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THE GENERAL ASSEMBLY OF PENNSYLVANIA

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HOUSE BILL

No. 1290 Session of  
2019

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INTRODUCED BY POLINCHOCK, BOBACK, CIRESI, T. DAVIS, DeLUCA,  
HELM, JAMES, McCLINTON, MILLARD, RYAN AND SAINATO,  
APRIL 25, 2019

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REFERRED TO COMMITTEE ON CHILDREN AND YOUTH, APRIL 25, 2019

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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, for reporting procedure, for  
4 disposition of complaints received, for information in  
5 Statewide database and for release of information in  
6 confidential reports.

7 The General Assembly of the Commonwealth of Pennsylvania  
8 hereby enacts as follows:

9 Section 1. Section 6303(a) of Title 23 of the Pennsylvania  
10 Consolidated Statutes is amended by adding definitions to read:  
11 § 6303. Definitions.

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

15 \* \* \*

16 "Family Advocacy Program." The Family Advocacy Program  
17 established by the United States Department of Defense to  
18 address child abuse and domestic abuse in military communities.

19 \* \* \*

1 "Military installation." A base, camp, post, station, yard,  
2 center or other activity under the jurisdiction of the Adjutant  
3 General. The term includes a State-owned National Guard  
4 installation.

5 \* \* \*

6 "Service member." A person serving in the armed forces of  
7 the United States or reserve component of the armed forces of  
8 the United States, including the Pennsylvania National Guard.  
9 The term includes a person serving in the United States Army,  
10 United States Navy, United States Marine Corps, United States  
11 Air Force and United States Coast Guard or any reserve component  
12 thereof. The reserve component of the armed forces includes the  
13 United States Army Reserve, United States Navy Reserve, United  
14 States Marine Corps Reserve, United States Air Force Reserve,  
15 United States Coast Guard Reserve, Army National Guard of the  
16 United States and the Air National Guard of the United States.

17 \* \* \*

18 Section 2. Section 6313(b) of Title 23 is amended by adding  
19 a paragraph to read:

20 § 6313. Reporting procedure.

21 \* \* \*

22 (b) Contents of report.--A written report of suspected child  
23 abuse, which may be submitted electronically, shall include the  
24 following information, if known:

25 \* \* \*

26 (7.1) If a subject of a report is a service member.

27 \* \* \*

28 Section 3. Section 6334 of Title 23 is amended by adding a  
29 subsection to read:

30 § 6334. Disposition of complaints received.

1 \* \* \*

2 (b.1) Receipt of reports by county agencies and referral to  
3 Family Advocacy Program.--If the county agency investigates a  
4 report of suspected child abuse and learns that the subject of a  
5 report is a service member, the county agency shall immediately  
6 give notice to the Family Advocacy Program by contacting the  
7 Family Advocacy Program representative for the Commonwealth of  
8 Pennsylvania or the subject's assigned military installation.  
9 The notice shall contain the following information:

10 (1) That a report of suspected child abuse committed by  
11 a service member has been received.

12 (2) A summary of the nature and extent of the suspected  
13 abuse.

14 (3) The existence in the Statewide database under  
15 section 6331 (relating to establishment of Statewide  
16 database) of a prior report or a current investigation or  
17 assessment concerning a subject of the report, if any.

18 \* \* \*

19 Section 4. Sections 6336(a) and 6340(a) of Title 23 are  
20 amended by adding paragraphs to read:

21 § 6336. Information in Statewide database.

22 (a) Information authorized.--The Statewide database shall  
23 include and shall be limited to the following information:

24 \* \* \*

25 (6.1) If a subject of a report is a service member.

26 \* \* \*

27 § 6340. Release of information in confidential reports.

28 (a) General rule.--Reports specified in section 6339  
29 (relating to confidentiality of reports) shall only be made  
30 available to:

1 \* \* \*

2 (19) A Family Advocacy Program representative for the  
3 Commonwealth of Pennsylvania or to the subject's assigned  
4 military installation that needs the information to carry out  
5 the military installation's responsibilities if the subject  
6 of the report is a service member. The information provided  
7 shall be limited to the following:

8 (i) That a report of suspected child abuse committed  
9 by a service member has been received.

10 (ii) Whether the child abuse report is indicated,  
11 founded or unfounded.

12 (iii) A summary of the nature and extent of any  
13 founded report of child abuse.

14 (iv) Resource referrals and the services provided or  
15 to be provided by the county agency.

16 (v) The existence in the Statewide database of a  
17 prior report of child abuse or a current investigation or  
18 assessment concerning the subject of the report, if any.

19 \* \* \*

20 Section 5. This act shall take effect immediately.