECTIVE DATE OF
5 THIS SECTION, THE INDIVIDUAL IS A JUVENILE OFFENDER AND IS
6 SUBJECT TO THE JURISDICTION OF THE COURT PURSUANT TO A
7 DISPOSITION ENTERED UNDER SECTION 6352 AND IS ON PROBATION OR
8 THE INDIVIDUAL IS OTHERWISE BEING SUPERVISED IN THE
9 COMMUNITY, INCLUDING PLACEMENT IN A FOSTER FAMILY HOME OR
10 OTHER RESIDENTIAL SETTING WHICH PROVIDES THE INDIVIDUAL WITH
11 LESS THAN 24-HOUR-PER-DAY SUPERVISION AND CARE, THE
12 INDIVIDUAL SHALL PROVIDE THE INFORMATION SET FORTH IN SECTION
13 9799.16(B) TO THE CHIEF JUVENILE PROBATION OFFICER OF THE
14 COURT WITHIN 30 DAYS OF THE EFFECTIVE DATE OF THIS SECTION.
15 THE CHIEF JUVENILE PROBATION OFFICER SHALL COLLECT THE
16 INFORMATION SET FORTH IN SECTION 9799.16(B) AND (C) AND
17 FORWARD IT TO THE PENNSYLVANIA STATE POLICE FOR INCLUSION IN
18 THE REGISTRY, AS DIRECTED BY THE PENNSYLVANIA STATE POLICE.

19 (3) IF THE INDIVIDUAL IS, ON THE EFFECTIVE DATE OF THIS
20 SECTION, ALREADY A JUVENILE OFFENDER AND IS SUBJECT TO THE
21 JURISDICTION OF A COURT PURSUANT TO A DISPOSITION ENTERED
22 UNDER SECTION 6352 AND IS, UNDER SECTION 6352, SUBJECT TO
23 COURT-ORDERED PLACEMENT IN AN INSTITUTION OR FACILITY [SET
24 FORTH IN SECTION 6352] WHICH PROVIDES THE JUVENILE WITH 24-
25 HOURLY-PER-DAY SUPERVISION AND CARE, THE DIRECTOR OF THE
26 INSTITUTION OR FACILITY OR A DESIGNEE SHALL MAKE THE JUVENILE
27 OFFENDER AVAILABLE FOR AND FACILITATE THE COLLECTION OF THE
28 INFORMATION SET FORTH IN SECTION 9799.16(B) AND (C) AS
29 DIRECTED BY THE PENNSYLVANIA STATE POLICE FOR INCLUSION IN
30 THE REGISTRY. THE PENNSYLVANIA STATE POLICE MAY REQUIRE THE

1 INSTITUTION OR FACILITY TO TRANSPORT THE JUVENILE OFFENDER TO
2 AND FROM AN APPROVED REGISTRATION SITE IN ORDER TO FULFILL
3 THE REQUIREMENT OF THIS PARAGRAPH. IN ORDER TO FULFILL THE
4 REQUIREMENTS OF THIS PARAGRAPH, THE CHIEF JUVENILE PROBATION
5 OFFICER OF THE COURT SHALL, WITHIN TEN DAYS OF THE EFFECTIVE
6 DATE OF THIS SECTION, NOTIFY THE DIRECTOR OF THE INSTITUTION
7 OR FACILITY AND THE PENNSYLVANIA STATE POLICE THAT THE
8 JUVENILE OFFENDER IS REQUIRED TO REGISTER UNDER THIS
9 SUBCHAPTER. IN ADDITION, THE INSTITUTION OR FACILITY SHALL
10 ENSURE THAT THE INFORMATION PROVIDED BY THE JUVENILE OFFENDER
11 PURSUANT TO SECTION 9799.16(B) IS UPDATED TO REFLECT ACCURATE
12 INFORMATION PRIOR TO RELEASE. THE JUVENILE OFFENDER MAY NOT
13 BE RELEASED UNTIL THE INSTITUTION OR FACILITY RECEIVES
14 VERIFICATION FROM THE PENNSYLVANIA STATE POLICE THAT THE
15 INFORMATION REQUIRED UNDER SECTION 9799.16(B) AND (C) HAS
16 BEEN ENTERED INTO THE REGISTRY.

17 (4) IF THE INDIVIDUAL IS, ON THE EFFECTIVE DATE OF THIS
18 SECTION, ALREADY A SEXUALLY VIOLENT DELINQUENT CHILD AND
19 RECEIVING INVOLUNTARY TREATMENT IN THE STATE-OWNED FACILITY
20 OR UNIT UNDER CHAPTER 64 (RELATING TO COURT-ORDERED
21 INVOLUNTARY TREATMENT OF CERTAIN SEXUALLY VIOLENT PERSONS),
22 THE DIRECTOR OF THE FACILITY OR UNIT OR A DESIGNEE SHALL MAKE
23 THE SEXUALLY VIOLENT DELINQUENT CHILD AVAILABLE FOR AND
24 FACILITATE THE COLLECTION OF THE INFORMATION SET FORTH IN
25 SECTION 9799.16(B) AND (C) AS DIRECTED BY THE PENNSYLVANIA
26 STATE POLICE FOR INCLUSION IN THE REGISTRY. THE PENNSYLVANIA
27 STATE POLICE MAY REQUIRE THE FACILITY OR UNIT TO TRANSPORT
28 THE SEXUALLY VIOLENT DELINQUENT CHILD TO AND FROM AN APPROVED
29 REGISTRATION SITE IN ORDER TO FULFILL THE REQUIREMENT OF THIS
30 PARAGRAPH. IN ADDITION, THE FACILITY OR UNIT SHALL ENSURE

1 THAT THE INFORMATION PROVIDED BY THE SEXUALLY VIOLENT
2 DELINQUENT CHILD PURSUANT TO SECTION 9799.16(B) IS UPDATED TO
3 REFLECT ACCURATE INFORMATION PRIOR TO RELEASE. THE FACILITY
4 OR UNIT MAY NOT TRANSFER THE SEXUALLY VIOLENT CHILD TO
5 OUTPATIENT TREATMENT UNTIL IT HAS RECEIVED VERIFICATION FROM
6 THE PENNSYLVANIA STATE POLICE THAT IT HAS RECEIVED THE
7 INFORMATION SET FORTH IN SECTION 9799.16(B) AND (C).

8 (5) IF THE INDIVIDUAL IS, ON OR AFTER THE EFFECTIVE DATE
9 OF THIS SECTION, DETERMINED BY THE COURT TO BE A SEXUALLY
10 VIOLENT DELINQUENT CHILD AND COMMITTED FOR INVOLUNTARY
11 TREATMENT TO THE STATE-OWNED FACILITY OR UNIT UNDER CHAPTER
12 64, THE FOLLOWING APPLY:

13 (I) THE COURT SHALL REQUIRE THE INDIVIDUAL TO
14 PROVIDE THE INFORMATION SET FORTH IN SECTION 9799.16(B)
15 TO THE CHIEF JUVENILE PROBATION OFFICER OF THE COURT AT
16 THE TIME OF COMMITMENT. THE CHIEF JUVENILE PROBATION
17 OFFICER SHALL COLLECT AND FORWARD THE INFORMATION TO THE
18 PENNSYLVANIA STATE POLICE FOR INCLUSION IN THE REGISTRY.
19 THE CHIEF JUVENILE PROBATION OFFICER SHALL, AT THE TIME
20 OF COMMITMENT, ALSO ENSURE THAT THE INFORMATION SET FORTH
21 IN SECTION 9799.16(C) IS COLLECTED AND FORWARDED TO THE
22 PENNSYLVANIA STATE POLICE FOR INCLUSION IN THE REGISTRY.
23 THE PENNSYLVANIA STATE POLICE MAY REQUIRE THE FACILITY OR
24 UNIT TO TRANSPORT THE SEXUALLY VIOLENT DELINQUENT CHILD
25 TO AND FROM AN APPROVED REGISTRATION SITE IN ORDER TO
26 FULFILL THE REQUIREMENT OF INITIAL REGISTRATION AT THE
27 TIME OF COMMITMENT.

