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THE GENERAL ASSEMBLY OF PENNSYLVANIA

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SENATE BILL

No. 23 Session of  
2013

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INTRODUCED BY BAKER, TARTAGLIONE, TEPLITZ, WASHINGTON, ERICKSON,  
BREWSTER, FONTANA, RAFFERTY, YUDICHAK, VULAKOVICH, KASUNIC,  
WILLIAMS, SMITH, WAUGH, FARNESE, BROWNE, SOLOBAY, SCARNATI,  
WARD, PILEGGI AND BOSCOLA, MARCH 15, 2013

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REFERRED TO AGING AND YOUTH, MARCH 15, 2013

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AN ACT

1 Amending Title 23 (Domestic Relations) of the Pennsylvania  
2 Consolidated Statutes, in child protective services, further  
3 providing for definitions.

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

6 Section 1. The definitions of "perpetrator" and "person  
7 responsible for the child's welfare" in section 6303(a) of Title  
8 23 of the Pennsylvania Consolidated Statutes are amended to  
9 read:

10 § 6303. Definitions.

11 (a) General rule.--The following words and phrases when used  
12 in this chapter shall have the meanings given to them in this  
13 section unless the context clearly indicates otherwise:

14 \* \* \*

15 "Perpetrator." A person who has committed child abuse [and  
16 is a parent of a child, a person responsible for the welfare of  
17 a child, an individual residing in the same home as a child or a

1 paramour of a child's parent]. The term includes only the  
2 following:

- 3       (1) A parent of the child.  
4       (2) A spouse or former spouse of a parent of the child.  
5       (3) A paramour or former paramour of the parent.  
6       (4) An individual who is 14 years of age or older and:  
7           (i) resides in the same household as the child;  
8           (ii) is present when and where the alleged child  
9       abuse occurred; or  
10          (iii) is related to the child within the fifth  
11       degree of consanguinity or affinity but does not reside  
12       in the same household as the child.  
13       (5) A person responsible for the child's welfare.

14       "Person responsible for the child's welfare." A person who  
15 provides permanent or temporary care, supervision, mental health  
16 diagnosis or treatment, training or control of a child in lieu  
17 of parental care, supervision and control. [The term does not  
18 include a person who is employed by or provides services or  
19 programs in any public or private school, intermediate unit or  
20 area vocational-technical school.] The term includes an  
21 individual who has direct or regular contact with a child  
22 through any program, activity or service sponsored by a school,  
23 for-profit organization or religious or other not-for-profit  
24 organization, regardless of where the child abuse occurs.

25       \* \* \*

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