

THE GENERAL ASSEMBLY OF PENNSYLVANIA

SENATE BILL

No. 588 Session of  
2007

INTRODUCED BY ORIE, FOLMER, REGOLA, RHOADES, MUSTO, LAVALLE,  
PUNT, KITCHEN, COSTA, FONTANA, LOGAN, ARMSTRONG, STOUT,  
O'PAKE, PICCOLA, WOZNIAK AND RAFFERTY, MARCH 20, 2007

REFERRED TO JUDICIARY, MARCH 20, 2007

AN ACT

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

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

5 Section 1. Section 2901 of Title 18 of the Pennsylvania  
6 Consolidated Statutes is amended to read:

7 § 2901. Kidnapping.

8 (a) Offense defined.--A person is guilty of assault if he:

9 (1) attempts to cause or intentionally, knowingly or  
10 recklessly causes bodily injury to another;

11 (2) negligently causes bodily injury to another with a  
12 deadly weapon;

13 (3) attempts by physical menace to put another in fear  
14 of imminent serious bodily injury; or

15 (4) conceals or attempts to conceal a hypodermic needle  
16 on his person and intentionally or knowingly penetrates a law  
17 enforcement officer or an officer or an employee of a

1 correctional institution, county jail or prison, detention  
2 facility or mental hospital during the course of an arrest or  
3 any search of the person.

4 (a.1) Kidnapping a child for sexual assault.--A person who  
5 violates subsection (a) is guilty of kidnapping a child for  
6 sexual assault if the victim is under the age of 16 and the  
7 offense was committed for purposes of facilitating commission of  
8 a sexual assault upon the victim. A person convicted under this  
9 subsection shall be sentenced to a term of imprisonment which  
10 shall be fixed by the court at not less than ten years.

11 (b) Grading.--[Kidnapping] An offense under this section is  
12 a felony of the first degree.

13 (c) Removal or confinement.--A removal or confinement is  
14 unlawful within the meaning of this section if it is  
15 accomplished by force, threat or deception, or, in the case of a  
16 person who is under the age of [14] 16 years or an incapacitated  
17 person, if it is accomplished without the consent of a parent,  
18 guardian or other person responsible for general supervision of  
19 his welfare.

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