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THE GENERAL ASSEMBLY OF PENNSYLVANIA

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SENATE BILL

No. 298 Session of  
2015

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INTRODUCED BY HUGHES, HAYWOOD, TEPLITZ, FARNESE, FONTANA,  
VULAKOVICH, BREWSTER, COSTA, WILLIAMS AND BOSCOLA,  
JANUARY 21, 2015

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REFERRED TO JUDICIARY, JANUARY 21, 2015

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AN ACT

1 Amending Title 18 (Crimes and Offenses) of the Pennsylvania  
2 Consolidated Statutes, in offenses against the family,  
3 further providing for endangering welfare of children.

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

6 Section 1. Section 4304(b) of Title 18 of the Pennsylvania  
7 Consolidated Statutes is amended to read:

8 § 4304. Endangering welfare of children.

9 \* \* \*

10 (b) Grading.--[An]

11 (1) Except as provided in paragraphs (2) and (3), an  
12 offense under this section constitutes a misdemeanor of the  
13 first degree. [However, where]

14 (2) Where there is a course of conduct of endangering  
15 the welfare of a child, the offense constitutes a felony of  
16 the third degree.

17 (3) Where the conduct that results in a violation of  
18 this section also results in a conviction of an offense under

1 75 Pa.C.S. § 3802 (relating to driving under influence of  
2 alcohol or controlled substance) to which 75 Pa.C.S. §  
3 3803(b) (5) (relating to grading) applies, the offense  
4 constitutes a felony of the third degree.

5 (c) Sentencing.--The Pennsylvania Commission on Sentencing,  
6 pursuant to 42 Pa.C.S. § 2154 (relating to adoption of  
7 guidelines for sentencing), shall provide for a sentencing  
8 enhancement for an offense under this section that is graded  
9 under subsection (b) (3) when the child has suffered serious  
10 bodily injury or bodily injury as a result of the violation.

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