
THE GENERAL ASSEMBLY OF PENNSYLVANIA

SENATE BILL

No. 302 Session of
2015

INTRODUCED BY TEPLITZ, RAFFERTY, TARTAGLIONE, FONTANA, BREWSTER,
HUGHES, SMITH, COSTA AND SCHWANK, JANUARY 27, 2015

REFERRED TO JUDICIARY, JANUARY 27, 2015

AN ACT

1 Providing for report on submission of sexual assault evidence.

2 The General Assembly finds and declares as follows:

3 (1) Deoxyribonucleic acid (DNA) forensic identification
4 analysis is a powerful law enforcement tool for identifying
5 sexual assault evidence and using it in investigations and
6 prosecutions.

7 (2) Victims of sexual assault and their advocates and
8 allies have a strong interest in the investigation and
9 prosecution of their cases.

10 (3) Law enforcement agencies have an obligation to
11 victims of sexual assault in the proper handling, retention
12 and timely DNA testing of rape kit evidence or other crime
13 scene evidence.

14 (4) Timely DNA analysis of rape kit evidence is a core
15 public safety issue affecting men, women and children in this
16 Commonwealth.

17 The General Assembly of the Commonwealth of Pennsylvania

1 hereby enacts as follows:

2 Section 1. Short title.

3 This act shall be known and may be cited as the Sexual
4 Assault Forensic Evidence (SAFE) Act.

5 Section 2. Definitions.

6 The following words and phrases when used in this act shall
7 have the meanings given to them in this section unless the
8 context clearly indicates otherwise:

9 "Law enforcement agencies." State, county or municipal law
10 enforcement agencies involved in the investigation of sexual
11 assault cases in this Commonwealth.

12 "Sexual assault evidence." Evidence collected in connection
13 with a sexual assault investigation, including evidence
14 collected during a forensic sexual assault examination.

15 Section 3. Report on submission of sexual assault cases.

16 (a) Duties of law enforcement agencies.--Within 30 days of
17 the effective date of this act, each law enforcement agency
18 shall provide written notice to the Pennsylvania State Police of
19 the number of sexual assault cases in the custody of the agency
20 that have not been previously submitted to a laboratory for
21 analysis. The written notice shall be in a form and manner
22 prescribed by the Commissioner of Pennsylvania State Police.

23 (b) Report to General Assembly.--Within 90 days of the
24 effective date of this act, the Commissioner of Pennsylvania
25 State Police shall submit a report to the Governor, the
26 President pro tempore of the Senate, the Majority Leader of the
27 Senate, the Minority Leader of the Senate, the Speaker of the
28 House of Representatives, the Majority Leader of the House of
29 Representatives, the Minority Leader of the House of
30 Representatives, the chairman and minority chairman of the

1 Judiciary Committee of the Senate and the chairman and minority
2 chairman of the Judiciary Committee of the House of
3 Representatives. The report shall include, but not be limited
4 to, a summary of rape kit inventory received, a timeline for
5 completion of analysis of those rape kits and any request for
6 funding and resources necessary to meet the established timeline
7 for processing of rape kits.

8 Section 4. Applicability.

9 Except for closed cases, this act shall apply to each sexual
10 assault case with evidence opened within 30 days preceding the
11 effective date of this act and each sexual assault case opened
12 on or after the effective date of this act.

13 Section 5. Effective date.

14 This act shall take effect in 60 days.