

THE GENERAL ASSEMBLY OF PENNSYLVANIA

# HOUSE BILL

No. 578 Session of  
1995

INTRODUCED BY EGOLF, GRUPPO, BIRMELIN, VANCE, PICCOLA, PITTS,  
SANTONI, STERN, BROWN, FLEAGLE, GEIST, YOUNGBLOOD,  
L. I. COHEN, MARKOSEK, STISH, DONATUCCI, SATHER, BATTISTO,  
BUNT, CLARK, DENT, DEMPSEY, FICHTER, FARGO, ZUG, BAKER,  
MASLAND, PETTIT, MELIO, READSHAW, COY, FAIRCHILD, KING,  
DRUCE, MAITLAND, ARMSTRONG, STEIL, BLAUM, PLATTS, LaGROTTA,  
ROONEY, FAJT, SERAFINI, J. TAYLOR, MILLER, STEELMAN,  
HENNESSEY, NAILOR, STABACK, KENNEY, STURLA, E. Z. TAYLOR,  
TRUE, WAUGH, LEH, LAUGHLIN, HESS, DeLUCA, BARD, MARSICO,  
SHANER, HORSEY, MUNDY, BISHOP, ROHRER, DURHAM, SAYLOR,  
SEMMEI, TIGUE, TRELLO, MERRY, ADOLPH, CIVERA, RAYMOND,  
HUTCHINSON, PISTELLA, TRICH, CORNELL, SCHRODER, HALUSKA AND  
BOSCOLA, FEBRUARY 2, 1995

SENATOR GREENLEAF, JUDICIARY, IN SENATE, AS AMENDED,  
JUNE 6, 1995

## AN ACT

1 Amending Title 18 (Crimes and Offenses) of the Pennsylvania  
2 Consolidated Statutes, further providing for ~~murder~~ <—  
3 INVOLUNTARY MANSLAUGHTER and for endangering the welfare of <—  
4 children; ~~defining offenses of murder by child abuse and~~ <—  
5 ~~child homicide; and providing penalties.~~

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

8 ~~Section 1. Section 2501 of Title 18 of the Pennsylvania~~ <—  
9 ~~Consolidated Statutes is amended to read:~~

10 ~~§ 2501. Criminal homicide.~~

11 ~~(a) Offense defined. A person is guilty of criminal~~  
12 ~~homicide if he intentionally, knowingly, recklessly or~~  
13 ~~negligently causes the death of another human being.~~

1     ~~(b) Classification. Criminal homicide shall be classified~~  
2     ~~as murder, child homicide, voluntary manslaughter, or~~  
3     ~~involuntary manslaughter.~~

4     ~~Section 2. Title 18 is amended by adding a section to read:~~  
5     ~~§ 2502.1. Child homicide.~~

6     ~~A parent, guardian or other person supervising the welfare of~~  
7     ~~a child under 12 years of age commits a felony of the first~~  
8     ~~degree if the person recklessly causes the death of the child.~~

9     SECTION 1. SECTIONS 2504 AND 4304 OF TITLE 18 OF THE  
10  PENNSYLVANIA CONSOLIDATED STATUTES ARE AMENDED TO READ:

11  § 2504. INVOLUNTARY MANSLAUGHTER.

12     (A) GENERAL RULE.--A PERSON IS GUILTY OF INVOLUNTARY  
13  MANSLAUGHTER WHEN AS A DIRECT RESULT OF THE DOING OF AN UNLAWFUL  
14  ACT IN A RECKLESS OR GROSSLY NEGLIGENT MANNER, OR THE DOING OF A  
15  LAWFUL ACT IN A RECKLESS OR GROSSLY NEGLIGENT MANNER, HE CAUSES  
16  THE DEATH OF ANOTHER PERSON.

17     (B) GRADING.--INVOLUNTARY MANSLAUGHTER IS A MISDEMEANOR OF  
18  THE FIRST DEGREE. WHERE THE VICTIM IS UNDER 12 YEARS OF AGE AND  
19  IS IN THE CARE, CUSTODY OR CONTROL OF THE PERSON WHO CAUSED THE  
20  DEATH, INVOLUNTARY MANSLAUGHTER IS A FELONY OF THE SECOND  
21  DEGREE.

22     ~~Section 3. Section 4304 of Title 18 is amended to read:~~  
23  § 4304. Endangering welfare of children.

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

29     (b) Grading.--An offense under this section constitutes a  
30  misdemeanor of the first degree. However, where there is a

1 course of conduct of endangering the welfare of a child, the  
2 offense constitutes a felony of the third degree.

3 Section 4 2. This act shall take effect in 60 days.

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