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THE GENERAL ASSEMBLY OF PENNSYLVANIA

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HOUSE BILL

No. 849 Session of  
2025

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INTRODUCED BY BERNSTINE, M. MACKENZIE, KAUFFMAN AND GILLEN,  
MARCH 10, 2025

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REFERRED TO COMMITTEE ON JUDICIARY, MARCH 10, 2025

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AN ACT

1 Amending Titles 18 (Crimes and Offenses) and 42 (Judiciary and  
2 Judicial Procedure) of the Pennsylvania Consolidated  
3 Statutes, in falsification and intimidation, providing for  
4 the offense of failure to comply with child abuse offender  
5 registration requirements; in sentencing, providing for  
6 registration of child abuse offenders; and imposing  
7 penalties.

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

10 Section 1. Title 18 of the Pennsylvania Consolidated  
11 Statutes is amended by adding a section to read:

12 § 4915.3. Failure to comply with child abuse offender  
13 registration requirements.

14 (a) Offense defined.--A child abuse offender commits an  
15 offense if the child abuse offender knowingly fails to:

16 (1) register with the Pennsylvania State Police as  
17 required under 42 Pa.C.S. § 9799.83 (relating to period of  
18 registration), 9799.86 (relating to initial registration) or  
19 9799.91 (relating to verification by child abuse offenders  
20 and Pennsylvania State Police);

1           (2) verify the child abuse offender's address or be  
2 photographed as required under 42 Pa.C.S. § 9799.83 or  
3 9799.91;

4           (3) provide accurate information when registering under  
5 42 Pa.C.S. §§ 9799.83, 9799.86 and 9799.91; or

6           (4) fails to comply with 42 Pa.C.S. § 9799.101 (relating  
7 to counseling requirement).

8           (b) Grading.--

9           (1) Except as provided in paragraph (2), a child abuse  
10 offender commits a felony of the second degree if the  
11 individual violates subsection (a).

12           (2) An individual commits a felony of the first degree  
13 if the individual violates subsection (a) and has been  
14 previously convicted of an offense under subsection (a).

15           (c) Effect of notice.--The failure on the part of the  
16 Pennsylvania State Police to send or failure of a child abuse  
17 offender to receive any notice or information under 42 Pa.C.S. §  
18 9799.91 may not be a defense to a prosecution commenced against  
19 an individual arising from a violation of this section. The  
20 provisions of 42 Pa.C.S. § 9799.91 are not an element of an  
21 offense under this section.

22           (d) Arrests for violation.--

23           (1) A police officer shall have the same right of arrest  
24 without a warrant as in a felony whenever the police officer  
25 has probable cause to believe an individual has committed a  
26 violation of this section regardless of whether the violation  
27 occurred in the presence of the police officer.

28           (2) An individual arrested for a violation of this  
29 section shall be afforded a preliminary arraignment by the  
30 proper issuing authority without unnecessary delay. In no

1 case may the individual be released from custody without  
2 first having appeared before the issuing authority.

3 (3) Prior to admitting an individual arrested for a  
4 violation of this section to bail, the issuing authority  
5 shall require all of the following:

6 (i) The individual must be fingerprinted and  
7 photographed in the manner required by 42 Pa.C.S. Ch. 97  
8 Subch. J (relating to registration of child abuse  
9 offenders).

10 (ii) The individual must provide the Pennsylvania  
11 State Police with all current or intended residences, all  
12 information concerning current or intended employment,  
13 including all employment locations, and all information  
14 concerning current or intended enrollment as a student.  
15 This subparagraph includes an individual who is a  
16 transient, in which case the individual must, in addition  
17 to other information required under this subparagraph,  
18 provide the information under 42 Pa.C.S. § 9799.84(b)(6)  
19 (relating to registry).

20 (iii) Law enforcement must make reasonable attempts  
21 to verify the information provided by the individual.

22 (e) Definitions.--As used in this section, the following  
23 words and phrases shall have the meanings given to them in this  
24 subsection unless the context clearly indicates otherwise:

25 "Child abuse offender." The term shall have the same meaning  
26 as under 42 Pa.C.S. § 9799.80 (relating to definitions).

27 "Transient." The term shall have the meaning as under 42  
28 Pa.C.S. § 9799.80.

29 Section 2. Chapter 97 of Title 42 is amended by adding a  
30 subchapter to read:



1 shall have the meanings given to them in this section unless the  
2 context clearly indicates otherwise:

3 "Board." The Child Abuse Offender Assessment Board.

4 "Child." An individual under 18 years old.

5 "Child abuse offender." An individual required by a court  
6 order to register in accordance with this subchapter.

7 "Child abuse personal injury crime." One of the following  
8 acts, attempt, solicitation or conspiracy to commit an act which  
9 would constitute a misdemeanor or felony if the victim is a  
10 child:

11 (1) 18 Pa.C.S. Ch. 25 (relating to criminal homicide).

12 (2) 18 Pa.C.S. Ch. 26 (relating to crimes against unborn  
13 child).

14 (3) 18 Pa.C.S. Ch. 27 (relating to assault).

15 (4) 18 Pa.C.S. Ch. 29 (relating to kidnapping).

16 (5) 18 Pa.C.S. Ch. 30 (relating to human trafficking).

17 (6) 18 Pa.C.S. § 4303 (relating to concealing death of  
18 child).

19 (7) 18 Pa.C.S. § 4304 (relating to endangering welfare  
20 of children).

21 (8) 18 Pa.C.S. Ch. 49 Subch. B (relating to victim and  
22 witness intimidation).

23 (9) 18 Pa.C.S. § 6301 (relating to corruption of  
24 minors).

25 (10) 18 Pa.C.S. § 6315 (relating to selling or  
26 furnishing butane to minors).

27 (11) 18 Pa.C.S. § 6316 (relating to selling or  
28 furnishing certain stimulants to minors).

29 (12) 18 Pa.C.S. § 6319 (relating to solicitation of  
30 minors to traffic drugs).

1 "Convicted." Includes conviction by entry of plea of guilty  
2 or nolo contendere, conviction after trial or court martial and  
3 a finding of not guilty due to insanity or of guilty but  
4 mentally ill.

5 "Deadly weapon." The term shall have the meaning as under 18  
6 Pa.C.S. § 2301 (relating to definitions).

7 "Employed." Includes a vocation or employment that is full  
8 time or part time for a period of time exceeding four days  
9 during a seven-day period or for an aggregate period of time  
10 exceeding 14 days during any calendar year, whether self-  
11 employed, volunteered, financially compensated, pursuant to a  
12 contract or for the purpose of governmental or educational  
13 benefit.

14 "Mental abnormality." A congenital or acquired condition of  
15 an individual that affects the emotional or volitional capacity  
16 of the individual in a manner that predisposes that individual  
17 to the commission of criminal violent acts to a degree that  
18 makes the individual a menace to the health and safety of other  
19 persons.

20 "NCIC." The National Crime Information Center.

21 "Registry." The Statewide Registry of Child Abuse Offenders  
22 established under this subchapter.

23 "Student." An individual who is enrolled in or attends a  
24 public or private educational institution within this  
25 Commonwealth on a full-time or part-time basis, including a  
26 secondary school, trade or professional institution or  
27 institution of higher education. The term does not include an  
28 individual enrolled in an educational institution exclusively  
29 through the Internet or via correspondence courses.

30 "Temporary lodging." The specific location, including street

1 address, where a child abuse offender is staying when away from  
2 the child abuse offender's residence for seven or more days.

3 "Transient." A child abuse offender who does not have a  
4 residence but nevertheless resides in this Commonwealth in a  
5 temporary habitat or other temporary place of abode or dwelling,  
6 including a homeless shelter or park.

7 § 9799.81. Child abuse risk assessment.

8 (a) Order for assessment.--Except as provided in subsection  
9 (h) and section 9799.83(b) (relating to period of registration),  
10 after petition by the prosecuting district attorney or when the  
11 court otherwise deems it necessary, a court shall order an  
12 individual convicted of a child abuse personal injury crime to  
13 be assessed by the board following conviction but before  
14 sentencing. The order for an assessment shall be sent to the  
15 executive director of the board within 10 days of:

16 (1) the date of conviction of the child abuse personal  
17 injury crime; or

18 (2) receipt of the request for an assessment under  
19 subsection (h).

20 (b) Assessment.--Upon receipt from the court of an order for  
21 an assessment under subsection (a), a member of the board as  
22 designated by the executive director of the board shall conduct  
23 an assessment of the individual to determine if the individual  
24 should be classified as a child abuse offender. The board shall  
25 establish standards for evaluations and for evaluators  
26 conducting an assessment. An assessment shall include an  
27 examination of the following:

28 (1) Facts of the current offense, including:

29 (i) Whether the offense involved multiple victims.

