

THE GENERAL ASSEMBLY OF PENNSYLVANIA

HOUSE BILL

No. 2645 Session of  
2018

INTRODUCED BY CONKLIN AND MURT, SEPTEMBER 17, 2018

REFERRED TO COMMITTEE ON JUDICIARY, SEPTEMBER 17, 2018

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 institutional sexual assault.

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

6 Section 1. Section 3124.2 of Title 18 of the Pennsylvania  
7 Consolidated Statutes is amended by adding a subsection to read:  
8 § 3124.2. Institutional sexual assault.

9 \* \* \*

10 (a.4) Religious organization.--

11 (1) Except as provided in sections 3121, 3122.1, 3123,  
12 3124.1 and 3125, a person who is a volunteer or an employee  
13 of a religious organization or a person who has direct  
14 contact with children at a place of worship commits a felony  
15 of the third degree if the person engages in sexual  
16 intercourse, deviate sexual intercourse or indecent contact  
17 with a child.

18 (2) As used in this subsection, the following words and  
19 phrases shall have the meanings given to them in this

1 paragraph unless the context clearly indicates otherwise:

2 "Direct contact with children." The care, supervision,  
3 guidance, control and routine interaction with children.

4 "Employee." The following apply:

5 (i) The term includes:

6 (A) A clergyman, priest, deacon, kohein, rabbi,  
7 minister, Christian Science practitioner, religious  
8 healer or spiritual leader of a regularly established  
9 church or other religious organization.

10 (B) A custodian, secretary, religious education  
11 teacher or other paid support staff of a religious  
12 organization.

13 (C) An independent contractor who has a contract  
14 with a religious organization for the purpose of  
15 performing a service at a place of worship and who  
16 has direct contact with children.

17 (ii) The term does not include an independent  
18 contractor or an employee of an independent contractor  
19 who has no direct contact with children at a place of  
20 worship.

21 "Place of worship." A church, synagogue or other  
22 facility or place used for religious worship or other  
23 religious purposes.

24 "Routine interaction." Regular and repeated contact that  
25 is integral to a person's employment or volunteer  
26 responsibilities.

27 \* \* \*

28 Section 2. This act shall take effect immediately.