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THE GENERAL ASSEMBLY OF PENNSYLVANIA

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HOUSE BILL

No. 2509 Session of  
2018

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INTRODUCED BY SANKEY, BERNSTINE, COX, DALEY, GILLEN, A. HARRIS,  
IRVIN, OBERLANDER, SIMMONS, STEPHENS, TOPPER AND WARD,  
JUNE 18, 2018

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REFERRED TO COMMITTEE ON JUDICIARY, JUNE 18, 2018

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AN ACT

1 Amending the act of November 29, 2006 (P.L.1471, No.165),  
2 entitled "An act providing for a sexual assault evidence  
3 collection program and for powers and duties of the  
4 Department of Health and the Pennsylvania State Police;  
5 establishing civil immunity; and providing for rights of  
6 sexual assault victims," providing for Sexual Assault Kit  
7 Processing Fund.

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

10 Section 1. The act of November 29, 2006 (P.L.1471, No.165),  
11 known as the Sexual Assault Testing and Evidence Collection Act,  
12 is amended by adding a section to read:

13 Section 6. Sexual Assault Kit Processing Fund.

14 (a) Establishment.--The Sexual Assault Kit Processing Fund  
15 is established as a restricted account within the State  
16 Treasury.

17 (b) Administration of fund.--

18 (1) Contributions received for the fund shall be  
19 distributed by the Pennsylvania State Police as grants to  
20 laboratories designated by the Department of Health to assist

1 local law enforcement agencies with rape kit testing costs.  
2 Money in the fund shall be distributed to the laboratories  
3 based on backlog data.

4 (2) The Pennsylvania State Police may accept voluntary  
5 contributions for the fund and may consult with any  
6 governmental or nongovernmental organization as necessary to  
7 implement this section, but may not enter into an agreement  
8 or contract with an organization for the staffing functions  
9 of the program.

10 (c) Deposit.--All money received from the voluntary  
11 contributions under section 315.13 of the act of March 4, 1971  
12 (P.L.6, No.2), known as the Tax Reform Code of 1971, shall be  
13 deposited into the fund.

14 (d) Voluntary contributions.--In addition to the voluntary  
15 contributions under section 315.13 of the Tax Reform Code of  
16 1971, the Pennsylvania State Police may accept other voluntary  
17 contributions and electronic donations to the fund. All other  
18 voluntary contributions and electronic donations shall be  
19 deposited into the fund. A Commonwealth agency, county and  
20 municipal government within this Commonwealth may include a  
21 brief description of the fund and the electronic and mailing  
22 address to make donations to the fund in its publications,  
23 mailings and communications.

24 (e) Use of money.--Money in the fund is hereby appropriated  
25 on a continuing basis to the Pennsylvania State Police to carry  
26 out the purposes of this section.

27 (f) Reporting.--Beginning on or before July 30, 2018, and  
28 every year thereafter for the length of the program, the  
29 Pennsylvania State Police shall submit a report to the  
30 chairperson and minority chairperson of the Finance Committee of

1 the Senate and the chairperson and minority chairperson of the  
2 Finance Committee of the House of Representatives detailing the  
3 total amount of money distributed from the fund in the prior  
4 year to each designated laboratory. The report shall also  
5 provide any participation by a governmental or nongovernmental  
6 organization utilized for the fund.

7 (g) Definition.--As used in this section, the term "fund"  
8 shall mean the Sexual Assault Kit Processing Fund established  
9 under subsection (a).

10 Section 2. This act shall take effect immediately.