28 (II) THE FACILITY OR UNIT SHALL ENSURE THAT THE
29 INFORMATION PROVIDED BY THE SEXUALLY VIOLENT DELINQUENT
30 CHILD PURSUANT TO SECTION 9799.16(B) IS UPDATED TO

1 REFLECT ACCURATE INFORMATION PRIOR TO TRANSFER TO
2 INVOLUNTARY OUTPATIENT TREATMENT PURSUANT TO SECTION
3 6404.1 (RELATING TO TRANSFER TO INVOLUNTARY OUTPATIENT
4 TREATMENT) OR DISCHARGE. THE COURT MAY NOT TRANSFER THE
5 SEXUALLY VIOLENT DELINQUENT CHILD TO OUTPATIENT TREATMENT
6 OR DISCHARGE THE CHILD FROM THE FACILITY OR UNIT UNTIL IT
7 HAS RECEIVED VERIFICATION FROM THE PENNSYLVANIA STATE
8 POLICE THAT THE INFORMATION REQUIRED UNDER SECTION
9 9799.16(B) AND (C) HAS BEEN ENTERED IN THE REGISTRY.

10 (I) INITIAL REGISTRATION IF CONVICTED OR ADJUDICATED
11 DELINQUENT OUTSIDE COMMONWEALTH.--[THE FOLLOWING APPLY:]

12 (1) [IF THE INDIVIDUAL IS, ON OR AFTER THE EFFECTIVE
13 DATE OF THIS SECTION, CONVICTED OF A SEXUALLY VIOLENT OFFENSE
14 IN ANOTHER JURISDICTION OR A FOREIGN COUNTRY OR OF A
15 COMPARABLE MILITARY OFFENSE, THE] AN INDIVIDUAL SUBJECT TO
16 REGISTRATION UNDER SECTION 9799.13(7), (7.1) OR (7.2)
17 (RELATING TO APPLICABILITY) SHALL APPEAR IN PERSON AT AN
18 APPROVED REGISTRATION SITE TO PROVIDE THE INFORMATION SET
19 FORTH IN SECTION 9799.16(B) TO THE PENNSYLVANIA STATE POLICE
20 WITHIN THREE BUSINESS DAYS OF ESTABLISHING RESIDENCE,
21 COMMENCING EMPLOYMENT OR COMMENCING ENROLLMENT AS A STUDENT
22 WITHIN THIS COMMONWEALTH. IN ADDITION, THE INDIVIDUAL SHALL
23 COMPLY WITH THE OTHER PROVISIONS OF THIS SUBCHAPTER,
24 INCLUDING SECTION 9799.15 (RELATING TO PERIOD OF
25 REGISTRATION). IF THE INDIVIDUAL FAILS TO ESTABLISH A
26 RESIDENCE BUT NEVERTHELESS RESIDES IN THIS COMMONWEALTH, THE
27 INDIVIDUAL SHALL REGISTER AS A TRANSIENT. THE PENNSYLVANIA
28 STATE POLICE SHALL ENSURE THAT THE INFORMATION SET FORTH IN
29 SECTION 9799.16(C) WITH RESPECT TO THE INDIVIDUAL IS
30 COLLECTED AND ENTERED IN THE REGISTRY.

1 (2) IF THE INDIVIDUAL IS, ON OR AFTER THE EFFECTIVE DATE
2 OF THIS SECTION, A JUVENILE OFFENDER AS DEFINED IN PARAGRAPH
3 (2) OR (3) OF THE DEFINITION OF "JUVENILE OFFENDER" IN
4 SECTION 9799.12 (RELATING TO DEFINITIONS), THE INDIVIDUAL
5 SHALL APPEAR IN PERSON AT AN APPROVED REGISTRATION SITE TO
6 PROVIDE THE INFORMATION SET FORTH IN SECTION 9799.16(B) TO
7 THE PENNSYLVANIA STATE POLICE WITHIN THREE BUSINESS DAYS OF
8 ESTABLISHING RESIDENCE, COMMENCING EMPLOYMENT OR COMMENCING
9 ENROLLMENT AS A STUDENT WITHIN THIS COMMONWEALTH. IN
10 ADDITION, THE INDIVIDUAL SHALL COMPLY WITH THE OTHER
11 PROVISIONS OF THIS SUBCHAPTER, INCLUDING SECTION 9799.15. IF
12 THE INDIVIDUAL FAILS TO ESTABLISH A RESIDENCE BUT
13 NEVERTHELESS RESIDES IN THIS COMMONWEALTH, THE INDIVIDUAL
14 SHALL REGISTER AS A TRANSIENT. THE PENNSYLVANIA STATE POLICE
15 SHALL ENSURE THAT THE INFORMATION SET FORTH IN SECTION
16 9799.16(C) WITH RESPECT TO THE INDIVIDUAL IS COLLECTED AND
17 ENTERED IN THE REGISTRY.

18 (3) IF THE INDIVIDUAL IS, ON OR AFTER THE EFFECTIVE DATE
19 OF THIS SECTION, CONVICTED OF A SEXUALLY VIOLENT OFFENSE AND
20 INCARCERATED IN A FEDERAL CORRECTIONAL INSTITUTION OR BEING
21 SUPERVISED BY FEDERAL PROBATION AUTHORITIES, THE INDIVIDUAL
22 SHALL APPEAR IN PERSON AT AN APPROVED REGISTRATION SITE TO
23 PROVIDE THE INFORMATION SET FORTH IN SECTION 9799.16(B) TO
24 THE PENNSYLVANIA STATE POLICE WITHIN THREE BUSINESS DAYS OF
25 ESTABLISHING RESIDENCE, COMMENCING EMPLOYMENT OR COMMENCING
26 ENROLLMENT AS A STUDENT IN THIS COMMONWEALTH. IN ADDITION,
27 THE INDIVIDUAL SHALL COMPLY WITH OTHER PROVISIONS OF THIS
28 SUBCHAPTER, INCLUDING SECTION 9799.15. IF THE INDIVIDUAL
29 FAILS TO ESTABLISH A RESIDENCE BUT NEVERTHELESS RESIDES IN
30 THIS COMMONWEALTH, THE INDIVIDUAL SHALL REGISTER AS A

1 TRANSIENT. THE PENNSYLVANIA STATE POLICE SHALL ENSURE THAT
2 THE INFORMATION SET FORTH IN SECTION 9799.16(C) WITH RESPECT
3 TO THE INDIVIDUAL IS COLLECTED AND ENTERED INTO THE REGISTRY.

4 (J) FORMER LAW AND [INITIAL] REGISTRATION.--[IF THE
5 INDIVIDUAL WAS REQUIRED TO REGISTER UNDER THIS SUBCHAPTER BEFORE
6 THE EFFECTIVE DATE OF THIS SECTION AND HAS NOT FULFILLED THE
7 PERIOD OF REGISTRATION, THE] AN INDIVIDUAL SUBJECT TO
8 REGISTRATION UNDER SECTION 9799.13(3) SHALL APPEAR AT AN
9 APPROVED REGISTRATION SITE TO UPDATE REGISTRATION OR, IF
10 NECESSARY, TO PROVIDE THE INFORMATION SET FORTH IN SECTION
11 9799.16(B) TO THE PENNSYLVANIA STATE POLICE WITHIN 90 DAYS OF
12 THE EFFECTIVE DATE OF THIS SECTION. IN ADDITION, THE INDIVIDUAL
13 SHALL COMPLY WITH THE OTHER PROVISIONS OF THIS SUBCHAPTER,
14 INCLUDING SECTION 9799.15. IF THE INDIVIDUAL FAILS TO ESTABLISH
15 A RESIDENCE, THE INDIVIDUAL SHALL REGISTER AS A TRANSIENT. THE
16 PENNSYLVANIA STATE POLICE SHALL ENSURE THAT THE INFORMATION SET
17 FORTH IN SECTION 9799.16(C) WITH RESPECT TO THE INDIVIDUAL IS
18 COLLECTED AND ENTERED IN THE REGISTRY.