30 (ii) Whether the individual exceeded the means

1 necessary to achieve the offense.

2 (iii) Whether the individual used a deadly weapon  
3 during the commission of the offense.

4 (iv) Evidence of torture, extreme cruelty or  
5 sadistic behavior.

6 (v) The extent and nature of the physical harm  
7 inflicted on the victim.

8 (vi) Relationship of the individual to the victim.

9 (vii) Age of the victim.

10 (viii) Whether the offense included a display of  
11 unusual cruelty by the individual during the commission  
12 of the crime.

13 (ix) The mental capacity of the victim.

14 (x) Whether the offense involved planning,  
15 preparation or premeditation.

16 (2) Prior history of conduct or behavior related to  
17 child abuse, including:

18 (i) The individual's prior criminal record.

19 (ii) Whether the individual previously completed  
20 sentences for other offenses.

21 (iii) Whether the individual participated in  
22 available programs required by the court of the  
23 Department of Corrections.

24 (iv) Whether the individual exhibited patterns of  
25 conduct or behavior that included child abuse.

26 (v) Prior assessments conducted by the board.

27 (vi) Whether the individual was previously subject  
28 to child abuse offender registration requirements.

29 (3) Characteristics of the individual, including:

30 (i) Age.



1           (ii) Use of illegal drugs.

2           (iii) Mental illness, mental disability or mental  
3 abnormality.

4           (iv) Behavioral characteristics that contribute to  
5 the individual's conduct.

6           (4) Factors that are supported in a child abuse  
7 assessment field as criteria reasonably related to the risk  
8 of re-offense.

9           (c) Release of information.--All State, county and local  
10 agencies, offices and entities in this Commonwealth shall  
11 cooperate by providing copies of records and information as  
12 requested by the board in connection with the court-ordered  
13 assessment and the assessment requested by the Pennsylvania  
14 Parole Board.

15           (d) Submission of report.--The board shall have 90 days from  
16 the date of conviction of the individual being assessed to  
17 submit a written report containing the assessment to the  
18 district attorney.

19           (e) Summary of offense.--The board shall prepare a  
20 description of the offense or offenses that trigger the  
21 application of this subchapter and include:

22           (1) A concise narrative of the individual's conduct.

23           (2) The age of the victim and the individual's  
24 relationship to the victim.

25           (3) Any physical, mental or emotional injury of the  
26 victim.

27           (4) The use of a weapon or physical force used or  
28 threatened, if any.

29           (5) If the offense was part of a course or pattern of  
30 conduct involving multiple incidents or victims.

1       (6) Previous instances in which the individual was  
2 determined guilty of a child abuse personal injury crime.

3 (f) Hearing and determination.--

4       (1) After praecipe filed by a district attorney, a  
5 hearing to determine whether the individual is a child abuse  
6 offender and whether the individual shall be subject to  
7 public registration requirements under this subchapter shall  
8 be scheduled. The district attorney, after the filing of a  
9 praecipe, shall serve a copy of the praecipe and the report  
10 of the board under this section to defense counsel.

11       (2) The individual and district attorney shall be given  
12 notice of the hearing and an opportunity to be heard, the  
13 right to call witnesses, the right to call expert witnesses  
14 and the right to cross-examine witnesses. The convicted  
15 individual shall have the right to counsel and to have an  
16 attorney appointed to represent the individual if the  
17 convicted individual cannot afford one. If the convicted  
18 individual requests an expert assessment, the convicted  
19 individual shall provide a copy of the expert assessment to  
20 the district attorney prior to the hearing.

21       (3) At the hearing prior to sentencing, the court shall  
22 determine whether the Commonwealth has proved by clear and  
23 convincing evidence that the convicted individual is a child  
24 abuse offender.

25       (4) If the Commonwealth proves by clear and convincing  
26 evidence that the convicted individual is a child abuse  
27 offender, the court shall order the convicted individual to  
28 register as a child abuse offender in accordance with section  
29 9799.83.

30       (5) A copy of the order containing the determination of

1 the court shall be immediately submitted to the convicted  
2 individual, the district attorney, the Pennsylvania Parole  
3 Board, the Department of Corrections, the board and the  
4 Pennsylvania State Police.

5 (g) Presentence investigation.--If the board has performed  
6 an assessment under this section, copies of the assessment  
7 report shall be provided to the agency preparing the presentence  
8 investigation.

9 (h) Parole assessment.--The Department of Corrections or  
10 Pennsylvania Parole Board may request that the board conduct an  
11 assessment of a child abuse offender and that an assessment  
12 report be provided to the Pennsylvania Parole Board prior to  
13 consideration for parole.

14 § 9799.82. Applicability.

15 The following individuals shall register with the  
16 Pennsylvania State Police as provided in sections 9799.83  
17 (relating to period of registration), 9799.86 (relating to  
18 initial registration) and 9799.91 (relating to verification by  
19 child abuse offenders and Pennsylvania State Police) and  
20 otherwise comply with this subchapter:

21 (1) A child abuse offender who has a residence within  
22 this Commonwealth or is a transient.

23 (2) A child abuse offender who is convicted in this  
24 Commonwealth and who does not have a residence in this  
25 Commonwealth and:

26 (i) is employed in this Commonwealth; or

27 (ii) is a student in this Commonwealth.

28 (3) A child abuse offender who is an inmate in a State  
29 or county correctional institution of this Commonwealth,  
30 including a community corrections center or a community

1 contract facility, is being supervised by the Department of  
2 Corrections or county probation or parole, is subject to a  
3 sentence of intermediate punishment or restrictive conditions  
4 of probation or has supervision transferred pursuant to the  
5 Interstate Compact for Adult Supervision.

6 (4) A child abuse offender who is an inmate in a Federal  
7 correctional institution or is supervised by Federal  
8 probation authorities and who:

9 (i) has a residence within this Commonwealth or is a  
10 transient;

11 (ii) is employed within this Commonwealth; or

12 (iii) is a student within this Commonwealth.

13 § 9799.83. Period of registration.

14 (a) Requirement.--

15 (1) Subject to subsection (d), a child abuse offender  
16 shall register with the Pennsylvania State Police for a  
17 period not less than 12 months nor more than 25 years, as  
18 determined by the court following a hearing under section  
19 9799.81(f) (relating to child abuse risk assessment).

20 (2) In determining the registration period to be imposed  
21 and whether the child abuse offender shall appear on the  
22 publicly accessible Internet website maintained by the  
23 Pennsylvania State Police in accordance with section 9799.93  
24 (relating to publicly accessible Internet website), the court  
25 shall consider, at a minimum:

26 (i) The factors under section 9799.81(b).

27 (ii) The board's assessment submitted under section  
28 9799.81(d).

29 (iii) The child abuse offender's presentence  
30 investigation report.

1           (iv) Evidence or information presented by the child  
2           abuse offender.

3           (b) Assessment by court after 15 years.--A child abuse  
4 offender may be exempt from the requirement to register, the  
5 requirement to verify residence, employment and enrollment in an  
6 educational institution, the requirement to appear on the  
7 publicly accessible Internet website maintained by the  
8 Pennsylvania State Police and all other requirements of this  
9 subchapter if subject to subsection (d), at least 15 years have  
10 elapsed prior to filing a petition with the sentencing court to  
11 be exempt from the requirements of this subchapter, during which  
12 time the petitioner has not been convicted in this Commonwealth  
13 or any other jurisdiction or foreign country of an offense  
14 punishable by imprisonment of more than one year, or the  
15 petitioner's release from custody following the petitioner's  
16 most recent conviction for an offense, whichever is later. The  
17 following apply:

18           (1) After receipt of a petition filed under this  
19 subsection, the sentencing court shall enter an order  
20 directing that the petitioner be assessed by the board. After  
21 receipt from the court of an order for an assessment under  
22 this paragraph, a member of the board designated by the  
23 administrative officer of the board shall conduct an  
24 assessment of the petitioner to determine if the relief  
25 sought, if granted, is likely to pose a threat to the safety  
26 of any child. The board shall establish standards for  
27 evaluations and for evaluators conducting assessments.

28           (2) The order for an assessment under this subsection  
29 shall be sent to the administrative officer of the board  
30 within 10 days of the entry. No later than 90 days following

1 receipt of the order, the board shall submit a written report  
2 containing the board's assessment to the sentencing court,  
3 the district attorney and the attorney for the petitioner.

4 (3) Within 120 days of filing the petition under this  
5 subsection, the sentencing court shall hold a hearing to  
6 determine whether to exempt the petitioner from the  
7 application of any or all of the requirements of this  
8 subchapter. The petitioner and the district attorney shall be  
9 given notice of the hearing and an opportunity to be heard,  
10 the right to call witnesses and the right to cross-examine  
11 witnesses. The petitioner shall have the right to counsel and  
12 to have a lawyer appointed to represent the petitioner if the  
13 petitioner cannot afford one.

