
THE GENERAL ASSEMBLY OF PENNSYLVANIA

SENATE BILL

No. 799 Session of
2009

INTRODUCED BY BOSCOLA, FONTANA, TARTAGLIONE AND BROWNE,
APRIL 23, 2009

REFERRED TO JUDICIARY, APRIL 23, 2009

AN ACT

1 Amending Title 42 (Judiciary and Judicial Procedure) of the
2 Pennsylvania Consolidated Statutes, providing for assessment
3 and counseling of chronic runaway children.

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

6 Section 1. Section 6302 of Title 42 of the Pennsylvania
7 Consolidated Statutes is amended by adding a definition to read:
8 § 6302. Definitions.

9 The following words and phrases when used in this chapter
10 shall have, unless the context clearly indicates otherwise, the
11 meanings given to them in this section:

12 * * *

13 "Chronic runaway child." A child who comes to the attention
14 of law enforcement officers as a runaway more than once in any
15 month or at least three times in any year.

16 * * *

17 Section 2. Sections 6327(f) and 6331 of Title 42 are amended
18 to read:

1 § 6327. Place of detention.

2 * * *

3 (f) Development of approved shelter care programs.--

4 (1) The Department Public Welfare shall develop or
5 assist in the development in each county of this Commonwealth
6 approved programs for the provision of shelter care for
7 children needing these services who have been taken into
8 custody under section 6324 (relating to taking into custody)
9 and for children referred to or under the jurisdiction of the
10 court.

11 (2) A county may develop a chronic runaway children
12 treatment plan to address problems with chronic runaway
13 children in the county. The county must submit the plan to
14 the department for approval and may request funding for its
15 implementation, and the department may award funding to a
16 county to implement an approved county runaway children
17 treatment plan. The plan must identify the problems
18 associated with chronic runaway children in the county and
19 specific solutions the county will implement, including, but
20 not limited to, the development and operation of a chronic
21 runaway children assessment and counseling center.

22 § 6331. Release from detention or commencement of proceedings.

23 (a) General rule.--If a child is brought before the court or
24 delivered to a detention or shelter care facility designated by
25 the court, the intake or other authorized officer of the court
26 shall immediately make an investigation and release the child
27 unless it appears that his detention or shelter care is
28 warranted or required under section 6325 (relating to detention
29 of child). The release of the child shall not prevent the
30 subsequent filing of a petition as provided in this chapter. If

1 he is not so released, a petition shall be promptly made and
2 presented to the court within 24 hours or the next court
3 business day of the admission of the child to detention or
4 shelter care.

5 (b) Chronic runaway children.--

6 (1) Within 24 hours of being detained, either in a
7 runaway assessment and treatment center or a detention
8 facility, a chronic runaway child shall be assessed by a
9 counselor who specializes in runaway profiles to determine
10 the following:

11 (i) The reasons why the child is a chronic runaway.

12 (ii) Whether the child should be adjudicated
13 dependent.

14 (iii) What treatment procedures should be prescribed
15 for the child and for the parent, legal guardian or
16 custodian from whom the child ran away.

17 (2) As soon as practicable following the assessment, and
18 not later than the informal hearing required under section
19 6332 (relating to informal hearing), the child, the counselor
20 and the child's parent, legal guardian or custodian shall
21 meet in an initial counseling session for the purpose of:

22 (i) Identifying the underlying causes for the
23 runaway behavior.

24 (ii) Developing a plan to address those causes.

25 (3) A chronic runaway child shall be released from a
26 runaway assessment and treatment center to the child's
27 parent, legal guardian or custodian after the initial
28 counseling session unless the counselor believes that it
29 would not be in the best interest of the child to do so.

30 (4) A chronic runaway child may be adjudicated dependent

1 if the child's parent:

2 (i) Fails to attend this initial counseling session.

3 (ii) Is unwilling to take custody of the child at
4 the conclusion of the informal hearing.

5 (iii) The court finds other compelling reasons to do
6 so, including, but not limited to, the counselor's
7 recommendations.

8 Section 3. This act shall take effect in 60 days.