

THE GENERAL ASSEMBLY OF PENNSYLVANIA

HOUSE BILL

No. 1397 Session of 2011

INTRODUCED BY VEREB, MURT, RAPP, MULLERY, BEAR, BOBACK, BOYD, BRIGGS, COHEN, D. COSTA, DAVIS, DONATUCCI, J. EVANS, FARRY, GILLEN, GILLESPIE, GINGRICH, HARHART, HESS, HORNAMAN, JOHNSON, KAVULICH, MCGEEHAN, MILLARD, PYLE, READSHAW AND YOUNGBLOOD, APRIL 27, 2011

REFERRED TO COMMITTEE ON JUDICIARY, APRIL 27, 2011

AN ACT

1 Amending Title 18 (Crimes and Offenses) of the Pennsylvania
2 Consolidated Statutes, providing for the offense of sexual
3 assault by sports official.

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

6 Section 1. Title 18 of the Pennsylvania Consolidated
7 Statutes is amended by adding a section to read:

8 § 3124.3. Sexual assault by sports official.

9 (a) General rule.--Except as provided in section 3121
10 (relating to rape), 3122.1 (relating to statutory sexual
11 assault), 3123 (relating to involuntary deviate sexual
12 intercourse), 3124.1 (relating to sexual assault) and 3125
13 (relating to aggravated indecent assault), a person who serves
14 as a sports official in a sports program of a nonprofit
15 association or a for-profit association commits a felony of the
16 third degree when that person engages in sexual intercourse,
17 deviate sexual intercourse or indecent contact with a child

1 under 18 years of age who is participating in a sports program
2 of the nonprofit association or for-profit association.

3 (b) Definitions.--As used in this section, the following
4 words and phrases shall have the meanings given to them in this
5 subsection unless the context clearly indicates otherwise:

6 "Nonprofit association." As defined in 42 Pa.C.S. § 8332.1
7 (relating to manager, coach, umpire or referee and nonprofit
8 association negligence standard).

9 "Sports official." A person who supervises children
10 participating in a sports program of a nonprofit association or
11 a for-profit association, including, but not limited to, a
12 coach, assistant coach, athletic trainer, team attendant, game
13 manager, instructor or a person at a sports program who enforces
14 the rules of a sporting event sponsored by a sports program of a
15 nonprofit association or a for-profit association, including,
16 but not limited to, an umpire or referee, whether receiving
17 remuneration or holding the position as a volunteer.

18 "Sports program." As defined in 42 Pa.C.S. § 8332.1
19 (relating to manager, coach, umpire or referee and nonprofit
20 association negligence standard).

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