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THE GENERAL ASSEMBLY OF PENNSYLVANIA

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SENATE BILL

No. 609 Session of  
2021

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INTRODUCED BY KEARNEY, FONTANA, SANTARSIERO, KANE, COMITTA,  
BREWSTER, COLLETT, L. WILLIAMS, COSTA, CAPPELLETTI AND  
SCHWANK, MAY 3, 2021

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REFERRED TO JUDICIARY, MAY 3, 2021

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AN ACT

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

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

8 Section 1. The definition of "sexual activity" in section  
9 5902(f) of Title 18 of the Pennsylvania Consolidated Statutes is  
10 amended to read:

11 § 5902. Prostitution and related offenses.

12 \* \* \*

13 (f) Definitions.--As used in this section the following  
14 words and phrases shall have the meanings given to them in this  
15 subsection:

16 \* \* \*

17 "Sexual activity." Includes [homosexual and other] sexual  
18 intercourse and deviate sexual relations.

19 Section 2. Section 5903(e)(3) of Title 18 is amended to

1 read:

2 § 5903. Obscene and other sexual materials and performances.

3 \* \* \*

4 (e) Definitions.--As used in subsections (c) and (d) of this  
5 section:

6 \* \* \*

7 (3) "Sexual conduct" means acts of masturbation,  
8 [homosexuality,] sexual intercourse, sexual bestiality or  
9 physical contact with a person's clothed or unclothed  
10 genitals, pubic area, buttocks or, if such person be a  
11 female, breast.

12 \* \* \*

13 Section 3. This act shall take effect in 60 days.