

THE GENERAL ASSEMBLY OF PENNSYLVANIA

SENATE BILL

No. 1203 Session of 2011

INTRODUCED BY FARNESE, BLAKE, STACK, FONTANA, D. WHITE,  
ERICKSON, ORIE, SOLOBAY, VOGEL, COSTA, MENSCH, WASHINGTON AND  
TARTAGLIONE, JULY 21, 2011

REFERRED TO JUDICIARY, JULY 21, 2011

AN ACT

1 Amending Title 18 (Crimes and Offenses) of the Pennsylvania  
2 Consolidated Statutes, further providing for the criminal  
3 activity of concealing the death of a child.

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

6 Section 1. Section 4303 of Title 18 of the Pennsylvania  
7 Consolidated Statutes is amended to read:

8 § 4303. Concealing death of child.

9 (a) Offense defined.--

10 (1) A person is guilty of a [misdemeanor of the first  
11 degree] criminal offense if he or she endeavors privately,  
12 either alone or by the procurement of others, to  
13 intentionally or knowingly conceal the death of [his or her]  
14 a child for whom the person is a parent, guardian or  
15 caretaker of the child, so that it may not come to light,  
16 whether it was born dead or alive or whether it was murdered  
17 or not[.] regardless of the age of the child.

18 (2) A person is guilty of a criminal offense if he or

1 she endeavors privately, either alone or by the procurement  
2 of others, to fail to report the death or absence of a child  
3 for whom the person is a parent, guardian or caretaker of the  
4 child to law enforcement authorities if the child has been  
5 missing for a least 24 hours.

6 (b) Procedure.--If the same indictment or information  
7 charges any person with the murder of his or her child, as well  
8 as with the offense of the concealment of the death, the jury  
9 may acquit or convict him or her of both offenses, or find him  
10 or her guilty of one and acquit him or her of the other.

11 (c) Grading.--

12 (1) An offense under subsection (a) (1) shall be graded  
13 as a felony of the third degree.

14 (2) An offense under subsection (a) (2) shall be graded  
15 as a misdemeanor of the first degree. A second or subsequent  
16 offense under subsection (a) (2) shall be graded as a felony  
17 of the third degree.

18 Section 2. This act shall apply to all actions occurring  
19 after the effective date of this act.

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