

**House Judiciary Committee Voting Meeting  
Majority Caucus Room  
Room 140 Main Capitol  
Harrisburg, PA 17120  
May 04, 2026  
11:00 AM**

**PLEASE NOTE: ONE AMENDMENT HAS BEEN ADDED TO THE AGENDA; THE CORRESPONDING MATERIAL HAS BEEN UPLOADED**

**Agenda**

**House Bill 910 (SCHEUREN)** An Act amending Title 18 (Crimes and Offenses) of the Pennsylvania Consolidated Statutes, in offenses against the family, further providing for the offense of dealing in infant children.

**House Bill 1616 (DONAHUE)** An Act amending Title 42 (Judiciary and Judicial Procedure) of the Pennsylvania Consolidated Statutes, in depositions and witnesses, providing for sentencing considerations for child victim offenders.

**A03158 (SHUSTERMAN)**

**House Bill 2243 (WEBSTER)** An Act amending Titles 18 (Crimes and Offenses) and 42 (Judiciary and Judicial Procedure) of the Pennsylvania Consolidated Statutes, in human trafficking, further providing for safe harbor for sexually exploited children; and, in juvenile matters, repealing provisions relating to dependency in lieu of delinquency.

**House Bill 2252 (KINKEAD)** An Act amending Title 18 (Crimes and Offenses) of the Pennsylvania Consolidated Statutes, in sexual offenses, further providing for the offense of unlawful dissemination of intimate image.

**House Bill 2443 (MULLINS/RIGBY)** An Act providing for Child Victim Recovery Fee; establishing the Child Victim Recovery Fund; and imposing duties on the Pennsylvania Commission on Crime and Delinquency.

**House Bill 2474 (RIVERA/MARCELL)** An Act amending Title 23 (Domestic Relations) of the Pennsylvania Consolidated Statutes, in child protective services, further providing for exclusions from child abuse and for persons required to report suspected child abuse.

**And any other business that comes before the Committee**

**Adjournment**

Please advise Maya Fitterer, MFitterer@pahouse.net, with your attendance plans. Thank you.

**Attachments:**

- Sunshine Memo
- May 4 Judiciary Voting Meeting Agenda
- HB910
- HB910 BA
- HB1616
- A03158 to HB1616
- HB1616 BA
- HB2243
- HB2243 BA

- HB2252
- HB2252 BA
- HB2443
- HB2443 BA
- HB2474
- HB2474 BA

TIM BRIGGS, MEMBER  
149TH DISTRICT  
302 MAIN CAPITOL BUILDING  
P.O. BOX 202149  
HARRISBURG, PENNSYLVANIA 17120-2149  
(717) 705-7011  
FAX: (717) 772-9860

554 SHOEMAKER ROAD, SUITE 149  
KING OF PRUSSIA, PENNSYLVANIA 19406-4205  
(610) 768-3135  
FAX: (610) 768-3112

WWW.REPBRIGGS.COM



**House of Representatives**  
COMMONWEALTH OF PENNSYLVANIA  
HARRISBURG

April 29, 2026

COMMITTEES

JUDICIARY, *CHAIRMAN*

CAUCUSES

LIFE SCIENCE, *CHAIR*  
BRAIN INJURY, *CHAIR*

PENNSYLVANIA STATE SYSTEM OF HIGHER  
EDUCATION (PASSHE), *BOARD OF GOVERNORS*  
PENNSYLVANIA COMMISSION ON CRIME &  
DELINQUENCY (PCCD), *COMMISSIONER*

TO: House Judiciary Committee Members  
FROM: Tim Briggs, Majority Chairman  
RE: **Voting Meeting**

A handwritten signature in blue ink that reads "Tim Briggs".

The House Judiciary Committee will hold a **voting meeting** on **Monday, May 4, 2026, at 11:00 a.m. in 140 Main Capitol Building**. The Committee is scheduled to consider the following:

**House Bill 910 (Scheuren)** An Act amending Title 18 (Crimes and Offenses) in offenses against the family, further providing for the offense of dealing in infant children.

**House Bill 1616 (Donahue)** An Act amending Title 42 (Judiciary and Judicial Procedure) in depositions and witnesses, providing for sentencing considerations for child victim offenders.

**House Bill 2243 (Webster)** An Act amending Titles 18 (Crimes and Offenses) and 42 (Judiciary and Judicial Procedure) in human trafficking, further providing for safe harbor for sexually exploited children; and, in juvenile matters, repealing provisions relating to dependency in lieu of delinquency.

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**House Bill 2474 (Rivera/Marcell)** An Act amending Title 23 (Domestic Relations) in child protective services, further providing for exclusions from child abuse and for persons required to report suspected child abuse.

**And any other business that comes before the committee.**

Please advise Maya Fitterer, MFitterer@pahouse.net, with your attendance plans. Thank you!

TIM BRIGGS, MEMBER  
149TH DISTRICT  
302 MAIN CAPITOL BUILDING  
P.O. BOX 202149  
HARRISBURG, PENNSYLVANIA 17120-2149  
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PENNSYLVANIA STATE SYSTEM OF HIGHER  
EDUCATION (PASSHE), *BOARD OF GOVERNORS*  
PENNSYLVANIA COMMISSION ON CRIME &  
DELINQUENCY (PCCD), *COMMISSIONER*

House Judiciary Committee Voting Meeting  
Majority Caucus Room  
Room 140 Main Capitol  
Harrisburg, PA 17120  
May 4, 2026  
11:00 AM

**Agenda**

**House Bill 910 (Scheuren)** An Act amending Title 18 (Crimes and Offenses) in offenses against the family, further providing for the offense of dealing in infant children.

**House Bill 1616 (Donahue)** An Act amending Title 42 (Judiciary and Judicial Procedure) in depositions and witnesses, providing for sentencing considerations for child victim offenders.

**A03158 (Shusterman)**

**House Bill 2243 (Webster)** An Act amending Titles 18 (Crimes and Offenses) and 42 (Judiciary and Judicial Procedure) in human trafficking, further providing for safe harbor for sexually exploited children; and, in juvenile matters, repealing provisions relating to dependency in lieu of delinquency.

**House Bill 2252 (Kinhead)** An Act amending Title 18 (Crimes and Offenses) in sexual offenses, further providing for the offense of unlawful dissemination of intimate image.

**House Bill 2443 (Mullins/Rigby)** An Act providing for Child Victim Recovery Fee; establishing the Child Victim Recovery Fund; and imposing duties on the Pennsylvania Commission on Crime and Delinquency.

**House Bill 2474 (Rivera/Marcell)** An Act amending Title 23 (Domestic Relations) in child protective services, further providing for exclusions from child abuse and for persons required to report suspected child abuse.

**And any other business that comes before the Committee**

**Adjournment**

THE GENERAL ASSEMBLY OF PENNSYLVANIA

HOUSE BILL

No. 910 Session of 2025

INTRODUCED BY SCHEUREN, STAATS, HANBIDGE, M. BROWN, KUZMA, COOK, PICKETT, KRUPA, ROAE, KENYATTA, ROWE, KAUFFMAN, ZIMMERMAN, CURRY, KUTZ, NEILSON, GROVE, LABS, STEHR, M. MACKENZIE, JAMES, LEADBETER, RIGBY, SCHMITT, KLUNK AND BERNSTINE, MARCH 13, 2025

REFERRED TO COMMITTEE ON JUDICIARY, MARCH 13, 2025

AN ACT

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

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

7 Section 1. Section 4305 of Title 18 of the Pennsylvania  
 8 Consolidated Statutes is amended to read:

9 § 4305. Dealing in infant children.

10 (a) Offense defined.--A person is guilty of a [misdemeanor]  
 11 felony of the first degree if he deals in humanity, by trading,  
 12 bartering, buying, selling, or dealing in infant children.

13 (b) Exclusion.--This section shall not apply to an otherwise  
 14 legal surrogacy or adoption.

15 (c) Definitions.--As used in this section, the term "infant  
 16 child" means a child one year of age or younger.

