

THE GENERAL ASSEMBLY OF PENNSYLVANIA

HOUSE BILL

No. 2243 Session of 2026

INTRODUCED BY WEBSTER, GUENST, SHUSTERMAN, HILL-EVANS, HANBIDGE, HOWARD, KINKEAD, KAZEEM, SANCHEZ, INGLIS, CEPEDA-FREYTIZ, NEILSON, BOYD, MAYES, STEELE AND T. DAVIS, FEBRUARY 24, 2026

AS AMENDED ON SECOND CONSIDERATION, HOUSE OF REPRESENTATIVES, JUNE 15, 2026

AN ACT

1 Amending Titles 18 (Crimes and Offenses) and 42 (Judiciary and
2 Judicial Procedure) of the Pennsylvania Consolidated
3 Statutes, in human trafficking, further providing for safe
4 harbor for sexually exploited children; and, in juvenile
5 matters, repealing provisions relating to dependency in lieu
6 of delinquency.

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

9 Section 1. Section 3065(a) and (c) of Title 18 of the
10 Pennsylvania Consolidated Statutes are amended to read:

11 § 3065. Safe harbor for sexually exploited children.

12 (a) Safe harbor.--

13 (1) If it is determined by a law enforcement officer,
14 after reasonable detention for investigative purposes, that
15 an individual is under 18 years of age [and is determined to
16 be a sexually exploited child as defined in section 3001
17 (relating to definitions)], the individual shall be immune
18 from:

19 [(1)] (i) Prosecution or adjudication as a

1 delinquent child for a violation of [sections 5507
2 (relating to obstructing highways and other public
3 passages) and] section 5902(a) (relating to prostitution
4 and related offenses).

5 [(2)] (ii) Revocation of an existing term of
6 probation or parole arising from a conviction or
7 adjudication for another offense if the revocation is
8 based on conduct under [paragraph (1).] subparagraph (i).

9 (2) If it is determined by a law enforcement officer, <--
10 after reasonable detention for investigative purposes, A <--
11 PROSECUTING ATTORNEY OR A COURT DETERMINES that an individual
12 is under 18 years of age and is determined to be a sexually <--
13 exploited child as defined in section 3001 (relating to
14 definitions), the individual shall be immune from:

15 (i) Prosecution or adjudication as a delinquent <--
16 child for a noncriminal delinquent act, summary offense,
17 misdemeanor or felony that is not a crime of violence
18 committed as a result of the individual's trafficking
19 victimization. For purposes of this subparagraph, the
20 term "crime of violence" shall mean the same as defined
21 under 42 Pa.C.S. § 9714(g) (relating to sentences for
22 second and subsequent offenses).

23 (I) PROSECUTION OR ADJUDICATION AS A DELINQUENT <--
24 CHILD FOR ANY ACT OR OFFENSE DIRECTLY RELATED TO OR
25 COMMITTED AS A DIRECT RESULT OF THE CHILD'S
26 VICTIMIZATION, EXCEPT FOR:

27 (A) AN OFFENSE UNDER:

28 (I) SECTION 2502(A) OR (B) (RELATING TO
29 MURDER).

30 (II) CHAPTER 30 (RELATING TO HUMAN

1 TRAFFICKING), IF THE OFFENSE INVOLVED SEXUAL
2 SERVITUDE.

3 (III) CHAPTER 31 (RELATING TO SEXUAL
4 OFFENSES).

5 (IV) SECTION 4302 (RELATING TO INCEST).

6 (V) SECTION 5902(B.1) (RELATING TO
7 PROSTITUTION AND RELATED OFFENSES).

8 (VI) SECTION 6320 (RELATING TO SEXUAL
9 EXPLOITATION OF CHILDREN).

10 (B) A "CRIME OF VIOLENCE" AS DEFINED UNDER 42
11 PA.C.S. § 9714(G) (RELATING TO SENTENCES FOR SECOND
12 AND SUBSEQUENT OFFENSES).

13 (ii) Revocation of an existing term of probation or
14 parole arising from a conviction or adjudication for
15 another offense if the revocation is based on conduct
16 under subparagraph (i).

