
THE GENERAL ASSEMBLY OF PENNSYLVANIA

HOUSE BILL

No. 452 Session of
2017

INTRODUCED BY MURT, V. BROWN, FREEMAN, KINSEY, LEWIS, McNEILL,
ROZZI, SCHLOSSBERG AND SCHWEYER, FEBRUARY 13, 2017

REFERRED TO COMMITTEE ON CHILDREN AND YOUTH, FEBRUARY 13, 2017

AN ACT

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

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

6 Section 1. Section 6303(b.1) of Title 23 of the Pennsylvania
7 Consolidated Statutes, amended October 28, 2016 (P.L.966,
8 No.115), is amended to read:

9 § 6303. Definitions.

10 * * *

11 (b.1) Child abuse.--The term "child abuse" shall mean
12 intentionally, knowingly or recklessly doing any of the
13 following:

14 (1) Causing bodily injury to a child through any
15 [recent] act or failure to act.

16 (2) Fabricating, feigning or intentionally exaggerating
17 or inducing a medical symptom or disease which results in a
18 potentially harmful medical evaluation or treatment to the

1 child through any [recent] act.

2 (3) Causing or substantially contributing to serious
3 mental injury to a child through any act or failure to act or
4 a series of such acts or failures to act.

5 (4) Causing sexual abuse or exploitation of a child
6 through any act or failure to act.

7 (5) Creating a reasonable likelihood of bodily injury to
8 a child through any [recent] act or failure to act.

9 (6) Creating a likelihood of sexual abuse or
10 exploitation of a child through any [recent] act or failure
11 to act.

12 (7) Causing serious physical neglect of a child.

13 (8) Engaging in any of the following recent acts:

14 (i) Kicking, biting, throwing, burning, stabbing or
15 cutting a child in a manner that endangers the child.

16 (ii) Unreasonably restraining or confining a child,
17 based on consideration of the method, location or the
18 duration of the restraint or confinement.

19 (iii) Forcefully shaking a child under one year of
20 age.

21 (iv) Forcefully slapping or otherwise striking a
22 child under one year of age.

23 (v) Interfering with the breathing of a child.

24 (vi) Causing a child to be present at a location
25 while a violation of 18 Pa.C.S. § 7508.2 (relating to
26 operation of methamphetamine laboratory) is occurring,
27 provided that the violation is being investigated by law
28 enforcement.

29 (vii) Leaving a child unsupervised with an
30 individual, other than the child's parent, who the actor

1 knows or reasonably should have known:

2 (A) Is required to register as a Tier II or Tier
3 III sexual offender under 42 Pa.C.S. Ch. 97 Subch. H
4 (relating to registration of sexual offenders), where
5 the victim of the sexual offense was under 18 years
6 of age when the crime was committed.

7 (B) Has been determined to be a sexually violent
8 predator under 42 Pa.C.S. § 9799.24 (relating to
9 assessments) or any of its predecessors.

10 (C) Has been determined to be a sexually violent
11 delinquent child as defined in 42 Pa.C.S. § 9799.12
12 (relating to definitions).

13 (9) Causing the death of the child through any act or
14 failure to act.

15 (10) Engaging a child in a severe form of trafficking in
16 persons or sex trafficking, as those terms are defined under
17 section 103 of the Trafficking Victims Protection Act of 2000
18 (114 Stat. 1466, 22 U.S.C. § 7102).

19 * * *

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