

---

THE GENERAL ASSEMBLY OF PENNSYLVANIA

---

**HOUSE BILL**  
**No. 2500** Session of  
2006

---

INTRODUCED BY REICHLEY, BALDWIN, BELFANTI, BEYER, BOYD, BUNT, CAPPELLI, CASORIO, CAWLEY, CRAHALLA, DALLY, DeLUCA, DENLINGER, DeWEESE, DONATUCCI, FICHTER, FRANKEL, GABIG, GEIST, GILLESPIE, GINGRICH, GOODMAN, GRUCELA, HARHART, HARRIS, HESS, KILLION, LEACH, MARKOSEK, MARSICO, S. MILLER, O'NEILL, PALLONE, PAYNE, PETRI, PISTELLA, PYLE, REED, ROHRER, ROSS, SAYLOR, SCAVELLO, SCHRODER, SOLOBAY, SONNEY, STABACK, R. STEVENSON, E. Z. TAYLOR, THOMAS, TIGUE, TRUE, WATSON, WILT AND YUDICHAK, MARCH 13, 2006

---

REFERRED TO COMMITTEE ON JUDICIARY, MARCH 13, 2006

---

AN ACT

1 Amending Title 18 (Crimes and Offenses) of the Pennsylvania  
2 Consolidated Statutes, further providing for institutional  
3 sexual assault.

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

6 Section 1. Section 3124.2 of Title 18 of the Pennsylvania  
7 Consolidated Statutes is amended to read:

8 § 3124.2. Institutional sexual assault.

9 (a) General rule.--Except as provided in sections 3121  
10 (relating to rape), 3122.1 (relating to statutory sexual  
11 assault), 3123 (relating to involuntary deviate sexual  
12 intercourse), 3124.1 (relating to sexual assault) and 3125  
13 (relating to aggravated indecent assault), a person who is an  
14 employee or agent of the Department of Corrections or a county  
15 correctional authority, youth development center, youth forestry

1 camp, State or county juvenile detention facility, [other]  
2 licensed residential facility serving children and youth,  
3 licensed residential facility serving care-dependent persons as  
4 defined in section 2713 (relating to neglect of care-dependent  
5 person) or mental health or mental retardation facility or  
6 institution commits a felony of the third degree when that  
7 person engages in sexual intercourse, deviate sexual intercourse  
8 or indecent contact with an inmate, detainee, patient or  
9 resident.

10 (b) Definition.--As used in this section, the term "agent"  
11 means a person who is assigned to work in a State or county  
12 correctional or juvenile detention facility, a youth development  
13 center, youth forestry camp, [other] licensed residential  
14 facility serving children and youth, licensed residential  
15 facility serving care-dependent persons as defined in section  
16 2713 or mental health or mental retardation facility or  
17 institution who is employed by any State or county agency or any  
18 person employed by an entity providing contract services to the  
19 agency.

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