

THE GENERAL ASSEMBLY OF PENNSYLVANIA

HOUSE BILL

No. 217 Session of 2017

INTRODUCED BY KAUFFMAN, BAKER, STEPHENS, DRISCOLL, WATSON, D. COSTA, READSHAW, MOUL, McNEILL, MILLARD, WARD, BIZZARRO, GILLEN AND MURT, JANUARY 25, 2017

AS AMENDED ON SECOND CONSIDERATION, HOUSE OF REPRESENTATIVES, APRIL 19, 2017

AN ACT

1 Amending Title 18 (Crimes and Offenses) of the Pennsylvania
2 Consolidated Statutes, in offenses against the family,
3 further providing for the offense of endangering welfare of
4 children.

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

7 Section 1. Section 4304(b) of Title 18 of the Pennsylvania
8 Consolidated Statutes is amended AND THE SECTION IS AMENDED BY <--
9 ADDING A SUBSECTION to read:

10 § 4304. Endangering welfare of children.

11 * * *

12 (b) Grading.--[An offense under this section constitutes a
13 misdemeanor of the first degree. However, where there is a
14 course of conduct of endangering the welfare of a child, the
15 offense constitutes a felony of the third degree.]

16 (1) Except as provided under paragraph (2), the
17 following apply:

18 (i) An offense under this section constitutes a

1 misdemeanor of the first degree.

2 (ii) If the actor engaged in a course of conduct of
3 endangering the welfare of a child, the offense
4 constitutes a felony of the third degree.

5 (iii) If, in the commission of the offense under
6 subsection (a)(1), the actor created a substantial risk
7 of death or serious bodily injury, the offense
8 constitutes a felony of the third degree.

9 (iv) If the actor's conduct under subsection (a)(1)
10 created a substantial risk of death or serious bodily
11 injury and was part of a course of conduct, the offense
12 constitutes a felony of the second degree.

13 (2) The grading of an offense under this section shall
14 be increased one grade if, at the time of the commission of
15 the offense, the child was under six years of age.

16 (C) COUNSELING.--A COURT SHALL CONSIDER ORDERING AN <--
17 INDIVIDUAL CONVICTED OF AN OFFENSE UNDER THIS SECTION TO UNDERGO
18 COUNSELING.

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