

THE GENERAL ASSEMBLY OF PENNSYLVANIA

HOUSE BILL

No. 511 Session of
2013

INTRODUCED BY DONATUCCI, BAKER, YOUNGBLOOD, KOTIK, O'BRIEN,
SAINATO, D. COSTA, MILLARD, V. BROWN, KORTZ, SWANGER, COHEN,
READSHAW, SCHLOSSBERG, BROWNLEE, KINSEY, MOUL AND MURT,
FEBRUARY 5, 2013

REFERRED TO COMMITTEE ON JUDICIARY, FEBRUARY 5, 2013

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, amended October 24, 2012
8 (P.L.1205, No.150), are amended to read:
9 § 2702. Aggravated assault.

10 * * *

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

14 (1) Police officer.

15 (2) Firefighter.

16 (3) County adult probation or parole officer.

17 (4) County juvenile probation or parole officer.

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

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

7 (28) Governor.

8 (29) Lieutenant Governor.

9 (30) Auditor General.

10 (31) State Treasurer.

11 (32) Member of the General Assembly.

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

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

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

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

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

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

28 (39) Any other elected or appointed official or employee
29 of the Commonwealth or any of its agencies, authorities,
30 boards, commissions, councils, departments and offices or of

any county, school district or municipality or of any county,
school district or municipal authority, board or commission
while acting in the scope of his or her employment or other
service or because of his or her employment or other service
with the Commonwealth or any of its agencies, authorities,
boards, commissions, councils, departments and offices or of
any county, school district or municipality or of any county,
school district or municipal authority, board or commission.

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

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

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

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

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