

THE GENERAL ASSEMBLY OF PENNSYLVANIA

HOUSE BILL

No. 474 Session of
1997

INTRODUCED BY BAKER, MELIO, DIGIROLAMO, COY, HENNESSEY, KENNEY,
MICOZZIE, RUBLEY, READSHAW, SHANER, BIRMELIN, JADLOWIEC,
FICHTER, BELARDI, L. I. COHEN, E. Z. TAYLOR, WALKO, BATTISTO,
YOUNGBLOOD, ORIE, LEDERER, McCALL, BROWNE, STEELMAN, CORPORA,
HERMAN, EGOLF, LYNCH, TRELLO, BARD, MASLAND, LEH, RAMOS,
STABACK, RAYMOND, PETRARCA, WILT, SCHRODER, ADOLPH,
J. TAYLOR, CLYMER, TIGUE, ROONEY, SEYFERT, ROBERTS,
BENNINGHOFF, BOSCOLA AND STERN, FEBRUARY 12, 1997

AS REPORTED FROM COMMITTEE ON JUDICIARY, HOUSE OF
REPRESENTATIVES, AS AMENDED, JUNE 3, 1997

AN ACT

1 Amending Title 18 (Crimes and Offenses) of the Pennsylvania
2 Consolidated Statutes, defining the offense of unlawful
3 contact OR COMMUNICATION with minor. <—

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 ~~§ 6316. Unlawful contact with minor.~~ <—

9 ~~(a) Offense defined. Every person who knowingly contacts or~~
10 ~~communicates with or attempts to contact or communicate with any~~
11 ~~minor under 18 years of age, with knowledge or reason to know~~
12 ~~that that person is a minor, for the purpose of or with intent~~
13 ~~to:~~

14 ~~(1) engage in any unlawful act upon or with any minor,~~
15 ~~including child or sexual abuse, child pornography or a crime~~

~~of violence or theft;~~

~~(2) unlawfully interfere with custody or control over a minor; or~~

~~(3) commit any other act for which any person can be charged with a criminal offense under a Federal or State law; commits a felony of the second degree.~~

~~(b) Definition. As used in this section, the term "contacts or communicates with" means direct and indirect contact or communication, by any means, including in person or through an agent or agency, and includes the use of any print medium, the mails, a common carrier or communication common carrier, any electronic communications system and any telecommunications, wire, computer or radio communications device or system.~~

§ 6317. UNLAWFUL CONTACT OR COMMUNICATION WITH MINOR.

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(A) OFFENSE DEFINED.--A PERSON WHETHER WITHIN OR WITHOUT THIS COMMONWEALTH COMMITS A MISDEMEANOR OF THE FIRST DEGREE IF HE, KNOWING THAT HE IS CONTACTING OR COMMUNICATING WITH A MINOR WITHIN THIS COMMONWEALTH, INTENTIONALLY CONTACTS OR COMMUNICATES WITH THAT MINOR FOR THE PURPOSE OF ENGAGING IN ANY OF THE FOLLOWING:

(1) ANY OF THE OFFENSES ENUMERATED IN CHAPTER 31 (RELATING TO SEXUAL OFFENSES).

(2) OPEN LEWDNESS AS DEFINED IN SECTION 5901 (RELATING TO OPEN LEWDNESS).

(3) PROSTITUTION AS DEFINED IN SECTION 5902 (RELATING TO PROSTITUTION AND RELATED OFFENSES).

(4) OBSCENE AND OTHER SEXUAL MATERIALS AND PERFORMANCES AS DEFINED IN SECTION 5903 (RELATING TO OBSCENE AND OTHER SEXUAL MATERIALS AND PERFORMANCES).

(5) SEXUAL ABUSE OF CHILDREN AS DEFINED IN SECTION 6312

1 (RELATING TO SEXUAL ABUSE OF CHILDREN).

2 (B) DEFINITIONS.--AS USED IN THIS SECTION, THE FOLLOWING
3 WORDS AND PHRASES SHALL HAVE THE MEANINGS GIVEN TO THEM IN THIS
4 SUBSECTION:

5 "CONTACTS OR COMMUNICATES WITH." DIRECT OR INDIRECT CONTACT
6 OR COMMUNICATION BY ANY MEANS, METHOD OR DEVICE, INCLUDING
7 CONTACT OR COMMUNICATION IN PERSON OR THROUGH AN AGENT OR
8 AGENCY, THROUGH ANY PRINT MEDIUM, THE MAILS, A COMMON CARRIER OR
9 COMMUNICATION COMMON CARRIER, ANY ELECTRONIC COMMUNICATION
10 SYSTEM AND ANY TELECOMMUNICATIONS, WIRE, COMPUTER OR RADIO
11 COMMUNICATIONS DEVICE OR SYSTEM.

12 "MINOR." AN INDIVIDUAL UNDER 18 YEARS OF AGE.

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

14 IMMEDIATELY.

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