

No. 1997-62

AN ACT

HB 474

Amending Title 18 (Crimes and Offenses) of the Pennsylvania Consolidated Statutes, defining the offense of unlawful contact or communication with minor; and providing for sale or illegal use of certain solvents.

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

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

§ 6318. Unlawful contact or communication with minor.

(a) Offense defined.—A person whether within or without this Commonwealth commits an offense if he, knowing that he is contacting or communicating with a minor within this Commonwealth, intentionally contacts or communicates with that minor for the purpose of engaging in activity prohibited under any of the following:

(1) Any of the offenses enumerated in Chapter 31 (relating to sexual offenses).

(2) Open lewdness as defined in section 5901 (relating to open lewdness).

(3) Prostitution as defined in section 5902 (relating to prostitution and related offenses).

(4) Obscene and other sexual materials and performances as defined in section 5903 (relating to obscene and other sexual materials and performances).

(5) Sexual abuse of children as defined in section 6312 (relating to sexual abuse of children).

(b) Grading.—A violation of subsection (a) is:

(1) an offense of the same grade and degree as the most serious underlying offense in subsection (a) for which the defendant contacted or communicated with the minor; or

(2) a misdemeanor of the first degree;

whichever is greater.

(c) Definitions.—As used in this section, the following words and phrases shall have the meanings given to them in this subsection:

“Contacts or communicates with.” Direct or indirect contact or communication by any means, method or device, including contact or communication in person or through an agent or agency, through any print medium, the mails, a common carrier or communication common carrier,

any electronic communication system and any telecommunications, wire, computer or radio communications device or system.

“Minor.” An individual under 18 years of age.

Section 2. Section 7303(f) of Title 18 is amended to read:

§ 7303. Sale or illegal use of certain solvents.

* * *

(f) Definition.—As used in this section, the phrase “any substance containing a solvent having the property of releasing toxic vapors or fumes” shall mean any substance containing one or more of the following chemical compounds: acetone, acetate, benzene, butyl alcohol, ethyl alcohol, ethylene dichloride, *gaseous or liquid fluorocarbons*, isopropyl alcohol, methyl alcohol, methyl ethyl ketone, pentachlorophenol, petroleum ether, or toluene.

Section 3. This act shall take effect immediately.

APPROVED—The 19th day of December, A.D. 1997.

THOMAS J. RIDGE