
THE GENERAL ASSEMBLY OF PENNSYLVANIA

HOUSE BILL

No. 938 Session of
2019

INTRODUCED BY DeLUCA, HILL-EVANS, PICKETT, MURT, KINSEY AND
READSHAW, MARCH 25, 2019

REFERRED TO COMMITTEE ON JUDICIARY, MARCH 25, 2019

AN ACT

1 Amending Title 18 (Crimes and Offenses) of the Pennsylvania
2 Consolidated Statutes, in assault, further providing for the
3 offense of harassment.

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

6 Section 1. Section 2709(a.1)(2) of Title 18 of the
7 Pennsylvania Consolidated Statutes is amended to read:

8 § 2709. Harassment.

9 * * *

10 (a.1) Cyber harassment of a child.--

11 * * *

12 (2) (i) If a juvenile is charged with a violation of
13 paragraph (1), the judicial authority with jurisdiction
14 over the violation shall give first consideration to
15 referring the juvenile charged with the violation to a
16 diversionary program under Pa.R.J.C.P. No. 312 (relating
17 to Informal Adjustment) or No. 370 (relating to Consent
18 Decree). As part of the diversionary program, the

1 judicial authority [may] shall order the juvenile to
2 participate in an educational program which includes the
3 legal and nonlegal consequences of cyber harassment.

4 (ii) If the person successfully completes the
5 diversionary program, the juvenile's records of the
6 charge of violating paragraph (1) shall be expunged as
7 provided for under section 9123 (relating to juvenile
8 records).

9 (iii) A juvenile's parent or legal guardian shall be
10 required to attend and complete the educational program
11 under subparagraph (i) with the juvenile.

12 * * *

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