

THE GENERAL ASSEMBLY OF PENNSYLVANIA

HOUSE BILL

No. 1788 Session of  
1989

INTRODUCED BY VEON, JUNE 28, 1989

REFERRED TO COMMITTEE ON JUDICIARY, JUNE 28, 1989

AN ACT

1 Amending Title 18 (Crimes and Offenses) of the Pennsylvania  
2 Consolidated Statutes, further providing for use of force by  
3 persons with special responsibility for care, discipline or  
4 safety of others.

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

7 Section 1. Section 509(2) of Title 18 of the Pennsylvania  
8 Consolidated Statutes, amended October 21, 1988 (P.L.1000,  
9 No.115), is amended to read:

10 § 509. Use of force by persons with special responsibility for  
11 care, discipline or safety of others.

12 The use of force upon or toward the person of another is  
13 justifiable if:

14 \* \* \*

15 (2) The actor is a teacher or person otherwise entrusted  
16 with the care or supervision for a special purpose of a minor  
17 and:

18 (i) the actor reasonably believes that the force

1        used is necessary [to further such special purpose,  
2        including the maintenance of reasonable discipline in a  
3        school, class or other group,] to protect himself, the  
4        minor or others from physical injury, to obtain  
5        possession of a weapon or other dangerous object from the  
6        minor, or to protect property from serious harm, and that  
7        the use of such force is consistent with the welfare of  
8        the minor; and

9            (ii) the degree of force, if it had been used by the  
10        parent or guardian of the minor, would not be  
11        unjustifiable under paragraph (1)(ii).

12        \* \* \*

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