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THE GENERAL ASSEMBLY OF PENNSYLVANIA

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HOUSE BILL

No. 1431 Session of  
2021

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INTRODUCED BY KLUNK, MASSER, SCHLEGEL CULVER, DAY, PICKETT,  
RYAN, DAVANZO, LEWIS DELROSSO, BROOKS, R. BROWN, JAMES,  
THOMAS, MILLARD AND FEE, MAY 17, 2021

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REFERRED TO COMMITTEE ON AGING AND OLDER ADULT SERVICES,  
MAY 17, 2021

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AN ACT

1 Amending Title 18 (Crimes and Offenses) of the Pennsylvania  
2 Consolidated Statutes, in assault, further providing for the  
3 offense of abuse of care-dependent person.

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

6 Section 1. Section 2713.1(a) and (b) of Title 18 of the  
7 Pennsylvania Consolidated Statutes are amended to read:

8 § 2713.1. Abuse of care-dependent person.

9 (a) Offense defined.--A caretaker is guilty of abuse of a  
10 care-dependent person if the caretaker:

11 (1) With the intent to harass, annoy or alarm a care-  
12 dependent person:

13 (i) strikes, shoves, kicks or otherwise subjects or  
14 attempts to subject a care-dependent person to or  
15 threatens a care-dependent person with physical contact;

16 (ii) engages in a course of conduct or repeatedly  
17 commits acts that serve no legitimate purpose;

1           (iii) communicates to a care-dependent person any  
2           lewd, lascivious, threatening or obscene words, language,  
3           drawings or caricatures; or

4           (iv) communicates repeatedly with the care-dependent  
5           person at extremely inconvenient hours.

6           (2) Commits an offense under section 2709.1 (relating to  
7           stalking) against a care-dependent person.

8           (3) With the intent to ridicule or demean a care-  
9           dependent person, uses any audio, video or still image of the  
10           care-dependent person in any format or medium on or through  
11           any electronic service, wireless communication or any form of  
12           electronic service or wireless communication as pertaining to  
13           communication.

14           (b) Penalty.--

15           (1) A violation of subsection (a)(1) constitutes a  
16           misdemeanor of the first degree.

17           (2) A violation of subsection (a)(2) constitutes a  
18           felony of the third degree.

19           (3) A violation of subsection (a)(3) constitutes a  
20           misdemeanor of the third degree.

21           \* \* \*

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