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THE GENERAL ASSEMBLY OF PENNSYLVANIA

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**HOUSE BILL**

**No. 1431** Session of  
1991

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INTRODUCED BY HAGARTY, BLAUM, NAHILL, CALTAGIRONE, HERMAN,  
PETRONE, DeLUCA, KOSINSKI, GRUPPO, CORNELL, BATTISTO, SEMMEL,  
E. Z. TAYLOR, RITTER, ULIANA, GERLACH, GIGLIOTTI, FARMER,  
D. W. SNYDER, STABACK, BELARDI, STEELMAN, J. TAYLOR AND  
TELEK, MAY 29, 1991

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REFERRED TO COMMITTEE ON AGING AND YOUTH, MAY 29, 1991

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AN ACT

1 Amending Title 23 (Domestic Relations) of the Pennsylvania  
2 Consolidated Statutes, further defining "child abuse."

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

5 Section 1. The definition of "child abuse" in section 6303  
6 of Title 23 of the Pennsylvania Consolidated Statutes, added  
7 December 19, 1990 (P.L.1240, No.206), is amended to read:

8 § 6303. Definitions.

9 The following words and phrases when used in this chapter  
10 shall have the meanings given to them in this section unless the  
11 context clearly indicates otherwise:

12 "Child abuse." Serious physical or mental injury which is  
13 not explained by the available medical history as being  
14 accidental, sexual abuse, sexual exploitation or serious  
15 physical neglect of a child under 18 years of age if the injury,  
16 abuse or neglect has been caused by the acts or omissions of the

1 child's parents or by a person responsible for the child's  
2 welfare, or any individual residing in the same home as the  
3 child, or a paramour of the child's parent. The term also  
4 includes any act or failure to act or any series of acts or  
5 failures to act by the child's parents or by a person  
6 responsible for the child's welfare, or any individual residing  
7 in the same home as the child, or a paramour of the child's  
8 parent that present or presented an imminent risk of serious  
9 physical or mental injury to a child under 18 years of age. No  
10 child shall be deemed to be physically or mentally abused for  
11 the sole reason the child is in good faith being furnished  
12 treatment by spiritual means through prayer alone in accordance  
13 with the tenets and practices of a recognized church or  
14 religious denomination by an accredited practitioner thereof or  
15 is not provided specified medical treatment in the practice of  
16 religious beliefs, or solely on the grounds of environmental  
17 factors which are beyond the control of the person responsible  
18 for the welfare of the child such as inadequate housing,  
19 furnishings, income, clothing and medical care.

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21 Section 2. This act shall take effect in 90 days.