

THE GENERAL ASSEMBLY OF PENNSYLVANIA

SENATE BILL

No. 583 Session of
2005

INTRODUCED BY BOSCOLA, GREENLEAF, EARLL, LAVALLE, KASUNIC,
MUSTO, TOMLINSON, ERICKSON, KITCHEN, WAUGH, TARTAGLIONE,
RAFFERTY AND PILEGGI, APRIL 1, 2005

AS AMENDED ON THIRD CONSIDERATION, HOUSE OF REPRESENTATIVES,
MAY 3, 2006

AN ACT

1 Amending Title 18 (Crimes and Offenses) of the Pennsylvania
2 Consolidated Statutes, further providing for arson and
3 related offenses, FOR THE OFFENSE OF ENDANGERING WELFARE OF <—
4 CHILDREN AND FOR THE OFFENSE OF UNSWORN FALSIFICATION TO
5 AUTHORITIES.

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

8 Section 1. Section 3301 of Title 18 of the Pennsylvania
9 Consolidated Statutes is amended by adding a subsection to read:

10 § 3301. Arson and related offenses.

11 * * *

12 (h.1) Prohibition on certain service.--A person convicted of
13 violating this section OR ANY SIMILAR OFFENSE UNDER FEDERAL OR <—
14 STATE LAW shall be prohibited from serving as a member of a <—
15 volunteer firefighter company FIREFIGHTER IN THIS COMMONWEALTH <—
16 and shall be prohibited from being certified as a firefighter
17 under section 4 of the act of November 13, 1995 (P.L.604,
18 No.61), known as the State Fire Commissioner Act. PROOF OF <—

1 NONCONVICTION MUST CONSIST OF EITHER OF THE FOLLOWING:

2 (1) AN OFFICIAL CRIMINAL HISTORY RECORD CHECK OBTAINED
3 PURSUANT TO CHAPTER 91 (RELATING TO CRIMINAL HISTORY RECORD
4 INFORMATION) INDICATING NO ARSON CONVICTIONS.

5 (2) A DATED AND SIGNED STATEMENT BY THE PERSON SWEARING
6 TO THE FOLLOWING:

7 I HAVE NEVER BEEN CONVICTED OF AN OFFENSE THAT
8 CONSTITUTES THE CRIME OF "ARSON AND RELATED OFFENSES"
9 UNDER 18 PA.C.S § 3301 OR ANY SIMILAR OFFENSE UNDER ANY
10 FEDERAL OR STATE LAW. I HEREBY CERTIFY THAT THE
11 STATEMENTS CONTAINED HEREIN ARE TRUE AND CORRECT TO THE
12 BEST OF MY KNOWLEDGE AND BELIEF. I UNDERSTAND THAT IF I
13 KNOWINGLY MAKE ANY FALSE STATEMENT HEREIN, I AM SUBJECT
14 TO PENALTIES PRESCRIBED BY LAW, INCLUDING, BUT NOT
15 LIMITED TO, A FINE OF AT LEAST \$1,000.

16 * * *

17 SECTION 2. SECTION 4304(A) OF TITLE 18 IS AMENDED TO READ: <—

18 § 4304. ENDANGERING WELFARE OF CHILDREN.

19 (A) OFFENSE DEFINED.--

20 (1) A PARENT, GUARDIAN, OR OTHER PERSON SUPERVISING THE
21 WELFARE OF A CHILD UNDER 18 YEARS OF AGE OR A PERSON WHO
22 EMPLOYS OR SUPERVISES SUCH A PERSON COMMITS AN OFFENSE IF HE
23 KNOWINGLY OR RECKLESSLY ENDANGERS THE WELFARE OF THE CHILD BY
24 VIOLATING A DUTY OF CARE, PROTECTION OR SUPPORT.

25 (2) A PERSON COMMITS AN OFFENSE IF THE PERSON, IN AN
26 OFFICIAL CAPACITY, PREVENTS OR INTERFERES WITH THE MAKING OF
27 A REPORT OF SUSPECTED CHILD ABUSE UNDER 23 PA.C.S. CH. 63
28 (RELATING TO CHILD PROTECTIVE SERVICES).

29 (3) AS USED IN THIS SUBSECTION, THE TERM "PERSON
30 SUPERVISING THE WELFARE OF A CHILD" MEANS A PERSON OTHER THAN

1 A PARENT OR GUARDIAN WHO PROVIDES CARE, EDUCATION, TRAINING
2 OR CONTROL OF A CHILD.

3 * * *

4 SECTION 3. SECTION 4904 OF TITLE 18 IS AMENDED BY ADDING A
5 SUBSECTION TO READ:

6 § 4904. UNSWORN FALSIFICATION TO AUTHORITIES.

7 * * *

8 (D) PENALTY.--IN ADDITION TO ANY OTHER PENALTY THAT MAY BE
9 IMPOSED, A PERSON CONVICTED UNDER THIS SECTION SHALL BE
10 SENTENCED TO PAY A FINE OF AT LEAST \$1,000.

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

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