

THE GENERAL ASSEMBLY OF PENNSYLVANIA

HOUSE BILL

No. 256

Session of
1995

INTRODUCED BY DEMPSEY, FARGO, FAIRCHILD, PHILLIPS, PICCOLA,
GORDNER, PESCI, STABACK, HASAY, GEIST, SCHULER, DENT, HERMAN,
FAJT, BATTISTO, BELFANTI, KING, TRELLO, STERN, MARSICO,
MICOZZIE, TRUE, FEESE, CIVERA, READSHAW AND E. Z. TAYLOR,
JANUARY 24, 1995

SENATOR GREENLEAF, JUDICIARY, IN SENATE, AS AMENDED,
MARCH 26, 1996

AN ACT

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

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

6 Section 1. Section 905(a) of Title 18 of the Pennsylvania
7 Consolidated Statutes is amended and the section is amended by
8 adding a subsection to read:

9 § 905. Grading of criminal attempt, solicitation and
10 conspiracy.

11 (a) Grading.--Except as provided in subsection (a.1) or as
12 otherwise provided in this title, attempt, solicitation and
13 conspiracy are crimes of the same grade and degree as the most
14 serious offense which is attempted or solicited or is an object
15 of the conspiracy.

16 (a.1) Exception.--An EXCEPT AS PROVIDED IN SECTION 1102(C)

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1 (RELATING TO SENTENCE FOR MURDER), AN attempt, solicitation or
2 conspiracy to commit a felony of the first degree is a felony of
3 the second degree.

4 * * *

5 Section 2. Section 2702(a)(4) and (5) and (b) of Title 18
6 are amended and subsection (a) is amended by adding a paragraph
7 to read:

8 § 2702. Aggravated assault.

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

11 * * *

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

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

23 (6) attempts to cause or intentionally or knowingly
24 causes bodily injury to a county children and youth services
25 caseworker while the worker is acting in the scope of
26 employment.

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

1 Section 3. This act shall take effect in 60 days.