14 (4) The sentencing court shall exempt the petitioner  
15 from application of any or all of the requirements of this  
16 subchapter, at the discretion of the court, only upon a  
17 finding of clear and convincing evidence that exempting the  
18 child abuse offender from a particular requirement or all of  
19 the requirements of this subchapter is not likely to pose a  
20 threat to the safety of any child.

21 (5) A court granting relief under this subsection shall  
22 notify the Pennsylvania State Police in writing within 10  
23 days from the date the relief is granted. If a memorandum of  
24 understanding has been entered into under section 9799.92  
25 (relating to victim notification) with respect to relief  
26 granted to the petitioner, the Pennsylvania State Police  
27 shall transmit the information about the relief to the Office  
28 of Victim Advocate as soon as is practicable. The Office of  
29 Victim Advocate shall notify the victim of the relief, in  
30 accordance with the memorandum of understanding, as described

1 in section 9799.92.

2 (6) The petitioner and the Commonwealth shall have the  
3 right to appellate review of the actions of the sentencing  
4 court under this subsection. An appeal by the Commonwealth  
5 shall stay the order of the sentencing court.

6 (7) The petitioner may file an additional petition with  
7 the sentencing court no sooner than five years from the date  
8 of the final determination of a court regarding the petition.

9 (8) If the petitioner is exempt from any provisions of  
10 this subchapter and the petitioner is subsequently convicted  
11 under 18 Pa.C.S. § 4915.3 (relating to failure to comply with  
12 child abuse offender registration requirements), relief  
13 granted under this subsection shall be void and the  
14 petitioner shall automatically and immediately again be  
15 subject to the provisions of this subchapter, as previously  
16 determined by this subchapter.

17 (c) Commencement of registration.--

18 (1) The period of registration ordered by the court in  
19 subsection (a) shall commence upon:

20 (i) release from incarceration in a State or county  
21 correctional facility, including release to a community  
22 correction center or community contract facility;

23 (ii) parole or a sentence of probation; or

24 (iii) a sentence of State or county intermediate  
25 punishment in which the person is not sentenced to a  
26 period of incarceration.

27 (2) Notwithstanding paragraph (1), a child abuse  
28 offender shall initially register with the Pennsylvania State  
29 Police as required under section 9799.86 (relating to initial  
30 registration).

1 (d) Period of registration tolled.--

2 (1) The period of registration under subsection (a)  
3 shall be tolled for the period of time in which the child  
4 abuse offender is:

5 (i) incarcerated in a Federal, State or county  
6 correctional institution, excluding a community contract  
7 facility or community corrections center;

8 (ii) subject to a sentence of intermediate  
9 punishment which is restrictive and where the individual  
10 is sentenced to a period of incarceration;

11 (iii) committed to an institution or facility under  
12 section 6352(a)(3) (relating to disposition of delinquent  
13 child) that provides the individual with 24-hour-per-day  
14 supervision and care; or

15 (iv) incarcerated in a Federal correctional  
16 institution, excluding a community contract facility or  
17 community corrections center.

18 (2) This subsection shall apply to a child abuse  
19 offender who is recommitted to a Federal, State or county  
20 correctional institution for a parole violation or who has  
21 been sentenced to an additional term of imprisonment. In  
22 addition, this subsection shall apply to an individual  
23 committed to or recommitted to a Federal correctional  
24 institution. In the case of recommitment to a State or county  
25 correctional institution, the Department of Corrections or  
26 the county correctional facility shall notify the  
27 Pennsylvania State Police of the admission of the individual.

28 (e) Periodic in-person appearance required.--A child abuse  
29 offender shall appear in person at an approved registration site  
30 to provide or verify the information under section 9799.84(b)



1 (relating to registry) and to be photographed annually.

2 (f) In-person appearance to update information.--In addition  
3 to the periodic in-person appearance required in subsections (e)  
4 and (g), a child abuse offender shall appear in person at an  
5 approved registration site within three business days to provide  
6 current information relating to:

7 (1) A change in name, including an alias.

8 (2) A commencement of residence, change in residence,  
9 termination of residence or failure to maintain a residence,  
10 therefore making the individual a transient.

11 (3) Commencement of employment, a change in the location  
12 or entity in which the individual is employed or a  
13 termination of employment.

14 (4) Initial enrollment as a student, a change in  
15 enrollment as a student or termination as a student.

16 (5) An addition or change in telephone number, including  
17 a cell phone number, or a termination of telephone number,  
18 including a cell phone number.

19 (6) An addition, a change in and termination of a motor  
20 vehicle owned or operated, including watercraft or aircraft.  
21 In order to fulfill the requirements of this paragraph, the  
22 individual must provide any license plate numbers and  
23 registration numbers and other identifiers and an addition to  
24 or change in the address of the place the vehicle is stored.

25 (7) A commencement of temporary lodging, a change in  
26 temporary lodging or a termination of temporary lodging. In  
27 order to fulfill the requirements of this paragraph, the  
28 individual must provide the specific length of time and the  
29 dates during which the individual will be temporarily lodged.

30 (8) An addition, change in or termination of email

1 address, instant message address or any other designations  
2 used in Internet communications or postings.

3 (9) An addition, change in or termination of information  
4 related to occupational and professional licensing, including  
5 type of license held and license number.

6 (g) Transients.--If the child abuse offender is a transient,  
7 the child abuse offender shall appear in person at an approved  
8 registration site to provide or to verify the information and to  
9 be photographed monthly. The duty to appear in person monthly  
10 and to be photographed shall apply until a transient establishes  
11 a residence. In the event a transient establishes a residence,  
12 the requirement of periodic in-person appearances under  
13 subsection (e) shall apply.

14 (h) International travel.--In addition to the periodic in-  
15 person appearance required in subsection (e), a child abuse  
16 offender shall appear in person at an approved registration site  
17 no less than 21 days in advance of traveling outside of the  
18 United States and provide the following information:

19 (1) Dates of travel, including date of return to the  
20 United States.

21 (2) All destinations.

22 (3) Temporary lodging.

23 (i) In-person reporting by incarcerated or committed  
24 individuals.--The requirements of subsections (e), (f) and (g)  
25 shall not apply where the child abuse offender is:

26 (1) incarcerated in a correctional institution,  
27 excluding a community contract facility or community  
28 corrections center;

29 (2) subject to a sentence of intermediate punishment  
30 which is restrictive and where the individual is sentenced to

1 a period of incarceration;

2 (3) committed to an institution or facility under  
3 section 6352(a)(3) which provides the individual with 24-  
4 hour-per-day supervision and care; or

5 (4) committed to and receiving involuntary inpatient  
6 treatment in the State-owned facility or unit under Chapter  
7 64 (relating to court-ordered involuntary treatment of  
8 certain sexually violent persons).

9 § 9799.84. Registry.

10 (a) Establishment.--The Statewide registry of child abuse  
11 offenders is established in accordance with this subchapter. The  
12 Pennsylvania State Police shall create and maintain the  
13 registry. The registry shall be:

14 (1) Composed of an electronic database and digitized  
15 records.

16 (2) Able to communicate with child abuse offender  
17 registries established in other jurisdictions.

18 (b) Information provided by child abuse offender.--A child  
19 abuse offender shall provide the following information to the  
20 Pennsylvania State Police which shall be included in the  
21 registry:

22 (1) Primary or given name, including an alias used by  
23 the individual, nickname, pseudonym, ethnic or tribal name,  
24 regardless of the context used and any designations or  
25 monikers used for self-identification in Internet  
26 communications or postings.

27 (2) Designation used by the individual for purposes of  
28 routing or self-identification in Internet communications or  
29 postings.

30 (3) Telephone number, including cell phone number, and

1 any other designation used by the individual for purposes of  
2 routing or self-identification in telephonic communications.

3 (4) Valid Social Security number issued to the  
4 individual by the Federal Government and purported Social  
5 Security number.

6 (5) Address of each residence or intended residence,  
7 whether or not the residence or intended residence is located  
8 within this Commonwealth and the location at which the  
9 individual receives mail, including a post office box. If the  
10 individual fails to maintain a residence and is therefore a  
11 transient, the individual shall provide information for the  
12 registry as required under paragraph (6).

