

THE GENERAL ASSEMBLY OF PENNSYLVANIA

HOUSE BILL

No. 909 Session of 2009

INTRODUCED BY HARHART, O'NEILL, ROCK, STEVENSON, BELFANTI,
BEYER, BOBACK, BRENNAN, DALLY, DONATUCCI, FLECK, GEIST,
GIBBONS, GOODMAN, HESS, KILLION, LONGIETTI, MANN, MICOZZIE,
MILLER, MOUL, MUNDY, OBERLANDER, PHILLIPS, PICKETT, RAPP,
REICHLEY, SCAVELLO, STERN, SWANGER, TRUE, VULAKOVICH, WATSON
AND MELIO, MARCH 12, 2009

REFERRED TO COMMITTEE ON JUDICIARY, MARCH 12, 2009

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.

1 * * *

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

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

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

15 Section 3121 (relating to rape).

16 Section 3122.1 (relating to statutory sexual assault).

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

19 Section 3124.1 (relating to sexual assault).

20 Section 3125 (relating to aggravated indecent assault).

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