

## THE GENERAL ASSEMBLY OF PENNSYLVANIA

## HOUSE BILL

No. 1123 Session of  
1989

INTRODUCED BY McVERRY, CALTAGIRONE, CESSAR, BURD, S. H. SMITH,  
ARGALL, HERSHEY, PISTELLA, COLAIZZO, TRELLO, COY, TIGUE,  
REBER, FAIRCHILD, ROBINSON, DURHAM, GLADECK, PETRARCA, OLASZ,  
RAYMOND, GIGLIOTTI, SAURMAN, GODSHALL, SCHEETZ, CIVERA,  
TANGRETTI, B. D. CLARK, VEON, WOGAN, CORNELL, CLYMER,  
JOHNSON, FARMER, J. TAYLOR, G. SNYDER, GRUPPO, WOZNIAK,  
LASHINGER, MRKONIC, HASAY, BELFANTI, BLAUM, LANGTRY,  
SERAFINI, FLICK, CORRIGAN, NOYE, MICHLOVIC, JAMES, HAGARTY,  
BELARDI AND FOX, APRIL 11, 1989

AS REPORTED FROM COMMITTEE ON JUDICIARY, HOUSE OF  
REPRESENTATIVES, AS AMENDED, APRIL 18, 1990

## AN ACT

1 Amending Title 18 (Crimes and Offenses) of the Pennsylvania  
2 Consolidated Statutes, further providing for MURDER AND FOR <—  
3 endangering the welfare of children.

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

6 ~~Section 1. Section 4304 of Title 18 of the Pennsylvania~~ <—  
7 ~~Consolidated Statutes, amended December 19, 1988 (P.L.1275,~~  
8 ~~No.158), is amended to read:~~

9 SECTION 1. THE DEFINITION OF "PERPETRATION OF A FELONY" IN <—  
10 SECTION 2502(D) OF TITLE 18 OF THE PENNSYLVANIA CONSOLIDATED  
11 STATUTES IS AMENDED TO READ:

12 § 2502. MURDER.

13 \* \* \*

14 (D) DEFINITIONS.--AS USED IN THIS SECTION THE FOLLOWING

1 WORDS AND PHRASES SHALL HAVE THE MEANINGS GIVEN TO THEM IN THIS  
2 SUBSECTION:

3 \* \* \*

4 "PERPETRATION OF A FELONY." THE ACT OF THE DEFENDANT IN  
5 ENGAGING IN OR BEING AN ACCOMPLICE IN THE COMMISSION OF, OR AN  
6 ATTEMPT TO COMMIT, OR FLIGHT AFTER COMMITTING, OR ATTEMPTING TO  
7 COMMIT ROBBERY, RAPE, OR DEVIATE SEXUAL INTERCOURSE BY FORCE OR  
8 THREAT OF FORCE, ARSON, BURGLARY [OR], KIDNAPPING OR THE FELONY  
9 OFFENSE OF ENDANGERING THE WELFARE OF A CHILD.

10 \* \* \*

11 SECTION 2. SECTION 4304 OF TITLE 18 IS AMENDED TO READ:

12 § 4304. Endangering welfare of children.

13 (a) Offense defined.--A parent, guardian, or other person  
14 supervising the welfare of a child under 18 years of age commits  
15 [a misdemeanor of the first degree] an offense if he knowingly  
16 endangers the welfare of the child by violating a duty of care,  
17 protection or support.

18 (b) Grading.--An offense under this section constitutes a  
19 misdemeanor of the ~~second~~ FIRST degree. However, where there is <—  
20 a protracted pattern or multiple incidents of endangering the  
21 welfare of the child, the offense shall constitute a felony of  
22 the third degree.

23 Section ~~2~~ 3. This act shall take effect in 60 days. <—