13 (6) If the individual is a transient, the individual  
14 shall provide information about the transient's temporary  
15 habitat or other temporary place of abode or dwelling,  
16 including a homeless shelter or park. In addition, the  
17 transient shall provide a list of places the transient eats,  
18 frequents and engages in leisure activities and any planned  
19 destinations, including those outside this Commonwealth. If  
20 the transient changes or adds to the places listed under this  
21 paragraph during a monthly period, the transient shall list  
22 these changes or additions when registering as a transient  
23 during the next monthly period. In addition, the transient  
24 shall provide the place the transient receives mail,  
25 including a post office box. The duty to provide the  
26 information under this paragraph shall apply until the  
27 transient establishes a residence. In the event a transient  
28 establishes a residence, the requirements of section 9799.83  
29 (relating to period of registration) shall apply.

30 (7) Temporary lodging. In order to fulfill the

1 requirements of this paragraph, the individual must provide  
2 the specific length of time and the dates during which the  
3 individual will be temporarily lodged.

4 (8) A passport and documents establishing immigration  
5 status, which shall be copied in a digitized format for  
6 inclusion in the registry.

7 (9) Name and address where the individual is employed or  
8 will be employed. In order to fulfill the requirements of  
9 this paragraph, if the individual is not employed in a fixed  
10 workplace, the individual shall provide information regarding  
11 general travel routes and general areas where the individual  
12 works.

13 (10) Information relating to occupational and  
14 professional licensing, including type of license held and  
15 the license number.

16 (11) Name and address where the individual is a student  
17 or will be a student.

18 (12) Information relating to motor vehicles owned or  
19 operated by the individual, including watercraft and  
20 aircraft. In order to fulfill the requirements of this  
21 paragraph, the individual shall provide a description of each  
22 motor vehicle, watercraft or aircraft. The individual shall  
23 provide a license plate number, registration number or other  
24 identification number and the address of the place where a  
25 vehicle is stored. In addition, the individual shall provide  
26 the individual's license to operate a motor vehicle or other  
27 identification card issued by the Commonwealth, another  
28 jurisdiction or a foreign country so that the Pennsylvania  
29 State Police can fulfill its responsibilities under  
30 subsection (c) (7).

1           (13) Actual date of birth and purported date of birth.

2           (14) Form signed by the individual acknowledging the  
3 individual's obligations under this subchapter provided in  
4 accordance with section 9799.90 (relating to court  
5 notification and classification requirements).

6           (c) Criminal justice information.--The Pennsylvania State  
7 Police shall ensure that the following information is included  
8 in or electronically accessible by the registry:

9           (1) Physical description of the individual, including a  
10 general physical description and tattoos, scars and other  
11 identifying marks.

12           (2) Text of the statute defining the criminal offense  
13 for which the individual is registered.

14           (3) Criminal history record information of the  
15 individual, including:

16                   (i) Dates of arrests and convictions.

17                   (ii) Status of probation, parole or supervised  
18 release.

19                   (iii) Whether the individual is in compliance with  
20 this subchapter or has absconded.

21                   (iv) Existence of any outstanding warrants.

22           (4) Current photograph of the individual. In order to  
23 fulfill the requirements of this paragraph, in addition to  
24 the requirement of photographs under this subchapter, the  
25 Pennsylvania State Police shall ensure that additional  
26 photographs are taken as needed when there is a significant  
27 change in appearance of the individual, including the taking  
28 of a current photograph before the individual is released  
29 from a State or county correctional institution or an  
30 institution or facility under section 6352(a)(3) (relating to

1 disposition of delinquent child).

2 (5) Set of fingerprints and palm prints of the  
3 individual. In order to fulfill the requirements of this  
4 paragraph, the palm prints shall be taken for the purpose of  
5 submission to the Federal Bureau of Investigation Central  
6 Database. The palm prints shall be submitted for entry into  
7 the database.

8 (6) DNA sample of the individual. In order to fulfill  
9 the requirements of this paragraph, the sample shall be taken  
10 for the purpose of analysis and entry into the Combined DNA  
11 Index System. In addition, the sample shall be analyzed and  
12 submitted for entry into the Combined DNA Index System.

13 (7) Photocopy of valid driver's license or  
14 identification card issued to the individual by the  
15 Commonwealth, another jurisdiction or a foreign country.

16 (d) Cooperation.--There shall be cooperation between the  
17 Pennsylvania State Police, State and county correctional  
18 institutions, the Pennsylvania Parole Board, the county office  
19 of probation and parole, any court with jurisdiction over a  
20 child abuse offender, the chief juvenile probation officer of  
21 the court, juvenile probation and parole, the board and the  
22 Department of Human Services to ensure that the information  
23 under subsections (b) and (c) is provided and placed in the  
24 registry.

25 § 9799.85. Information sharing.

26 (a) Duty of Pennsylvania State Police.--The Pennsylvania  
27 State Police shall, within three business days, make available  
28 information provided by an individual under sections 9799.83  
29 (relating to period of registration), 9799.84 (relating to  
30 registry) and 9799.86 (relating to initial registration) to:

1           (1) A jurisdiction in which the individual is required  
2 to register the individual's residence, employment or  
3 enrollment as a student.

4           (2) A jurisdiction in which the individual has  
5 terminated the individual's residence, employment or  
6 enrollment as a student.

7           (3) The district attorney of the county in which the  
8 individual:

9               (i) establishes a residence, terminates a residence  
10 or is transient;

11               (ii) commences employment or terminates employment;  
12 or

13               (iii) enrolls as a student or terminates enrollment  
14 as a student.

15           (4) The chief law enforcement officer of the police  
16 department of the municipality in which the individual:

17               (i) establishes a residence, terminates a residence  
18 or is transient;

19               (ii) commences employment or terminates employment;  
20 or

21               (iii) enrolls as a student or terminates enrollment  
22 as a student.

23           (5) The county office of probation and parole for the  
24 county in which the individual:

25               (i) establishes a residence, terminates a residence  
26 or is transient;

27               (ii) commences employment or terminates employment;  
28 or

29               (iii) enrolls as a student or terminates enrollment  
30 as a student.



1 (b) International residence.--The Pennsylvania State Police  
2 shall, within three business days, transfer information that a  
3 child abuse offender intends to establish residence in another  
4 country to:

5 (1) A jurisdiction in which the child abuse offender is  
6 required to register residence, employment or enrollment as a  
7 student.

8 (2) The United States Marshals Service.

9 (3) The Department of Justice for inclusion in NCIC.

10 (c) International travel.--The Pennsylvania State Police  
11 shall, within three business days, transfer information about  
12 international travel provided by the child abuse offender under  
13 section 9799.83(h) to:

14 (1) A jurisdiction in which the child abuse offender is  
15 required to register the child abuse offender's residence, as  
16 a transient, employment or enrollment as a student.

17 (2) The United States Marshals Service.

18 (3) The Department of Justice for inclusion in NCIC.

19 (d) National Child Protection Act agencies.--The  
20 Pennsylvania State Police shall, within three business days,  
21 transfer criminal history record information about a child abuse  
22 offender in the registry necessary to enable an agency  
23 responsible for conducting employment-related background checks  
24 under 34 U.S.C. § 40102 (relating to background checks).  
25 § 9799.86. Initial registration.

26 (a) Requirement.--A child abuse offender shall initially  
27 register with the Pennsylvania State Police as required under  
28 this section.

29 (b) Supervision of individual convicted in Commonwealth who  
30 does not intend to reside in Commonwealth.--A child abuse

1 offender who seeks transfer of supervision to another  
2 jurisdiction pursuant to the Interstate Compact for Adult  
3 Offender Supervision shall not have supervision transferred to  
4 another jurisdiction prior to the child abuse offender's  
5 registration with the Pennsylvania State Police as required  
6 under this section.

7 (c) Registration if incarcerated within Commonwealth.--The  
8 following apply to incarcerated child abuse offenders:

9 (1) If the child abuse offender is incarcerated in a  
10 Federal, State or county correctional facility, the child  
11 abuse offender shall provide the information specified in  
12 section 9799.84(b) (relating to registry) to the appropriate  
13 official of the Federal, State or county correctional  
14 facility or the Department of Corrections for inclusion in  
15 the registry before being released due to:

16 (i) the expiration of sentence, in which case the  
17 information shall be collected no later than 10 days  
18 prior to the maximum expiration date;

19 (ii) parole;

20 (iii) State or county intermediate punishment where  
21 the sentence is restrictive and the individual is  
22 sentenced to a period of incarceration in a State or  
23 county correctional facility or a work release facility;  
24 or

25 (iv) special probation supervised by the Department  
26 of Corrections.