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

# HOUSE OF REPRESENTATIVES

## DEMOCRATIC COMMITTEE BILL ANALYSIS

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<b>Bill No:</b>	HB0910 PN0951	<b>Prepared By:</b>	David Vitale, Esq. (717) 705-7011, 6791
<b>Committee:</b>	Judiciary	<b>Executive Director:</b>	David Vitale, Esq.
<b>Sponsor:</b>	Scheuren, Donna		
<b>Date:</b>	3/17/2025		

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### **A. Brief Concept**

Makes the penalty for trafficking an infant child (365 days old or less) consistent with the penalties for trafficking a child over 365 days old.

### **C. Analysis of the Bill**

Amends Section 4305 of Title 18 by raising the penalty for dealing in infant children from a misdemeanor of the 1st degree (max 5 years imprisonment and \$10,000 fine) to a felony of the 1st degree (max 20 years imprisonment and \$25,000 fine) and defining an "infant" as a child one year of age or under.

The bill also excludes otherwise legal surrogacy or adoptions.

#### **Effective Date:**

60 Days.

### **G. Relevant Existing Laws**

Section 4305 of the Crimes Code, 18 Pa.C.S. §4305, dealing in infant children, provides "[A] person is guilty of a misdemeanor of the first degree if he deals in humanity, by trading, bartering, buying, selling, or dealing in infant children."

The statute does not define "child."

Under current law, an individual who engages in human trafficking by recruiting, harboring, transporting or providing persons to engage in "forced labor or services" may be charged with a felony of the second degree, or, if the victim was under 18, a felony of the first degree.

### **E. Prior Session (Previous Bill Numbers & House/Senate Votes)**

This bill was not reintroduced in the 2023 Session.

This bill was HB 753 and passed the House 196-5 on May 25, 2021. Passed the House Judiciary Committee 22-3, on April 20, 2021. Reps. Kinkead, Lee and Rabb voted No.

This bill was HB 161, PN 3195 of 2019. It passed the House 187-0.

This legislation was also introduced as House Bill 128 in the 2017-2018 Legislative Session. It was reported unanimously from the House Judiciary Committee on January 25, 2017 (26-0) and was passed unanimously by the House on February 7, 2017 (200-0).

The bill was reported unanimously from the Senate Judiciary Committee (15-0), it received first and second consideration, was referred to the Senate Appropriations Committee where it was voted out 25-0, however, the bill did not receive a final vote before the end of Session.

The House Judiciary Committee vote was 22-3 (Kinkead, Lee, Rabb were no votes)

This document is a summary of proposed legislation and is prepared only as general information for use by the Democratic Members and Staff of the Pennsylvania House of Representatives. The document does not represent the legislative intent of the Pennsylvania House of Representatives and may not be utilized as such.

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THE GENERAL ASSEMBLY OF PENNSYLVANIA

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HOUSE BILL

No. 1616 Session of  
2025

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INTRODUCED BY DONAHUE, McNEILL, HANBIDGE, HILL-EVANS, BURGOS,  
SANCHEZ AND KHAN, JUNE 16, 2025

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REFERRED TO COMMITTEE ON JUDICIARY, JUNE 16, 2025

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AN ACT

1 Amending Title 42 (Judiciary and Judicial Procedure) of the  
2 Pennsylvania Consolidated Statutes, in depositions and  
3 witnesses, providing for sentencing considerations for child  
4 victim offenders.

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

7 Section 1. Title 42 of the Pennsylvania Consolidated  
8 Statutes is amended by adding a section to read:

9 § 5988.1. Sentencing considerations for child victim offenders.

10 (a) Court discretion.--Subject to subsection (b), if a child  
11 is convicted of an offense in a criminal proceeding following a  
12 motion filed by the prosecutor or the defendant and a hearing on  
13 the motion and the court finds, by clear and convincing  
14 evidence, that a victim of the child's criminal conduct had,  
15 within one year prior to the child's commission of the offense,  
16 engaged in, or forced or compelled the child to engage in,  
17 prohibited sexual conduct, and the child's commission of the  
18 offense was a direct result of the prohibited sexual conduct, or  
19 the child acted under the influence of substantial emotional

1 distress during the commission of the offense, the court may:

2 (1) depart from any applicable mandatory minimum  
3 sentence or sentencing enhancement;

4 (2) impose a determination of guilt without further  
5 penalty;

6 (3) transfer the child's case to the division or a judge  
7 of the court assigned to conduct juvenile hearings; or

8 (4) reduce or waive the imposition of fines, court costs  
9 or restitution.

10 (b) Exceptions.--Subsection (a) shall not apply to a child's  
11 conviction for any offense:

12 (1) under 18 Pa.C.S. Ch. 30 (relating to human  
13 trafficking) or 31 (relating to sexual offenses); or

14 (2) involving any victim who did not engage in, or force  
15 or compel the child to engage in, prohibited sexual conduct.

16 (c) Definitions.--As used in this section, the following  
17 words and phrases shall have the meanings given to them in this  
18 subsection unless the context clearly indicates otherwise:

19 "Emotional distress." A temporary or permanent state of  
20 mental anguish caused or induced by the prohibited sexual  
21 conduct.

22 "Prohibited sexual conduct." Any activity prohibited under  
23 any of the following provisions under 18 Pa.C.S. (relating to  
24 crimes and offenses):

25 (1) Any of the offenses enumerated in Chapter 30, if the  
26 activity involved sexual servitude, as defined in section  
27 3001 (relating to definitions).

28 (2) Section 3121(c) (relating to rape).

29 (3) Section 3122.1 (relating to statutory sexual  
30 assault).

1           (4) Section 3123 (relating to involuntary deviate sexual  
2 intercourse).

3           (5) Section 3124.1 (relating to sexual assault).

4           (6) Section 3124.3 (relating to sexual assault by sports  
5 official, volunteer or employee of nonprofit association).

6           (7) Section 3125 (relating to aggravated indecent  
7 assault).

8           (8) Section 3126 (relating to indecent assault).

9           (9) Section 5902(b), (b.1), (d) and (e) (relating to  
10 prostitution and related offenses).

11           (10) Section 6312 (relating to sexual abuse of  
12 children).

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

**LEGISLATIVE REFERENCE BUREAU**

AMENDMENTS TO HOUSE BILL NO. 1616

Sponsor: **Shusterman**

Printer's No. 1933

1 Amend Bill, page 1, line 1, by striking out "Title" and

2 inserting

3 Titles 18 (Crimes and Offenses) and

4 Amend Bill, page 1, line 2, by inserting after "Statutes,"

5 in offenses against the family, further providing for the

6 offense of dealing in infant children; and,

7 Amend Bill, page 1, lines 7 and 8, by striking out all of

8 said lines and inserting

9 Section 1. Section 4305 of Title 18 of the Pennsylvania  
10 Consolidated Statutes is amended to read:

11 § 4305. Dealing in infant children.

12 (a) Offense defined.--A person is guilty of a [misdemeanor]  
13 felony of the first degree if he deals in humanity, by trading,  
14 bartering, buying, selling, or dealing in infant children.

15 (b) Exclusion.--This section shall not apply to an otherwise  
16 legal surrogacy or adoption.

17 (c) Definitions.--As used in this section, the term "infant  
18 child" means a child one year of age or younger.

19 Section 2. Title 42 is amended by adding a section to read:

20 Amend Bill, page 3, line 13, by striking out "2" and

21 inserting

22 3

# HOUSE OF REPRESENTATIVES

## DEMOCRATIC COMMITTEE BILL ANALYSIS

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<b>Bill No:</b>	HB1616 PN1933	<b>Prepared By:</b>	David Vitale, Esq. (717) 705-7011,6791
<b>Committee:</b>	Judiciary	<b>Executive Director:</b>	David Vitale, Esq.
<b>Sponsor:</b>	Donahue, Kyle		
<b>Date:</b>	7/17/2025		

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### **A. Brief Concept**

Gives judge's discretion to depart from a mandatory minimum sentence when sentencing a child when the underlying crime was committed against the person who had abused or trafficked the child defendant.

### **C. Analysis of the Bill**

Adds a section to the judicial code that provides that: if a child is convicted of an offense in a criminal proceeding AND the court finds by clear and convincing evidence the victim within one year before the commission of the offense, engaged in or forced or compelled the child to engage in prohibited sexual conduct AND the commission of the offense was the direct result of that conduct or the child acted under the influence of substantial emotional distress during the commission of the offense THEN the court **MAY**:

1. Depart from the mandatory minimum sentence or sentencing enhancement,
2. Impose determination of guilt without further penalty,
3. Transfer the case to a judge to conduct the juvenile hearing, or
4. Reduce or waive fines, court costs or restitution.

