

THE GENERAL ASSEMBLY OF PENNSYLVANIA

SENATE BILL

No. 497 Session of
2003

INTRODUCED BY BOSCOLA, O'PAKE, COSTA, MUSTO, GREENLEAF, LAVALLE,
LOGAN, TARTAGLIONE, RHOADES, RAFFERTY, C. WILLIAMS AND STACK,
MARCH 14, 2003

REFERRED TO JUDICIARY, MARCH 14, 2003

AN ACT

1 Amending Title 18 (Crimes and Offenses) of the Pennsylvania
2 Consolidated Statutes, defining the offense of disarming a
3 law enforcement officer; and providing a penalty.

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

6 Section 1. Title 18 of the Pennsylvania Consolidated
7 Statutes is amended by adding a section to read:

8 § 5104.1. Disarming law enforcement officer.

9 (a) Offense defined.--A person commits the offense of
10 disarming a law enforcement officer if he:

11 (1) removes or attempts to remove a firearm, rifle,
12 shotgun or weapon from the person of a law enforcement
13 officer or corrections officer, or deprives a law enforcement
14 officer or corrections officer of the use of a firearm,
15 rifle, shotgun or weapon, when the officer is acting within
16 the scope of the officer's duties; and

17 (2) has reasonable cause to know or knows that the
18 individual is a law enforcement officer or corrections

1 officer.

2 (b) Grading.--

3 (1) Except as provided in paragraph (2), a violation of
4 this section constitutes a felony of the third degree.

5 (2) If the firearm, rifle, shotgun or weapon is
6 discharged during the violation of this section, the offense
7 is a felony of the second degree.

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