

THE GENERAL ASSEMBLY OF PENNSYLVANIA

HOUSE BILL

No. 976 Session of 1989

INTRODUCED BY BIRMELIN, MARSICO, DALEY, ARGALL, TRELLO, HERSHEY, FAIRCHILD, TIGUE, THOMAS, CALTAGIRONE, MICOZZIE, JACKSON, OLASZ, DISTLER, SAURMAN, GEIST, SERAFINI, VROON, CIVERA, TANGRETTI, J. TAYLOR, HAGARTY, MOEHLMANN, BARLEY, CORRIGAN, S. H. SMITH, WOGAN, E. Z. TAYLOR, CLYMER, JOHNSON, LEH, CAWLEY, D. W. SNYDER AND MICHLOVIC, APRIL 4, 1989

REFERRED TO COMMITTEE ON YOUTH AND AGING, APRIL 4, 1989

AN ACT

1 Amending the act of November 26, 1975 (P.L.438, No.124),
2 entitled, as amended, "An act establishing child protective
3 services; providing procedures for reporting and
4 investigating the abuse of children; establishing and
5 providing access to a Statewide central register and pending
6 complaint file on child abuse; investigating such reports;
7 providing for taking protective action including taking a
8 child into protective custody; placing duties on the
9 Department of Public Welfare and county children and youth
10 social service agencies; establishing child protective
11 services in each county children and youth social service
12 agency; and providing penalties," providing for unlawful
13 persuasion and false reporting of child abuse.

14 The General Assembly of the Commonwealth of Pennsylvania
15 hereby enacts as follows:

16 Section 1. The act of November 26, 1975 (P.L.438, No.124),
17 known as the Child Protective Services Law, is amended by adding
18 sections to read:

19 Section 12.1. Unlawful persuasion.--An adult who
20 intentionally and knowingly causes or persuades a child to make
21 an allegation of child abuse which the adult has no reasonable

1 grounds to believe is true commits a misdemeanor of the second
2 degree. If the adult has the malicious intent to expose the
3 alleged child abuser to public hatred, contempt or ridicule or
4 to criminal investigation, the offense is a misdemeanor of the
5 first degree.

6 Section 12.2. False reporting.--A person who makes a report
7 of suspected child abuse under this act without having
8 reasonable grounds to believe the report to be true commits a
9 misdemeanor of the second degree. If the person has the
10 malicious intent to expose the alleged child abuser to public
11 hatred, contempt or ridicule or to criminal investigation, the
12 offense is a misdemeanor of the first degree.

13 Section 2. This act shall take effect immediately.