Requires the prosecutor or defense to file a motion before a judge may exercise discretion in sentencing for a child that was a victim of prohibited sexual conduct.

This provision does not apply if the child is convicted of an offense under chapter 30- human trafficking or chapter 31- sexual offenses or involve any victim who did not engage in or force or compel the child to engage in prohibited sexual conduct.

Prohibited sexual conduct is any offense under chapter 30, major sexual offenses under Chapter 31, sexual assault by sports official, volunteer or employee of nonprofit, aggravated indecent assault, indecent assault or sexual abuse of children.

### **Effective Date:**

60 Days.

### **G. Relevant Existing Laws**

Generally, judges do not have the discretion to depart from a mandatory minimum.

Title 42, § 9721. Sentencing generally.

(a) General rule.--In determining the sentence to be imposed the court shall, except as provided in subsection (a.1), consider and select one or more of the following alternatives, and may impose them consecutively or concurrently:

1. An order of probation.
2. A determination of guilt without further penalty.
3. Partial confinement.

4. Total confinement.
5. A fine.

(a.1) Exception.--

1. Unless specifically authorized under section 9763 (relating to conditions of probation), subsection (a) shall not apply where a mandatory minimum sentence is otherwise provided by law.
2. A person may be eligible for the State drug treatment program or State motivational boot camp as described in 61 Pa.C.S. Ch. 39 (relating to motivational boot camp), even if a mandatory minimum sentence would otherwise be provided by law.
3. An eligible person may be sentenced to total confinement pursuant to subsection (a)(4) and a recidivism risk reduction incentive minimum sentence pursuant to section 9756(b.1) (relating to sentence of total confinement), even if a mandatory minimum sentence would otherwise be provided by law.

**E. Prior Session** (Previous Bill Numbers & House/Senate Votes)

House Bill 1843 of 2023 passed the House 125-76 on March 18, 2024.

Passed the House Judiciary Committee 24-1 on December 8, 2023.

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THE GENERAL ASSEMBLY OF PENNSYLVANIA

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HOUSE BILL

No. 2243 Session of  
2026

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INTRODUCED BY WEBSTER, GUENST, SHUSTERMAN, HILL-EVANS, HANBIDGE,  
HOWARD, KINKEAD, KAZEEM, SANCHEZ, INGLIS, CEPEDA-FREYTIZ,  
NEILSON, BOYD AND MAYES, FEBRUARY 24, 2026

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REFERRED TO COMMITTEE ON JUDICIARY, FEBRUARY 25, 2026

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AN ACT

1 Amending Titles 18 (Crimes and Offenses) and 42 (Judiciary and  
2 Judicial Procedure) of the Pennsylvania Consolidated  
3 Statutes, in human trafficking, further providing for safe  
4 harbor for sexually exploited children; and, in juvenile  
5 matters, repealing provisions relating to dependency in lieu  
6 of delinquency.

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

9 Section 1. Section 3065(a) and (c) of Title 18 of the  
10 Pennsylvania Consolidated Statutes are amended to read:

11 § 3065. Safe harbor for sexually exploited children.

12 (a) Safe harbor.--

13 (1) If it is determined by a law enforcement officer,  
14 after reasonable detention for investigative purposes, that  
15 an individual is under 18 years of age [and is determined to  
16 be a sexually exploited child as defined in section 3001  
17 (relating to definitions)], the individual shall be immune  
18 from:

19 [(1)] (i) Prosecution or adjudication as a

1 delinquent child for a violation of [sections 5507  
2 (relating to obstructing highways and other public  
3 passages) and] section 5902(a) (relating to prostitution  
4 and related offenses).

5 [(2)] (ii) Revocation of an existing term of  
6 probation or parole arising from a conviction or  
7 adjudication for another offense if the revocation is  
8 based on conduct under [paragraph (1).] subparagraph (i).

9 (2) If it is determined by a law enforcement officer,  
10 after reasonable detention for investigative purposes, that  
11 an individual is under 18 years of age and is determined to  
12 be a sexually exploited child as defined in section 3001  
13 (relating to definitions), the individual shall be immune  
14 from:

15 (i) Prosecution or adjudication as a delinquent  
16 child for a noncriminal delinquent act, summary offense,  
17 misdemeanor or felony that is not a crime of violence  
18 committed as a result of the individual's trafficking  
19 victimization. For purposes of this subparagraph, the  
20 term "crime of violence" shall mean the same as defined  
21 under 42 Pa.C.S. § 9714(g) (relating to sentences for  
22 second and subsequent offenses).

23 (ii) Revocation of an existing term of probation or  
24 parole arising from a conviction or adjudication for  
25 another offense if the revocation is based on conduct  
26 under subparagraph (i).

27 \* \* \*

28 (c) Detainment.--An individual determined to be a sexually  
29 exploited child as defined in section 3001 [(relating to  
30 definitions)] shall be detained no longer than necessary and

1 only to assist the child in securing specialized services  
2 available under section 3062 (relating to specialized services  
3 for sexually exploited children) [or to refer the child to a  
4 county agency if required under 42 Pa.C.S. § 6328 (relating to  
5 dependency in lieu of delinquency)].

6 \* \* \*

7 Section 2. Section 6328 of Title 42 is repealed:

8 [§ 6328. Dependency in lieu of delinquency.

9 (a) Referral to county agency.--The offenses provided under  
10 subsection (b) shall be referred to a county agency under 23  
11 Pa.C.S. §§ 6362 (relating to responsibilities of county agency  
12 for child protective services) and 6375 (relating to county  
13 agency requirements for general protective services) if the  
14 offense:

15 (1) Is committed by a child as a direct result of being  
16 a sexually exploited child as defined in 18 Pa.C.S. § 3001  
17 (relating to definitions).

18 (2) Is directly related to having been subject to human  
19 trafficking as defined in 18 Pa.C.S. § 3001.

20 (b) Eligible offenses.--Eligible offenses for referral to a  
21 county agency include the following:

22 (1) 18 Pa.C.S. § 3503 (relating to criminal trespass).

23 (2) 18 Pa.C.S. § 4914 (relating to false identification  
24 to law enforcement authorities).

25 (3) 18 Pa.C.S. § 5503 (relating to disorderly conduct).

26 (4) 18 Pa.C.S. § 5506 (relating to loitering and  
27 prowling at night time).

28 (5) An offense for simple possession of a controlled  
29 substance under section 13(a)(16) and (31) of the act of  
30 April 14, 1972 (P.L.233, No.64), known as The Controlled

1 Substance, Drug, Device and Cosmetic Act.

2 (c) Delinquency proceedings.--

3 (1) If an offense listed in subsection (b) is referred  
4 to a county agency, delinquency proceedings under this  
5 chapter may not be commenced immediately.

6 (2) If treatment and social services are unsuccessful  
7 while the dependency petition is pending, as evidenced by the  
8 child's behavior, and the county agency believes that  
9 juvenile justice services are necessary and warranted, the  
10 county agency shall refer the child's case to the juvenile  
11 probation department or district attorney's office for the  
12 commencement of delinquency proceedings.

13 (d) Record expungement.--Upon the final discharge of  
14 supervision, juvenile court records relating to an offense  
15 listed in subsection (b) shall be expunged by the court under 18  
16 Pa.C.S. § 9123 (relating to juvenile records).]

17 Section 3. This act shall take effect immediately.

**HOUSE OF REPRESENTATIVES  
DEMOCRATIC COMMITTEE BILL ANALYSIS**

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**Bill No:** HB2243 PN2936  
**Committee:** Judiciary  
**Sponsor:** Webster, Joe  
**Date:** 3/3/2026

**Prepared By:** Michelle Batt, Esq.  
(717) 705-1880,6792  
**Executive Director:** David Vitale, Esq.

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**A. Brief Concept**

Ensuring that minors cannot be charged with nonviolent offenses related to their sexual exploitation.

