
THE GENERAL ASSEMBLY OF PENNSYLVANIA

SENATE BILL

No. 1092 Session of
2018

INTRODUCED BY MENSCH, ARGALL, COSTA AND SCHWANK, MARCH 23, 2018

REFERRED TO JUDICIARY, MARCH 23, 2018

AN ACT

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

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

7 Section 1. Section 4304(a) of Title 18 of the Pennsylvania
8 Consolidated Statutes is amended and the section is amended by
9 adding a subsection to read:

10 § 4304. Endangering welfare of children.

11 (a) Offense defined.--

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

17 (2) A person commits an offense if the person, in an
18 official capacity, prevents or interferes with the making of
19 a report of suspected child abuse under 23 Pa.C.S. Ch. 63

1 (relating to child protective services).

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

6 (4) A person commits an offense if he commits a personal
7 injury crime knowing that the personal injury crime was
8 witnessed, either through sight or sound, by another person
9 who is less than 18 years of age and a member of his or the
10 other person's family.

11 * * *

12 (d) Definitions.--As used in this section, the following
13 words and phrases shall have the meanings given to them in this
14 subsection unless the context clearly indicates otherwise:

15 "Family." The term shall have the same meaning given to it
16 under 204 Pa. Code § 401.1 (relating to definition of terms).

17 "Person supervising the welfare of a child." A person other
18 than a parent or guardian that provides care, education,
19 training or control of a child.

20 "Personal injury crime." The term shall have the same
21 meaning given to it under section 103 of the act of November 24,
22 1998 (P.L.882, No.111), known as the Crime Victims Act.

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