

AMENDMENTS TO HOUSE BILL NO. 2437

Sponsor: REPRESENTATIVE DRISCOLL

Printer's No. 3575

1 Amend Bill, page 1, line 5, by inserting after "definitions;"
2 in child custody, further providing for consideration of
3 criminal conviction;

4 Amend Bill, page 4, by inserting between lines 2 and 3

5 Section 3. Section 5329(a) of Title 23, amended May 4, 2018
6 (P.L.112, No.21), is amended to read:

7 § 5329. Consideration of criminal conviction.

8 (a) Offenses.--Where a party seeks any form of custody, the
9 court shall consider whether that party or member of that
10 party's household has been convicted of or has pleaded guilty or
11 no contest to any of the offenses in this section or an offense
12 in another jurisdiction substantially equivalent to any of the
13 offenses in this section. The court shall consider such conduct
14 and determine that the party does not pose a threat of harm to
15 the child before making any order of custody to that party when
16 considering the following offenses:

17 18 Pa.C.S. Ch. 25 (relating to criminal homicide).

18 18 Pa.C.S. § 2702 (relating to aggravated assault).

19 18 Pa.C.S. § 2706 (relating to terroristic threats).

20 18 Pa.C.S. § 2709.1 (relating to stalking).

21 18 Pa.C.S. § 2718 (relating to strangulation).

22 18 Pa.C.S. § 2901 (relating to kidnapping).

23 18 Pa.C.S. § 2902 (relating to unlawful restraint).

24 18 Pa.C.S. § 2903 (relating to false imprisonment).

25 18 Pa.C.S. § 2910 (relating to luring a child into a motor
26 vehicle or structure).

27 18 Pa.C.S. § 3121 (relating to rape).

28 18 Pa.C.S. § 3122.1 (relating to statutory sexual assault).

29 18 Pa.C.S. § 3123 (relating to involuntary deviate sexual
30 intercourse).

31 18 Pa.C.S. § 3124.1 (relating to sexual assault).

32 18 Pa.C.S. § 3125 (relating to aggravated indecent assault).

33 18 Pa.C.S. § 3126 (relating to indecent assault).

34 18 Pa.C.S. § 3127 (relating to indecent exposure).

35 18 Pa.C.S. § 3129 (relating to sexual intercourse with
36 animal).

37 18 Pa.C.S. § 3130 (relating to conduct relating to sex

1 offenders).
2 18 Pa.C.S. § 3301 (relating to arson and related offenses).
3 18 Pa.C.S. § 4302 (relating to incest).
4 18 Pa.C.S. § 4303 (relating to concealing death of child).
5 18 Pa.C.S. § 4304 (relating to endangering welfare of
6 children).
7 18 Pa.C.S. § 4305 (relating to dealing in infant children).
8 18 Pa.C.S. § 5902(b) (relating to prostitution and related
9 offenses).
10 18 Pa.C.S. § 5903(c) or (d) (relating to obscene and other
11 sexual materials and performances).
12 18 Pa.C.S. § 6301 (relating to corruption of minors).
13 18 Pa.C.S. § 6312 (relating to sexual abuse of children).
14 18 Pa.C.S. § 6318 (relating to unlawful contact with minor).
15 18 Pa.C.S. § 6320 (relating to sexual exploitation of
16 children).
17 Section 6114 (relating to contempt for violation of order or
18 agreement).
19 The former 75 Pa.C.S. § 3731 (relating to driving under
20 influence of alcohol or controlled substance).
21 75 Pa.C.S. Ch. 38 (relating to driving after imbibing alcohol
22 or utilizing drugs).
23 Section 13(a)(1) of the act of April 14, 1972 (P.L.233,
24 No.64), known as The Controlled Substance, Drug, Device and
25 Cosmetic Act, to the extent that it prohibits the manufacture,
26 sale or delivery, holding, offering for sale or possession of
27 any controlled substance or other drug or device.
28 * * *
29 Amend Bill, page 4, line 3, by striking out "3" and inserting
30 4
31 Amend Bill, page 4, line 30, by striking out "4" and
32 inserting
33 5
34 Amend Bill, page 6, line 8, by striking out "5" and inserting
35 6