

THE GENERAL ASSEMBLY OF PENNSYLVANIA

SENATE BILL

No. 544

Session of
1979

INTRODUCED BY O'PAKE, REIBMAN, FUMO, MELLOW, JUBELIRER,
LEWIS, TILGHMAN, LYNCH, MESSINGER, HOPPER, LOEPER,
ORLANDO, MOORE, PECORA, STAPLETON, HESS, CORMAN, DWYER,
PRICE, O'CONNELL, GEKAS, GREENLEAF, ANDREWS, GURZENDA AND
HAGER, MARCH 27, 1979

SENATOR O'PAKE, JUDICIARY, AS AMENDED, JUNE 25, 1979

AN ACT

1 Amending Title 18 (Crimes and Offenses) of the Pennsylvania
2 Consolidated Statutes, further defining aggravated assault
3 and increasing the grading for certain types of aggravated
4 assault on a second and subsequent conviction.

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

7 Section 1. Section 2702 of Title 18, act of November 25,
8 1970 (P.L.707, No.230), known as the Pennsylvania Consolidated
9 Statutes, is amended to read:

10 § 2702. Aggravated assault.

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

13 (1) attempts to cause serious bodily injury to another,
14 or causes such injury intentionally, knowingly or recklessly
15 under circumstances manifesting extreme indifference to the
16 value of human life;

17 (2) attempts to cause or intentionally, knowingly or

recklessly causes serious bodily injury to a police officer making or attempting to make a lawful arrest;

(3) attempts to cause or intentionally or knowingly causes bodily injury to a police officer making or attempting to make a lawful arrest; [or]

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

(5) attempts to cause or intentionally or knowingly causes bodily injury to a teaching staff member, school board member, or other employee of a board of school directors 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 a THE scope of his

or her employment or because of his or her EMPLOYMENT

relationship to the public school. system of the

Commonwealth.

(b) Grading.--Aggravated assault under [paragraphs]

subsections (a)(1) and (a)(2) of this section is a felony of the

second degree. Aggravated assault under [paragraphs] subsections

(a)(3), [and] (a)(4) and (a)(5) of this section is a misdemeanor

of the first degree. Whenever any person has been previously

convicted OR ADJUDICATED A DELINQUENT in this Commonwealth of

FOR the offense set forth in subsection (a)(5), another

conviction A SUBSEQUENT ALLEGATION, INDICTMENT OR INFORMATION of

aggravated assault under subsection (a)(5) shall be graded

CLASSIFIED as a felony of the third degree.

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