
THE GENERAL ASSEMBLY OF PENNSYLVANIA

SENATE BILL

No. 1170 Session of
2020

INTRODUCED BY LANGERHOLC, BARTOLOTTA, J. WARD, MASTRIANO,
STEFANO, KILLION, PHILLIPS-HILL, BREWSTER, MUTH, TARTAGLIONE,
COSTA AND HUGHES, MAY 28, 2020

AS REPORTED FROM COMMITTEE ON JUDICIARY, HOUSE OF
REPRESENTATIVES, AS AMENDED, SEPTEMBER 29, 2020

AN ACT

1 Amending Title 42 (Judiciary and Judicial Procedure) of the
2 Pennsylvania Consolidated Statutes, in depositions and
3 witnesses, further providing for expert testimony in certain
4 criminal proceedings.

5 The General Assembly of the Commonwealth of Pennsylvania
6 hereby enacts as follows:

7 Section 1. Section 5920(a) and (b)(1) of Title 42 of the
8 Pennsylvania Consolidated Statutes are amended and the section
9 is amended by adding a subsection to read:

10 § 5920. Expert testimony in certain criminal proceedings.

11 (a) Scope.--This section applies to all of the following:

12 (1) A criminal proceeding for [an offense for which
13 registration is required] any crime listed under [Subchapter
14 H] Subchapters H (relating to registration of sexual
15 offenders) and I (relating to continued registration of
16 sexual offenders) of Chapter 97 [(relating to registration of
17 sexual offenders)]].

1 (2) A criminal proceeding for an offense [under 18 <--
2 Pa.C.S. {Ch.} ~~Chs. 30 (relating to human trafficking) and 31~~ <--
3 (relating to sexual offenses).], INCLUDING ATTEMPT, <--

4 SOLICITATION OR CONSPIRACY, UNDER ANY OF THE FOLLOWING
5 PROVISIONS OF 18 PA.C.S. (RELATING TO CRIMES AND OFFENSES):

6 (I) CHAPTER 30 (RELATING TO HUMAN TRAFFICKING), IF
7 THE OFFENSE INVOLVED SEXUAL SERVITUDE.

8 (II) CHAPTER 31 (RELATING TO SEXUAL OFFENSES).

9 (III) SECTION 4302 (RELATING TO INCEST).

10 (IV) SECTION 4304 (RELATING TO ENDANGERING WELFARE
11 OF CHILDREN), IF THE OFFENSE INVOLVED SEXUAL CONTACT WITH
12 THE VICTIM.

13 (V) SECTION 5902(B) OR (B.1) (RELATING TO
14 PROSTITUTION AND RELATED OFFENSES).

15 (VI) SECTION 6301(A)(1)(I) (RELATING TO CORRUPTION
16 OF MINORS), IF THE OFFENSE INVOLVED SEXUAL CONTACT WITH
17 THE VICTIM.

18 (VII) SECTION 6301(A)(1)(II).

19 (VIII) SECTION 6312 (RELATING TO SEXUAL ABUSE OF
20 CHILDREN).

21 (IX) SECTION 6318 (RELATING TO UNLAWFUL CONTACT WITH
22 MINOR).

23 (X) SECTION 6320 (RELATING TO SEXUAL EXPLOITATION OF
24 CHILDREN).

25 (3) A criminal proceeding for a domestic violence
26 offense.

27 (b) Qualifications and use of experts.--

28 (1) In a criminal proceeding subject to this section, a
29 witness may be qualified by the court as an expert if the
30 witness has specialized knowledge beyond that possessed by

1 the average layperson based on the witness's experience with,
2 or specialized training or education in, criminal justice,
3 behavioral sciences or victim services issues, related to
4 sexual violence or domestic violence, that will assist the
5 trier of fact in understanding the dynamics of sexual
6 violence or domestic violence, victim responses to sexual
7 violence or domestic violence and the impact of sexual
8 violence or domestic violence on victims during and after
9 being assaulted.

10 * * *

11 (c) Definitions.--As used in this section, the term
12 "domestic violence" means an offense under 18 Pa.C.S. § 2701
13 (relating to simple assault), 2702 (relating to aggravated
14 assault), 2709.1 (RELATING TO STALKING) or 2718 (relating to <--
15 strangulation) perpetrated against a family or household member,
16 as that term is defined in 23 Pa.C.S. § 6102 (relating to
17 definitions).

18 Section 2. This act shall take effect in 60 days.