

THE GENERAL ASSEMBLY OF PENNSYLVANIA

HOUSE BILL

No. 2174 Session of  
2000

INTRODUCED BY GANNON, BARRAR, BEBKO-JONES, BELARDI, BENNINGHOFF,  
BROWNE, CHADWICK, L. I. COHEN, CORRIGAN, FICHTER, GEORGE,  
HERMAN, LAUGHLIN, MAHER, MICOZZIE, S. MILLER, NAILOR, NICKOL,  
ORIE, RUBLEY, SAYLOR, SHANER, SOLOBAY, STABACK, STEELMAN,  
STERN, E. Z. TAYLOR, THOMAS, TIGUE, TRELLO, TRUE, WILLIAMS,  
WILT, YOUNGBLOOD, SEYFERT AND J. TAYLOR, JANUARY 4, 2000

REFERRED TO COMMITTEE ON JUDICIARY, JANUARY 4, 2000

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.--A person who is an employee or agent of  
10 the Department of Corrections or a county correctional  
11 authority, youth development center, State or county juvenile  
12 detention facility, other licensed residential facility serving  
13 children and youth, or mental health or mental retardation  
14 facility or institution commits a misdemeanor of the first  
15 degree if the person engages in sexual intercourse, deviate  
16 sexual intercourse or indecent contact with an inmate, patient

1 or resident.

2       (b) Definition.--As used in this section, the term "agent"  
3 means a person who is assigned to work in a State or county  
4 correctional or juvenile detention facility, a youth development  
5 center, other licensed residential facility serving children and  
6 youth, or mental health or mental retardation facility or  
7 institution who is employed by any State or county agency or any  
8 person employed by an entity providing contract services to the  
9 [Department of Corrections or county correctional authority]  
10 agency.

11       Section 2. This act shall take effect immediately.