

THE GENERAL ASSEMBLY OF PENNSYLVANIA

HOUSE BILL

No. 35

Session of 2007

INTRODUCED BY MANN, BENNINGHOFF, BEYER, CALTAGIRONE, CAPPELLI, CIVERA, GEIST, GOODMAN, GRUCELA, HARHAI, HERSHEY, HESS, M. KELLER, KILLION, KING, MARKOSEK, MURT, M. O'BRIEN, O'NEILL, PARKER, PHILLIPS, PYLE, RAPP, ROAE, SCHRODER, SIPTROTH, SONNEY, STERN, SWANGER, TANGRETTI, WATSON, WOJNAROSKI, BARRAR, PETRARCA, QUINN, HORNAMAN AND WALKO, JANUARY 30, 2007

AS REPORTED FROM COMMITTEE ON JUDICIARY, HOUSE OF REPRESENTATIVES, AS AMENDED, MARCH 19, 2007

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(d) heading and (1) AND (F) of Title <—
7 18 of the Pennsylvania Consolidated Statutes are amended to
8 read:

9 § 6312. Sexual abuse of children.

10 * * *

11 (d) [Possession of child] Child pornography.--

12 (1) Any person who knowingly views, possesses or
13 controls any book, magazine, pamphlet, slide, photograph,
14 film, videotape, computer depiction or other material
15 depicting a child under the age of 18 years engaging in a

1 prohibited sexual act or in the simulation of such act
2 commits an offense.

3 * * *

4 (F) EXCEPTIONS.--THIS SECTION DOES NOT APPLY TO ANY MATERIAL <—
5 THAT IS VIEWED, POSSESSED, CONTROLLED, BROUGHT OR CAUSED TO BE
6 BROUGHT INTO THIS COMMONWEALTH, OR PRESENTED FOR A BONA FIDE
7 EDUCATIONAL, SCIENTIFIC, GOVERNMENTAL OR JUDICIAL PURPOSE.

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