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THE GENERAL ASSEMBLY OF PENNSYLVANIA

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HOUSE BILL

No. 2169 Session of  
2012

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INTRODUCED BY STEPHENS, ADOLPH, BAKER, BENNINGHOFF, BISHOP,  
B. BOYLE, BROOKS, R. BROWN, CHRISTIANA, CLYMER, CUTLER,  
DIGIROLAMO, ELLIS, FARRY, FLECK, GABLER, GODSHALL, HACKETT,  
KAUFFMAN, KILLION, KNOWLES, KORTZ, MAJOR, MURPHY, O'NEILL,  
PICKETT, PYLE, ROAE, ROCK, SACCONI, SANTARSIERO, SCAVELLO,  
CULVER, SIMMONS, SWANGER, TALLMAN, TAYLOR, TOBASH, TOEPEL,  
TOOHIL, VEREB, WATSON AND YOUNGBLOOD, FEBRUARY 3, 2012

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REFERRED TO COMMITTEE ON JUDICIARY, FEBRUARY 3, 2012

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AN ACT

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

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

6 Section 1. Section 4304 of Title 18 of the Pennsylvania  
7 Consolidated Statutes is amended to read:

8 § 4304. Endangering welfare of children.

9 (a) Offense defined.--

10 (1) A parent, guardian or other person supervising the  
11 welfare of a child under 18 years of age, or a person that  
12 employs or supervises such a person, commits an offense if he  
13 knowingly endangers the welfare of the child by violating a  
14 duty of care, protection or support.

15 (2) A person commits an offense if the person, in an  
16 official capacity, prevents or interferes with the making of

1 a report of suspected child abuse under 23 Pa.C.S. Ch. 63  
2 (relating to child protective services).

3 (3) As used in this subsection, the term "person  
4 supervising the welfare of a child" means a person other than  
5 a parent or guardian that provides care, education, training  
6 or control of a child.

7 (b) Grading.--An offense under [this section] subsection (a)  
8 constitutes a misdemeanor of the first degree. However, where  
9 there is a course of conduct of endangering the welfare of a  
10 child under subsection (a), the offense constitutes a felony of  
11 the third degree.

12 (c) Notification of law enforcement.--A person commits an  
13 offense if the person witnesses and fails to notify law  
14 enforcement that a child is the victim of a crime graded as a  
15 misdemeanor of the third degree or greater. The following shall  
16 apply:

17 (1) If the conduct observed constitutes a felony of the  
18 third degree or higher the penalty shall be the same as the  
19 penalty for the conduct observed.

20 (2) An offense under this subsection shall be a  
21 misdemeanor of the first degree in all other cases.

22 (3) The statute of limitations for an offense under this  
23 subsection shall be the same as the statute of limitations  
24 for the crime committed against the minor child that the  
25 offender failed to report.

26 (4) The suspected child abuse shall be reported to law  
27 enforcement within 24 hours.

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