

No. 2019-88

AN ACT

HB 1051

Amending Title 23 (Domestic Relations) of the Pennsylvania Consolidated Statutes, in child protective services, further providing for penalties.

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

Section 1. Section 6319(b), (c) and (d) of Title 23 of the Pennsylvania Consolidated Statutes are amended to read:

§ 6319. Penalties.

* * *

(b) Continuing course of action.—If a person's willful failure under **[subsection (a)] *this section to report an individual suspected of child abuse*** continues while the person knows or has reasonable cause to **[believe the] *suspect a child is [actively] being subjected to child abuse by the same individual, or while the person knows or has reasonable cause to suspect that the same individual continues to have direct contact with children through the individual's employment, program, activity or service,*** the person commits a **[misdemeanor of the first degree] *felony of the third degree***, except that if the child abuse constitutes a felony of the first degree or higher, the person commits a felony of the **[third] *second*** degree.

(c) Multiple offenses.—A person who **[commits a second or subsequent offense under subsection (a)], *at the time of sentencing for an offense under this section, has been convicted of a prior offense under this section*** commits a felony of the third degree, except that if the child abuse constitutes a felony of the first degree or higher, the penalty for the second or subsequent offenses is a felony of the second degree.

(d) Statute of limitations.—The statute of limitations for an offense under **[subsection (a)] *this section*** shall be either the statute of limitations for the crime committed against the minor child or five years, whichever is greater.

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

APPROVED—The 26th day of November, A.D. 2019

TOM WOLF