

THE GENERAL ASSEMBLY OF PENNSYLVANIA

HOUSE BILL

No. 513 Session of
2001

INTRODUCED BY BLAUM, GEORGE, CAPPABIANCA, GEIST, ROONEY, DeLUCA,
GRUCELA, DeWEESE, BELFANTI, WASHINGTON, COY, SANTONI,
BELARDI, SOLOBAY, MANDERINO, SURRA, WALKO, WANSACZ, SHANER,
STURLA, READSHAW, THOMAS, TIGUE, HENNESSEY, STABACK, BISHOP,
SCRIMENTI, HARHAI, FRANKEL, CURRY, KAISER, FREEMAN, JOSEPHS,
LAUGHLIN, HORSEY, BUTKOVITZ, EACHUS, MUNDY, PRESTON,
STEELMAN, McCALL, L. I. COHEN, C. WILLIAMS, MANN AND BROWNE,
FEBRUARY 6, 2001

REFERRED TO COMMITTEE ON CHILDREN AND YOUTH, FEBRUARY 6, 2001

AN ACT

1 Amending Title 23 (Domestic Relations) of the Pennsylvania
2 Consolidated Statutes, further providing for information on
3 prospective child-care personnel.

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

6 Section 1. Section 6344 of Title 23 of the Pennsylvania
7 Consolidated Statutes is amended by adding a subsection to read:

8 § 6344. Information relating to prospective child-care
9 personnel.

10 * * *

11 (n) Criminal and child abuse history.--

12 (1) An individual who directly provides child-care
13 services which are subsidized by Federal or State funds but
14 who is not otherwise subject to approval or licensure under
15 Article IX or X of the act of June 13, 1967 (P.L.31, No.21),

1 known as the Public Welfare Code, and every individual 18
2 years of age or older who resides in the home of such an
3 individual for at least 30 days in a calendar year when the
4 child care is provided in such individual's home shall submit
5 to the department criminal and child abuse history
6 information under subsection (b). The department shall refuse
7 to authorize the use of Federal or State funds for child care
8 if the department verifies that any of the following apply to
9 an individual providing the child care or any individual 18
10 years of age or older who resides in the home of such an
11 individual for at least 30 days in a calendar year when the
12 child care is provided in such individual's home:

13 (i) The individual is named in the Statewide central
14 register of child abuse as the perpetrator of a founded
15 report, a founded report for school employee, an
16 indicated report or an indicated report for school
17 employee.

18 (ii) The individual has been convicted of an offense
19 under subsection (c).

20 (2) The department may authorize the use of Federal or
21 State funds for child care under this subsection on a
22 provisional basis for a single period not to exceed 30 days
23 if all of the following conditions are met:

24 (i) The individual who is subject to the
25 requirements of this subsection has applied for the
26 information required under this subsection and provides a
27 copy of the appropriate request forms to the department
28 or its designated agent.

29 (ii) The individual who is subject to the
30 requirements of this subsection swears or affirms in

1 writing that the individual:

2 (A) is not named in the Statewide central
3 register of child abuse as the perpetrator of a
4 founded report, a founded report for school employee,
5 an indicated report or an indicated report for school
6 employee; and

7 (B) has not been convicted of an offense under
8 subsection (c).

9 (3) The department shall promulgate regulations to
10 administer this subsection.

11 Section 2. This act shall take effect immediately.