

No. 1984-138

## AN ACT

SB 1083

Amending Title 18 (Crimes and Offenses) of the Pennsylvania Consolidated Statutes, further providing for interference with custody of children.

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

Section 1. Section 2904(c) of Title 18 of the Pennsylvania Consolidated Statutes is amended to read:

§ 2904. Interference with custody of children.

\* \* \*

**[(c) Grading.—The offense is a misdemeanor of the second degree unless the actor, not being a parent or person in equivalent relation to the child, acted with knowledge that his conduct would cause serious alarm for the safety of the child, or in reckless disregard of a likelihood of causing such alarm, in which case the offense is a misdemeanor of the first degree.]**

**(c) Grading.—The offense is a felony of the third degree unless:**

**(1) the actor, not being a parent or person in equivalent relation to the child, acted with knowledge that his conduct would cause serious alarm for the safety of the child, or in reckless disregard of a likelihood of causing such alarm. In such cases, the offense shall be a felony of the second degree; or**

**(2) the actor acted with good cause for a period of time not in excess of 24 hours; and**

**(i) the victim child is the subject of a valid order of custody issued by a court of this Commonwealth;**

**(ii) the actor has been given either partial custody or visitation rights under said order; and**

**(iii) the actor is a resident of this Commonwealth and does not remove the child from the Commonwealth.**

**In such cases, the offense shall be a misdemeanor of the second degree.**

Section 2. This act shall take effect immediately.

APPROVED—The 9th day of July, A. D. 1984.

DICK THORNBURGH