**C. Analysis of the Bill**

Amends Title 18 Section 3065 (relating to safe harbor for sexually exploited children) to:

- establish that no child, regardless of whether they are a sexually exploited child as defined in section 3001, shall be subject to prosecution or adjudication as a delinquent child for a violation of 18 Pa.C.S. § 5902(a) (relating to prostitution). The same immunity applies to revocation proceedings for an existing term of probation or parole arising from a conviction or adjudication for another offense if the revocation is based on conduct allegedly in violation of § 5902(a).
- establish that no sexually exploited child shall be subject to prosecution or adjudication as a delinquent child for or a noncriminal delinquent act, summary offense, misdemeanor or felony that is not a crime of violence committed as a result of the individual's trafficking victimization. The same immunity applies to revocation proceedings for an existing term of probation or parole arising from a conviction or adjudication for another offense if the revocation is based on such alleged nonviolent felonious or low-level conduct.

This bill further repeals Title 42 Pa.C.S. Section 6328 (Dependency in Lieu of delinquency).

**Effective Date:**

Immediately.

**G. Relevant Existing Laws**

**18 Pa.C.S. § 3065. Safe harbor for sexually exploited children.**

(a) Safe harbor.--If it is determined by a law enforcement officer, after reasonable detention for investigative purposes, that an individual is under 18 years of age and is determined to be a sexually exploited child as defined in section 3001 (relating to definitions), the individual shall be immune from:

- (1) Prosecution or adjudication as a delinquent child for a violation of sections 5507 (relating to obstructing highways and other public passages) and 5902(a) (relating to prostitution and related offenses).
- (2) Revocation of an existing term of probation or parole arising from a conviction or adjudication for another offense if the revocation is based on conduct under paragraph (1).

(b) Exceptions to safe harbor.--The safe harbor under subsection (a) shall not:

- (1) Interfere with or prevent an investigation, arrest, charge, prosecution, delinquency adjudication or revocation for violations other than a violation under subsection (a).
- (2) Bar the admission of evidence in connection with the investigation and prosecution for a violation other than a violation under subsection (a).
- (3) Bar the admission of evidence in connection with an investigation and prosecution of an individual who does not qualify for safe harbor as provided under this section.

(c) Detainment.--An individual determined to be a sexually exploited child as defined in section 3001 (relating to definitions) shall be detained no longer than necessary and only to assist the child in securing specialized services available under section 3062 (relating to specialized services for sexually exploited children) or to refer the child to a county agency if required under 42 Pa.C.S. § 6328 (relating to dependency in lieu of delinquency).

(d) Immunity.--In addition to any other immunity or limitation on civil liability, a law enforcement officer or prosecuting attorney who, acting in good faith, investigates, detains, charges or institutes delinquency proceedings against an individual who is thereafter determined to be entitled to immunity under this section shall not be subject to civil liability for the actions.

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**42 Pa.C.S. § 6328. Dependency in lieu of delinquency.**

(a) Referral to county agency.--The offenses provided under subsection (b) shall be referred to a county agency under 23 Pa.C.S. §§ 6362 (relating to responsibilities of county agency for child protective services) and 6375 (relating to county agency requirements for general protective services) if the offense:

- (1) Is committed by a child as a direct result of being a sexually exploited child as defined in 18 Pa.C.S. § 3001 (relating to definitions).
- (2) Is directly related to having been subject to human trafficking as defined in 18 Pa.C.S. § 3001.

(b) Eligible offenses.--Eligible offenses for referral to a county agency include the following:

- (1) 18 Pa.C.S. § 3503 (relating to criminal trespass).
- (2) 18 Pa.C.S. § 4914 (relating to false identification to law enforcement authorities).
- (3) 18 Pa.C.S. § 5503 (relating to disorderly conduct).
- (4) 18 Pa.C.S. § 5506 (relating to loitering and prowling at night time).
- (5) An offense for simple possession of a controlled substance under section 13(a)(16) and (31) of the act of April 14, 1972 (P.L.233, No.64), known as The Controlled Substance, Drug, Device and Cosmetic Act.

(c) Delinquency proceedings.--

- (1) If an offense listed in subsection (b) is referred to a county agency, delinquency proceedings under this chapter may not be commenced immediately.

(2) If treatment and social services are unsuccessful while the dependency petition is pending, as evidenced by the child's behavior, and the county agency believes that juvenile justice services are necessary and warranted, the county agency shall refer the child's case to the juvenile probation department or district attorney's office for the commencement of delinquency proceedings.

(d) Record expungement.--Upon the final discharge of supervision, juvenile court records relating to an offense listed in subsection (b) shall be expunged by the court under 18 Pa.C.S. § 9123 (relating to juvenile records).

**E. Prior Session** (Previous Bill Numbers & House/Senate Votes)

None.

This document is a summary of proposed legislation and is prepared only as general information for use by the Democratic Members and Staff of the Pennsylvania House of Representatives. The document does not represent the legislative intent of the Pennsylvania House of Representatives and may not be utilized as such.

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THE GENERAL ASSEMBLY OF PENNSYLVANIA

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HOUSE BILL

No. 2252 Session of  
2026

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INTRODUCED BY KINKEAD, POWELL, ISAACSON, HILL-EVANS, FREEMAN,  
CEPEDA-FREYTIZ, McNEILL, GILLEN, FLEMING, SANCHEZ, MAYES,  
OTTEN, PIELLI, MERSKI, BOROWSKI, INGLIS, SHUSTERMAN, MADDEN,  
PROBST, BURGOS, D. WILLIAMS AND BOYD, FEBRUARY 26, 2026

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REFERRED TO COMMITTEE ON JUDICIARY, FEBRUARY 26, 2026

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AN ACT

1 Amending Title 18 (Crimes and Offenses) of the Pennsylvania  
2 Consolidated Statutes, in sexual offenses, further providing  
3 for the offense of unlawful dissemination of intimate image.

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

6 Section 1. Section 3131(a), (b), (c) and (g) of Title 18 of  
7 the Pennsylvania Consolidated Statutes, amended or added October  
8 29, 2024 (P.L.1095, No.125), are amended and the section is  
9 amended by adding subsections to read:

10 § 3131. Unlawful dissemination of intimate image.

11 (a) Offense defined.--Except as provided in sections 5903  
12 (relating to obscene and other sexual materials and  
13 performances), 6312 (relating to sexual abuse of children) and  
14 6321 (relating to transmission of sexually explicit images by  
15 minor), a person commits the offense of unlawful dissemination  
16 of intimate image if[, with intent to harass, annoy or alarm  
17 another,] the person disseminates:

1 (1) [A visual depiction of the current or former sexual  
2 or intimate partner in a state of nudity or engaged in sexual  
3 conduct.] An intimate image of an individual.

4 (2) An artificially generated [sexual depiction]  
5 intimate image of an individual.

6 (a.1) Multiple images.--Dissemination of multiple intimate  
7 images of the same individual as part of a common act shall  
8 constitute a single offense under this section.

9 (b) Defense.--It is a defense to a prosecution under this  
10 section that the actor disseminated the [visual depiction]  
11 intimate image with the consent of the person depicted.

12 (c) Grading.--

13 (1) An offense under subsection (a) (1) shall be:

14 (i) A misdemeanor of the first degree, when the  
15 person depicted is a minor.

16 (ii) A misdemeanor of the second degree, when the  
17 person depicted is not a minor.

18 (iii) A misdemeanor of the first degree if the  
19 dissemination is done with any of the following:

20 (A) The intent to harass or alarm.

21 (B) The intent to cause physical, mental,  
22 economic or reputational harm to the person depicted.

23 (C) The intent to obtain profit or pecuniary  
24 gain.

25 (D) The purpose of sexual arousal, sexual  
26 gratification, humiliation or degradation.

27 (2) An offense under subsection (a) (2) shall be:

28 (i) A misdemeanor of the first degree, when the  
29 person depicted is a minor.

30 (ii) A misdemeanor of the second degree, when the

1 person depicted is not a minor.

2 (iii) A misdemeanor of the first degree if the  
3 dissemination is done with any of the following:

4 (A) The intent to harass or alarm.

5 (B) The intent to cause physical, mental,  
6 economic or reputational harm to the person depicted.

7 (C) The intent to obtain profit or pecuniary  
8 gain.

9 (D) The purpose of sexual arousal, sexual  
10 gratification, humiliation or degradation.

