

THE GENERAL ASSEMBLY OF PENNSYLVANIA

HOUSE BILL

No. 2464 Session of
2014

INTRODUCED BY HACKETT, MURT, MILLARD, TURZAI, KINSEY, KILLION,
WATSON, BARRAR, YOUNGBLOOD, D. COSTA, R. BROWN, ROCK,
BENNINGHOFF, VEREB, C. HARRIS AND HEFFLEY, SEPTEMBER 10, 2014

AS REPORTED FROM COMMITTEE ON JUDICIARY, HOUSE OF
REPRESENTATIVES, AS AMENDED, SEPTEMBER 16, 2014

AN ACT

1 Amending the act of November 24, 1998 (P.L.882, No.111),
2 entitled "An act providing for victims' rights; imposing
3 penalties; establishing remedies; establishing the Office of
4 Victim Advocate, the Bureau of Victims' Services, the
5 Victims' Services Advisory Committee, the State Offender
6 Supervision Fund and other funds; and making repeals,"
7 further providing for victims' rights.

8 The General Assembly of the Commonwealth of Pennsylvania
9 hereby enacts as follows:

10 Section 1. Section 201(3) and (12) of the act of November
11 24, 1998 (P.L.882, No.111), known as the Crime Victims Act,
12 amended June 28, 2002 (P.L.496, No.85), are amended and the
13 section is amended by adding a paragraph to read:

14 Section 201. Rights.

15 Victims of crime have the following rights:

16 * * *

17 (2.1) To not be excluded from any criminal or juvenile
18 proceeding in accordance with 42 Pa.C.S. § 6336 (relating to
19 conduct of hearings), unless the court, after receiving clear<--

1 ~~and convincing evidence~~ BASED ON THE RECORD BEFORE IT,
2 determines that testimony by the victim would be materially
3 altered if the victim heard other testimony at the
4 proceeding. Before making a determination, the court shall
5 make every effort to permit the fullest attendance possible
6 by the victim and shall consider reasonable alternatives to
7 the exclusion of the victim. The reason for any exclusion
8 shall be clearly stated on the record.

9 (3) To be accompanied at all criminal and all juvenile
10 proceedings in accordance with 42 Pa.C.S. § 6336 [(relating
11 to conduct of hearings)] by a family member, a victim
12 advocate or other person providing assistance or support.

13 * * *

14 (12) To be notified of the details of the final
15 disposition of the case of a juvenile consistent with 42
16 Pa.C.S. § 6336(f) [(relating to conduct of hearings)].

17 * * *

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