19 SECTION 10. SECTIONS 9799.20 INTRODUCTORY PARAGRAPH,
20 9799.21, 9799.22, 9799.23(A) INTRODUCTORY PARAGRAPH AND (2),
21 9799.25(B) (1) AND (C) INTRODUCTORY PARAGRAPH AND (1), 9799.26(A)
22 (1) (I) AND (II) AND 9799.27(A) (2) AND (B), ADDED DECEMBER 20,
23 2011 (P.L.446, NO.111), ARE AMENDED TO READ:

24 § 9799.20. DUTY TO INFORM.

25 IN ORDER TO IMPLEMENT THE PROVISIONS OF SECTION 9799.19
26 (RELATING TO INITIAL REGISTRATION), AS APPROPRIATE, THE
27 PENNSYLVANIA STATE POLICE, THE COURT HAVING JURISDICTION OVER
28 THE SEXUAL OFFENDER, THE CHIEF JUVENILE PROBATION OFFICER OF THE
29 COURT AND THE APPROPRIATE OFFICIAL OF THE PENNSYLVANIA BOARD OF
30 PROBATION AND PAROLE, COUNTY OFFICE OF PROBATION AND PAROLE, THE

1 DEPARTMENT OF PUBLIC WELFARE OR A STATE OR COUNTY CORRECTIONAL
2 INSTITUTION SHALL:

3 * * *

4 § 9799.21. PENALTY.

5 (A) REGISTRATION.--AN INDIVIDUAL SET FORTH IN SECTION
6 9799.13 (RELATING TO APPLICABILITY) MAY BE SUBJECT TO
7 PROSECUTION UNDER 18 PA.C.S. § 4915.1 (RELATING TO FAILURE TO
8 COMPLY WITH REGISTRATION REQUIREMENTS) IF THE INDIVIDUAL FAILS
9 TO:

10 (1) REGISTER WITH THE PENNSYLVANIA STATE POLICE AS SET
11 FORTH IN SECTION 9799.15 (RELATING TO PERIOD OF
12 REGISTRATION), 9799.19 (RELATING TO INITIAL REGISTRATION) OR
13 9799.25 (RELATING TO VERIFICATION BY SEXUAL OFFENDERS AND
14 PENNSYLVANIA STATE POLICE);

15 (2) VERIFY THE INFORMATION PROVIDED BY THE INDIVIDUAL OR
16 BE PHOTOGRAPHED AS PROVIDED IN SECTIONS 9799.15, 9799.19 AND
17 9799.25; OR

18 (3) PROVIDE ACCURATE INFORMATION WHEN REGISTERING UNDER
19 SECTIONS 9799.15, 9799.19 AND 9799.25.

20 (B) COUNSELING.--A SEXUALLY VIOLENT PREDATOR OR SEXUALLY
21 VIOLENT DELINQUENT CHILD MAY BE SUBJECT TO PROSECUTION UNDER 18
22 PA.C.S. § 4915.1 IF HE FAILS TO COMPLY WITH SECTION 9799.36
23 (RELATING TO COUNSELING OF SEXUALLY VIOLENT PREDATORS).

24 § 9799.22. ENFORCEMENT.

25 (A) FAILURE TO COMPLY.--WHEN AN INDIVIDUAL SET FORTH IN
26 SECTION 9799.13 (RELATING TO APPLICABILITY) FAILS TO COMPLY WITH
27 SECTION [9799.21(1), (2) OR (3)] 9799.19 (RELATING TO INITIAL
28 REGISTRATION), 9799.21 (RELATING TO PENALTY) OR 9799.36
29 (RELATING TO COUNSELING OF SEXUALLY VIOLENT PREDATORS), THE
30 PENNSYLVANIA STATE POLICE SHALL EITHER:

1 (1) IN COOPERATION WITH THE DISTRICT ATTORNEY, SEEK
2 ISSUANCE OF A WARRANT FOR THE ARREST OF THE INDIVIDUAL AND
3 LOCATE AND ARREST THE INDIVIDUAL FOR VIOLATING THIS SECTION[;
4 OR]_.

5 (2) [NOTIFY] NOTIFY THE MUNICIPAL POLICE DEPARTMENT
6 WHERE THE INDIVIDUAL HAS A RESIDENCE, IS TRANSIENT, IS
7 EMPLOYED OR IS ENROLLED AS A STUDENT. THE MUNICIPAL POLICE
8 SHALL, IN COOPERATION WITH THE DISTRICT ATTORNEY, SEEK
9 ISSUANCE OF A WARRANT FOR THE ARREST OF THE INDIVIDUAL AND
10 LOCATE AND ARREST THE INDIVIDUAL FOR VIOLATING THIS SECTION.
11 IN MUNICIPALITIES WHERE NO MUNICIPAL POLICE DEPARTMENT
12 EXISTS, THE PENNSYLVANIA STATE POLICE SHALL PROCEED UNDER
13 PARAGRAPH (1).

14 (B) WHEN INDIVIDUAL CANNOT BE FOUND.--IN THE EVENT THE
15 INDIVIDUAL CANNOT BE LOCATED, THE [PENNSYLVANIA STATE POLICE
16 SHALL] FOLLOWING APPLY:

17 (1) [ENTER] THE PENNSYLVANIA STATE POLICE SHALL ENTER
18 INFORMATION ON THE INTERNET WEBSITE OF SEXUAL OFFENDERS AND
19 IN THE REGISTRY INDICATING THAT THE INDIVIDUAL CANNOT BE
20 LOCATED.

21 (2) [PROVIDE] THE PENNSYLVANIA STATE POLICE SHALL
22 PROVIDE INFORMATION TO THE NATIONAL SEX OFFENDER REGISTRY AND
23 NCIC TO REFLECT THAT THE INDIVIDUAL CANNOT BE LOCATED.

24 (3) [NOTIFY] THE PENNSYLVANIA STATE POLICE SHALL NOTIFY
25 THE UNITED STATES MARSHALS SERVICE.

26 (4) [IN COOPERATION WITH THE DISTRICT ATTORNEY, SEEK
27 ISSUANCE OF A WARRANT FOR THE ARREST OF THE INDIVIDUAL.] IF A
28 WARRANT IS ISSUED PURSUANT TO THIS [PARAGRAPH] SUBSECTION,
29 THE [PENNSYLVANIA STATE POLICE] POLICE DEPARTMENT EXECUTING
30 THE WARRANT SHALL PROVIDE INFORMATION TO THE NATIONAL CRIME

1 INFORMATION CENTER WANTED PERSON FILE TO REFLECT THAT A
2 WARRANT HAS BEEN ISSUED FOR THE INDIVIDUAL'S ARREST.

3 (C) NOTICE FROM ANOTHER JURISDICTION.--WHEN ANOTHER
4 JURISDICTION NOTIFIES THE [COMMONWEALTH] PENNSYLVANIA STATE
5 POLICE THAT A SEXUAL OFFENDER HAS TERMINATED RESIDENCE,
6 EMPLOYMENT OR ENROLLMENT AS A STUDENT IN THAT JURISDICTION AND
7 INTENDS TO ESTABLISH A RESIDENCE IN THIS COMMONWEALTH, COMMENCE
8 EMPLOYMENT IN THIS COMMONWEALTH OR COMMENCE ENROLLMENT AS A
9 STUDENT IN THIS COMMONWEALTH AND THAT SEXUAL OFFENDER FAILS TO
10 APPEAR IN THIS COMMONWEALTH TO REGISTER AS PROVIDED IN SECTION
11 9799.15 (RELATING TO PERIOD OF REGISTRATION), THE PENNSYLVANIA
12 STATE POLICE SHALL NOTIFY THE OTHER JURISDICTION THAT THE SEXUAL
13 OFFENDER FAILED TO APPEAR. THIS SUBSECTION ALSO APPLIES TO A
14 TRANSIENT WHO FAILS TO APPEAR.