27 (2) For a child abuse offender described in paragraph  
28 (1), the appropriate official of the Federal, State or county  
29 correctional facility or the Department of Corrections shall  
30 collect and forward the information specified in section

1 9799.84(b) to the Pennsylvania State Police. The appropriate  
2 official shall, in addition, ensure that the information  
3 specified in section 9799.84(c) is collected and forwarded to  
4 the Pennsylvania State Police. The information specified in  
5 section 9799.84(b) and (c) shall be included in the registry.  
6 With respect to child abuse offenders released under  
7 paragraph (1)(ii), (iii) or (iv), the State or county  
8 correctional facility shall not release the child abuse  
9 offender until the State or county correctional facility  
10 receives verification from the Pennsylvania State Police that  
11 the Pennsylvania State Police has received the information  
12 specified in section 9799.84(b) and (c). Verification may  
13 take place by electronic means. With respect to child abuse  
14 offenders released under paragraph (1)(i), if the child abuse  
15 offender refuses to provide the information specified in  
16 section 9799.84(b), the State or county correctional facility  
17 shall notify the Pennsylvania State Police or the municipal  
18 police department with jurisdiction over the facility of the  
19 failure to provide the information and of the expected date,  
20 time and location of the release of the child abuse offender.

21 (d) Registration if sentenced to a State or county  
22 correctional facility.--If the child offender is sentenced to a  
23 period of incarceration in a State or county correctional  
24 facility, the child abuse offender shall provide the information  
25 specified in section 9799.84(b) as follows:

26 (1) At the time of sentencing, the court shall require  
27 the child abuse offender to immediately report to the office  
28 of probation and parole serving that county to register under  
29 this subchapter. The appropriate office of probation and  
30 parole shall collect the information specified in section

1 9799.84(b) from the individual and forward the information to  
2 the Pennsylvania State Police. The appropriate office of  
3 probation and parole shall, in addition, ensure the  
4 information specified in section 9799.84(c) is collected and  
5 forwarded to the Pennsylvania State Police. The information  
6 specified in section 9799.84(b) and (c) shall be included in  
7 the registry.

8 (2) If the child abuse offender is incarcerated in a  
9 State or county correctional facility, the correctional  
10 facility shall notify the Pennsylvania State Police not more  
11 than 30 days in advance of, but not later than 10 days prior  
12 to, the child abuse offender's release from the correctional  
13 facility according to the following:

14 (i) The correctional facility shall ensure that the  
15 information specified in section 9799.84(b) and (c) for  
16 the child abuse offender has been submitted to the  
17 Pennsylvania State Police.

18 (ii) If the information has not been submitted to  
19 the Pennsylvania State Police, the correctional facility  
20 shall collect the information specified in section  
21 9799.84(b) from the child abuse offender and forward the  
22 information to the Pennsylvania State Police.

23 (iii) The correctional facility shall also report  
24 any changes to the information specified in section  
25 9799.84(b) and (c) on file with the Pennsylvania State  
26 Police.

27 (iv) In the case of parole, State intermediate  
28 punishment, State drug treatment programs or restrictive  
29 conditions of probation where the sentence is restrictive  
30 and the child abuse offender is sentenced to a period of

1 incarceration in a State or county correctional facility  
2 or work release facility or special probation supervised  
3 by the Department of Corrections, the correctional  
4 facility may not release the child abuse offender until  
5 the correctional facility receives verification from the  
6 Pennsylvania State Police that the Pennsylvania State  
7 Police has received the information specified in section  
8 9799.84(b) and (c). Verification by the Pennsylvania  
9 State Police may occur by electronic means.

10 (v) If the child abuse offender is scheduled to be  
11 released from a State or county correctional facility due  
12 to the expiration of sentence and the child abuse  
13 offender refuses to provide the information specified in  
14 section 9799.84(b), the State or county correctional  
15 facility shall notify the Pennsylvania State Police or  
16 the municipal police department with jurisdiction over  
17 the facility of the failure to provide the information  
18 and of the expected date, time and location of the  
19 release of the child abuse offender.

20 (e) Registration if sentenced to county intermediate  
21 punishment.--If the child abuse offender is sentenced to county  
22 intermediate punishment which is restorative where the child  
23 abuse offender is not sentenced to incarceration or to a work  
24 release facility, the child abuse offender shall provide the  
25 information specified in section 9799.84(b) by appearing at an  
26 approved registration site within 48 hours of being sentenced.  
27 The appropriate official of the county office of probation and  
28 parole shall ensure that the child abuse offender has appeared  
29 at an approved registration site as described in this  
30 subsection. If the individual fails to appear, the appropriate

1 official of the county office of probation and parole shall  
2 notify the Pennsylvania State Police. The Pennsylvania State  
3 Police shall ensure the information specified in section  
4 9799.84(c) with respect to the child abuse offender is collected  
5 and entered in the registry.

6 (f) Registration if sentenced to county intermediate  
7 punishment.--If the child abuse offender is sentenced to county  
8 intermediate punishment, the following apply:

9 (1) If the child abuse offender is sentenced to county  
10 intermediate punishment which is restorative, the child abuse  
11 offender shall provide the information specified in section  
12 9799.84(b) by appearing at an approved registration site  
13 within 48 hours of being sentenced. The appropriate official  
14 of the county office of probation and parole shall ensure  
15 that the child abuse offender has appeared at an approved  
16 registration site as specified in this paragraph. If the  
17 child abuse offender fails to appear, the appropriate  
18 official of the county office of probation and parole shall  
19 notify the Pennsylvania State Police. The Pennsylvania State  
20 Police shall ensure the information specified in section  
21 9799.84(c) with respect to the child abuse offender is  
22 collected and entered in the registry.

23 (2) If the child abuse offender is sentenced to county  
24 intermediate punishment which is restrictive where the child  
25 abuse offender is not sentenced to incarceration or to a work  
26 release facility, the child abuse offender shall provide the  
27 information specified in section 9799.84(b) by appearing at  
28 an approved registration site within 48 hours of being  
29 sentenced. The appropriate official of the county office of  
30 probation and parole shall ensure that the child abuse

1 offender has appeared at an approved registration site as  
2 described in this paragraph. If the child abuse offender  
3 fails to appear, the appropriate official of the county  
4 office of probation and parole shall notify the Pennsylvania  
5 State Police. The Pennsylvania State Police shall ensure the  
6 information specified in section 9799.84(c) with respect to  
7 the child abuse offender is collected and entered in the  
8 registry.

9 (g) Registration if sentenced to county probation.--If the  
10 child abuse offender is sentenced to county probation, the child  
11 abuse offender shall provide the information specified in  
12 section 9799.84(b) by appearing at an approved registration site  
13 within 48 hours of being sentenced. The appropriate official of  
14 the county office of probation and parole shall ensure that the  
15 child abuse offender has appeared at an approved registration  
16 site as described in this subsection. If the child abuse  
17 offender fails to appear, the appropriate official of the county  
18 office of probation and parole shall notify the Pennsylvania  
19 State Police. The Pennsylvania State Police shall ensure the  
20 information specified in section 9799.84(c) with respect to the  
21 child abuse offender is collected and entered in the registry.

22 (h) Registration for county probationers.--If the child  
23 abuse offender is serving a sentence of county probation, the  
24 appropriate office of probation and parole serving the county  
25 shall register the child abuse offender within 48 hours. The  
26 appropriate official of that office shall collect the  
27 information specified in section 9799.84(b) and forward that  
28 information to the Pennsylvania State Police. The Pennsylvania  
29 State Police shall ensure that the information specified in  
30 section 9799.84(c) is collected. The information specified in

1 section 9799.84(b) and (c) shall be included in the registry. If  
2 the child abuse offender fails to comply, the appropriate  
3 official of that office shall notify the Pennsylvania State  
4 Police.

5 (i) Registration for State or county parolees.--

6 (1) If the child abuse offender is serving a sentence of  
7 county parole, the appropriate office of probation and parole  
8 -serving the county shall register the child abuse offender  
9 within 48 hours. The appropriate official of that office  
10 shall collect the information specified in section 9799.84(b)  
11 and forward that information to the Pennsylvania State  
12 Police. The Pennsylvania State Police shall ensure that the  
13 information specified in section 9799.84(c) is collected. The  
14 information specified in section 9799.84(b) and (c) shall be  
15 included in the registry. If the child abuse offender fails  
16 to comply, the appropriate official of that office shall  
17 notify the Pennsylvania State Police.

18 (2) If the child abuse offender is serving a sentence of  
19 State parole, the Department of Corrections shall register  
20 the child abuse offender within 48 hours. The appropriate  
21 official of the Department of Corrections shall collect the  
22 information specified in section 9799.84(b) from the child  
23 abuse offender and forward the information to the  
24 Pennsylvania State Police. The Pennsylvania State Police  
25 shall ensure that the information specified in section  
26 9799.84(c) is collected. The information specified in section  
27 9799.84(b) and (c) shall be included in the registry. If the  
28 child abuse offender fails to comply, the appropriate  
29 official of the Department of Corrections shall notify the  
30 Pennsylvania State Police.



