
THE GENERAL ASSEMBLY OF PENNSYLVANIA

HOUSE BILL

No. 1191 Session of
2017

INTRODUCED BY McCLINTON, FREEMAN, BULLOCK, DONATUCCI, DERMODY,
CHARLTON, MURT, HILL-EVANS, GALLOWAY, TAYLOR, V. BROWN,
MILLARD, KINSEY, O'BRIEN, KIRKLAND AND DAVIDSON, MAY 19, 2017

REFERRED TO COMMITTEE ON JUDICIARY, MAY 19, 2017

AN ACT

1 Amending Title 18 (Crimes and Offenses) of the Pennsylvania
2 Consolidated Statutes, in minors, providing for the offense
3 of drug-related child endangerment and related offenses.

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

6 Section 1. Title 18 of the Pennsylvania Consolidated
7 Statutes is amended by adding a section to read:

8 § 6322. Drug-related child endangerment and related offenses.

9 (a) Offense defined.--A person commits the offense of drug-
10 related child endangerment if the person intentionally,
11 knowingly, recklessly or negligently endangers the life or
12 health of a child by exposing or allowing exposure of the child
13 to an environment where a drug is delivered, stored, processed,
14 compounded, packaged, possessed, consumed, concealed, used or
15 otherwise present in violation of the act of April 14, 1972
16 (P.L.233, No.64), known as The Controlled Substance, Drug,
17 Device and Cosmetic Act.

18 (b) Aggravated drug-related child endangerment.--A person

1 commits the offense of aggravated drug-related child
2 endangerment when the person violates subsection (a) and:

3 (1) the child suffers serious bodily injury as a result
4 of acts constituting the offense; or

5 (2) the child dies as a result of acts constituting the
6 offense.

7 (c) Grading.--

8 (1) An offense under subsection (a) is a felony of the
9 third degree.

10 (2) An offense under subsection (b) (1) is a felony of
11 the second degree.

12 (3) An offense under subsection (b) (2) is a felony of
13 the first degree.

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

17 "Child." An individual under 18 years of age.

18 "Drug." The term shall include a "controlled substance," a
19 "designer drug" and a "narcotic" as those terms are defined in
20 The Controlled Substance, Drug, Device and Cosmetic Act and
21 which are injected, ingested, inhaled or otherwise introduced
22 into the human body in violation of The Controlled Substance,
23 Drug, Device and Cosmetic Act.

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