
THE GENERAL ASSEMBLY OF PENNSYLVANIA

SENATE BILL

No. 1104 Session of
2007

INTRODUCED BY ORIE, MELLOW, FONTANA, WOZNIAK, RAFFERTY, LAVALLE,
BROWNE, C. WILLIAMS, BOSCOLA, REGOLA AND WASHINGTON,
OCTOBER 4, 2007

REFERRED TO JUDICIARY, OCTOBER 4, 2007

AN ACT

1 Amending Title 18 (Crimes and Offenses) of the Pennsylvania
2 Consolidated Statutes, further providing for the offense of
3 neglect of a care-dependent person.

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

6 Section 1. Section 2713(a) and (b) of Title 18 of the
7 Pennsylvania Consolidated Statutes are amended to read:

8 § 2713. Neglect of care-dependent person.

9 (a) Offense defined.--A caretaker is guilty of neglect of a
10 care-dependent person if he:

11 (1) Intentionally, knowingly or recklessly causes bodily
12 injury [or], serious bodily injury or death by failing to
13 provide treatment, care, goods or services necessary to
14 preserve the health, safety or welfare of a care-dependent
15 person for whom he is responsible to provide care.

16 (2) Intentionally or knowingly uses a physical restraint
17 or chemical restraint or medication on a care-dependent
18 person, or isolates a care-dependent person contrary to law

1 or regulation, such that bodily injury [or] serious bodily
2 injury or death results.

3 (b) Penalty.--

4 (1) A violation of subsection (a)(1) constitutes a
5 misdemeanor of the first degree if the victim suffers bodily
6 injury.

7 (2) A violation of subsection (a)(1) constitutes a
8 felony of the first degree if the victim suffers serious
9 bodily injury.

10 (3) A violation of subsection (a)(2) constitutes a
11 misdemeanor of the first degree if the victim suffers bodily
12 injury.

13 (4) A violation of subsection (a)(2) constitutes a
14 felony of the first degree if the victim suffers serious
15 bodily injury.

16 (5) A violation of either subsection (a)(1) or (2) which
17 results in death shall constitute a felony of the first
18 degree in the same manner as section 2502(c) (relating to
19 murder) and shall carry a mandatory minimum sentence of three
20 years of imprisonment.

21 * * *

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