1 § 9799.87. Duty to inform.

2 In order to implement section 9799.86 (relating to initial  
3 registration), as appropriate, the Pennsylvania State Police,  
4 the court having jurisdiction over the child abuse offender, the  
5 chief juvenile probation officer of the court and the  
6 appropriate official of the Department of Corrections, county  
7 office of probation and parole, the board, the Department of  
8 Human Services or a State or county correctional institution  
9 shall:

10 (1) Inform the child abuse offender of the child abuse  
11 offender's duties under this subchapter.

12 (2) Require the child abuse offender to read and sign a  
13 form stating that the duty to register has been explained and  
14 that the child abuse offender understands the registration  
15 requirement.

16 (3) Collect the information required under section  
17 9799.84 (b) and (c) (relating to registry) and forward the  
18 information to the Pennsylvania State Police for inclusion in  
19 the registry under this subchapter.

20 § 9799.88. Penalties.

21 (a) Fails to register.--A child abuse offender shall be  
22 subject to prosecution under 18 Pa.C.S. § 4915.3 (relating to  
23 failure to comply with child abuse offender registration  
24 requirements) if the child abuse offender fails to:

25 (1) register with the Pennsylvania State Police as  
26 required under section 9799.83 (relating to period of  
27 registration), 9799.86 (relating to initial registration) or  
28 9799.91 (relating to verification by child abuse offenders  
29 and Pennsylvania State Police);

30 (2) verify the information provided by the child abuse

1 offender or be photographed as provided under section 9799.83  
2 or 9799.91 or

3 (3) provide accurate information when registering under  
4 sections 9799.83, 9799.86 and 9799.91.

5 (b) Counseling.--A child abuse offender may be subject to  
6 prosecution under 18 Pa.C.S. § 4915.3 if the child abuse  
7 offender fails to comply with section 9799.101 (relating to  
8 counseling requirement).

9 § 9799.89. Enforcement.

10 (a) Failure to comply.--If a child abuse offender fails to  
11 comply with section 9799.86 (relating to initial registration),  
12 9799.88 (relating to penalties) or 9799.101 (relating to  
13 counseling requirement), the Pennsylvania State Police shall:

14 (1) In cooperation with the district attorney, seek  
15 issuance of a warrant for the arrest of the child abuse  
16 offender and locate and arrest the child abuse offender for  
17 violating this section.

18 (2) Notify the municipal police department where the  
19 child abuse offender has a residence, is a transient, is  
20 employed or is enrolled as a student. The municipal police  
21 shall, in cooperation with the district attorney, seek  
22 issuance of a warrant for the arrest of the child abuse  
23 offender and locate and arrest the child abuse offender for  
24 violating this section. In municipalities where no municipal  
25 police department exists, the Pennsylvania State Police shall  
26 proceed under paragraph (1).

27 (b) If individual cannot be found.--

28 (1) In the event the child abuse offender cannot be  
29 located:

30 (i) The Pennsylvania State Police shall enter

1 information in the registry indicating that the child  
2 abuse offender cannot be located.

3 (ii) The Pennsylvania State Police shall provide  
4 information to NCIC to reflect that the child abuse  
5 offender cannot be located.

6 (iii) The Pennsylvania State Police shall notify the  
7 United States Marshals Service.

8 (2) If a warrant is issued pursuant to this subsection,  
9 the police department executing the warrant shall provide  
10 information to the NCIC Wanted Person File to reflect that a  
11 warrant has been issued for the child abuse offender's  
12 arrest.

13 (c) Duty to inform Pennsylvania State Police.--In order to  
14 implement this subchapter, the court with jurisdiction over the  
15 child abuse offender, the chief juvenile probation officer of  
16 the court and the appropriate official of the Department of  
17 Corrections responsible for State parole supervision, the county  
18 office of probation and parole, the Department of Human Services  
19 or a State or county correctional institution shall inform the  
20 Pennsylvania State Police if the child abuse offender refuses to  
21 provide the information required by this subchapter so that the  
22 Pennsylvania State Police may comply with this section.

23 § 9799.90. Court notification and classification requirements.

24 (a) Notice to child abuse offenders.--At the time of  
25 sentencing, the court shall inform the child abuse offender of  
26 the provisions of this subchapter. The court shall:

27 (1) Specifically classify the individual as a child  
28 abuse offender.

29 (2) Specifically inform the child abuse offender of:

30 (i) the duty to register in accordance with sections

1 9799.83 (relating to period of registration), 9799.84(b)  
2 (relating to registry), 9799.86 (relating to initial  
3 registration) and 9799.91 (relating to verification by  
4 child abuse offenders and Pennsylvania State Police); and  
5 (ii) the duty to attend counseling in accordance  
6 with section 9799.101 (relating to counseling  
7 requirement), if applicable.

8 (3) In accordance with 9799.84, order that the  
9 fingerprints, palm prints, DNA sample and photograph of the  
10 child abuse offender be provided to the Pennsylvania State  
11 Police upon sentencing.

12 (4) Require the child abuse offender to read and sign a  
13 form stating that the duty to register under this subchapter  
14 has been explained. If the child abuse offender is incapable  
15 of speaking, reading or writing the English language, the  
16 court shall certify the duty to register was explained to the  
17 child abuse offender, and the child abuse offender indicated  
18 an understanding of the duty.

19 (b) Mandatory registration.--

20 (1) All child abuse offenders must register in  
21 accordance with this subchapter.

22 (2) Failure by the court to provide the information  
23 required in this section, to correctly inform a child abuse  
24 offender of the child abuse offender's obligations or to  
25 require a child abuse offender to register shall not relieve  
26 the child abuse offender from the requirements of this  
27 subchapter.

28 (3) The court shall have no authority to relieve a child  
29 abuse offender from the duty to register under this  
30 subchapter or to modify the requirements of this subchapter

1 relating to the child abuse offender.

2 § 9799.91. Verification by child abuse offenders and  
3 Pennsylvania State Police.

4 (a) Periodic verification.--Except for initial registration  
5 as provided in section 9799.86 (relating to initial  
6 registration) and in accordance with section 9799.83(a)  
7 (relating to period of registration), a child abuse offender  
8 shall verify the information provided in section 9799.84(b)  
9 (relating to registry), by appearing in person at an approved  
10 registration site annually to be photographed.

11 (b) Telephonic verification system.--The Pennsylvania State  
12 Police shall develop a mechanism to permit child abuse offenders  
13 to utilize a telephonic verification system. A child abuse  
14 offender may not utilize the telephonic verification system  
15 until the Pennsylvania State Police transmit a notice to the  
16 Legislative Reference Bureau for publication in the next  
17 available issue of the Pennsylvania Bulletin that the telephonic  
18 verification system is operational.

19 (c) Deadline.--

20 (1) A child abuse offender shall appear as required  
21 under subsection (a) within 10 days before the date  
22 designated by the Pennsylvania State Police. Failure to  
23 appear within 10 days may subject the child abuse offender to  
24 prosecution under 18 Pa.C.S. § 4915.3 (relating to failure to  
25 comply with child abuse offender registration requirements).

26 (2) In the case of a child abuse offender who fails to  
27 appear in person or by telephone as required under this  
28 section, the Pennsylvania State Police shall notify the  
29 municipal police department where the child abuse offender  
30 has a residence, is employed or is enrolled as a student. The

1 municipal police shall locate the child abuse offender and  
2 arrest the offender for violating this section. A municipal  
3 police department may request assistance locating or  
4 arresting a child abuse offender from the Pennsylvania State  
5 Police. In municipalities where no municipal police  
6 department exists, the Pennsylvania State Police shall locate  
7 and arrest the child abuse offender for violating this  
8 section.

9 (3) In the case of a child abuse offender who fails to  
10 appear in person or by telephone as required under this  
11 section, the Pennsylvania State Police shall notify the  
12 United States Marshals Service in accordance with section  
13 9799.89(b)(1)(iii) (relating to enforcement).

14 (d) Facilitation of verification.--The Pennsylvania State  
15 Police shall administer and facilitate the process of  
16 verification of information, including compliance with  
17 counseling and photographing the child abuse offender by:

18 (1) Sending a notice by first class United States mail  
19 to each child abuse offender at the last reported location  
20 where the offender receives mail. The notice shall be sent  
21 not more than 30 days nor less than 15 days prior to the date  
22 a child abuse offender is required to appear under subsection  
23 (a). The notice shall remind the child abuse offender of the  
24 child abuse offender's responsibilities under this  
25 subchapter, including counseling, and provide a list of  
26 approved registration sites and the telephone number to  
27 contact the Pennsylvania State Police for verification under  
28 subsection (b).

