
THE GENERAL ASSEMBLY OF PENNSYLVANIA

HOUSE BILL

No. 837 Session of
2003

INTRODUCED BY PAYNE, BROWNE, BUXTON, CAWLEY, CRAHALLA,
CREIGHTON, CRUZ, DeLUCA, DeWEESE, GEIST, GILLESPIE, GORDNER,
HARHAI, HASAY, HICKERNELL, HORSEY, HUTCHINSON, LEACH, LEWIS,
MELIO, S. MILLER, NAILOR, RAYMOND, SAYLOR, SCAVELLO, SHANER,
J. TAYLOR, TIGUE, YOUNGBLOOD AND SOLOBAY, MARCH 11, 2003

REFERRED TO COMMITTEE ON JUDICIARY, MARCH 11, 2003

AN ACT

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

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

5 Section 1. Section 2701 of Title 18 of the Pennsylvania
6 Consolidated Statutes, amended December 9, 2002 (P.L.1391, No.
7 172), is amended to read:

8 § 2701. Simple assault.

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

10 (1) attempts to cause or intentionally, knowingly or
11 recklessly causes bodily injury to another;

12 (2) negligently causes bodily injury to another with a
13 deadly weapon;

14 (3) attempts by physical menace to put another in fear
15 of imminent serious bodily injury; or

16 (4) conceals or attempts to conceal a hypodermic needle

1 on his person and intentionally or knowingly penetrates a law
2 enforcement officer or an officer or an employee of a
3 correctional institution, county jail or prison, detention
4 facility or mental hospital during the course of an arrest or
5 any search of the person.

6 (b) Grading.--Simple assault is a misdemeanor of the second
7 degree unless committed:

8 (1) in a fight or scuffle entered into by mutual
9 consent, in which case it is a misdemeanor of the third
10 degree; [or]

11 (2) against a child under 12 years of age by an adult 21
12 years of age or older, in which case it is a misdemeanor of
13 the first degree[.]; or

14 (3) when the defendant was subject to a court order
15 restricting in any way the defendant's behavior toward the
16 victim pursuant to 23 Pa.C.S. Ch. 61 (relating to protection
17 from abuse) or any other order of a court of common pleas or
18 of the minor judiciary designed in whole or in part to
19 protect the victim from the defendant, in which case it is a
20 misdemeanor of the first degree.

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