

CRIMES CODE (18 PA.C.S.) - OFFENSE OF ENDANGERING WELFARE OF CHILDREN

Act of Jun. 29, 2017, P.L. 246, No. 12

Cl. 18

Session of 2017

No. 2017-12

HB 217

AN ACT

Amending Title 18 (Crimes and Offenses) of the Pennsylvania Consolidated Statutes, in offenses against the family, further providing for the offense of endangering welfare of children.

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

Section 1. Section 4304(b) of Title 18 of the Pennsylvania Consolidated Statutes is amended and the section is amended by adding a subsection to read:

§ 4304. Endangering welfare of children.

* * *

(b) Grading.--[An offense under this section constitutes a misdemeanor of the first degree. However, where there is a course of conduct of endangering the welfare of a child, the offense constitutes a felony of the third degree.]

(1) Except as provided under paragraph (2), the following apply:

(i) An offense under this section constitutes a misdemeanor of the first degree.

(ii) If the actor engaged in a course of conduct of endangering the welfare of a child, the offense constitutes a felony of the third degree.

(iii) If, in the commission of the offense under subsection (a)(1), the actor created a substantial risk of death or serious bodily injury, the offense constitutes a felony of the third degree.

(iv) If the actor's conduct under subsection (a)(1) created a substantial risk of death or serious bodily injury and was part of a course of conduct, the offense constitutes a felony of the second degree.

(2) The grading of an offense under this section shall be increased one grade if, at the time of the commission of the offense, the child was under six years of age.

(c) Counseling.--A court shall consider ordering an individual convicted of an offense under this section to undergo counseling.

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

APPROVED--The 29th day of June, A.D. 2017.

TOM WOLF