29 (2) Providing verification and compliance forms as  
30 necessary at each approved registration site.

1 (e) Effect of notice.--Failure to send or receive notice of  
2 information under this section shall not relieve the child abuse  
3 offender from the requirements of this subchapter.

4 (f) Natural disaster or evacuation event.--The occurrence of  
5 a natural disaster or other event requiring evacuation of  
6 residences shall not relieve the child abuse offender of the  
7 duty to register or any other duty imposed by this subchapter.

8 (g) Group-based homes.--

9 (1) A group-based home may not provide concurrent  
10 residence in the group-based home to more than five child  
11 abuse offenders at the same time.

12 (2) A group-based home that violates paragraph (1) shall  
13 be subject to a civil penalty in the amount of \$2,500 for a  
14 first violation and in the amount of \$5,000 for a second or  
15 subsequent violation.

16 (3) The Pennsylvania State Police or local law  
17 enforcement agency of a jurisdiction shall investigate  
18 compliance with this subsection, and the Attorney General or  
19 district attorney may commence a civil action in the court of  
20 common pleas of the county in which a group-based home is  
21 located to impose and collect from the group-based home the  
22 penalty under paragraph (2).

23 (4) As used in this subsection, the term "group-based  
24 home" shall have the same meaning as under 61 Pa.C.S. §  
25 5007(c) (relating to certain offenders residing in group-  
26 based homes).

27 § 9799.92. Victim notification.

28 (a) Duty to inform victim.--

29 (1) After an individual is determined to be a child  
30 abuse offender, a municipal police department or the

1 Pennsylvania State Police, if no municipal police  
2 jurisdiction exists, shall give written notice to the victim  
3 and the victim's parent or guardian when the child abuse  
4 offender registers initially under section 9799.86 (relating  
5 to initial registration) or under section 9799.83 (relating  
6 to period of registration). The notice shall be given within  
7 72 hours after the child abuse offender registers or notifies  
8 the Pennsylvania State Police of current information under  
9 section 9799.83(f). The notice shall contain:

10 (i) The child abuse offender's name.

11 (ii) The residence of the child abuse offender. This  
12 subparagraph includes whether the child abuse offender is  
13 a transient, in which case the notice shall contain  
14 information about the transient's temporary habitat or  
15 other temporary place of abode or dwelling, including a  
16 homeless shelter or park. In addition, the notice shall  
17 contain a list of places the transient eats, frequents  
18 and engages in leisure activities.

19 (iii) When applicable, the child abuse offender's  
20 address of:

21 (A) Employment.

22 (B) Institution where enrolled as a student.

23 (2) A victim may terminate the duty to inform under this  
24 subsection by providing the local municipal police department  
25 or the Pennsylvania State Police, if no local municipal  
26 police department exists, with a written statement releasing  
27 that agency from the duty to comply with this section as it  
28 pertains to that victim.

29 (b) Electronic notification option.--The Pennsylvania State  
30 Police shall develop and implement a system that allows a victim



1 and the victim's parent or guardian to receive electronic  
2 notifications when a child abuse offender provides current  
3 information to the Pennsylvania State Police.

4 (c) Alternate means of notifying victims.--

5 (1) The Pennsylvania State Police may enter into a  
6 memorandum of understanding with the Office of Victim  
7 Advocate to assist the Pennsylvania State Police in notifying  
8 victims and providing the information required under this  
9 section. If the Pennsylvania State Police enter into a  
10 memorandum, the memorandum of understanding must state the  
11 manner and method of notifying victims and the duties of the  
12 Pennsylvania State Police and the Office of Victim Advocate.  
13 A memorandum of understanding entered into under this  
14 subsection shall be valid for no more than 10 years. There  
15 shall be no limit to the number of memoranda of understanding  
16 which may be executed by the Pennsylvania State Police and  
17 the Office of Victim Advocate under this subsection.

18 (2) As used in this subsection, the term "Office of  
19 Victim Advocate" shall mean the office established under  
20 section 301 of the act of November 24, 1998 (P.L.882,  
21 No.111), known as the Crime Victims Act.

22 § 9799.93. Publicly accessible Internet website.

23 (a) Information to be made available.--The Pennsylvania  
24 State Police shall, in the manner and form directed by the  
25 Governor:

26 (1) Develop and maintain a system for making information  
27 about child abuse offenders who are subject to public  
28 registration requirements under section 9799.83 (relating to  
29 period of registration) publicly available by electronic  
30 means via a publicly accessible Internet website. In order to

1 fulfill the duties under this section, the Pennsylvania State  
2 Police shall ensure that the website:

3 (i) Contains a feature to permit a member of the  
4 public to obtain relevant information for a child abuse  
5 offender by a query of the website based on search  
6 criteria, including searches for any given zip code or  
7 geographic radius set by the user.

8 (ii) Contains a feature to allow a member of the  
9 public to receive electronic notification when a child  
10 abuse offender provides information under section  
11 9799.83(f) (2), (3) or (4). This feature shall also allow  
12 a member of the public to receive electronic notification  
13 when the child abuse offender moves into or out of a  
14 geographic area chosen by the user.

15 (iii) Is updated within three business days with the  
16 required information.

17 (2) Include on the website:

18 (i) Instructions on how to seek correction of  
19 information that an individual contends is erroneous.

20 (ii) A warning that the information on the publicly  
21 accessible Internet website should not be used to  
22 unlawfully injure, harass or commit a crime against a  
23 child abuse offender and that any such action could  
24 result in criminal or civil penalties.

25 (3) Include an explanation of the website's limitations,  
26 including statements advising that:

27 (i) A positive identification of a child abuse  
28 offender may be confirmed only by fingerprints or DNA  
29 analysis.

30 (ii) Some information contained on the website may

1 be outdated or inaccurate.

2 (iii) The website is not a comprehensive listing of  
3 every person who has ever committed a child-abuse-related  
4 offense in this Commonwealth.

5 (4) Strive to ensure that the information contained on  
6 the website is accurate and that the data is revised and  
7 updated as required under paragraph (1)(iii).

8 (5) Provide general information designed to inform and  
9 educate the public about child abuse offenders and the  
10 operation of this subchapter as well as pertinent and  
11 appropriate information concerning crime prevention and  
12 personal safety, with appropriate links to other relevant  
13 publicly accessible Internet websites operated by this  
14 Commonwealth.

15 (b) Required information.--Notwithstanding 18 Pa.C.S. Ch. 91  
16 (relating to criminal history record information), the website  
17 developed under subsection (a) shall contain the following  
18 information regarding a child abuse offender:

19 (1) Name and aliases.

20 (2) Year of birth.

21 (3) Street address, municipality, county, state and zip  
22 code of residences and intended residences. In the case of a  
23 child abuse offender who is a transient, the website shall  
24 contain information about the transient's temporary habitat  
25 or other temporary place of abode or dwelling, including a  
26 homeless shelter or park. In addition, the website shall  
27 contain a list of places the transient eats, frequents and  
28 engages in leisure activities.

29 (4) Street address, municipality, county, state and zip  
30 code of any location at which a child abuse offender is

1 enrolled as a student, if applicable.

2 (5) Street address, municipality, county, state and zip  
3 code of a fixed location where a child abuse offender is  
4 employed. If a child abuse offender is not employed at a  
5 fixed address, the information shall include general areas of  
6 work.

7 (6) Current facial photograph of a child abuse offender.  
8 The website shall, if available, show the last eight facial  
9 photographs taken of a child abuse offender and the date each  
10 photograph was entered into the registry.

11 (7) Physical description of a child abuse offender.

12 (8) License plate number and a description of a vehicle  
13 owned or operated by a child abuse offender.

14 (9) Offenses that subject a child abuse offender to  
15 registration requirements under this subchapter.

16 (10) A statement whether a child abuse offender is in  
17 compliance with registration requirements under this  
18 subchapter.

19 (11) A statement regarding the age of the victim.

20 (12) Date on which the child abuse offender is made  
21 active within the registry and date when the child abuse  
22 offender most recently updated registration information.

23 (13) Indication as to whether the child abuse offender  
24 is a sexually violent predator, sexually violent delinquent  
25 child or convicted of a Tier I, Tier II or Tier III sexual  
26 offense under Ch. 97 Subch. H (relating to registration of  
27 sexual offenders).

28 (14) If applicable, indication that a child abuse  
29 offender is incarcerated, committed or a transient.

30 (c) Prohibited information.--The publicly accessible

1 Internet website shall not contain:

2 (1) The identity of any victim.

3 (2) The Social Security number of a child abuse  
4 offender.

5 (3) Any information relating to arrests of a child abuse  
6 offender that did not result in conviction.

7 (4) Travel and immigration document numbers.

