

AMENDMENTS TO SENATE BILL NO. 920

Sponsor: SENATOR LANGERHOLC

Printer's No. 1328

1 Amend Bill, page 1, line 7, by striking out "and"

2 Amend Bill, page 1, line 9, by striking out the period after
3 "Police" and inserting
4 ; and providing for waiver for victim.

5 Amend Bill, page 2, line 5, by striking out "Within 180 days
6 of" and inserting

7 No later than one year from

8 Amend Bill, page 3, lines 14 through 16, by striking out
9 "sexual assault evidence kit" in line 14 and all of lines 15 and
10 16 and inserting

11 rape kit identification number, bar code or other unique
12 identification feature approved by the commission that the
13 vendor applies to each rape kit.

14 Amend Bill, page 3, line 18, by inserting after "user" where
15 it occurs the second time

16 , who is not a victim,

17 Amend Bill, page 3, by inserting between lines 22 and 23

18 (15) Track the destruction of a rape kit after analysis
19 of the rape kit is completed.

20 Amend Bill, page 3, line 23, by striking out "(15)" and
21 inserting

22 (16)

23 Amend Bill, page 4, lines 20 through 24, by striking out all
24 of lines 20 through 23 and "(d)" in line 24 and inserting

25 (c)

Amend Bill, page 5, lines 2 through 11, by striking out all of lines 2 through 10 and "(f)" in line 11 and inserting

(d)

Amend Bill, page 5, by inserting between lines 16 and 17

(e) Participation.--All entities that handle and process rape kits, including health care facilities, the Pennsylvania State Police, local law enforcement agencies and laboratories, shall participate in the system.

Amend Bill, page 6, lines 19 and 20, by striking out "kit or the kit's probative" in line 19 and all of line 20 and inserting

rape kit or the rape kit's probative contents by the appropriate official with custody of the rape kit.

Amend Bill, page 6, line 22, by striking out "and to opt out of"

Amend Bill, page 7, lines 10 through 15, by striking out all of said lines and inserting

(8) An evaluation on the ability to on-board all rape kits collected prior to the effective date of this paragraph that have not had the testing or analysis of the rape kit completed. This paragraph shall expire three years after the effective date of this paragraph.

Section 5. The act is amended by adding a section to read:
Section 7. Waiver for victim.

The following shall apply:

(1) A claim for compensation filed by a direct victim, as defined under section 103 of the act of November 24, 1998 (P.L.882, No.111), known as the Crime Victims Act, who is otherwise eligible for compensation under the Crime Victims Act and the delay in filing an application was a result of a delay in testing of, or a delay in DNA profile matching from, a rape kit or biological material collected as evidence related to a sexual assault shall, upon approval of a waiver completed under paragraph (2), be granted an exception to the provisions of section 702(b)(1) of the Crime Victims Act.

(2) The Office of Victims' Services shall create a waiver to be completed by a direct victim seeking an exception under paragraph (1).

(3) A direct victim shall not be required to undergo an appeals process for the consideration of the victim's waiver application under this section.

Section 6. This act shall take effect as follows:

(1) The amendment or addition of section 6 introductory

1 paragraph and (8) of the act shall take effect in one year.

2 (2) The addition of section 6(6) and (7) of the act
3 shall take effect in 18 months.

4 (3) The addition of section 7 of the act shall take
5 effect March 15, 2025, or in 60 days, whichever is earlier.

6 (4) The remainder of this act shall take effect
7 immediately.