

THE GENERAL ASSEMBLY OF PENNSYLVANIA

HOUSE BILL
No. 1923 Session of
2011

INTRODUCED BY DONATUCCI, BROWNLEE, CRUZ, DALEY, DeLUCA,
FABRIZIO, FARRY, GOODMAN, HORNAMAN, KOTIK, MANN, MILLARD,
READSHAW, SABATINA, K. SMITH, SWANGER AND YOUNGBLOOD,
OCTOBER 24, 2011

REFERRED TO COMMITTEE ON JUDICIARY, OCTOBER 24, 2011

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

8 § 2702. Aggravated assault.

9 * * *

10 (c) Officers, employees, etc., enumerated.--The officers,
11 agents, employees and other persons referred to in subsection

12 (a) shall be as follows:

13 (1) Police officer.

14 (2) Firefighter.

15 (3) County adult probation or parole officer.

16 (4) County juvenile probation or parole officer.

17 (5) An agent of the Pennsylvania Board of Probation and

1 Parole.

2 (6) Sheriff.

3 (7) Deputy sheriff.

4 (8) Liquor control enforcement agent.

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

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

11 (11) The Attorney General.

12 (12) A deputy attorney general.

13 (13) A district attorney.

14 (14) An assistant district attorney.

15 (15) A public defender.

16 (16) An assistant public defender.

17 (17) A Federal law enforcement official.

18 (18) A State law enforcement official.

19 (19) A local law enforcement official.

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

22 (21) Emergency medical services personnel.

23 (22) Parking enforcement officer.

24 (23) A magisterial district judge.

25 (24) A constable.

26 (25) A deputy constable.

27 (26) A psychiatric aide.

28 (27) A teaching staff member, a school board member or
29 other employee, including a student employee, of any
30 elementary or secondary publicly funded educational

1 institution, any elementary or secondary private school
2 licensed by the Department of Education or any elementary or
3 secondary parochial school while acting in the scope of his
4 or her employment or because of his or her employment
5 relationship to the school.

6 (28) Governor.

7 (29) Lieutenant Governor.

8 (30) Auditor General.

9 (31) State Treasurer.

10 (32) Member of the General Assembly.

11 (33) An employee of the Department of Environmental
12 Protection.

13 (34) An individual engaged in the private detective
14 business as defined in section 2(a) and (b) of the act of
15 August 21, 1953 (P.L.1273, No.361), known as The Private
16 Detective Act of 1953.

17 (35) An employee or agent of a county children and youth
18 social service agency or of the legal representative of such
19 agency.

20 (36) A public utility employee or an employee of an
21 electric cooperative.

22 (37) Any other elected or appointed official or employee
23 of the Commonwealth or any of its agencies, authorities,
24 boards, commissions, councils, departments and offices or of
25 any county, school district or municipality or of any county,
26 school district or municipal authority, board or commission
27 while acting in the scope of his or her employment or other
28 service or because of his or her employment or other service
29 with the Commonwealth or any of its agencies, authorities,
30 boards, commissions, councils, departments and offices or of

1 any county, school district or municipality or of any county,
2 school district or municipal authority, board or commission.

3 (d) Definitions.--As used in this section, the following
4 words and phrases shall have the meanings given to them in this
5 subsection:

6 "Electric or electronic incapacitation device." A portable
7 device which is designed or intended by the manufacturer to be
8 used, offensively or defensively, to temporarily immobilize or
9 incapacitate persons by means of electric pulse or current,
10 including devices operated by means of carbon dioxide
11 propellant. The term does not include cattle prods, electric
12 fences or other electric devices when used in agricultural,
13 animal husbandry or food production activities.

14 "Emergency medical services personnel." The term includes,
15 but is not limited to, doctors, residents, interns, registered
16 nurses, licensed practical nurses, nurse aides, ambulance
17 attendants and operators, paramedics, emergency medical
18 technicians and members of a hospital security force while
19 working within the scope of their employment.

20 "Municipality." A city, borough, incorporated town, township
21 or home rule municipality.

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