

THE GENERAL ASSEMBLY OF PENNSYLVANIA

SENATE BILL

No. 22 Session of 2013

INTRODUCED BY WARD, SOLOBAY, SCARNATI, PILEGGI, MENSCH, STACK, SCHWANK, EICHELBERGER, TEPLITZ, YAW, FARNESE, FERLO, BREWSTER, VOGEL, ALLOWAY, YUDICHAK, KASUNIC, VULAKOVICH, FONTANA, RAFFERTY, TARTAGLIONE, TOMLINSON, ERICKSON, BAKER, HUGHES, McILHINNEY, WHITE, WAUGH, BOSCOLA, BROWNE AND WASHINGTON, MARCH 15, 2013

SENATOR MENSCH, AGING AND YOUTH, AS AMENDED, SEPTEMBER 24, 2013

AN ACT

1 Amending Title 23 (Domestic Relations) of the Pennsylvania
2 Consolidated Statutes, further providing for penalties for
3 failure to report or to refer.

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

6 Section 1. Section 6319 of Title 23 of the Pennsylvania
7 Consolidated Statutes is repealed:

8 [§ 6319. Penalties for failure to report or to refer.

9 A person or official required by this chapter to report a
10 case of suspected child abuse or to make a referral to the
11 appropriate authorities who willfully fails to do so commits a
12 misdemeanor of the third degree for the first violation and a
13 misdemeanor of the second degree for a second or subsequent
14 violation.]

15 Section 2. Title 23 is amended by adding a section to read:

16 § ~~6379~~ 6379.2. Penalties for failure to report or to refer.

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1 (a) Failure to report or to refer.--A person or official
2 required under ~~this chapter~~ SECTION 6311 (RELATING TO PERSONS <--
3 REQUIRED TO REPORT SUSPECTED CHILD ABUSE) to report a case of
4 suspected child abuse or to make a referral to the appropriate
5 authorities who willfully fails to do so commits a misdemeanor
6 of the second degree.

7 (b) Interference with making report or referral.--A person
8 who intentionally or knowingly prevents or interferes with the
9 making of a report or referral of suspected child abuse BY A <--
10 MANDATED REPORTER commits a misdemeanor of the first degree.

11 (c) Concealment of abuse to protect another.--A person who
12 intentionally or knowingly acts to prevent the discovery under
13 this chapter of child abuse in order to protect or insulate any
14 person or entity from prosecution or liability commits a felony
15 of the third degree.

16 (d) Continuing course of action.--If a person's willful
17 failure under subsection (a) continues while the person knows or
18 has reasonable cause to believe the child is actively being
19 abused, the person commits a felony of the third degree.

20 (e) Multiple offenses.--A person who commits a second or
21 subsequent offense under subsection (a), (b), (c) or (d) commits
22 a felony of the second degree.

23 ~~Section 2. This act shall take effect immediately.~~ <--

24 SECTION 3. THIS ACT SHALL TAKE EFFECT JANUARY 1, 2014. <--