11 (c.1) Statute of limitations.--A prosecution under this  
12 section must be commenced within five years after the commission  
13 of the offense or within three years after the date the victim  
14 discovers the offense or reasonably should have discovered the  
15 offense through the exercise of due diligence, whichever is  
16 later.

17 \* \* \*

18 (g) Definitions.--As used in this section, the following  
19 words and phrases shall have the meanings given to them in this  
20 subsection unless the context clearly indicates otherwise:

21 "Artificial intelligence."

22 (1) A machine-based system that can, for a given set of  
23 human-defined objectives, make predictions, recommendations  
24 or decisions influencing real or virtual environments,  
25 including the ability to:

26 (i) perceive real and virtual environments;

27 (ii) abstract perceptions made under this paragraph  
28 into models through analysis in an automated manner; and

29 (iii) use model inference to formulate options for  
30 information or action based on outcomes under

1           subparagraphs (i) and (ii).

2           (2) The term includes generative artificial  
3 intelligence.

4           ["Artificially generated sexual depiction." A visual  
5 depiction:

6           (1) that appears to authentically depict an individual  
7 in a state of nudity or engaged in sexual conduct that did  
8 not occur in reality; and

9           (2) the production of which was substantially dependent  
10 upon technical means, including artificial intelligence or  
11 photo editing software, rather than the ability of another  
12 person to physically impersonate the other person.]

13           "Artificially generated intimate image." An image that:

14           (1) appears to authentically depict an intimate image of  
15 an individual that did not occur in reality; or

16           (2) was produced substantially by technical means,  
17 including artificial intelligence or photo editing software,  
18 rather than by the ability of another person to physically  
19 impersonate the individual.

20           "Generative artificial intelligence." The class of models  
21 that emulate the structure and characteristics of input data in  
22 order to generate derived synthetic content, including  
23 information such as images, videos, audio clips or text, that  
24 has been significantly modified or generated by algorithms,  
25 including by artificial intelligence.

26           "Intimate image." A still or video image that depicts:

27           (1) the wholly or partially uncovered genitals, pubic  
28 area, anus or postpubescent female nipple or areola of an  
29 individual;

30           (2) the display or transfer of semen or vaginal

1 secretion; or

2 (3) sexually explicit conduct.

3 "Law enforcement officer." Any officer of the United States,  
4 of the Commonwealth or political subdivision thereof, or of  
5 another state or subdivision thereof, who is empowered to  
6 conduct investigations of or to make arrests for offenses  
7 enumerated in this title or an equivalent crime in another  
8 jurisdiction, and any attorney authorized by law to prosecute or  
9 participate in the prosecution of such offense.

10 "Minor." An individual under 18 years of age.

11 ["Nudity." As defined in section 5903(e).]

12 "Photo editing software." A software used primarily for  
13 editing photographs, videos or computer depictions that contains  
14 a variety of filters, effects or tools that can be used to  
15 manipulate photographs, videos or computer depictions.

16 ["Sexual conduct." As defined in section 5903(e).]

17 ["Visual depiction." As defined in section 6321.]

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

# HOUSE OF REPRESENTATIVES

## DEMOCRATIC COMMITTEE BILL ANALYSIS

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**Bill No:** HB2252 PN2945  
**Committee:** Judiciary  
**Sponsor:** Kinkead, Emily  
**Date:** 3/3/2026

**Prepared By:** Michelle Batt, Esq.  
(717) 705-1880,6792  
**Executive Director:** David Vitale, Esq.

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### **A. Brief Concept**

Broadens the applicability of "Unlawful dissemination of intimate image" and introduces a progressive penalty structure.

### **C. Analysis of the Bill**

Amends Title 18 Section 3131 (Unlawful dissemination of intimate image) by:

- Removing the "with intent to harass annoy or alarm" element
- Removing the "former sexual or intimate partner" element
- Replacing "visual depiction" and "sexual depiction" with "intimate image" and "artificially generated intimate image"
- Removing the definition of "Artificially generated sexual depiction", "nudity", "sexual conduct" and "visual depiction"
- Establishing a safeguard for the sharing of multiple images whereby the dissemination of multiple intimate images of the same individual as part of a common act constitutes a single offense.
- Establishing a five-year statute of limitations from the commission of the offense for prosecution, or three years from discovery of the offense, whichever is later.
- Creating a grading enhancement (to a misdemeanor of the first degree) if the dissemination is done with:
  - The intent to harass or alarm.
  - The intent to cause physical, mental, economic or reputational harm to the person depicted.
  - The intent to obtain profit or pecuniary gain.
  - The purpose of sexual arousal, sexual gratification, humiliation or degradation.

#### Definitions added:

"Artificially generated intimate image." An image that:

- (1) appears to authentically depict an intimate image of an individual that did not occur in reality; or
- (2) was produced substantially by technical means, including artificial intelligence or photo editing software, rather than by the ability of another person to physically impersonate the individual.

" Intimate image. " A still or video image that depicts:

- (1) the wholly or partially uncovered genitals, pubic area, anus or postpubescent female nipple or areola of an individual;
- (2) the display or transfer of semen or vaginal secretion; or
- (3) sexually explicit conduct.

**Effective Date:**

60 Days.

## **G. Relevant Existing Laws**

### **18 Pa.C.S. § 3131. Unlawful dissemination of intimate image.**

(a) Offense defined.--Except as provided in sections 5903 (relating to obscene and other sexual materials and performances), 6312 (relating to sexual abuse of children) and 6321 (relating to transmission of sexually explicit images by minor), a person commits the offense of unlawful dissemination of intimate image if, with intent to harass, annoy or alarm another, the person disseminates:

(1) A visual depiction of the current or former sexual or intimate partner in a state of nudity or engaged in sexual conduct.

(2) An artificially generated sexual depiction of an individual.

(b) Defense.--It is a defense to a prosecution under this section that the actor disseminated the visual depiction with the consent of the person depicted.

(c) Grading.--

(1) An offense under subsection (a)(1) shall be:

(i) A misdemeanor of the first degree, when the person depicted is a minor.

(ii) A misdemeanor of the second degree, when the person depicted is not a minor.

(2) An offense under subsection (a)(2) shall be:

(i) A misdemeanor of the first degree, when the person depicted is a minor.

(ii) A misdemeanor of the second degree, when the person depicted is not a minor.

(d) Territorial applicability.--A person may be convicted under the provisions of this section if the victim or the offender is located within this Commonwealth.

(e) Nonapplicability.--Nothing in this section shall be construed to apply to a law enforcement officer engaged in the performance of the law enforcement officer's official duties.

(f) Concurrent jurisdiction to prosecute.--In addition to the authority conferred upon the Attorney General by the act of October 15, 1980 (P.L.950, No.164), known as the Commonwealth Attorneys Act, the Attorney General shall have the authority to investigate and to institute criminal proceedings for any violation of this section or any series of violations involving more than one county of this Commonwealth or another state. No person charged with a violation of this section by the Attorney General shall have standing to challenge the authority of the Attorney General to investigate or prosecute the case, and, if a challenge is made, the challenge shall be dismissed, and no relief shall be made available in the courts of this Commonwealth to the person making the challenge.

(g) Definitions.--As used in this section, the following words and phrases shall have the meanings given to them in this subsection unless the context clearly indicates otherwise:

"Artificial intelligence."

(1) A machine-based system that can, for a given set of human-defined objectives, make predictions, recommendations or decisions influencing real or virtual environments, including the ability to:

- (i) perceive real and virtual environments;
- (ii) abstract perceptions made under this paragraph into models through analysis in an automated manner; and
- (iii) use model inference to formulate options for information or action based on outcomes under subparagraphs (i) and (ii).

(2) The term includes generative artificial intelligence.

"Artificially generated sexual depiction." A visual depiction:

- (1) that appears to authentically depict an individual in a state of nudity or engaged in sexual conduct that did not occur in reality; and
- (2) the production of which was substantially dependent upon technical means, including artificial intelligence or photo editing software, rather than the ability of another person to physically impersonate the other person.

"Generative artificial intelligence." The class of models that emulate the structure and characteristics of input data in order to generate derived synthetic content, including information such as images, videos, audio clips or text, that has been significantly modified or generated by algorithms, including by artificial intelligence.