15 (D) DUTY TO INFORM PENNSYLVANIA STATE POLICE.--IN ORDER TO
16 IMPLEMENT [THE PROVISIONS OF SECTION 9799.15 AND SECTION 9799.19
17 (RELATING TO INITIAL REGISTRATION)] THIS SUBCHAPTER, THE COURT
18 WITH JURISDICTION OVER THE SEXUAL OFFENDER, THE CHIEF JUVENILE
19 PROBATION OFFICER OF THE COURT AND THE APPROPRIATE OFFICIAL OF
20 THE PENNSYLVANIA BOARD OF PROBATION AND PAROLE, THE COUNTY
21 OFFICE OF PROBATION AND PAROLE, THE DEPARTMENT OF PUBLIC WELFARE
22 OR A STATE OR COUNTY CORRECTIONAL INSTITUTION SHALL INFORM THE
23 PENNSYLVANIA STATE POLICE IF THE INDIVIDUAL REFUSES TO PROVIDE
24 THE INFORMATION REQUIRED[. THE] BY THIS SUBCHAPTER SO THAT THE
25 PENNSYLVANIA STATE POLICE [SHALL LOCATE AND ARREST THE
26 INDIVIDUAL FOR A VIOLATION OF 18 PA.C.S. § 4915.1 (RELATING TO
27 FAILURE TO COMPLY WITH REGISTRATION REQUIREMENTS) MAY COMPLY
28 WITH THIS SECTION.

29 § 9799.23. COURT NOTIFICATION AND CLASSIFICATION REQUIREMENTS.

30 (A) NOTICE TO SEXUAL OFFENDERS.--AT THE TIME OF SENTENCING

1 [OR], OF DISPOSITION[,] IN THE CASE OF A JUVENILE OFFENDER OR OF
2 COMMITMENT IN THE CASE OF A SEXUALLY VIOLENT DELINQUENT CHILD,
3 THE COURT SHALL INFORM THE SEXUAL OFFENDER OF THE PROVISIONS OF
4 THIS SUBCHAPTER. THE COURT SHALL:

5 * * *

6 (2) SPECIFICALLY INFORM THE SEXUAL OFFENDER OF:

7 (I) THE DUTY TO REGISTER IN ACCORDANCE WITH SECTIONS
8 9799.15 (RELATING TO PERIOD OF REGISTRATION), 9799.16(B)
9 (RELATING TO REGISTRY), 9799.19 (RELATING TO INITIAL
10 REGISTRATION) AND 9799.25 (RELATING TO VERIFICATION BY
11 SEXUAL OFFENDERS AND PENNSYLVANIA STATE POLICE); AND

12 (II) THE DUTY TO ATTEND COUNSELING IN ACCORDANCE
13 WITH:

14 (A) SECTION 9799.36 (RELATING TO COUNSELING OF
15 SEXUALLY VIOLENT PREDATORS) IF APPLICABLE; OR

16 (B) SECTION 6404.2(G) (RELATING TO DURATION OF
17 OUTPATIENT COMMITMENT AND REVIEW) IF APPLICABLE.

18 * * *

19 § 9799.25. VERIFICATION BY SEXUAL OFFENDERS AND PENNSYLVANIA
20 STATE POLICE.

21 * * *

22 (B) DEADLINE.--THE FOLLOWING APPLY:

23 (1) A SEXUAL OFFENDER SHALL APPEAR AS REQUIRED UNDER
24 SUBSECTION (A) WITHIN TEN DAYS [OF] BEFORE THE DATE
25 DESIGNATED BY THE PENNSYLVANIA STATE POLICE. FAILURE TO
26 APPEAR WITHIN TEN DAYS MAY SUBJECT THE SEXUAL OFFENDER TO
27 PROSECUTION UNDER 18 PA.C.S. § 4915.1 (RELATING TO FAILURE TO
28 COMPLY WITH REGISTRATION REQUIREMENTS).

29 * * *

30 (C) FACILITATION OF VERIFICATION.--THE PENNSYLVANIA STATE

1 POLICE SHALL ADMINISTER AND FACILITATE THE PROCESS OF
2 VERIFICATION OF INFORMATION, INCLUDING COMPLIANCE WITH
3 COUNSELING IN THE CASE OF SEXUALLY VIOLENT PREDATORS AND
4 SEXUALLY VIOLENT DELINQUENT CHILDREN, AND PHOTOGRAPHING THE
5 SEXUAL OFFENDER BY:

6 (1) SENDING A NOTICE BY FIRST CLASS UNITED STATES MAIL
7 TO EACH SEXUAL OFFENDER AT THE [OFFENDER'S] LAST REPORTED
8 [RESIDENCE OR] LOCATION[, INCLUDING A POST OFFICE BOX] WHERE
9 THE OFFENDER RECEIVES MAIL. THE NOTICE SHALL BE SENT NOT MORE
10 THAN 30 DAYS NOR LESS THAN 15 DAYS PRIOR TO THE DATE A SEXUAL
11 OFFENDER IS REQUIRED TO APPEAR PURSUANT TO SUBSECTION (A) .
12 THE NOTICE SHALL REMIND THE SEXUAL OFFENDER OF THE SEXUAL
13 OFFENDER'S RESPONSIBILITIES UNDER THIS SUBCHAPTER, INCLUDING
14 COUNSELING IN THE CASE OF SEXUALLY VIOLENT PREDATORS AND
15 SEXUALLY VIOLENT DELINQUENT CHILDREN, AND PROVIDE A LIST OF
16 APPROVED REGISTRATION SITES.

17 * * *

18 § 9799.26. VICTIM NOTIFICATION.

19 (A) DUTY TO INFORM VICTIM.--

20 (1) IF AN OFFENDER IS DETERMINED TO BE A SEXUALLY
21 VIOLENT PREDATOR OR A SEXUALLY VIOLENT DELINQUENT CHILD, THE
22 MUNICIPAL POLICE DEPARTMENT OR THE PENNSYLVANIA STATE POLICE,
23 IF NO MUNICIPAL POLICE JURISDICTION EXISTS, SHALL GIVE
24 WRITTEN NOTICE TO THE VICTIM WHEN THE SEXUALLY VIOLENT
25 PREDATOR OR THE SEXUALLY VIOLENT DELINQUENT CHILD REGISTERS
26 INITIALLY UNDER SECTION 9799.19 (RELATING TO INITIAL
27 REGISTRATION) OR UNDER SECTION 9799.15(G) (2), (3) OR (4)
28 (RELATING TO PERIOD OF REGISTRATION). THE NOTICE SHALL BE
29 GIVEN WITHIN 72 HOURS AFTER THE SEXUALLY VIOLENT PREDATOR OR
30 THE SEXUALLY VIOLENT DELINQUENT CHILD REGISTERS OR NOTIFIES

1 THE PENNSYLVANIA STATE POLICE OF CURRENT INFORMATION UNDER
2 SECTION 9799.15(G). THE NOTICE SHALL CONTAIN THE FOLLOWING
3 INFORMATION ABOUT THE SEXUALLY VIOLENT PREDATOR OR SEXUALLY
4 VIOLENT DELINQUENT CHILD:

5 (I) NAME.

