

AMENDMENTS TO SENATE BILL NO. 1075

Sponsor: SENATOR ARNOLD

Printer's No. 2002

1 Amend Bill, page 1, lines 1 through 7, by striking out all of
2 said lines and inserting

3 Amending Titles 18 (Crimes and Offenses), 23 (Domestic
4 Relations) and 42 (Judiciary and Judicial Procedure) of the
5 Pennsylvania Consolidated Statutes, in minors, further
6 providing for the offense of sexual abuse of children; in
7 child protective services, providing for task force on child
8 pornography; and, in sentencing, further providing for
9 sentencing for offenses involving sexual abuse of children.

10 Amend Bill, page 2, lines 13 through 30; pages 3 through 6,
11 lines 1 through 30; page 7, lines 1 through 4; by striking out
12 all of said lines on said pages and inserting

13 Section 2. Title 23 is amended by adding a section to read:
14 § 6388. Task Force on Child Pornography.

15 (a) Establishment.--The Task Force on Child Pornography is
16 established.

17 (b) Purpose.--The purpose of the task force is to conduct a
18 review to ascertain any inadequacies relating to the offense of
19 child pornography in 18 Pa.C.S. § 6312 (relating to sexual abuse
20 of children).

21 (c) Composition.--The task force shall consist of the
22 following members, who shall be appointed within 25 days after
23 the effective date of this section:

24 (1) The Secretary of Human Services or a designee.

25 (2) The Attorney General or a designee.

26 (3) The Commissioner of the Pennsylvania State Police or
27 a designee.

28 (4) The Chairman of the Pennsylvania Commission on Crime
29 and Delinquency or a designee.

30 (5) The Executive Director of the Pennsylvania
31 Commission on Sentencing or a designee.

32 (6) Two members of the Senate, one appointed by the
33 President pro tempore of the Senate and one appointed by the
34 Minority Leader of the Senate.

35 (7) Two members of the House of Representatives, one

1 appointed by the Speaker of the House of Representatives and
2 one appointed by the Minority Leader of the House of
3 Representatives.

4 (8) The Victim Advocate from the Office of Victim
5 Advocate or a designee from that office.

6 (9) The President of the Pennsylvania District Attorneys
7 Association or a designee.

8 (10) The Director of the Pennsylvanian Coalition Against
9 Rape or a designee.

10 (11) One member of the Pennsylvania Sexual Offenders
11 Assessment Board. If possible, the member shall be a member
12 of the Association for the Treatment of Sexual Abusers.

13 (12) One member of the Pennsylvania Internet Crimes
14 Against Children (ICAC) Task Force.

15 (13) The director of a rape crisis center located in
16 this Commonwealth or a designee, appointed by the Governor.

17 (14) One representative of a children's advocacy center
18 that assists in the investigation, prosecution and treatment
19 of child sexual and physical abuse cases, appointed by the
20 Governor.

21 (15) Two medical professionals that specialize in the
22 field of child sexual abuse, one of whom shall be appointed
23 by the President pro tempore of the Senate and one of whom
24 shall be appointed by the Speaker of the House of
25 Representatives.

26 (16) One member of the public, appointed by the
27 President pro tempore of the Senate.

28 (17) One member of the public, appointed by the Speaker
29 of the House of Representatives.

30 (d) Chairperson.--The Governor shall select the chairperson
31 of the task force.

32 (e) Member requirements.--

33 (1) Appointed members of the task force must be
34 individuals who have experience in investigations or
35 prosecutions or are victims of child pornography or sexual
36 abuse of children.

37 (2) The appointment of members must reflect the
38 geographic diversity of this Commonwealth.

39 (f) Meetings and expenses.--The task force shall conduct its
40 business as follows:

41 (1) The task force shall meet at least four times but
42 may hold additional meetings as determined by the chairperson
43 of the task force.

44 (2) The chairperson of the task force shall schedule a
45 meeting upon written request of eight members of the task
46 force.

47 (3) The first meeting of the task force shall be
48 convened within 45 days of the effective date of this
49 section.

50 (4) The task force shall hold public hearings as
51 necessary to obtain the information required to conduct its

1 review.

2 (5) Action of the task force shall be authorized or
3 ratified by majority vote of the members of the task force.

4 (6) The Pennsylvania Commission on Crime and Delinquency
5 and the Joint State Government Commission shall cooperate to
6 provide administrative or other assistance to the task force.

7 (7) The members of the task force shall not receive
8 compensation but shall be reimbursed for reasonable and
9 necessary expenses incurred in the service of the task force.

10 (g) Powers.--The task force shall have the following powers:

11 (1) To recommend any improvements relating to the
12 investigation and prosecution of child pornography as defined
13 in 18 Pa.C.S. § 6312.

14 (2) To recommend any necessary changes in State statutes
15 and practices, policies and procedures relating to the
16 recognition or prosecution of child pornography as defined in
17 18 Pa.C.S. § 6312.

18 (h) Report.--

19 (1) Within one year of the first meeting of the task
20 force, the task force shall submit a report with its
21 recommendations to the following:

22 (i) The Governor.

23 (ii) The President pro tempore of the Senate.

24 (iii) The Speaker of the House of Representatives.

25 (iv) The chairperson and minority chairperson of the
26 Judiciary Committee of the Senate.

27 (v) The chairperson and minority chairperson of the
28 Judiciary Committee of and the House of Representatives.

29 (2) The report under this subsection must be adopted at
30 a public meeting of the task force.

31 (3) The report under this subsection shall be a public
32 record under the act of February 14, 2008 (P.L.6, No.3),
33 known as the Right-to-Know Law.

34 (i) Definition.--As used in this section, the term "task
35 force" means the Task Force on Child Pornography established in
36 this section.