

THE GENERAL ASSEMBLY OF PENNSYLVANIA

HOUSE BILL

No. 36 Session of 2019

INTRODUCED BY SANKEY, SIMMONS, SIMS, STRUZZI AND RYAN,
JANUARY 28, 2019

REFERRED TO COMMITTEE ON JUDICIARY, JANUARY 28, 2019

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 7. 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 to assist local law

1 enforcement agencies with rape kit testing costs. Money in
2 the fund shall be distributed to the laboratories based on
3 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 315.14 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 315.14 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, 2019, 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 in 60 days.