

THE GENERAL ASSEMBLY OF PENNSYLVANIA

HOUSE BILL

No. 1873 Session of
2025

INTRODUCED BY McNEILL, KRAJEWSKI, ZIMMERMAN, WAXMAN, HILL-EVANS,
McANDREW, SANCHEZ, SALISBURY AND CIRESI, SEPTEMBER 19, 2025

REFERRED TO COMMITTEE ON CHILDREN AND YOUTH, SEPTEMBER 22, 2025

AN ACT

1 Amending Titles 18 (Crimes and Offenses), 23 (Domestic
2 Relations) and 42 (Judiciary and Judicial Procedure) of the
3 Pennsylvania Consolidated Statutes, in offenses against the
4 family, further providing for the offense of endangering
5 welfare of children; in child protective services, further
6 providing for definitions and for exclusions from child
7 abuse; and, in juvenile matters, further providing for
8 definitions.

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

11 Section 1. Section 4304(a)(1) and (2) of Title 18 of the
12 Pennsylvania Consolidated Statutes are amended and the section
13 is amended by adding a subsection to read:

14 § 4304. Endangering welfare of children.

15 (a) Offense defined.--

16 (1) [A] Except as provided in subsection (a.1), a
17 parent, guardian or other person supervising the welfare of a
18 child under 18 years of age, or a person that employs or
19 supervises such a person, commits an offense if he knowingly
20 endangers the welfare of the child by violating a duty of
21 care, protection or support.

1 (2) [A] Except as provided in subsection (a.1), a person
2 commits an offense if the person, in an official capacity,
3 prevents or interferes with the making of a report of
4 suspected child abuse under 23 Pa.C.S. Ch. 63 (relating to
5 child protective services).

6 * * *

7 (a.1) Exceptions.--It shall not be considered an offense
8 under subsection (a) if:

9 (1) the conduct does not constitute abuse as defined in
10 23 Pa.C.S. § 6102 (relating to definitions); or

11 (2) the child is not a dependent child as defined in 42
12 Pa.C.S. § 6302 (relating to definitions).

13 * * *

14 Section 2. The definition of "serious physical neglect" in
15 section 6303(a) of Title 23 is amended to read:

16 § 6303. Definitions.

17 (a) General rule.--The following words and phrases when used
18 in this chapter shall have the meanings given to them in this
19 section unless the context clearly indicates otherwise:

20 * * *

21 "Serious physical neglect." Any of the following when
22 committed by a perpetrator that endangers a child's life or
23 health, threatens a child's well-being, causes bodily injury or
24 impairs a child's health, development or functioning:

25 (1) A repeated, prolonged or egregious failure to
26 supervise a child in a manner that is [appropriate] necessary
27 considering the child's developmental age and abilities.

28 (2) The deliberate failure to provide a child with
29 [adequate] essentials of life, including food, shelter or
30 medical care.

* * *

Section 3. Section 6304 of Title 23 is amended by adding a subsection to read:

§ 6304. Exclusions from child abuse.

* * *

(d.1) Supervision and independent activities.--

(1) Nothing in this chapter shall be construed to restrict the rights of a parent to determine the level of supervision given to a child in a manner that is appropriate considering the child's development and abilities.

(2) A parent may permit a child of sufficient maturity to engage in independent activities, including:

(i) Traveling to and from school, including walking, running or bicycling.

(ii) Traveling to and from nearby commercial or recreational facilities.

(iii) Engaging in outdoor play.

(iv) Notwithstanding 75 Pa.C.S. § 3701.1 (relating to leaving an unattended child in a motor vehicle), remaining in a vehicle unattended.

(v) Remaining at home or in a location unattended.

(vi) Providing care for younger siblings or family members.

(vii) Engaging in a similar independent activity.

(3) A decision by a parent relating to supervision or independent activities of a child under paragraph (2) shall not constitute serious physical neglect, child abuse as defined under section 6303 (relating to definitions) or an offense under 18 Pa.C.S. § 4304 (relating to endangering welfare of children), unless the parent willfully or

1 recklessly disregards an obvious danger to the child for
2 which a reasonable and prudent parent would take
3 precautionary measures to prevent subjecting the child to an
4 unreasonable risk of serious harm.

5 * * *

6 Section 4. Paragraph (1) of the definition of "dependent
7 child" in section 6302 of Title 42 is amended to read:

8 § 6302. Definitions.

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

12 * * *

13 "Dependent child." A child who:

14 (1) is without [proper] parental care or control,
15 subsistence, education as required by law, or other care or
16 control necessary for his physical, mental, or emotional
17 health[, or morals]. A determination that there is a lack of
18 [proper] parental care or control [may] shall be based upon
19 evidence of conduct by the parent, guardian or other
20 custodian that places the health, safety or welfare of the
21 child at [risk,] serious and likely risk of harm, including
22 evidence of the parent's, guardian's or other custodian's use
23 of alcohol or a controlled substance that places the health,
24 safety or welfare of the child at [risk;] serious and likely
25 risk of harm, but this paragraph shall not be construed to
26 restrict the rights of a parent to determine the level of
27 supervision given to a child in a manner that is appropriate
28 considering the child's development and abilities;

29 * * *

30 Section 5. All regulations and parts of regulations are

1 abrogated to the extent of any inconsistency with this act.

2 Section 6. This act shall take effect in 60 days.