6 (II) RESIDENCE. THIS SUBPARAGRAPH INCLUDES WHETHER
7 THE SEXUALLY VIOLENT PREDATOR OR SEXUALLY VIOLENT
8 DELINQUENT CHILD IS A TRANSIENT, IN WHICH CASE THE NOTICE
9 SHALL CONTAIN INFORMATION ABOUT THE TRANSIENT'S TEMPORARY
10 HABITAT OR OTHER TEMPORARY PLACE OF ABODE OR DWELLING,
11 INCLUDING, BUT NOT LIMITED TO, A HOMELESS SHELTER OR
12 PARK. IN ADDITION, THE NOTICE SHALL CONTAIN A LIST OF
13 PLACES THE TRANSIENT EATS, FREQUENTS AND ENGAGES IN
14 LEISURE ACTIVITIES.

15 * * *

16 § 9799.27. OTHER NOTIFICATION.

17 (A) NOTICE.--NOTWITHSTANDING THE PROVISIONS OF CHAPTER 63
18 (RELATING TO JUVENILE MATTERS) AND 18 PA.C.S. CH. 91 (RELATING
19 TO CRIMINAL HISTORY RECORD INFORMATION), THE CHIEF LAW
20 ENFORCEMENT OFFICER OF THE POLICE DEPARTMENT OF THE MUNICIPALITY
21 WHERE A SEXUALLY VIOLENT PREDATOR OR SEXUALLY VIOLENT DELINQUENT
22 CHILD LIVES OR, IN THE CASE OF A SEXUALLY VIOLENT PREDATOR OR
23 SEXUALLY VIOLENT DELINQUENT CHILD FAILING TO ESTABLISH A
24 RESIDENCE AND BEING A TRANSIENT, THE CHIEF LAW ENFORCEMENT
25 OFFICER OF THE POLICE DEPARTMENT OF THE TRANSIENT'S LAST KNOWN
26 HABITAT, SHALL BE RESPONSIBLE FOR PROVIDING WRITTEN NOTICE AS
27 REQUIRED UNDER THIS SECTION. THE NOTICE SHALL CONTAIN:

28 * * *

29 (2) THE ADDRESS OF THE RESIDENCE OF THE INDIVIDUAL. IF
30 THE INDIVIDUAL IS A TRANSIENT, WRITTEN NOTICE UNDER THIS

1 PARAGRAPH SHALL CONSIST OF INFORMATION ABOUT THE TRANSIENT'S
2 TEMPORARY HABITAT OR OTHER TEMPORARY PLACE OF ABODE OR
3 DWELLING, INCLUDING, BUT NOT LIMITED TO, A HOMELESS SHELTER
4 OR PARK, AND A LIST OF THE PLACES THE TRANSIENT EATS,
5 FREQUENTS AND ENGAGES IN LEISURE ACTIVITIES.

6 * * *

7 THE NOTICE SHALL NOT INCLUDE ANY INFORMATION THAT MIGHT REVEAL
8 THE VICTIM'S NAME, IDENTITY AND RESIDENCE.

9 (B) TO WHOM WRITTEN NOTICE IS PROVIDED.--THE CHIEF LAW
10 ENFORCEMENT OFFICER SHALL PROVIDE WRITTEN NOTICE UNDER
11 SUBSECTION (A) TO THE FOLLOWING PERSONS:

12 (1) NEIGHBORS OF THE SEXUALLY VIOLENT PREDATOR OR
13 SEXUALLY VIOLENT DELINQUENT CHILD. AS USED IN THIS PARAGRAPH:

14 (I) IN THE CASE OF A SEXUALLY VIOLENT PREDATOR OR
15 SEXUALLY VIOLENT DELINQUENT CHILD BEING A TRANSIENT,
16 "NEIGHBOR" INCLUDES RESIDENTS IN THE AREA OF THE
17 TRANSIENT'S LAST KNOWN TEMPORARY HABITAT OR OTHER
18 TEMPORARY PLACE OF ABODE OR DWELLING, INCLUDING, BUT NOT
19 LIMITED TO, A HOMELESS SHELTER OR PARK.

20 (II) WHERE THE SEXUALLY VIOLENT PREDATOR LIVES IN A
21 COMMON INTEREST COMMUNITY, THE TERM "NEIGHBOR" INCLUDES
22 THE UNIT OWNERS' ASSOCIATION AND RESIDENTS OF THE COMMON
23 INTEREST COMMUNITY.

24 (2) THE DIRECTOR OF THE COUNTY CHILDREN AND YOUTH AGENCY
25 OF THE COUNTY WHERE THE SEXUALLY VIOLENT PREDATOR OR SEXUALLY
26 VIOLENT DELINQUENT CHILD HAS A RESIDENCE OR, IN THE CASE OF A
27 SEXUALLY VIOLENT PREDATOR OR SEXUALLY VIOLENT DELINQUENT
28 CHILD FAILING TO ESTABLISH A RESIDENCE AND BEING A TRANSIENT,
29 THE DIRECTOR OF THE COUNTY CHILDREN AND YOUTH AGENCY OF THE
30 COUNTY OF THE SEXUALLY VIOLENT PREDATOR'S OR SEXUALLY VIOLENT

1 DELINQUENT CHILD'S LAST KNOWN TEMPORARY HABITAT OR OTHER
2 TEMPORARY PLACE OF ABODE OR DWELLING, INCLUDING, BUT NOT
3 LIMITED TO, A HOMELESS SHELTER OR PARK.

4 (3) THE SUPERINTENDENT OF EACH SCHOOL DISTRICT AND THE
5 EQUIVALENT OFFICIAL FOR EACH PRIVATE AND PAROCHIAL SCHOOL
6 ENROLLING STUDENTS UP THROUGH GRADE 12 IN THE MUNICIPALITY
7 WHERE THE SEXUALLY VIOLENT PREDATOR OR SEXUALLY VIOLENT
8 DELINQUENT CHILD HAS A RESIDENCE OR, IN THE CASE OF A
9 SEXUALLY VIOLENT PREDATOR OR SEXUALLY VIOLENT DELINQUENT
10 CHILD FAILING TO ESTABLISH A RESIDENCE AND BEING A TRANSIENT,
11 THE SUPERINTENDENT OF EACH SCHOOL DISTRICT AND THE EQUIVALENT
12 OFFICIAL FOR PRIVATE AND PAROCHIAL SCHOOLS ENROLLING STUDENTS
13 UP THROUGH GRADE 12 IN THE MUNICIPALITY OF THE SEXUALLY
14 VIOLENT PREDATOR'S OR SEXUALLY VIOLENT DELINQUENT CHILD'S
15 LAST KNOWN TEMPORARY HABITAT OR OTHER TEMPORARY PLACE OF
16 ABODE OR DWELLING, INCLUDING, BUT NOT LIMITED TO, A HOMELESS
17 SHELTER OR PARK.

18 (4) THE SUPERINTENDENT OF EACH SCHOOL DISTRICT AND THE
19 EQUIVALENT OFFICIAL FOR EACH PRIVATE AND PAROCHIAL SCHOOL
20 LOCATED WITHIN A ONE-MILE RADIUS OF WHERE THE SEXUALLY
21 VIOLENT PREDATOR OR SEXUALLY VIOLENT DELINQUENT CHILD HAS A
22 RESIDENCE OR, IN THE CASE OF A SEXUALLY VIOLENT PREDATOR OR
23 SEXUALLY VIOLENT DELINQUENT CHILD FAILING TO ESTABLISH A
24 RESIDENCE AND BEING A TRANSIENT, THE SUPERINTENDENT OF EACH
25 SCHOOL DISTRICT AND THE EQUIVALENT OFFICIAL FOR EACH PRIVATE
26 AND PAROCHIAL SCHOOL WITHIN A ONE-MILE RADIUS OF THE SEXUALLY
27 VIOLENT PREDATOR'S OR SEXUALLY VIOLENT DELINQUENT CHILD'S
28 LAST KNOWN TEMPORARY HABITAT OR OTHER TEMPORARY PLACE OF
29 ABODE OR DWELLING, INCLUDING, BUT NOT LIMITED TO, A HOMELESS
30 SHELTER OR PARK.

