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THE GENERAL ASSEMBLY OF PENNSYLVANIA

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HOUSE BILL

No. 1863 Session of  
2021

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INTRODUCED BY DELOZIER, BOBACK, THOMAS, HOWARD, R. BROWN,  
CIRESI, DeLUCA, JOZWIAK, RYAN AND SMITH, SEPTEMBER 15, 2021

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REFERRED TO COMMITTEE ON CHILDREN AND YOUTH, SEPTEMBER 15, 2021

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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.

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

6 Section 1. The definition of "sexual abuse or exploitation"  
7 in section 6303(a) of Title 23 of the Pennsylvania Consolidated  
8 Statutes is amended to read:

9 § 6303. Definitions.

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

13 \* \* \*

14 "Sexual abuse or exploitation." Any of the following:

15 (1) The employment, use, persuasion, inducement,  
16 enticement or coercion of a child to engage in or assist  
17 another individual to engage in sexually explicit conduct,  
18 which includes, but is not limited to, the following:

1 (i) Looking at the sexual or other intimate parts of  
2 a child or another individual for the purpose of arousing  
3 or gratifying sexual desire in any individual.

4 (ii) Participating in sexually explicit conversation  
5 either in person, by telephone, by computer or by a  
6 computer-aided device for the purpose of sexual  
7 stimulation or gratification of any individual.

8 (iii) Actual or simulated sexual activity or nudity  
9 for the purpose of sexual stimulation or gratification of  
10 any individual.

11 (iv) Actual or simulated sexual activity for the  
12 purpose of producing visual depiction, including  
13 photographing, videotaping, computer depicting or  
14 filming.

15 This paragraph does not include consensual activities between  
16 a child who is 14 years of age or older and another person  
17 who is 14 years of age or older and whose age is within four  
18 years of the child's age.

19 (2) Any of the following offenses committed against a  
20 child:

21 [(i) Rape as defined in 18 Pa.C.S. § 3121 (relating  
22 to rape).]

23 (i.1) Trafficking in minors as defined in 18 Pa.C.S.  
24 § 3011 (relating to trafficking in individuals).

25 (i.2) Involuntary sexual servitude as defined in 18  
26 Pa.C.S. § 3012 (relating to involuntary servitude).

27 (i.3) Rape as defined in 18 Pa.C.S. § 3121 (relating  
28 to rape).

29 (ii) Statutory sexual assault as defined in  
30 18 Pa.C.S. § 3122.1 (relating to statutory sexual

1 assault).

2 (iii) Involuntary deviate sexual intercourse as  
3 defined in 18 Pa.C.S. § 3123 (relating to involuntary  
4 deviate sexual intercourse).

5 (iv) Sexual assault as defined in  
6 18 Pa.C.S. § 3124.1 (relating to sexual assault).

7 (v) Institutional sexual assault as defined in  
8 18 Pa.C.S. § 3124.2 (relating to institutional sexual  
9 assault).

10 (vi) Aggravated indecent assault as defined in  
11 18 Pa.C.S. § 3125 (relating to aggravated indecent  
12 assault).

13 (vii) Indecent assault as defined in  
14 18 Pa.C.S. § 3126 (relating to indecent assault).

15 (viii) Indecent exposure as defined in  
16 18 Pa.C.S. § 3127 (relating to indecent exposure).

17 (ix) Incest as defined in 18 Pa.C.S. § 4302  
18 (relating to incest).

19 (x) Prostitution as defined in 18 Pa.C.S. § 5902  
20 (relating to prostitution and related offenses).

21 (xi) Sexual abuse as defined in 18 Pa.C.S. § 6312  
22 (relating to sexual abuse of children).

23 (xii) Unlawful contact with a minor as defined in  
24 18 Pa.C.S. § 6318 (relating to unlawful contact with  
25 minor).

26 (xiii) Sexual exploitation as defined in  
27 18 Pa.C.S. § 6320 (relating to sexual exploitation of  
28 children).

29 \* \* \*

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