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THE GENERAL ASSEMBLY OF PENNSYLVANIA

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**SENATE BILL**

**No. 836**      Session of  
2003

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INTRODUCED BY BOSCOLA, JUNE 24, 2003

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REFERRED TO AGING AND YOUTH, JUNE 24, 2003

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AN ACT

1 Amending Title 42 (Judiciary and Judicial Procedure) of the  
2 Pennsylvania Consolidated Statutes, providing for assessment  
3 and counseling of chronic runaways.

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

6 Section 1. Section 6302 of Title 42 of the Pennsylvania  
7 Consolidated Statutes is amended by adding a definition to read:

8 § 6302. Definitions.

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

12 \* \* \*

13 "Chronic runaway." A child who comes to the attention of law  
14 enforcement officers as a runaway more than once in any month or  
15 at least three times in any year.

16 \* \* \*

17 Section 2. Sections 6327(f) and 6331 of Title 42 are amended  
18 to read:

1 § 6327. Place of detention.

2 \* \* \*

3 (f) Development of approved shelter care programs.--

4 (1) The Department Public Welfare shall develop or  
5 assist in the development in each county of this Commonwealth  
6 approved programs for the provision of shelter care for  
7 children needing these services who have been taken into  
8 custody under section 6324 (relating to taking into custody)  
9 and for children referred to or under the jurisdiction of the  
10 court.

11 (2) A county may develop a runaway treatment plan to  
12 address problems with chronic runaway children in the county.  
13 The county shall submit the plan to the department for  
14 approval and may request funding for its implementation, and  
15 the department may award funding to a county to implement an  
16 approved county runaway treatment plan. The plan shall  
17 identify the problems associated with chronic runaway  
18 children in the county and specific solutions the county will  
19 implement, including, but not limited to, the development and  
20 operation of a runaway assessment and counseling center.

21 § 6331. Release from detention or commencement of proceedings.

22 (a) General rule.--If a child is brought before the court or  
23 delivered to a detention or shelter care facility designated by  
24 the court, the intake or other authorized officer of the court  
25 shall immediately make an investigation and release the child  
26 unless it appears that his detention or shelter care is  
27 warranted or required under section 6325 (relating to detention  
28 of child). The release of the child shall not prevent the  
29 subsequent filing of a petition as provided in this chapter. If  
30 he is not so released, a petition shall be promptly made and

1 presented to the court within 24 hours or the next court  
2 business day of the admission of the child to detention or  
3 shelter care.

4 (b) Runaways.--

5 (1) Within 24 hours of being detained, either in a  
6 runaway assessment and treatment center or a detention  
7 facility, a chronic runaway shall be assessed by a counselor  
8 who specializes in runaway profiles to determine the  
9 following:

10 (i) The reasons why the child is a chronic runaway.

11 (ii) Whether the child should be adjudicated  
12 dependent.

13 (iii) What treatment procedures should be prescribed  
14 for the child and for the parent, legal guardian or  
15 custodian from whom the child ran away.

16 (2) As soon as practicable following the assessment, and  
17 not later than the informal hearing required under section  
18 6332 (relating to informal hearing), the child, the  
19 counselor, and the child's parent, legal guardian or  
20 custodian shall meet in an initial counseling session for the  
21 purpose of:

22 (i) Identifying the underlying causes for the  
23 runaway behavior.

24 (ii) Developing a plan to address those causes.

25 (3) A chronic runaway shall be released from a runaway  
26 assessment and treatment center to the child's parent, legal  
27 guardian or custodian after the initial counseling session  
28 unless the counselor believes that it would not be in the  
29 best interest of the child to do so.

30 (4) A chronic runaway may be adjudicated dependent if

1       his parent:

2               (i) Fails to attend this initial counseling session.

3               (ii) Is unwilling to take custody of the child at  
4       the conclusion of the informal hearing.

5               (iii) The court finds other compelling reasons to do  
6       so, including, but not limited to, the counselor's  
7       recommendations.

8       Section 3. This act shall take effect in 60 days.