

THE GENERAL ASSEMBLY OF PENNSYLVANIA

HOUSE BILL

No. 1049 Session of 2011

INTRODUCED BY STABACK, CARROLL, D. COSTA, DENLINGER, DeWEESE, EVERETT, GABLER, GERGELY, GIBBONS, GILLESPIE, GRELL, HARHAI, HARKINS, HARRIS, HESS, KAVULICH, KOTIK, KULA, MAHONEY, MANN, MILLARD, MILLER, MULLERY, MURT, MYERS, PAYNE, PEIFER, PETRARCA, PYLE, READSHAW, K. SMITH, SWANGER, TALLMAN, VULAKOVICH AND WHITE, MARCH 14, 2011

REFERRED TO COMMITTEE ON GAME AND FISHERIES, MARCH 14, 2011

AN ACT

1 Amending Titles 18 (Crimes and Offenses), 30 (Fish) and 34
2 (Game) of the Pennsylvania Consolidated Statutes, in assault,
3 further providing for the offense of aggravated assault; and,
4 in enforcement, further providing for interference with
5 officers of the Pennsylvania Game Commission and of the
6 Pennsylvania Fish and Boat Commission.

7 The General Assembly of the Commonwealth of Pennsylvania
8 hereby enacts as follows:

9 Section 1. Section 2702(c) of Title 18 of the Pennsylvania
10 Consolidated Statutes is amended to read:

11 § 2702. Aggravated assault.

12 * * *

13 (c) Officers, employees, etc., enumerated.--The officers,
14 agents, employees and other persons referred to in subsection
15 (a) shall be as follows:

16 (1) Police officer.

17 (2) Firefighter.

18 (3) County adult probation or parole officer.

- 1 (4) County juvenile probation or parole officer.
- 2 (5) An agent of the Pennsylvania Board of Probation and
- 3 Parole.
- 4 (6) Sheriff.
- 5 (7) Deputy sheriff.
- 6 (8) Liquor control enforcement agent.
- 7 (9) Officer or employee of a correctional institution,
- 8 county jail or prison, juvenile detention center or any other
- 9 facility to which the person has been ordered by the court
- 10 pursuant to a petition alleging delinquency under 42 Pa.C.S.
- 11 Ch. 63 (relating to juvenile matters).
- 12 (10) Judge of any court in the unified judicial system.
- 13 (11) The Attorney General.
- 14 (12) A deputy attorney general.
- 15 (13) A district attorney.
- 16 (14) An assistant district attorney.
- 17 (15) A public defender.
- 18 (16) An assistant public defender.
- 19 (17) A Federal law enforcement official.
- 20 (18) A State law enforcement official.
- 21 (19) A local law enforcement official.
- 22 (20) Any person employed to assist or who assists any
- 23 Federal, State or local law enforcement official.
- 24 (21) Emergency medical services personnel.
- 25 (22) Parking enforcement officer.
- 26 (23) A magisterial district judge.
- 27 (24) A constable.
- 28 (25) A deputy constable.
- 29 (26) A psychiatric aide.
- 30 (27) A teaching staff member, a school board member or

1 other employee, including a student employee, of any
2 elementary or secondary publicly funded educational
3 institution, any elementary or secondary private school
4 licensed by the Department of Education or any elementary or
5 secondary parochial school while acting in the scope of his
6 or her employment or because of his or her employment
7 relationship to the school.

8 (28) Governor.

9 (29) Lieutenant Governor.

10 (30) Auditor General.

11 (31) State Treasurer.

12 (32) Member of the General Assembly.

13 (33) An employee of the Department of Environmental
14 Protection.

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

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

22 (36) A public utility employee or an employee of an
23 electric cooperative.

24 (37) A wildlife conservation officer or deputy wildlife
25 conservation officer of the Pennsylvania Game Commission.

26 (38) A waterways conservation officer or deputy
27 waterways conservation officer of the Pennsylvania Fish and
28 Boat Commission.

29 * * *

30 Section 2. Section 904(b) of Title 30 is amended to read:

1 § 904. Interference with officers.

2 * * *

3 (b) [Bodily injury.--Any person who intentionally, knowingly
4 or recklessly attempts to cause or causes serious bodily harm to
5 an officer performing duties under the provisions of this title
6 commits a felony of the second degree] Assaulting an officer.--
7 Assaulting an officer as defined in 18 Pa.C.S. §§ 2702 (relating
8 to aggravated assault) and 2702.1 (relating to assault of law
9 enforcement officer) is an offense under this title and the
10 penalties set forth in 18 Pa.C.S. §§ 2702 and 2702.1 shall
11 apply.

12 * * *

13 Section 3. Title 34 is amended by adding a section to read:

14 § 905.1. Assaulting an officer.

15 Assaulting an officer as defined in 18 Pa.C.S. §§ 2702
16 (relating to aggravated assault) and 2702.1 (relating to assault
17 of law enforcement officer) is an offense under this title and
18 the penalties set forth in 18 Pa.C.S. §§ 2702 and 2702.1 shall
19 apply.

20 Section 4. This act shall take effect in 60 days.