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THE GENERAL ASSEMBLY OF PENNSYLVANIA

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HOUSE BILL

No. 2582 Session of  
2018

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INTRODUCED BY KLUNK, MASSER, SCHLEGEL CULVER, DAY, BERNSTINE,  
RYAN, ROTHMAN, HENNESSEY, A. DAVIS, MILLARD, DeLUCA, SAYLOR,  
COX, JAMES, MENTZER, WATSON, READSHAW, BOBACK, DRISCOLL,  
McGINNIS, A. HARRIS, PHILLIPS-HILL, GILLEN AND OBERLANDER,  
AUGUST 6, 2018

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REFERRED TO COMMITTEE ON AGING AND OLDER ADULT SERVICES,  
AUGUST 6, 2018

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AN ACT

1 Amending Title 18 (Crimes and Offenses) of the Pennsylvania  
2 Consolidated Statutes, in assault, further providing for the  
3 offense of abuse of care-dependent person.

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

6 Section 1. Section 2713.1(a) and (b) of Title 18 of the  
7 Pennsylvania Consolidated Statutes, added June 28, 2018  
8 (P.L.371, No.53), are amended to read:

9 § 2713.1. Abuse of care-dependent person.

10 (a) Offense defined.--A caretaker is guilty of abuse of a  
11 care-dependent person if the caretaker:

12 (1) With the intent to harass, annoy or alarm a care-  
13 dependent person:

14 (i) strikes, shoves, kicks or otherwise subjects or  
15 attempts to subject a care-dependent person to or  
16 threatens a care-dependent person with physical contact;

1           (ii) engages in a course of conduct or repeatedly  
2 commits acts that serve no legitimate purpose;

3           (iii) communicates to a care-dependent person any  
4 lewd, lascivious, threatening or obscene words, language,  
5 drawings or caricatures; or

6           (iv) communicates repeatedly with the care-dependent  
7 person at extremely inconvenient hours.

8           (2) Commits an offense under section 2709.1 (relating to  
9 stalking) against a care-dependent person.

10          (3) With the intent to ridicule or demean a care-  
11 dependent person, posts or shares a photograph, digital image  
12 or video of the care-dependent person on or through an  
13 electronic social media service or wireless communication.

14          (b) Penalty.--

15           (1) A violation of subsection (a)(1) constitutes a  
16 misdemeanor of the first degree.

17           (2) A violation of subsection (a)(2) constitutes a  
18 felony of the third degree.

19          (3) A violation of subsection (a)(3) constitutes a  
20 misdemeanor of the third degree.

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