

THE GENERAL ASSEMBLY OF PENNSYLVANIA

HOUSE BILL

No. 103 Session of 2021

INTRODUCED BY SCHMITT, BOBACK, MIZGORSKI, IRVIN, JAMES, ROTHMAN, STRUZZI, MILLARD, CIRESI, BROOKS, KAUFFMAN, ZIMMERMAN, GAYDOS, HERSHEY, MOUL, JOZWIAK AND SANKEY, JANUARY 11, 2021

REFERRED TO COMMITTEE ON JUDICIARY, JANUARY 11, 2021

AN ACT

1 Amending Title 18 (Crimes and Offenses) of the Pennsylvania  
 2 Consolidated Statutes, in assault, providing for the offense  
 3 of harassment of law enforcement officer; and imposing  
 4 penalties.

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

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

9 § 2703.2 Harassment of law enforcement officer.

10 (a) Offense defined.--Except as provided in sections 2703  
 11 (relating to assault by prisoner), 2703.1 (relating to  
 12 aggravated harassment by prisoner) and 2704 (relating to assault  
 13 by life prisoner), a person is guilty of harassment of law  
 14 enforcement officer if the person intentionally or knowingly  
 15 causes or attempts to cause a law enforcement officer to come  
 16 into contact with blood, seminal fluid, saliva, urine or feces  
 17 by throwing, tossing, spitting or expelling such fluid or  
 18 material.

1     (b) Grading.--An offense under this section is a felony of  
2 the third degree if, at the time of the offense, the person  
3 knew, had reason to know, should have known or believed such  
4 fluid or material to have been obtained from an individual,  
5 including the person charged under this section, infected by a  
6 communicable disease, including, but not limited to, human  
7 immunodeficiency virus (HIV) or hepatitis B. Otherwise, the  
8 offense constitutes a misdemeanor of the first degree.

9     (c) Definition.--As used in this section, the term "law  
10 enforcement officer" shall have the same meaning as the term  
11 "peace officer" is given under section 501 (relating to  
12 definitions).

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