

THE GENERAL ASSEMBLY OF PENNSYLVANIA

HOUSE BILL

No. 1352 Session of
2011

INTRODUCED BY STEPHENS, CREIGHTON, DELOZIER, GRELL, HARPER,
KAMPF, MARSICO, MICCARELLI, MURT, O'NEILL, QUIGLEY, SHAPIRO,
TOEPEL AND VEREB, APRIL 20, 2011

AS REPORTED FROM COMMITTEE ON JUDICIARY, HOUSE OF
REPRESENTATIVES, AS AMENDED, MAY 3, 2011

AN ACT

1 Amending the act of March 10, 1949 (P.L.30, No.14), entitled "An
2 act relating to the public school system, including certain
3 provisions applicable as well to private and parochial
4 schools; amending, revising, consolidating and changing the
5 laws relating thereto," further providing for background
6 checks of prospective employees and conviction of employees
7 of certain offenses.

8 The General Assembly of the Commonwealth of Pennsylvania
9 hereby enacts as follows:

10 Section 1. Section 111(e) of the act of March 10, 1949
11 (P.L.30, No.14), known as the Public School Code of 1949,
12 amended December 23, 2003~~7~~ (P.L.304, No.48), is amended to read: ←

13 Section 111. Background Checks of Prospective Employes;
14 Conviction of Employes of Certain Offenses.--* * *

15 (e) No person subject to this act shall be employed in a
16 public or private school, intermediate unit or area vocational-
17 technical school where the report of criminal history record
18 information indicates the applicant has been convicted, within
19 five (5) years immediately preceding the date of the report, of

1 any of the following offenses:

2 (1) An offense under one or more of the following provisions
3 of Title 18 of the Pennsylvania Consolidated Statutes:

4 Chapter 25 (relating to criminal homicide).

5 Section 2702 (relating to aggravated assault).

6 Former section 2709(b) (relating to stalking).

7 Section 2709.1 (relating to stalking).

8 Section 2901 (relating to kidnapping).

9 Section 2902 (relating to unlawful restraint).

10 Section 3121 (relating to rape).

11 Section 3122.1 (relating to statutory sexual assault).

12 Section 3123 (relating to involuntary deviate sexual
13 intercourse).

14 Section 3124.1 (relating to sexual assault).

15 Section ~~3124.2(a.1)(1)~~ 3124.2 (relating to institutional ←
16 sexual assault).

17 Section 3125 (relating to aggravated indecent assault).

18 Section 3126 (relating to indecent assault).

19 Section 3127 (relating to indecent exposure).

20 Section 4302 (relating to incest).

21 Section 4303 (relating to concealing death of child).

22 Section 4304 (relating to endangering welfare of
23 children).

24 Section 4305 (relating to dealing in infant children).

25 A felony offense under section 5902(b) (relating to
26 prostitution and related offenses).

27 Section 5903(c) or (d) (relating to obscene and other
28 sexual materials and performances).

29 Section 6301 (relating to corruption of minors).

30 Section 6312 (relating to sexual abuse of children).

1 (2) An offense designated as a felony under the act of April
2 14, 1972 (P.L.233, No.64), known as "The Controlled Substance,
3 Drug, Device and Cosmetic Act."

4 (3) An out-of-State or Federal offense similar in nature to
5 those crimes listed in clauses (1) and (2).

6 * * *

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