"Law enforcement officer." Any officer of the United States, of the Commonwealth or political subdivision thereof, or of another state or subdivision thereof, who is empowered to conduct investigations of or to make arrests for offenses enumerated in this title or an equivalent crime in another jurisdiction, and any attorney authorized by law to prosecute or participate in the prosecution of such offense.

"Minor." An individual under 18 years of age.

"Nudity." As defined in section 5903(e).

"Photo editing software." A software used primarily for editing photographs, videos or computer depictions that contains a variety of filters, effects or tools that can be used to manipulate photographs, videos or computer depictions.

"Sexual conduct." As defined in section 5903(e).

"Visual depiction." As defined in section 6321.

#### **E. Prior Session (Previous Bill Numbers & House/Senate Votes)**

None.

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THE GENERAL ASSEMBLY OF PENNSYLVANIA

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HOUSE BILL

No. 2443 Session of  
2026

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INTRODUCED BY MULLINS, RIGBY, DOUGHERTY, HILL-EVANS, SANCHEZ,  
McNEILL, RIVERA, HANBIDGE, KAZEEM, FREEMAN, NEILSON, KUZMA,  
INGLIS, GALLAGHER, MAYES, MADDEN, M. BROWN, BRIGGS, GUENST,  
DALEY, BERNSTINE, CAUSER, BOROWSKI, M. MACKENZIE, BOYD,  
CONKLIN, CURRY, MUSTELLO, O'MARA, SOLOMON, BENNINGHOFF,  
TAKAC, CERRATO, SCOTT, WAXMAN AND DONAHUE, APRIL 21, 2026

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REFERRED TO COMMITTEE ON JUDICIARY, APRIL 22, 2026

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AN ACT

1 Providing for Child Victim Recovery Fee; establishing the Child  
2 Victim Recovery Fund; and imposing duties on the Pennsylvania  
3 Commission on Crime and Delinquency.

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

6 Section 1. Short title.

7 This act shall be known and may be cited as the Child Victim  
8 Recovery Fund.

9 Section 2. Definitions.

10 The following words and phrases when used in this act shall  
11 have the meanings given to them in this section unless the  
12 context clearly indicates otherwise:

13 "Children's advocacy center." As defined in 23 Pa.C.S. §  
14 6303 (relating to definitions).

15 "Commission." The Pennsylvania Commission on Crime and  
16 Delinquency.

1 "Court." A court of common pleas.

2 "Covered offense." Any of the following offenses under 18  
3 Pa.C.S. (relating to crimes and offenses):

4 (1) Section 3123(b) or (c) (relating to involuntary  
5 deviate sexual intercourse).

6 (2) Section 3124.2(a.2) (relating to institutional  
7 sexual assault).

8 (3) Section 3125(a) (7) or (8) (relating to aggravated  
9 indecent assault).

10 (4) Section 3126(a) (7) or (8) (relating to indecent  
11 assault).

12 (5) Section 6301(a) (1) (i) or (ii) (relating to  
13 corruption of minors).

14 (6) Any other offense under 18 Pa.C.S. that is  
15 substantially similar to an offense specified under paragraph  
16 (1), (2), (3), (4) or (5) and in which a minor is identified  
17 in a charging document, plea or verdict as the victim of the  
18 offense.

19 "Fee." The Child Victim Recovery Fee imposed under section  
20 3(a).

21 "Fund." The Child Victim Recovery Fund established under  
22 section 5(a).

23 "Indigent." An individual determined by a court to be unable  
24 to pay the fee without undue hardship based on the individual's  
25 financial resources and obligations.

26 "Minor." An individual under 18 years of age who is  
27 identified in a charging document, plea or verdict as the victim  
28 of a covered offense.

29 Section 3. Child Victim Recovery Fee.

30 (a) Imposition.--In addition to any other fines, costs or

1 restitution ordered, a court shall impose a Child Victim  
2 Recovery Fee in each case in which any of the following applies:

3 (1) A defendant is convicted of a covered offense.

4 (2) A defendant pleads guilty or nolo contendere to a  
5 covered offense.

6 (3) A defendant is placed into a pretrial diversionary  
7 program or alternative disposition program for a covered  
8 offense, including Accelerated Rehabilitative Disposition.

9 (b) Amount.--The fee shall be imposed in the following  
10 amounts, as applicable:

11 (1) \$1,000 for a felony.

12 (2) \$400 for a misdemeanor.

13 (3) \$250 for placement into a pretrial diversionary  
14 program or alternative disposition program.

15 (c) Timing for diversionary dispositions.--A court shall  
16 impose the fee at the time a defendant is accepted into a  
17 pretrial diversionary program or alternative disposition  
18 program. Payment of the fee shall be a condition of successful  
19 completion of the pretrial diversionary program or alternative  
20 disposition program.

21 (d) Ability to pay.--If a court determines that a defendant  
22 is indigent, the court shall authorize payment of the fee by  
23 installment plan. The court may reduce the periodic installment  
24 amount to avoid undue hardship.

25 (e) Collection.--The fee shall be collected in accordance  
26 with 42 Pa.C.S. § 9728 (relating to collection of restitution,  
27 reparation, fees, costs, fines and penalties). The obligation to  
28 pay the fee shall constitute a judgment and shall be entered and  
29 docketed as provided under 42 Pa.C.S. § 9728(b)(1) and (2).

30 (f) Priority.--The fee may not reduce restitution ordered in

1 a case. Collection and payment of restitution shall have  
2 priority as provided under all of the following:

3 (1) 18 Pa.C.S. § 1106(c)(1)(ii) (relating to restitution  
4 for injuries to person or property).

5 (2) 42 Pa.C.S. § 9728(g.1).

6 Section 4. Deposit and remittance.

7 (a) Deposit.--Money collected under section 3 shall be  
8 deposited into the fund.

9 (b) Remittance.--The clerk of courts of the county in which  
10 the fee is imposed, or another county officer designated by the  
11 county, shall remit money collected under section 3 to the State  
12 Treasurer for deposit into the fund within five days of the end  
13 of each calendar quarter in a manner specified by the State  
14 Treasurer.

15 Section 5. Child Victim Recovery Fund.

16 (a) Establishment.--The Child Victim Recovery Fund is  
17 established in the State Treasury.

18 (b) Use.--Money in the fund may be used only for the  
19 following purposes:

20 (1) To award grants under section 6.

21 (2) To pay the costs of administering this act,  
22 including the costs of processing and monitoring grants, in  
23 an amount not to exceed 5% of money deposited into the fund  
24 in a fiscal year.

25 (c) Appropriation.--Money in the fund is appropriated on a  
26 continuing basis to the commission for the purposes specified  
27 under subsection (b).

28 Section 6. Grants to children's advocacy centers.

29 (a) Grants.--The commission shall award annual grants from  
30 the fund to children's advocacy centers for the purposes

1 specified under section 7.

2 (b) Eligibility.--A children's advocacy center shall be  
3 eligible to receive a grant under this section only if the  
4 children's advocacy center meets all of the following  
5 requirements:

6 (1) The children's advocacy center is an accredited,  
7 associate, affiliate or satellite member of the National  
8 Children's Alliance or is located in an unserved county that  
9 has undertaken a formal process for development of a  
10 children's advocacy center.

11 (2) The children's advocacy center provides services  
12 through a multidisciplinary team approach consistent with  
13 nationally recognized children's advocacy center standards.

14 (3) The children's advocacy center submits an annual  
15 application in a form specified by the commission that  
16 includes all of the following:

17 (i) A description of the children's advocacy center  
18 service area.

19 (ii) The number of forensic interviews completed in  
20 the prior year.

21 (iii) A spending plan identifying the intended use  
22 of grant money under section 7.

23 (iv) Any other documentation required by the  
24 commission to verify eligibility and appropriate use of  
25 money.

26 (c) Noncompetitive formula.--The commission shall distribute  
27 grants on a noncompetitive, formula basis. The commission shall  
28 publish the formula on its publicly accessible Internet website.

29 (d) Minimum factors.--In developing and updating the  
30 formula, the commission shall consider, at a minimum, all of the

1 following:

2 (1) The number of forensic interviews performed  
3 annually.

