

THE GENERAL ASSEMBLY OF PENNSYLVANIA

HOUSE BILL

No. 804 Session of 2007

INTRODUCED BY HARHART, PHILLIPS, STERN, M. O'BRIEN, BELFANTI, BENNINGTON, BOYD, CAPPELLI, DeLUCA, GINGRICH, HERSHEY, HESS, KIRKLAND, MANN, McILHATTAN, R. MILLER, MUNDY, MYERS, NAILOR, PALLONE, PICKETT, RAPP, REICHLEY, RUBLEY, SCHRODER, SOLOBAY, SWANGER, TRUE AND WATSON, MARCH 19, 2007

REFERRED TO COMMITTEE ON JUDICIARY, MARCH 19, 2007

AN ACT

1 Amending Title 23 (Domestic Relations) of the Pennsylvania  
2 Consolidated Statutes, further providing for grounds for  
3 involuntary termination of parental rights.

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

6 Section 1. Section 2511(a) of Title 23 of the Pennsylvania  
7 Consolidated Statutes is amended by adding a paragraph and the  
8 section is amended by adding a subsection to read:

9 § 2511. Grounds for involuntary termination.

10 (a) General rule.--The rights of a parent in regard to a  
11 child may be terminated after a petition filed on any of the  
12 following grounds:

13 \* \* \*

14 (10) The child has sustained serious sexual abuse or  
15 serious physical abuse caused by the parent's act or failure  
16 to act.

17 \* \* \*

1     (d) Definitions.--As used in this section, the following  
2 words and phrases shall have the meanings given to them in this  
3 subsection:

4     "Serious physical abuse." The term includes, but is not  
5 limited to, injury resulting from a violation of 18 Pa.C.S. §  
6 2701(a) or (b) (relating to simple assault) where the violation  
7 is part of a pattern of physical abuse or injury resulting from  
8 a violation of 18 Pa.C.S. § 2702(a)(1) (relating to aggravated  
9 assault).

10     "Serious sexual abuse." The term includes, but is not  
11 limited to, injury resulting from the occurrence of one or more  
12 of the following offenses under 18 Pa.C.S. (relating to crimes  
13 and offenses):

14             Section 3121 (relating to rape).

15             Section 3122.1 (relating to statutory sexual assault).

16             Section 3123 (relating to involuntary deviate sexual  
17 intercourse).

18             Section 3124.1 (relating to sexual assault).

19             Section 3125 (relating to aggravated indecent assault).

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