8 (d) Duration of posting.--The information listed in  
9 subsection (b) shall be made available on the publicly  
10 accessible Internet website unless a child abuse offender is  
11 deceased or is no longer required to register under this  
12 subchapter.

13 § 9799.94. Administration.

14 The Governor shall direct the Pennsylvania State Police, the  
15 board, the Department of Corrections, the Department of  
16 Transportation and any other agency of the Commonwealth that the  
17 Governor deems necessary to collaboratively design, develop and  
18 implement an integrated and secure system of communication,  
19 storage and retrieval of information to assure the timely,  
20 accurate and efficient administration of this subchapter.

21 § 9799.95. Global positioning system technology.

22 The Pennsylvania Parole Board, the Department of Corrections,  
23 the agents of the Department of Corrections and county probation  
24 authorities may impose supervision conditions that include  
25 tracking through global positioning system technology.

26 § 9799.96. Immunity for good faith conduct.

27 The following entities, entities' agents and employees shall  
28 be immune from liability for good faith conduct under this  
29 subchapter:

30 (1) The Pennsylvania State Police and local law

1 enforcement agencies.

2 (2) District attorneys.

3 (3) Superintendents, administrators, teachers, employees  
4 and volunteers engaged in the supervision of children of any  
5 public, private or parochial school.

6 (4) Directors and employees of county children and youth  
7 agencies.

8 (5) Presidents or similar officers of universities and  
9 colleges, including community colleges.

10 (6) The Pennsylvania Parole Board.

11 (7) County probation and parole offices.

12 (8) Licensees of certified day-care centers and  
13 directors of licensed preschool programs and owners and  
14 operators of registered family day-care homes.

15 (9) The Department of Corrections.

16 (10) County correctional facilities.

17 (11) Board members.

18 (12) Juvenile probation offices.

19 (13) The Department of Human Services.

20 § 9799.97. Duties of Pennsylvania State Police.

21 The Pennsylvania State Police shall have the following  
22 duties:

23 (1) To create and maintain the Statewide registry of  
24 child abuse offenders in conformity with this subchapter.

25 (2) In consultation with the Department of Corrections,  
26 the Office of Attorney General, the Administrative Office of  
27 Pennsylvania Courts and the chairperson and minority  
28 chairperson of the Judiciary Committee of the Senate and the  
29 chairperson and minority chairperson of the Judiciary  
30 Committee of the House of Representatives, to promulgate

1 regulations necessary for the general administration of this  
2 subchapter. Regulations shall establish procedures to allow a  
3 child abuse offender, including a transient, to fulfill the  
4 requirements at approved registration sites throughout this  
5 Commonwealth. The Pennsylvania State Police shall transmit a  
6 list of approved registration sites to the Legislative  
7 Reference Bureau for publication in the next available issue  
8 of the Pennsylvania Bulletin and provide a list of approved  
9 registration sites in any notice sent to child abuse  
10 offenders. An approved registration site shall be capable of  
11 submitting fingerprints, palm prints, DNA samples and any  
12 other information required electronically to the Pennsylvania  
13 State Police. The Pennsylvania State Police shall require  
14 that approved registration sites submit fingerprints  
15 utilizing the Integrated Automated Fingerprint Identification  
16 System or in another manner and in a form the Pennsylvania  
17 State Police require. Approved registration sites may not be  
18 limited to sites managed by the Pennsylvania State Police and  
19 shall include sites managed by local law enforcement agencies  
20 that meet the criteria for approved registration sites under  
21 this paragraph.

22 (3) Transfer information under section 9799.85 (relating  
23 to information sharing).

24 (4) To enforce this subchapter in accordance with  
25 section 9799.89 (relating to enforcement).

26 (5) To facilitate verification of information from child  
27 abuse offenders as provided in section 9799.91 (relating to  
28 verification by child abuse offenders and Pennsylvania State  
29 Police).

30 (6) In consultation with the Department of Corrections,

1 to promulgate regulations directing State and county  
2 correctional facilities and State and county probation and  
3 parole offices regarding the completion of information,  
4 including the taking of photographs, required under this  
5 subchapter.

6 (7) To develop the telephonic verification system  
7 established under section 9799.91(b).

8 § 9799.98. Duties of Department of Corrections and probation  
9 and parole officials.

10 (a) Duties.--The Department of Corrections and the county  
11 office of probation and parole shall:

12 (1) Perform duties on behalf of the Department of  
13 Corrections and the county office of probation and parole in  
14 accordance with section 9799.86 (relating to initial  
15 registration).

16 (2) On a form prescribed by the Pennsylvania State  
17 Police, notify the Pennsylvania State Police each time a  
18 child abuse offender is arrested, recommitted to a State or  
19 county correctional institution for a parole violation or  
20 incarcerated.

21 (b) Notification form.--The Department of Corrections shall  
22 create a notification form which provides county prison and  
23 probation and parole personnel with information on the process  
24 of informing child abuse offenders of mandates under this  
25 subchapter.

26 § 9799.99. Duties of facilities housing child abuse offenders.

27 The Department of Corrections, a county correctional facility  
28 and the separate or State-owned facility shall have the  
29 following duties:

30 (1) To perform duties in accordance with section 9799.86



1 (relating to initial registration). This paragraph includes  
2 taking a current photograph of the child abuse offender  
3 before the offender is released from confinement or  
4 commitment or is discharged.

5 (2) On a form prescribed by the Pennsylvania State  
6 Police, to notify the Pennsylvania State Police each time a  
7 child abuse offender is incarcerated, committed or released,  
8 including supervised release. This paragraph shall include a  
9 community corrections center or community contract facility.

10 (3) To assist child abuse offenders registering under  
11 this subchapter.

12 § 9799.100. Board.

13 (a) Composition.--The board shall be composed of  
14 psychiatrists, psychologists and criminal justice experts, each  
15 of whom is an expert in the field of the behavior and treatment  
16 of child abuse offenders.

17 (b) Appointment.--The Parole Board shall appoint members of  
18 the board.

19 (c) Term of office.--Members of the board shall serve four-  
20 year terms.

21 (d) Compensation.--The members of the board shall be  
22 compensated at a rate of \$350 per assessment and receive  
23 reimbursement for actual and necessary expenses while performing  
24 the business of the board. The chairman shall receive \$500  
25 additional compensation annually.

26 (e) Staff.--The board shall employ an executive director and  
27 other staff as necessary to carry out the board's duties under  
28 this subchapter. The executive director shall direct the  
29 operations, management and administration of the board and  
30 organize and oversee the work of the staff. Legal counsel for

1 the board shall be provided in accordance with the act of  
2 October 15, 1980 (P.L.950, No.164), known as the Commonwealth  
3 Attorneys Act. Upon request by the board, the Department of  
4 Corrections shall make available facilities, administrative  
5 support and other assistance to the board.

6 § 9799.101. Counseling requirement.

7 (a) Monthly counseling.--A child abuse offender who is not  
8 incarcerated shall be required to attend at least monthly  
9 counseling sessions in a program approved by the board and be  
10 financially responsible for all fees assessed from the  
11 counseling sessions. The board shall monitor the compliance of  
12 the child abuse offender. If the child abuse offender can prove  
13 to the satisfaction of the court that the child abuse offender  
14 cannot afford to pay for the counseling sessions, the child  
15 abuse offender shall nonetheless attend the counseling sessions  
16 and the parole office shall pay the requisite fees.

17 (b) Penalty.--A child abuse offender who knowingly fails to  
18 attend counseling sessions as provided in this section shall be  
19 subject to prosecution under 18 Pa.C.S. § 4915.3 (relating to  
20 failure to comply with child abuse offender registration  
21 requirements).

22 (c) Notification.--A provider of counseling services under  
23 subsection (a) shall notify the district attorney of the county  
24 and the chief law enforcement officer, as defined in section  
25 8951 (relating to definitions), of the municipality in the  
26 county and municipality where the provider is located that the  
27 provider is counseling child abuse offenders. Notifications  
28 under this subsection shall be submitted in writing by January  
29 15 of each year and shall include the address of the provider.

30 § 9799.102. Photographs and fingerprinting.

1       A child abuse offender shall submit to fingerprinting and  
2 photographing as required by this subchapter. Fingerprinting as  
3 required by this subchapter shall, at a minimum, require  
4 submission of a full set of fingerprints and palm prints.  
5 Photographing as required by this subchapter shall, at a  
6 minimum, require submission to photographs of the face and any  
7 scars, marks, tattoos or other unique features of the  
8 individual. Fingerprints and photographs obtained under this  
9 subchapter may be maintained for use under this subchapter and  
10 for general law enforcement purposes.

11       Section 3. This act shall take effect in 60 days.