
THE GENERAL ASSEMBLY OF PENNSYLVANIA

HOUSE BILL

No. 986 Session of
2017

INTRODUCED BY SCHWEYER, HILL-EVANS, SCHLOSSBERG, McNEILL,
NEILSON, MURT, TAYLOR, O'BRIEN, MACKENZIE, FREEMAN, D. COSTA,
KINSEY, THOMAS, READSHAW, DONATUCCI, PASHINSKI, GILLEN AND
DUSH, MARCH 28, 2017

REFERRED TO COMMITTEE ON JUDICIARY, MARCH 28, 2017

AN ACT

1 Amending Title 18 (Crimes and Offenses) of the Pennsylvania
2 Consolidated Statutes, in assault, further providing for
3 aggravated assault.

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

6 Section 1. Section 2702(a)(2), (b) and (d) of Title 18 of
7 the Pennsylvania Consolidated Statutes are amended and
8 subsection (c) is amended by adding a paragraph to read:

9 § 2702. Aggravated assault.

10 (a) Offense defined.--A person is guilty of aggravated
11 assault if he:

12 * * *

13 (2) attempts to cause or intentionally, knowingly or
14 recklessly causes serious bodily injury to any of the
15 officers, agents, employees or other persons enumerated in
16 subsection (c) [or to an employee of an agency, company or
17 other entity engaged in public transportation,] while in the

1 performance of duty;

2 * * *

3 (b) Grading.--Aggravated assault under subsection (a) (1),
4 (2) [and] or (9) is a felony of the first degree. Aggravated
5 assault under subsection (a) (3), (4), (5), (6), (7) [and] or (8)
6 is a felony of the second degree.

7 (c) Officers, employees, etc., enumerated.--The officers,
8 agents, employees and other persons referred to in subsection
9 (a) shall be as follows:

10 * * *

11 (39) An employee of a transportation company.

12 (d) Definitions.--As used in this section, the following
13 words and phrases shall have the meanings given to them in this
14 subsection:

15 "Electric or electronic incapacitation device." A portable
16 device which is designed or intended by the manufacturer to be
17 used, offensively or defensively, to temporarily immobilize or
18 incapacitate persons by means of electric pulse or current,
19 including devices operated by means of carbon dioxide
20 propellant. The term does not include cattle prods, electric
21 fences or other electric devices when used in agricultural,
22 animal husbandry or food production activities.

23 "Emergency medical services personnel." The term includes,
24 but is not limited to, doctors, residents, interns, registered
25 nurses, licensed practical nurses, nurse aides, ambulance
26 attendants and operators, paramedics, emergency medical
27 technicians and members of a hospital security force while
28 working within the scope of their employment.

29 "Public passenger transportation." Transportation within
30 designated areas of a municipality or other built-up place

1 provided to the general public for compensation by a
2 transportation company, including, but not limited to, subways,
3 buses, trolleys and trackless trolleys. The term shall not
4 include school buses, charter or sightseeing services, taxicabs
5 or passenger railroad passenger cars.

6 "Transportation company." A publicly or privately owned
7 entity that renders public passenger transportation service.

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