
THE GENERAL ASSEMBLY OF PENNSYLVANIA

HOUSE BILL

No. 2241 Session of
2020

INTRODUCED BY ROZZI, MURT, RABB, STURLA, JONES, STAATS, McNEILL,
FREEMAN, DELLOSO, HILL-EVANS, ROEBUCK, DeLUCA, OTTEN,
CALTAGIRONE AND HOWARD, JANUARY 21, 2020

REFERRED TO COMMITTEE ON JUDICIARY, JANUARY 21, 2020

AN ACT

1 Amending Title 18 (Crimes and Offenses) of the Pennsylvania
2 Consolidated Statutes, in public indecency, further providing
3 for obscene and other sexual materials and performances.

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

6 Section 1. Section 5903(a) and (b) of Title 18 of the
7 Pennsylvania Consolidated Statutes are amended to read:

8 § 5903. Obscene and other sexual materials and performances.

9 (a) Offenses defined.--No person, knowing the obscene
10 character of the materials or performances involved, shall:

11 (1) display or cause or permit the display of any
12 explicit sexual materials as defined in subsection (c) in or
13 on any window, showcase, newsstand, display rack, billboard,
14 display board, viewing screen, motion picture screen, marquee
15 or similar place in such manner that the display is visible
16 from any public street, highway, sidewalk, transportation
17 facility or other public thoroughfare, or in any business or
18 commercial establishment where minors, as a part of the

1 general public or otherwise, are or will probably be exposed
2 to view all or any part of such materials;

3 (2) sell, lend, distribute, transmit, exhibit, give away
4 or show any obscene materials to any person 18 years of age
5 or older or offer to sell, lend, distribute, transmit,
6 exhibit or give away or show, or have in his possession with
7 intent to sell, lend, distribute, transmit, exhibit or give
8 away or show any obscene materials to any person 18 years of
9 age or older, or knowingly advertise any obscene materials in
10 any manner;

11 (3) (i) design, copy, draw, photograph, print, utter,
12 publish or in any manner manufacture or prepare any
13 obscene materials; or

14 (ii) design, copy, draw, photograph, print, utter,
15 publish or in any manner manufacture or prepare any
16 obscene materials in which a minor is depicted;

17 (4) (i) write, print, publish, utter or cause to be
18 written, printed, published or uttered any advertisement
19 or notice of any kind giving information, directly or
20 indirectly, stating or purporting to state where, how,
21 from whom, or by what means any obscene materials can be
22 purchased, obtained or had; or

23 (ii) write, print, publish, utter or cause to be
24 written, printed, published or uttered any advertisement
25 or notice of any kind giving information, directly or
26 indirectly, stating or purporting to state where, how,
27 from whom or by what means any obscene materials can be
28 purchased, obtained or had in which a minor is included;

29 (5) (i) produce, present or direct any obscene
30 performance or participate in a portion thereof that is

1 obscene or that contributes to its obscenity; or

2 (ii) produce, present or direct any obscene
3 performance or participate in a portion thereof that is
4 obscene or that contributes to its obscenity if a minor
5 is included;

6 (6) hire, employ, use or permit any minor child to do or
7 assist in doing any act or thing mentioned in this
8 subsection;

9 (7) knowingly take or deliver in any manner any obscene
10 material into a State correctional institution, county
11 prison, regional prison facility or any other type of
12 correctional facility;

13 (8) possess any obscene material while such person is an
14 inmate of any State correctional institution, county prison,
15 regional prison facility or any other type of correctional
16 facility; [or]

17 (9) knowingly permit any obscene material to enter any
18 State correctional institution, county prison, regional
19 prison facility or any other type of correctional facility if
20 such person is a prison guard or other employee of any
21 correctional facility described in this paragraph[.]; or

22 (10) knowingly conduct any of the following with an
23 obscene child-like sex doll:

24 (i) sell, lend, gift, distribute, transmit, show or
25 transmute;

26 (ii) offer to sell, lend, gift, distribute,
27 transmit, show or transmute;

28 (iii) possess or control with the intent to sell,
29 lend, gift, distribute, transmit, show or transmute; or

30 (iv) advertise in any manner.

1 * * *

2 (b) Definitions.--As used in this section, the following
3 words and phrases shall have the meanings given to them in this
4 subsection:

5 "Child-like sex doll." An obscene object used, displayed,
6 sold or marketed for sexual gratification that has anatomically
7 correct physical characteristics of a minor or has been
8 advertised as being created in the form of a minor.

9 * * *

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