
THE GENERAL ASSEMBLY OF PENNSYLVANIA

SENATE BILL
No. 1056 Session of
2007

INTRODUCED BY ORIE, RAFFERTY, BOSCOLA, FOLMER, D. WHITE, STACK,
ARMSTRONG, C. WILLIAMS, PILEGGI, REGOLA AND BROWNE,
AUGUST 30, 2007

REFERRED TO JUDICIARY, AUGUST 30, 2007

AN ACT

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

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

6 Section 1. Section 6301 of Title 18 of the Pennsylvania
7 Consolidated Statutes is amended to read:

8 § 6301. Corruption of minors.

9 (a) Offense defined.--

10 (1) Whoever, being of the age of 18 years and upwards,
11 by any act corrupts or tends to corrupt the morals of any
12 minor less than 18 years of age, or who aids, abets, entices
13 or encourages any such minor in the commission of any crime,
14 or who knowingly assists or encourages such minor in
15 violating his or her parole or any order of court, commits a
16 misdemeanor of the first degree.

17 (2) Any person who knowingly aids, abets, entices or
18 encourages a minor younger than 18 years of age to commit

truancy commits a summary offense. Any person who violates this paragraph within one year of the date of a first conviction under this section commits a misdemeanor of the third degree. A conviction under this paragraph shall not, however, constitute a prohibition under section 6105 (relating to persons not to possess, use, manufacture, control, sell or transfer firearms).

(3) A school employee who engages in sexual behavior with a student. Any person who violates this paragraph commits a felony and shall be sentenced to a term of imprisonment, the minimum of which shall not be less than two years. For the purposes of this paragraph, the term "school employee" shall include, but not be limited to, teachers, athletic coaches, guidance counselors, food services staff, janitorial staff and administrative staff.

(b) Adjudication of delinquency unnecessary.--A conviction under the provisions of this section may be had whether or not the jurisdiction of any juvenile court has attached or shall thereafter attach to such minor or whether or not such minor has been adjudicated a delinquent or shall thereafter be adjudicated a delinquent.

(c) Presumptions.--In trials and hearings upon charges of violating the provisions of this section, knowledge of the minor's age and of the court's orders and decrees concerning such minor shall be presumed in the absence of proof to the contrary.

(d) Mistake as to age.--

(1) Whenever in this section the criminality of conduct depends upon the corruption of a minor whose actual age is under 16 years, it is no defense that the actor did not know

1 the age of the minor or reasonably believed the minor to be
2 older than 18 years.

3 (2) Whenever in this section the criminality of conduct
4 depends upon the corruption of a minor whose actual age is 16
5 years or more but less than 18 years, it is a defense for the
6 actor to prove by a preponderance of the evidence that he
7 reasonably believed the minor to be 18 years or older.

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