

THE GENERAL ASSEMBLY OF PENNSYLVANIA

SENATE BILL

No. 490 Session of
2001

INTRODUCED BY KUKOVICH, FEBRUARY 15, 2001

AS REPORTED FROM COMMITTEE ON JUDICIARY, HOUSE OF
REPRESENTATIVES, AS AMENDED, OCTOBER 23, 2001

AN ACT

1 Amending Title 18 (Crimes and Offenses) of the Pennsylvania
2 Consolidated Statutes, further providing for the offense of
3 aggravated 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~~
16 ~~recklessly causes serious bodily injury to any of the~~
17 ~~officers, agents, employees or other persons enumerated in~~

~~subsection (c) or to an employee of an agency, company or other entity engaged in public transportation, while in the performance of duty;~~

~~(3) attempts to cause or intentionally or knowingly causes bodily injury to any of the officers, agents, employees or other persons enumerated in subsection (c), in the performance of duty;~~

~~(4) attempts to cause or intentionally or knowingly causes bodily injury to another with a deadly weapon;~~

~~(5) attempts to cause or intentionally or knowingly causes bodily injury to a teaching staff member, school board member or other employee, including a student employee, of any elementary or secondary publicly funded educational institution, any elementary or secondary private school licensed by the Department of Education or any elementary or secondary parochial school while acting in the scope of his or her employment or because of his or her employment relationship to the school; or~~

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

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

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

~~(1) Police officer.~~

1 ~~(2) Firefighter.~~

2 ~~(3) County adult probation or parole officer.~~

3 ~~(4) County juvenile probation or parole officer.~~

4 ~~(5) An agent of the Pennsylvania Board of Probation and~~
5 ~~Parole.~~

6 ~~(6) Sheriff.~~

7 ~~(7) Deputy sheriff.~~

8 ~~(8) Liquor control enforcement agent.~~

9 ~~(9) Officer or employee of a correctional institution,~~
10 ~~county jail or prison, juvenile detention center or any other~~
11 ~~facility to which the person has been ordered by the court~~
12 ~~pursuant to a petition alleging delinquency under 42 Pa.C.S.~~
13 ~~Ch. 63 (relating to juvenile matters).~~

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

15 ~~(11) The Attorney General.~~

16 ~~(12) A deputy attorney general.~~

17 ~~(13) A district attorney.~~

18 ~~(14) An assistant district attorney.~~

19 ~~(15) A public defender.~~

20 ~~(16) An assistant public defender.~~

21 ~~(17) A Federal law enforcement official.~~

22 ~~(18) A State law enforcement official.~~

23 ~~(19) A local law enforcement official.~~

24 ~~(20) Any person employed to assist or who assists any~~
25 ~~Federal, State or local law enforcement official.~~

26 ~~(21) Emergency medical services personnel.~~

27 ~~(22) Parking enforcement officer.~~

28 ~~(23) A district justice.~~

29 ~~(24) A constable.~~

30 ~~(25) A deputy constable.~~

~~(26) A psychiatric aide.~~

~~(26.1) Child welfare caseworker.~~

~~(27) A teaching staff member, a school board member or other employee, including a student employee, of any elementary or secondary publicly funded educational institution, any elementary or secondary private school licensed by the Department of Education or any elementary or secondary parochial school while acting in the scope of his or her employment or because of his or her employment relationship to the school.~~

~~(d) Definition. As used in this section, the term "emergency medical services personnel" includes, but is not limited to, doctors, residents, interns, registered nurses, licensed practical nurses, nurse aides, ambulance attendants and operators, paramedics, emergency medical technicians and members of a hospital security force while working within the scope of their employment.~~

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

SECTION 1. SECTION 2702(C) OF TITLE 18 OF THE PENNSYLVANIA
CONSOLIDATED STATUTES IS AMENDED BY ADDING A PARAGRAPH TO READ:
§ 2702. AGGRAVATED ASSAULT.

* * *

(C) OFFICERS, EMPLOYEES, ETC., ENUMERATED.--THE OFFICERS,
AGENTS, EMPLOYEES AND OTHER PERSONS REFERRED TO IN SUBSECTION
(A) SHALL BE AS FOLLOWS:

* * *

(28) AN EMPLOYEE OR AGENT OF A COUNTY CHILDREN AND YOUTH
SOCIAL SERVICE AGENCY.

* * *

SECTION 2. THIS ACT SHALL TAKE EFFECT IN 60 DAYS.