4 (2) The geographic service area and population served.

5 (3) The children's advocacy center's accreditation level  
6 or National Children's Alliance membership status.

7 (e) Proration.--If money in the fund is insufficient to  
8 fully fund grants determined under the formula, the commission  
9 shall prorate grants proportionally among children's advocacy  
10 centers eligible for an award.

11 (f) Additional requirements.--In addition to the application  
12 required under subsection (b) (3), the commission may require  
13 certifications, reporting and documentation necessary to  
14 administer this act and verify eligibility and appropriate use  
15 of grant money.

16 (g) Supplanting prohibited.--Money awarded under this  
17 section may not be used to supplant Federal, State or local  
18 money otherwise available for the same purpose.

19 (h) Loss of eligibility and recoupment.--A children's  
20 advocacy center that ceases to satisfy the eligibility  
21 requirements under subsection (b) shall notify the commission  
22 within 30 days. The commission may suspend, reduce or terminate  
23 a grant and may seek repayment of money expended in violation of  
24 this act.

25 Section 7. Permitted use of grant money.

26 (a) Permitted uses.--A children's advocacy center may use  
27 grant money awarded under section 6 only for costs directly  
28 related to providing services to minor victims through the  
29 children's advocacy center, including any of the following:

30 (1) Forensic interviews and medical evaluations.

1 (2) Trauma-focused mental health services and recovery  
2 supports.

3 (3) Victim advocacy, family support and crisis response.

4 (4) Facility improvements and equipment.

5 (5) Training and professional development for staff and  
6 multidisciplinary partners.

7 (6) Program capacity building in underserved areas.

8 (7) Accreditation, quality assurance and  
9 multidisciplinary team coordination activities necessary to  
10 meet children's advocacy center standards.

11 (b) Records and audit.--A children's advocacy center shall  
12 maintain records as required by the commission. The commission  
13 may audit expenditures and require repayment of money expended  
14 in violation of this act.

15 Section 8. Report.

16 (a) Annual report.--The commission shall submit an annual  
17 report to the General Assembly and post the report on its  
18 publicly accessible Internet website.

19 (b) Contents.--The report under subsection (a) shall include  
20 all of the following information for the prior fiscal year:

21 (1) Total revenue collected and deposited into the fund.

22 (2) Total grant money awarded and the recipients.

23 (3) Geographic distribution of grant money.

24 (4) Administrative costs incurred to administer this  
25 act.

26 (5) Statewide service measures, including the number of  
27 minors served and other performance indicators reported by  
28 recipients in a form prescribed by the commission.

29 Section 9. Regulations and guidelines.

30 The commission may promulgate regulations and adopt

- 1 guidelines necessary to implement this act.
- 2 Section 10. Effective date.
- 3 This act shall take effect in 180 days.

# HOUSE OF REPRESENTATIVES

## DEMOCRATIC COMMITTEE BILL ANALYSIS

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<b>Bill No:</b>	HB2443 PN3253	<b>Prepared By:</b>	David Vitale, Esq. (717) 705-7011
<b>Committee:</b>	Judiciary	<b>Executive Director:</b>	David Vitale, Esq.
<b>Sponsor:</b>	Mullins and Rigby		
<b>Date:</b>	4/24/2026		

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### **A. Brief Concept**

Provides funding to Child Advocacy Centers (CAC's) by assessing additional fees on individual who are convicted, pleads guilty or nolo contendere, or enters diversion for an offense involving a child victim.

### **C. Analysis of the Bill**

Establishes a Mandatory Child Victim Recovery Fee assessed on individuals who are convicted, pleads guilty or nolo contendere, or enters diversion for an offense involving a child victim.

#### **Imposition of Fee**

In addition to any other fines, costs or restitution ordered, a court shall impose a Child Victim Recovery Fee in each case in which any of the following applies:

1. A defendant is convicted of a covered offense.
2. A defendant pleads guilty or nolo contendere to a covered offense.
3. A defendant is placed into a pretrial diversionary program or alternative disposition program for a covered offense, including Accelerated Rehabilitative Disposition.

The fee shall be imposed in the following amounts, as applicable:

1. \$1,000 for a felony.
2. \$400 for a misdemeanor.
3. \$250 for placement into a pretrial diversionary program or alternative disposition program.

A court would impose the fee when the defendant is accepted into a pretrial diversionary program or alternative disposition program. Payment of the fee would be a condition of successful completion of either of the programs. If a court determines that a defendant cannot pay, the court shall authorize payment of the fee via installment plan and may reduce the installment amount to avoid undue hardship. The fee would not be able to reduce restitution ordered in a case and collection and payment of restitution would have priority.

Money collected under this section would be deposited into the Child Victim Recovery Fund. The clerk of courts of the county where the fee is imposed or another county officers designated by the county would need to remit money collected under this section to the State Treasurer for deposit into the fund within five days of the end of each calendar quarter as specified by the State Treasurer.

#### **Funds & Grants**

Money in the fund would be appropriated on a continuing basis to the commission and could be used to award grants to children's advocacy centers; and to pay the costs of administering this act, including the costs of processing and monitoring grants, in an amount not to exceed 5% of money deposited into the fund in a fiscal year.

The PA Commission on Crime and Delinquency would be required to award annual grants from the fund to children's advocacy centers for costs directly related to providing services to minor

victims through the children's advocacy center, including any of the following:

1. Forensic interviews and medical evaluations;
2. Trauma-focused mental health services and recovery supports;
3. Victim advocacy, family support and crisis response;
4. Facility improvements and equipment;
5. Training and professional development for staff and multidisciplinary partners;
6. Program capacity building in underserved areas; and
7. Accreditation, quality assurance and multidisciplinary team coordination activities necessary to meet children's advocacy center standards.

These would be distributed on a noncompetitive formula basis, which shall be published on the commission's publicly accessible website. In developing and updating the formula, the commission would need to consider, at minimum, all of the following:

1. The number of forensic interviews performed annually;
2. The geographic service area and population served; and
3. The children's advocacy center's accreditation level or National Children's Alliance membership status.

Grants would be proportionally prorated if insufficient funding was available and the commission would be allowed to require certifications, reporting and documentation necessary to administer the act and verify eligibility and appropriate use of grant money.

Money awarded under this section could not be used to supplant Federal, state or local money otherwise available for the same purpose and, upon loss of eligibility, a children's advocacy center would need to notify the commission within 30 days. This could result in the suspension, reduction or termination of the grant and the commission would be allowed to seek repayment of money expended in violation of this act.

### **Eligibility**

To be eligible for a grant, a children's advocacy center would need to meet all of the following requirements:

1. Be an accredited, associate, affiliate or satellite member of the National Children's Alliance or be located in an unserved county that has undertaken a formal process for development of a children's advocacy center;
2. Provide services through a multidisciplinary team approach consistent with nationally recognized children's advocacy center standards;
3. Submit an annual application in a form specified by the commission that includes all of the following:
  1. A description of the children's advocacy center service area;
  2. The number of forensic interviews completed the prior year;
  3. A spending plan identifying the intended use of grant money; and
  4. Any other documentation required by the commission to verify eligibility and appropriate use of money.

### **Annual Report**

The commission must submit an annual report to the General Assembly and post the report on its publicly accessible website to include:

1. Total revenue collected and deposited into the fund;
2. Total grant money awarded and the recipients;
3. Geographic distribution of grant money;
4. Administrative costs incurred to administer this act; and
5. Statewide service measures, including the number of minors served and other performance indicators reported by recipients in a form prescribed by the commission.

**Effective Date:**

180 Days.

**G. Relevant Existing Laws**

Act 175 of 1929 (Administrative Code)

Section 2303.1-B. Additional funding.

(a) Initial year.--For the fiscal year beginning July 1, 2014, 50% of the fee charged by the Department of Health for a certified copy of a birth record under section 609-A shall be transferred to the Department of Public Welfare for training of mandated reporters of child abuse and child abuse related costs.

(b) Subsequent years.--For the fiscal year beginning July 1, 2015, and each fiscal year thereafter, 50% of the fee charged by the Department of Health for a certified copy of a birth record under section 609-A shall be distributed as follows:

(1) Twenty-five percent shall be transferred to the Department of Public Welfare for training of mandated reporters of child abuse and child abuse related costs.