1 (5) THE LICENSEE OF EACH CERTIFIED DAY-CARE CENTER AND
2 LICENSED PRESCHOOL PROGRAM AND OWNER OR OPERATOR OF EACH
3 REGISTERED FAMILY DAY-CARE HOME IN THE MUNICIPALITY WHERE THE
4 SEXUALLY VIOLENT PREDATOR OR SEXUALLY VIOLENT DELINQUENT
5 CHILD HAS A RESIDENCE OR, IN THE CASE OF A SEXUALLY VIOLENT
6 PREDATOR OR SEXUALLY VIOLENT DELINQUENT CHILD FAILING TO
7 ESTABLISH A RESIDENCE AND BEING A TRANSIENT, THE LICENSEE OF
8 EACH CERTIFIED DAY-CARE CENTER AND LICENSED PRESCHOOL PROGRAM
9 AND OWNER OR OPERATOR OF EACH REGISTERED FAMILY DAY-CARE HOME
10 IN THE MUNICIPALITY OF THE SEXUALLY VIOLENT PREDATOR'S OR
11 SEXUALLY VIOLENT DELINQUENT CHILD'S LAST KNOWN TEMPORARY
12 HABITAT OR OTHER TEMPORARY PLACE OF ABODE OR DWELLING,
13 INCLUDING, BUT NOT LIMITED TO, A HOMELESS SHELTER OR PARK.

14 (6) THE PRESIDENT OF EACH COLLEGE, UNIVERSITY AND
15 COMMUNITY COLLEGE LOCATED WITHIN 1,000 FEET OF WHERE THE
16 SEXUALLY VIOLENT PREDATOR OR SEXUALLY VIOLENT DELINQUENT
17 CHILD HAS A RESIDENCE OR, IN THE CASE OF A SEXUALLY VIOLENT
18 PREDATOR OR SEXUALLY VIOLENT DELINQUENT CHILD FAILING TO
19 ESTABLISH A RESIDENCE AND BEING A TRANSIENT, THE PRESIDENT OF
20 EACH COLLEGE, UNIVERSITY AND COMMUNITY COLLEGE LOCATED WITHIN
21 1,000 FEET OF THE SEXUALLY VIOLENT PREDATOR'S OR SEXUALLY
22 VIOLENT DELINQUENT CHILD'S LAST KNOWN TEMPORARY HABITAT OR
23 OTHER TEMPORARY PLACE OF ABODE OR DWELLING, INCLUDING, BUT
24 NOT LIMITED TO, A HOMELESS SHELTER OR PARK.

25 * * *

26 SECTION 11. SECTION 9799.28 (A) (1) (I) AND (II), (B) (3), (4),
27 (5), (6) AND (9) AND (E) OF TITLE 42, ADDED DECEMBER 20, 2011
28 (P.L.446, NO.111), ARE AMENDED AND SUBSECTION (B) IS AMENDED BY
29 ADDING PARAGRAPHS TO READ:
30 § 9799.28. PUBLIC INTERNET WEBSITE.

1 (A) INFORMATION TO BE MADE AVAILABLE THROUGH INTERNET.--THE
2 PENNSYLVANIA STATE POLICE SHALL, IN THE MANNER AND FORM DIRECTED
3 BY THE GOVERNOR:

4 (1) DEVELOP AND MAINTAIN A SYSTEM FOR MAKING INFORMATION
5 ABOUT INDIVIDUALS CONVICTED OF A SEXUALLY VIOLENT OFFENSE,
6 SEXUALLY VIOLENT PREDATORS AND SEXUALLY VIOLENT DELINQUENT
7 CHILDREN PUBLICLY AVAILABLE BY ELECTRONIC MEANS VIA AN
8 INTERNET WEBSITE. IN ORDER TO FULFILL ITS DUTIES UNDER THIS
9 SECTION, THE PENNSYLVANIA STATE POLICE SHALL ENSURE THAT THE
10 INTERNET WEBSITE:

11 (I) CONTAINS A FEATURE TO PERMIT A MEMBER OF THE
12 PUBLIC TO OBTAIN RELEVANT INFORMATION FOR AN INDIVIDUAL
13 CONVICTED OF A SEXUALLY VIOLENT OFFENSE, A SEXUALLY
14 VIOLENT PREDATOR OR A SEXUALLY VIOLENT DELINQUENT CHILD
15 BY A [SINGLE] QUERY OF THE INTERNET WEBSITE BASED ON
16 SEARCH CRITERIA INCLUDING SEARCHES FOR ANY GIVEN ZIP CODE
17 OR GEOGRAPHIC RADIUS SET BY THE USER.

18 (II) CONTAINS A FEATURE TO ALLOW A MEMBER OF THE
19 PUBLIC TO RECEIVE ELECTRONIC NOTIFICATION WHEN AN
20 INDIVIDUAL CONVICTED OF A SEXUALLY VIOLENT OFFENSE,
21 SEXUALLY VIOLENT PREDATOR OR SEXUALLY VIOLENT DELINQUENT
22 CHILD PROVIDES INFORMATION UNDER SECTION 9799.15(G)(2),
23 (3) OR (4) (RELATING TO PERIOD OF REGISTRATION) [RELATING
24 TO]. THIS FEATURE SHALL ALSO ALLOW A MEMBER OF THE PUBLIC
25 TO RECEIVE ELECTRONIC NOTIFICATION WHEN THE INDIVIDUAL
26 CONVICTED OF A SEXUALLY VIOLENT OFFENSE, SEXUALLY VIOLENT
27 PREDATOR OR SEXUALLY VIOLENT DELINQUENT CHILD MOVES INTO
28 OR OUT OF A GEOGRAPHIC AREA CHOSEN BY THE USER.

29 * * *

30 (B) REQUIRED INFORMATION.--NOTWITHSTANDING CHAPTER 63

1 (RELATING TO JUVENILE MATTERS) AND 18 PA.C.S. CH. 91 (RELATING
2 TO CRIMINAL HISTORY RECORD INFORMATION), THE INTERNET WEBSITE
3 SHALL CONTAIN THE FOLLOWING INFORMATION REGARDING AN INDIVIDUAL
4 CONVICTED OF A SEXUALLY VIOLENT OFFENSE, A SEXUALLY VIOLENT
5 PREDATOR OR A SEXUALLY VIOLENT DELINQUENT CHILD:

6 * * *

7 (3) STREET ADDRESS, [CITY,] ~~MUNICIPALITY-OTHER THAN~~ ←
8 ~~COUNTY,~~ COUNTY, STATE AND ZIP CODE OF RESIDENCES AND INTENDED
9 RESIDENCES. IN THE CASE OF AN INDIVIDUAL CONVICTED OF A
10 SEXUALLY VIOLENT OFFENSE, A SEXUALLY VIOLENT PREDATOR OR A
11 SEXUALLY VIOLENT DELINQUENT CHILD WHO FAILS TO ESTABLISH A
12 RESIDENCE AND IS THEREFORE A TRANSIENT, THE INTERNET WEBSITE
13 SHALL CONTAIN INFORMATION ABOUT THE TRANSIENT'S TEMPORARY
14 HABITAT OR OTHER TEMPORARY PLACE OF ABODE OR DWELLING,
15 INCLUDING, BUT NOT LIMITED TO, A HOMELESS SHELTER OR PARK. IN
16 ADDITION, THE INTERNET WEBSITE SHALL CONTAIN A LIST OF PLACES
17 THE TRANSIENT EATS, FREQUENTS AND ENGAGES IN LEISURE
18 ACTIVITIES.