17 * * *

18 (c) Detainment.--An individual determined BY A LAW <--
19 ENFORCEMENT OFFICER to be [a sexually exploited child as defined <--
20 in section 3001 †(relating to definitions)] ELIGIBLE FOR <--
21 IMMUNITY UNDER SUBSECTION (A) (2) shall be detained no longer
22 than necessary and only to assist the child in securing
23 specialized services available under section 3062 (relating to
24 specialized services for sexually exploited children) [or to
25 refer the child to a county agency if required under 42 Pa.C.S.
26 § 6328 (relating to dependency in lieu of delinquency)] AND TO <--
27 REFER THE INDIVIDUAL TO A COUNTY AGENCY UNDER SUBSECTION (C.1).

28 (C.1) MANDATORY REFERRAL FOR EVALUATION AND DATA <--
29 COLLECTION.--AN INDIVIDUAL DETERMINED TO BE ELIGIBLE FOR
30 IMMUNITY UNDER SUBSECTION (A) (2) SHALL BE REFERRED TO A COUNTY

1 AGENCY FOR THE PURPOSES OF:

2 (1) EVALUATING THE INDIVIDUAL'S NEED FOR SPECIALIZED
3 SERVICES UNDER SECTION 3062 (RELATING TO SPECIALIZED SERVICES
4 FOR SEXUALLY EXPLOITED CHILDREN).

5 (2) ASSISTING THE INDIVIDUAL IN SECURING ANY NECESSARY
6 SPECIALIZED SERVICES AVAILABLE UNDER SECTION 3062.

7 (3) COMPILING ANONYMOUS DATA REGARDING THE INCIDENCE OF
8 CHILD EXPLOITATION TO ENSURE THE ACCURATE ALLOCATION OF
9 FEDERAL AND STATE FUNDING FOR PROTECTIVE PROGRAMS.

10 (4) DETERMINING IF THE INDIVIDUAL IS A DEPENDENT CHILD
11 AS DEFINED UNDER 42 PA.C.S. § 6302 (RELATING TO DEFINITIONS)
12 TO ENSURE THE CHILD'S SAFETY FROM FURTHER EXPLOITATION.

13 * * *

14 Section 2. Section 6328 of Title 42 is repealed:

15 [§ 6328. Dependency in lieu of delinquency.]

16 (a) Referral to county agency.--The offenses provided under
17 subsection (b) shall be referred to a county agency under 23
18 Pa.C.S. §§ 6362 (relating to responsibilities of county agency
19 for child protective services) and 6375 (relating to county
20 agency requirements for general protective services) if the
21 offense:

22 (1) Is committed by a child as a direct result of being
23 a sexually exploited child as defined in 18 Pa.C.S. § 3001
24 (relating to definitions).

25 (2) Is directly related to having been subject to human
26 trafficking as defined in 18 Pa.C.S. § 3001.

27 (b) Eligible offenses.--Eligible offenses for referral to a
28 county agency include the following:

29 (1) 18 Pa.C.S. § 3503 (relating to criminal trespass).

30 (2) 18 Pa.C.S. § 4914 (relating to false identification)

1 to law enforcement authorities).

2 (3) 18 Pa.C.S. § 5503 (relating to disorderly conduct).

3 (4) 18 Pa.C.S. § 5506 (relating to loitering and
4 prowling at night time).

5 (5) An offense for simple possession of a controlled
6 substance under section 13(a)(16) and (31) of the act of
7 April 14, 1972 (P.L.233, No.64), known as The Controlled
8 Substance, Drug, Device and Cosmetic Act.

9 (c) Delinquency proceedings.--

10 (1) If an offense listed in subsection (b) is referred
11 to a county agency, delinquency proceedings under this
12 chapter may not be commenced immediately.

13 (2) If treatment and social services are unsuccessful
14 while the dependency petition is pending, as evidenced by the
15 child's behavior, and the county agency believes that
16 juvenile justice services are necessary and warranted, the
17 county agency shall refer the child's case to the juvenile
18 probation department or district attorney's office for the
19 commencement of delinquency proceedings.

20 (d) Record expungement.--Upon the final discharge of
21 supervision, juvenile court records relating to an offense
22 listed in subsection (b) shall be expunged by the court under 18
23 Pa.C.S. § 9123 (relating to juvenile records).]

24 Section 3. This act shall take effect immediately.