

THE GENERAL ASSEMBLY OF PENNSYLVANIA

HOUSE BILL

No. 476 Session of 1997

INTRODUCED BY BAKER, YOUNGBLOOD, HENNESSEY, MARKOSEK, MELIO, READSHAW, DIGIROLAMO, COY, KENNEY, MICOZZIE, FARGO, LEDERER, BARLEY, BIRMELIN, ARMSTRONG, SCHULER, SHANER, E. Z. TAYLOR, LAUGHLIN, ALLEN, BARRAR, WALKO, HERSHEY, TRUE, RUBLEY, BROWNE, STEELMAN, HERMAN, LYNCH, TRELLO, MAITLAND, B. SMITH, RAMOS, STABACK, PETRARCA, ADOLPH, CORRIGAN, TIGUE, DeLUCA, ROHRER, HUTCHINSON, SEYFERT, ROBERTS, HESS, BENNINGHOFF, MILLER, STERN, BOSCOLA AND COLAFELLA, FEBRUARY 12, 1997

REFERRED TO COMMITTEE ON JUDICIARY, FEBRUARY 12, 1997

AN ACT

1 Amending Title 18 (Crimes and Offenses) of the Pennsylvania  
2 Consolidated Statutes, further providing for sexual abuse of  
3 children.

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

6 Section 1. Section 6312(c) and (d) of Title 18 of the  
7 Pennsylvania Consolidated Statutes are amended to read:

8 § 6312. Sexual abuse of children.

9 \* \* \*

10 (c) Dissemination of photographs, videotapes, computer  
11 depictions and films.--[Any]

12 (1) Except as provided in paragraph (2), any person who  
13 knowingly sells, distributes, delivers, disseminates,  
14 transfers, displays or exhibits to others, or who possesses  
15 for the purpose of sale, distribution, delivery,

1 dissemination, transfer, display or exhibition to others, any  
2 book, magazine, pamphlet, slide, photograph, film, videotape,  
3 computer depiction or other material depicting a child under  
4 the age of 18 years engaging in a prohibited sexual act or in  
5 the simulation of such act is guilty of a felony of the third  
6 degree.

7 (2) Any person who, within 1,000 feet of the real  
8 property on which is located a public, private or parochial  
9 school, a church or a residence, knowingly sells,  
10 distributes, delivers, disseminates, transfers, displays or  
11 exhibits to others, or who possesses for the purpose of sale,  
12 distribution, delivery, dissemination, transfer, display or  
13 exhibition to others, any book, magazine, pamphlet, slide,  
14 photograph, film, videotape or other material depicting a  
15 child under the age of 17 years engaging in a prohibited  
16 sexual act or in the simulation of a prohibited sexual act is  
17 guilty of a felony of the second degree.

18 (d) Possession of child pornography.--[Any]

19 (1) Except as provided in paragraph (2), any person who  
20 knowingly possesses or controls any book, magazine, pamphlet,  
21 slide, photograph, film, videotape, computer depiction or  
22 other material depicting a child under the age of 18 years  
23 engaging in a prohibited sexual act or in the simulation of  
24 such act is guilty of a felony of the third degree.

25 (2) Any person who, within 1,000 feet of the real  
26 property on which is located a public, private or parochial  
27 school, a church or a residence, knowingly possesses or  
28 controls any book, magazine, pamphlet, slide, photograph,  
29 film, videotape or other material depicting a child under the  
30 age of 17 years engaging in a prohibited sexual act or in the

1     simulation of a prohibited sexual act is guilty of a felony  
2     of the second degree.

3     \* \* \*

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