19 (4) STREET ADDRESS, [CITY,] ~~MUNICIPALITY-OTHER THAN~~ ←
20 ~~COUNTY,~~ COUNTY, STATE AND ZIP CODE OF ANY LOCATION AT WHICH
21 AN INDIVIDUAL CONVICTED OF A SEXUALLY VIOLENT OFFENSE, A
22 SEXUALLY VIOLENT PREDATOR OR A SEXUALLY VIOLENT DELINQUENT
23 CHILD IS ENROLLED AS A STUDENT.

24 (5) STREET ADDRESS, [CITY,] ~~MUNICIPALITY-OTHER THAN~~ ←
25 ~~COUNTY,~~ COUNTY, STATE AND ZIP CODE OF A FIXED LOCATION WHERE
26 AN INDIVIDUAL CONVICTED OF A SEXUALLY VIOLENT OFFENSE, A
27 SEXUALLY VIOLENT PREDATOR OR A SEXUALLY VIOLENT DELINQUENT
28 CHILD IS EMPLOYED. IF AN INDIVIDUAL CONVICTED OF A SEXUALLY
29 VIOLENT OFFENSE, A SEXUALLY VIOLENT PREDATOR OR A SEXUALLY
30 VIOLENT DELINQUENT CHILD IS NOT EMPLOYED AT A FIXED ADDRESS,

1 THE INFORMATION SHALL INCLUDE [GENERAL TRAVEL ROUTES AND]
2 GENERAL AREAS OF WORK.

3 (6) CURRENT FACIAL PHOTOGRAPH OF AN INDIVIDUAL CONVICTED
4 OF A SEXUALLY VIOLENT OFFENSE, A SEXUALLY VIOLENT PREDATOR OR
5 A SEXUALLY VIOLENT DELINQUENT CHILD. THIS PARAGRAPH REQUIRES,
6 IF AVAILABLE, THE LAST EIGHT FACIAL PHOTOGRAPHS TAKEN OF THE
7 INDIVIDUAL AND THE DATE EACH PHOTOGRAPH WAS ENTERED INTO THE
8 REGISTRY.

9 * * *

10 (9) [THE SEXUALLY VIOLENT OFFENSE] OFFENSE FOR WHICH
11 ~~an~~THE INDIVIDUAL ~~†~~CONVICTED OF A SEXUALLY VIOLENT OFFENSE, ←
12 A SEXUALLY VIOLENT PREDATOR OR A SEXUALLY VIOLENT DELINQUENT
13 CHILD~~†~~ is registered under this subchapter AND OTHER SEXUALLY ←
14 VIOLENT OFFENSES FOR WHICH THE INDIVIDUAL WAS CONVICTED.

15 * * *

16 (12) DATE ON WHICH THE INDIVIDUAL CONVICTED OF A ←
17 SEXUALLY VIOLENT OFFENSE, A SEXUALLY VIOLENT PREDATOR OR A
18 SEXUALLY VIOLENT DELINQUENT CHILD IS MADE ACTIVE WITHIN THE
19 REGISTRY AND DATE WHEN THE INDIVIDUAL MOST RECENTLY UPDATED
20 HIS REGISTRATION INFORMATION. ←

21 (13) INDICATION AS TO WHETHER THE INDIVIDUAL IS A
22 SEXUALLY VIOLENT PREDATOR, SEXUALLY VIOLENT DELINQUENT CHILD
23 OR CONVICTED OF A TIER I, TIER II OR TIER III SEXUAL OFFENSE.

24 (14) IF APPLICABLE, INDICATION THAT AN INDIVIDUAL
25 CONVICTED OF A SEXUALLY VIOLENT OFFENSE, A SEXUALLY VIOLENT ←
26 PREDATOR OR A SEXUALLY VIOLENT DELINQUENT CHILD IS
27 INCARCERATED OR COMMITTED OR IS A TRANSIENT. ←

28 * * *

29 (E) DURATION OF POSTING.--THE INFORMATION LISTED IN
30 SUBSECTION (B) SHALL BE MADE AVAILABLE ON THE INTERNET WEBSITE

1 UNLESS[:

2 (1) AN] ~~THE AN~~ INDIVIDUAL ~~†~~CONVICTED OF A SEXUALLY ←
3 VIOLENT OFFENSE, A SEXUALLY VIOLENT PREDATOR OR A SEXUALLY
4 VIOLENT DELINQUENT CHILD~~†~~ IS DECEASED[, IN WHICH CASE THE ←
5 INTERNET WEBSITE SHALL CONTAIN A NOTICE OF THE DEATH.

6 (2) AN INDIVIDUAL CONVICTED OF A SEXUALLY VIOLENT
7 OFFENSE, A SEXUALLY VIOLENT PREDATOR OR A SEXUALLY VIOLENT
8 DELINQUENT CHILD HAS TERMINATED RESIDENCE, HAS TERMINATED
9 EMPLOYMENT OR HAS TERMINATED ENROLLMENT AS A STUDENT WITHIN
10 THIS COMMONWEALTH, IN WHICH CASE THE INTERNET WEBSITE SHALL
11 CONTAIN A NOTICE INDICATING SUCH INFORMATION] OR IS NO LONGER
12 REQUIRED TO REGISTER UNDER THIS SUBCHAPTER.

13 SECTION 12. SECTIONS 9799.32(3), 9799.34(2), 9799.36(A) AND
14 9799.41 OF TITLE 42, ADDED DECEMBER 20, 2011 (P.L.446, NO.111),
15 ARE AMENDED TO READ:

16 § 9799.32. PENNSYLVANIA STATE POLICE.

17 THE PENNSYLVANIA STATE POLICE HAVE THE FOLLOWING DUTIES:

18 * * *

19 (3) TO WRITE [REGULATIONS] GUIDELINES REGARDING NEIGHBOR
20 NOTIFICATION UNDER SECTION 9799.27(B)(1) (RELATING TO OTHER
21 NOTIFICATION).

22 * * *

23 § 9799.34. DUTIES OF FACILITIES HOUSING SEXUAL OFFENDERS.

24 THE DEPARTMENT OF CORRECTIONS, A COUNTY CORRECTIONAL
25 FACILITY, AN INSTITUTION OR FACILITY SET FORTH IN SECTION
26 6352(A)(3) (RELATING TO DISPOSITION OF DELINQUENT CHILD) AND THE
27 SEPARATE, STATE-OWNED FACILITY OR UNIT ESTABLISHED UNDER CHAPTER
28 64 (RELATING TO COURT-ORDERED INVOLUNTARY TREATMENT OF CERTAIN
29 SEXUALLY VIOLENT PERSONS) SHALL HAVE THE FOLLOWING DUTIES:

30 * * *

1 (2) ON A FORM PRESCRIBED BY THE PENNSYLVANIA STATE
2 POLICE, TO NOTIFY THE PENNSYLVANIA STATE POLICE EACH TIME A
3 SEXUAL OFFENDER IS INCARCERATED, COMMITTED OR RELEASED,
4 INCLUDING SUPERVISED RELEASE [OR TRANSFER TO ANOTHER
5 CORRECTIONAL INSTITUTION OR FACILITY OR INSTITUTION, IN]. IN
6 THE CASE OF A JUVENILE OFFENDER OR SEXUALLY VIOLENT
7 DELINQUENT CHILD, THE FACILITY SHALL NOTIFY THE PENNSYLVANIA
8 STATE POLICE EACH TIME THE INDIVIDUAL IS COMMITTED, RELEASED
9 OR TRANSFERRED TO ANOTHER FACILITY OR INSTITUTION. THIS
10 PARAGRAPH SHALL INCLUDE A COMMUNITY CORRECTIONS CENTER OR
11 COMMUNITY CONTRACT FACILITY.