(2) Seventy-five percent shall be transferred to the commission for **grants for child advocacy centers** and multidisciplinary investigative teams.

(c) Restrictions.--The funding under this section shall not be used to supplant Federal, State or local funds otherwise available for child advocacy centers and multidisciplinary investigative teams.

**E. Prior Session (Previous Bill Numbers & House/Senate Votes)**

None.

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THE GENERAL ASSEMBLY OF PENNSYLVANIA

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HOUSE BILL

No. 2474 Session of  
2026

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INTRODUCED BY RIVERA, MARCELL, BRIGGS, ABNEY, SANCHEZ, PIELLI,  
WALLEN AND SHUSTERMAN, APRIL 29, 2026

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REFERRED TO COMMITTEE ON JUDICIARY, APRIL 29, 2026

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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 exclusions from child abuse and for persons  
4 required to report suspected child abuse.

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

7 Section 1. Section 6304(f)(2)(i) of Title 23 of the  
8 Pennsylvania Consolidated Statutes is amended to read:

9 § 6304. Exclusions from child abuse.

10 \* \* \*

11 (f) Child-on-child contact.--

12 \* \* \*

13 (2) Notwithstanding paragraph (1), the following shall  
14 apply:

15 (i) Acts constituting any of the following crimes  
16 against a child shall be subject to the reporting  
17 requirements of this chapter:

18 (A) rape as defined in 18 Pa.C.S. § 3121

19 (relating to rape);

1 (B) involuntary deviate sexual intercourse as  
2 defined in 18 Pa.C.S. § 3123 (relating to involuntary  
3 deviate sexual intercourse);

4 (C) sexual assault as defined in 18 Pa.C.S. §  
5 3124.1 (relating to sexual assault);

6 (D) aggravated indecent assault as defined in 18  
7 Pa.C.S. § 3125 (relating to aggravated indecent  
8 assault);

9 (E) indecent assault as defined in 18 Pa.C.S. §  
10 3126 (relating to indecent assault); [and]

11 (F) indecent exposure as defined in 18 Pa.C.S. §  
12 3127 (relating to indecent exposure) [.] ;

13 (G) unlawful dissemination of intimate image as  
14 defined in 18 Pa.C.S. § 3131 (relating to unlawful  
15 dissemination of intimate image); and

16 (H) sexual abuse of children as defined in 18  
17 Pa.C.S. § 6312 (relating to sexual abuse of  
18 children).

19 \* \* \*

20 Section 2. Section 6311(c) of Title 23 is amended and the  
21 section is amended by adding a subsection to read:

22 § 6311. Persons required to report suspected child abuse.

23 \* \* \*

24 (c) Staff members of institutions, etc.--Whenever a person  
25 is required to report under subsection (b) or (e) in the  
26 capacity as a member of the staff of a medical or other public  
27 or private institution, school, facility or agency, that person  
28 shall report immediately in accordance with section 6313 and  
29 shall immediately thereafter notify the person in charge of the  
30 institution, school, facility or agency or the designated agent

1 of the person in charge. Upon notification, the person in charge  
2 or the designated agent, if any, shall facilitate the  
3 cooperation of the institution, school, facility or agency with  
4 the investigation of the report. Any intimidation, retaliation  
5 or obstruction in the investigation of the report is subject to  
6 the provisions of 18 Pa.C.S. § 4958 (relating to intimidation,  
7 retaliation or obstruction in child abuse cases). This chapter  
8 does not require more than one report from any such institution,  
9 school, facility or agency.

10 (e) Additional reporting.--A mandated reporter enumerated in  
11 subsection (a) shall make a report via the Statewide toll-free  
12 telephone number under section 6332 (relating to establishment  
13 of Statewide toll-free telephone number) or by electronic  
14 submission under section 6305 (relating to electronic reporting)  
15 if the mandated reporter has reasonable cause to suspect the  
16 existence of child sexual abuse material or artificially  
17 generated child sexual abuse material as those terms are defined  
18 in 18 Pa.C.S. § 6312(g) (relating to sexual abuse of children).  
19 This subsection shall apply whether or not the material was  
20 created, displayed or exhibited to others by a minor. Upon  
21 receipt of a report under this subsection, the department shall  
22 transmit a copy of the report to the appropriate law enforcement  
23 agency and may transmit a copy of the report to the appropriate  
24 county agency.

25 Section 3. This act shall take effect in one year.

**HOUSE OF REPRESENTATIVES  
DEMOCRATIC COMMITTEE BILL ANALYSIS**

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<b>Bill No:</b>	HB2474 PN3323	<b>Prepared By:</b>	David Vitale, Esq. (717) 705-1880,6792
<b>Committee:</b>	Judiciary	<b>Executive Director:</b>	David Vitale, Esq.
<b>Sponsor:</b>	Rivera and Marcell		
<b>Date:</b>	4/28/2026		

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**A. Brief Concept**

Requires mandatory reporting of child sexual abuse material or artificially generated child sexual abuse material to Childline and requires the Department of Human Services to immediately transmit such reports to law enforcement.

**C. Analysis of the Bill**

Amends Title 23 Chapter 63 (Child Protective Services) to:

- Add 18 Pa.C.S. § 3131 (relating to unlawful dissemination of intimate image) and 18 Pa.C.S. § 6312 (relating to sexual abuse of children) to the list of offenses that are not excluded from the definition of "child abuse" under the "child-on-child contact" exception at 23 Pa.C.S. § 6304(f)
- Amend 23 Pa.C.S. § 6311 (Persons required to report suspected child abuse) to include a stand-alone provision requiring mandatory reporting of child sexual abuse material or artificially generated child sexual abuse material as those terms are defined in 18 Pa.C.S. § 6312(g). This subsection shall apply whether or not the material was created, displayed or exhibited to others by a minor. Upon receipt of a report under this subsection, the department shall transmit a copy of the report to the appropriate law enforcement agency and may transmit a copy of the report to the appropriate county agency.

**Effective Date:**

One Year.

**G. Relevant Existing Laws**

**23 Pa.C.S.A 6304(f)**

(f) Child-on-child contact.--

(1) Harm or injury to a child that results from the act of another child shall not constitute child abuse unless the child who caused the harm or injury is a perpetrator.

(2) Notwithstanding paragraph (1), the following shall apply:

(i) Acts constituting any of the following crimes against a child shall be subject to the reporting requirements of this chapter:

(A) rape as defined in 18 Pa.C.S. § 3121 (relating to rape);

(B) involuntary deviate sexual intercourse as defined in 18 Pa.C.S. § 3123 (relating to involuntary deviate sexual intercourse);

(C) sexual assault as defined in 18 Pa.C.S. § 3124.1 (relating to sexual assault);

(D) aggravated indecent assault as defined in 18 Pa.C.S. § 3125 (relating to aggravated indecent assault);

(E) indecent assault as defined in 18 Pa.C.S. § 3126 (relating to indecent assault); and

(F) indecent exposure as defined in 18 Pa.C.S. § 3127 (relating to indecent exposure).

(ii) No child shall be deemed to be a perpetrator of child abuse based solely on physical or mental injuries caused to another child in the course of a dispute, fight or scuffle entered into by mutual consent.

(iii) A law enforcement official who receives a report of suspected child abuse is not required to make a report to the department under section 6334(a) (relating to disposition of complaints received), if the person allegedly responsible for the child abuse is a nonperpetrator child.

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### **23 Pa.C.S.A 6311(c)**

(c) Staff members of institutions, etc.--Whenever a person is required to report under subsection (b) in the capacity as a member of the staff of a medical or other public or private institution, school, facility or agency, that person shall report immediately in accordance with section 6313 and shall immediately thereafter notify the person in charge of the institution, school, facility or agency or the designated agent of the person in charge. Upon notification, the person in charge or the designated agent, if any, shall facilitate the cooperation of the institution, school, facility or agency with the investigation of the report. Any intimidation, retaliation or obstruction in the investigation of the report is subject to the provisions of 18 Pa.C.S. § 4958 (relating to intimidation, retaliation or obstruction in child abuse cases). This chapter does not require more than one report from any such institution, school, facility or agency.

### **E. Prior Session (Previous Bill Numbers & House/Senate Votes)**

None.

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