

THE GENERAL ASSEMBLY OF PENNSYLVANIA

HOUSE BILL

No. 114 Session of 1993

INTRODUCED BY O'BRIEN, CALTAGIRONE, MAYERNIK, DENT, J. TAYLOR, WOGAN, NAILOR, CESSAR, MELIO, BUSH, HALUSKA, D. W. SNYDER, GERLACH, ULIANA, PETRARCA, GRUPPO, TRELLO, SEMMEL, SCHULER, PERZEL, LEH, FAIRCHILD, ARMSTRONG, MICOZZIE, DEMPSEY, KENNEY, DALEY, ARGALL, McGEEHAN, E. Z. TAYLOR, SCHEETZ, CLARK, HERSHEY, STISH, MARSICO, BROWN, GORDNER, SAURMAN, PESCI, MERRY, KELLER, HERMAN, CIVERA, TIGUE, GODSHALL, ROBERTS, PITTS, FLICK, NYCE, ADOLPH, SAYLOR, STEIL, L. I. COHEN, TOMLINSON AND COLAFELLA, JANUARY 27, 1993

REFERRED TO COMMITTEE ON RULES, JANUARY 27, 1993

AN ACT

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

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

6 Section 1. Section 2702 of Title 18 of the Pennsylvania
7 Consolidated Statutes is amended to read:

8 § 2702. Aggravated assault.

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

11 (1) attempts to cause serious bodily injury to another,
12 or causes such injury intentionally, knowingly or recklessly
13 under circumstances manifesting extreme indifference to the
14 value of human life;

15 (2) attempts to cause or intentionally, knowingly or

1 recklessly causes serious bodily injury to [a police officer,
2 firefighter, county adult probation or parole officer, county
3 juvenile probation or parole officer or an agent of the
4 Pennsylvania Board of Probation and Parole in the performance
5 of duty or to] any of the officers, agents, employees or
6 other person enumerated in subsection (c) or to an employee
7 of an agency, company or other entity engaged in public
8 transportation, while in the performance of duty;

9 (3) attempts to cause or intentionally or knowingly
10 causes bodily injury to [a police officer, firefighter or
11 county adult probation or parole officer, county juvenile
12 probation or parole officer or an agent of the Pennsylvania
13 Board of Probation and Parole] any of the officers, agents,
14 employees or other persons enumerated in subsection (c), in
15 the performance of duty;

16 (4) attempts to cause or intentionally or knowingly
17 causes bodily injury to another with a deadly weapon; [or]

18 (5) attempts to cause or intentionally or knowingly
19 causes bodily injury to a teaching staff member, school board
20 member, other employee or student of any elementary or
21 secondary publicly-funded educational institution, any
22 elementary or secondary private school licensed by the
23 Department of Education or any elementary or secondary
24 parochial school while acting in the scope of his or her
25 employment or because of his or her employment relationship
26 to the school[.]; or

27 (6) attempts by physical menace to put any of the
28 officers, agents, employees or other persons enumerated in
29 subsection (c), while in the performance of duty, in fear of
30 imminent serious bodily injury.

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

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

8 (1) Police officer.

9 (2) Firefighter.

10 (3) County adult probation or parole office.

11 (4) County juvenile probation or parole officer.

12 (5) An agent of the Pennsylvania Board of Probation and
13 Parole.

14 (6) Sheriff.

15 (7) Deputy sheriff.

16 (8) Liquor control enforcement agent.

17 (9) Officer or employee of a correctional institution.

18 (10) Judge of any court in the unified judicial system.

19 (11) The Attorney General.

20 (12) A deputy attorney general.

21 (13) A district attorney.

22 (14) An assistant district attorney.

23 (15) A Federal law enforcement official.

24 (16) A State law enforcement official.

25 (17) A local law enforcement official.

26 (18) Any person employed to assist or who assists any
27 Federal, State or local law enforcement official.

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