12 * * *

13 § 9799.36. COUNSELING OF SEXUALLY VIOLENT PREDATORS.

14 (A) GENERAL RULE.--A SEXUALLY VIOLENT PREDATOR WHO IS NOT
15 INCARCERATED SHALL BE REQUIRED TO ATTEND AT LEAST MONTHLY
16 COUNSELING SESSIONS IN A PROGRAM APPROVED BY THE BOARD AND BE
17 FINANCIALLY RESPONSIBLE FOR ALL FEES ASSESSED FROM THE
18 COUNSELING SESSIONS. THE BOARD SHALL MONITOR THE COMPLIANCE OF
19 THE SEXUALLY VIOLENT PREDATOR. IF THE SEXUALLY VIOLENT PREDATOR
20 CAN PROVE TO THE SATISFACTION OF THE COURT THAT THE SEXUALLY
21 VIOLENT PREDATOR CANNOT AFFORD TO PAY FOR THE COUNSELING
22 SESSIONS, THE SEXUALLY VIOLENT PREDATOR SHALL NONETHELESS ATTEND
23 THE COUNSELING SESSIONS, AND THE PAROLE OFFICE SHALL PAY THE
24 REQUISITE FEES.

25 * * *

26 § 9799.41. EXPIRATION.

27 THE FOLLOWING PROVISIONS SHALL EXPIRE [ONE YEAR AFTER THE
28 EFFECTIVE DATE OF THIS SECTION] DECEMBER 20, 2012:

29 SECTION 9718.3 (RELATING TO SENTENCE FOR FAILURE TO
30 COMPLY WITH REGISTRATION OF SEXUAL OFFENDERS).

1 SECTION 9791 (RELATING TO LEGISLATIVE FINDINGS AND
2 DECLARATION OF POLICY) .
3 SECTION 9792 (RELATING TO DEFINITIONS) .
4 SECTION 9795.1 (RELATING TO REGISTRATION) .
5 SECTION 9795.2 (RELATING TO REGISTRATION PROCEDURES AND
6 APPLICABILITY) .
7 SECTION 9795.3 (RELATING TO SENTENCING COURT
8 INFORMATION) .
9 SECTION 9795.4 (RELATING TO ASSESSMENTS) .
10 SECTION 9795.5 (RELATING TO EXEMPTION FROM CERTAIN
11 NOTIFICATIONS) .
12 SECTION 9796 (RELATING TO VERIFICATION OF RESIDENCE) .
13 SECTION 9797 (RELATING TO VICTIM NOTIFICATION) .
14 SECTION 9798 (RELATING TO OTHER NOTIFICATION) .
15 SECTION 9798.1 (RELATING TO INFORMATION MADE AVAILABLE ON
16 THE INTERNET AND ELECTRONIC NOTIFICATION) .
17 SECTION 9798.2 (RELATING TO ADMINISTRATION) .
18 SECTION 9798.3 (RELATING TO GLOBAL POSITIONING SYSTEM
19 TECHNOLOGY) .
20 SECTION 9799 (RELATING TO IMMUNITY FOR GOOD FAITH
21 CONDUCT) .
22 SECTION 9799.1 (RELATING TO DUTIES OF PENNSYLVANIA STATE
23 POLICE) .
24 SECTION 9799.2 (RELATING TO DUTIES OF PENNSYLVANIA BOARD
25 OF PROBATION AND PAROLE) .
26 SECTION 9799.3 (RELATING TO BOARD) .
27 SECTION 9799.4 (RELATING TO COUNSELING OF SEXUALLY
28 VIOLENT PREDATORS) .
29 SECTION 9799.7 (RELATING TO EXEMPTION FROM NOTIFICATION
30 FOR CERTAIN LICENSEES AND THEIR EMPLOYEES) .

1 SECTION 9799.8 (RELATING TO ANNUAL PERFORMANCE AUDIT) .

2 SECTION 9799.9 (RELATING TO PHOTOGRAPHS AND

3 FINGERPRINTING) .

4 SECTION 13. THE GENERAL ASSEMBLY FINDS AND DECLARES THAT,
5 UNDER PRINCIPLES OF STATUTORY CONSTRUCTION, THE EFFECTIVE DATE
6 OF SECTION 18(2) OF THE ACT OF DECEMBER 20, 2011 (P.L.446,
7 NO.111), IS DECEMBER 20, 2012.

8 SECTION 14. THIS ACT SHALL TAKE EFFECT AS FOLLOWS:

9 (1) THE AMENDMENT OR ADDITION OF THE FOLLOWING
10 PROVISIONS OF TITLE 18 SHALL TAKE EFFECT DECEMBER 20, 2012:

11 (I) SECTION 4915.1(B) AND (C.1) .

12 (II) SECTION 9123(A) INTRODUCTORY PARAGRAPH AND
13 (A.1) .

14 (2) THE AMENDMENT OR ADDITION OF THE FOLLOWING
15 PROVISIONS OF TITLE 42 SHALL TAKE EFFECT DECEMBER 20, 2012:

16 (I) SECTION 6358(A) .

17 (II) SECTION 6403(A) (2) .

18 (III) SECTION 6404.2(G)

19 (IV) SECTION 9799.10(2) AND (3) .

20 (V) THE DEFINITIONS OF "APPROVED REGISTRATION SITE,"
21 "CONVICTED," "JUVENILE OFFENDER" AND "SEXUALLY VIOLENT
22 PREDATOR" IN SECTION 9799.12.

23 (VI) SECTION 9799.13.

24 (VII) SECTION 9799.14(B) (12), (21) AND (23), (C) (9),
25 (12) AND (17) AND (D) (12), (13) AND (15) .

26 (VIII) SECTION 9799.15(A) (1), (4), (4.1) AND (7),
27 (C), (F), (G), (H) AND (J) .

28 (IX) SECTION 9799.16(B) (5) AND (6), (C) INTRODUCTORY
29 PARAGRAPH AND (D) .

30 (X) SECTION 9799.17.

1 (XI) SECTION 9799.18(A) (4), (5) AND (6) AND (D) (1).

2 (XII) SECTION 9799.19(B), (B.1) INTRODUCTORY

3 PARAGRAPH, (E.1), (E.2), (H), (I) AND (J).

4 (XIII) SECTION 9799.20 INTRODUCTORY PARAGRAPH.

5 (XIV) SECTION 9799.21.

6 (XV) SECTION 9799.22.

7 (XVI) SECTION 9799.23(A) INTRODUCTORY PARAGRAPH AND

8 (2).

9 (XVII) SECTION 9799.25(B) (1) AND (C) INTRODUCTORY

10 PARAGRAPH AND (1).

11 (XVIII) SECTION 9799.26(A) (1) (I) AND (II).

12 (XIX) SECTION 9799.27(A) (2) AND (B).

13 SECTION 9799.28 (A) (1) (I) AND (II), (B) (3), (4), (5),

14 (6), (9), (12), (13) AND (14) AND (E).

15 (XX) SECTION 9799.34(2).

16 (XXI) SECTION 9799.36(A).

17 (2.1) THE FOLLOWING PROVISIONS SHALL TAKE EFFECT JULY 1, ←

18 2012, OR IMMEDIATELY, WHICHEVER IS LATER:

19 (I) THE AMENDMENT OF PARAGRAPH (3) OF THE DEFINITION
20 OF "CHILD" IN 42 PA.C.S. § 6302.

21 (II) THE ADDITION OF 42 PA.C.S. § 6351(E) (3) (III),
22 (F) (8.1) AND (8.2) AND (J).

23 (3) THE REMAINDER OF THIS ACT SHALL TAKE EFFECT

24 IMMEDIATELY.