

THE GENERAL ASSEMBLY OF PENNSYLVANIA

SENATE BILL

No. 387 Session of 2009

INTRODUCED BY TARTAGLIONE, GREENLEAF, HUGHES, FONTANA,
TOMLINSON, STOUT, RAFFERTY, BROWNE, ERICKSON, WONDERLING,
STACK, COSTA AND LOGAN, FEBRUARY 20, 2009

REFERRED TO JUDICIARY, FEBRUARY 20, 2009

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 (c) of Title 18 of
7 the Pennsylvania Consolidated Statutes are amended to read:

8 § 2702. Aggravated assault.

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

11 * * *

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

18 * * *

(b) Grading.--Aggravated assault under subsection (a) (1) [and] or (2) is a felony of the first degree. Aggravated assault under subsection (a) (3), (4), (5), (6) [and] or (7) 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.
- (2) Firefighter.
- (3) County adult probation or parole officer.
- (4) County juvenile probation or parole officer.
- (5) An agent of the Pennsylvania Board of Probation and Parole.
- (6) Sheriff.
- (7) Deputy sheriff.
- (8) Liquor control enforcement agent.
- (9) Officer or employee of a correctional institution, county jail or prison, juvenile detention center or any other facility to which the person has been ordered by the court pursuant to a petition alleging delinquency under 42 Pa.C.S. Ch. 63 (relating to juvenile matters).
- (10) Judge of any court in the unified judicial system.
- (11) The Attorney General.
- (12) A deputy attorney general.
- (13) A district attorney.
- (14) An assistant district attorney.
- (15) A public defender.
- (16) An assistant public defender.
- (17) A Federal law enforcement official.
- (18) A State law enforcement official.

- 1 (19) A local law enforcement official.
- 2 (20) Any person employed to assist or who assists any
3 Federal, State or local law enforcement official.
- 4 (21) Emergency medical services personnel.
- 5 (22) Parking enforcement officer.
- 6 (23) A magisterial district judge.
- 7 (24) A constable.
- 8 (25) A deputy constable.
- 9 (26) A psychiatric aide.
- 10 (27) A teaching staff member, a school board member or
11 other employee, including a student employee, of any
12 elementary or secondary publicly funded educational
13 institution, any elementary or secondary private school
14 licensed by the Department of Education or any elementary or
15 secondary parochial school while acting in the scope of his
16 or her employment or because of his or her employment
17 relationship to the school.
- 18 (28) Governor.
- 19 (29) Lieutenant Governor.
- 20 (30) Auditor General.
- 21 (31) State Treasurer.
- 22 (32) Member of the General Assembly.
- 23 (33) An employee of the Department of Environmental
24 Protection.
- 25 (34) An individual engaged in the private detective
26 business as defined in section 2(a) and (b) of the act of
27 August 21, 1953 (P.L.1273, No.361), known as The Private
28 Detective Act of 1953.
- 29 (35) An employee or agent of a county children and youth
30 social service agency or of the legal representative of such

1 agency.

2 (36) A public utility employee or an employee of an
3 electric cooperative.

4 (37) An employee of an agency, company or other entity
5 engaged in public transportation.

6 * * *

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