

AN ACT

1 Amending Title 18 (Crimes and Offenses) of the Pennsylvania
2 Consolidated Statutes, further providing for simple assault
3 and for aggravated assault.

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

6 Section 1. Sections 2701(b)(2) and 2702(a) and (b) of Title
7 18 of the Pennsylvania Consolidated Statutes are amended to
8 read:

9 § 2701. Simple assault.

10 * * *

11 (b) Grading.--Simple assault is a misdemeanor of the second
12 degree unless committed:

13 * * *

14 (2) against a child under 12 years of age by [an adult
15 21] a person 18 years of age or older, in which case it is a
16 misdemeanor of the first degree.

17 § 2702. Aggravated assault.

18 (a) Offense defined.--A person is guilty of aggravated

1 assault if he:

2 (1) attempts to cause serious bodily injury to another,
3 or causes such injury intentionally, knowingly or recklessly
4 under circumstances manifesting extreme indifference to the
5 value of human life;

6 (2) attempts to cause or intentionally, knowingly or
7 recklessly causes serious bodily injury to any of the
8 officers, agents, employees or other persons enumerated in
9 subsection (c) or to an employee of an agency, company or
10 other entity engaged in public transportation, while in the
11 performance of duty;

12 (3) attempts to cause or intentionally or knowingly
13 causes bodily injury to any of the officers, agents,
14 employees or other persons enumerated in subsection (c), in
15 the performance of duty;

16 (4) attempts to cause or intentionally or knowingly
17 causes bodily injury to another with a deadly weapon;

18 (5) attempts to cause or intentionally or knowingly
19 causes bodily injury to a teaching staff member, school board
20 member or other employee, including a student employee, of
21 any elementary or secondary publicly-funded educational
22 institution, any elementary or secondary private school
23 licensed by the Department of Education or any elementary or
24 secondary parochial school while acting in the scope of his
25 or her employment or because of his or her employment
26 relationship to the school;

27 (6) attempts by physical menace to put any of the
28 officers, agents, employees or other persons enumerated in
29 subsection (c), while in the performance of duty, in fear of
30 imminent serious bodily injury; [or]

1 (7) uses tear or noxious gas as defined in section
2 2708(b) (relating to use of tear or noxious gas in labor
3 disputes) or uses an electric or electronic incapacitation
4 device against any officer, employee or other person
5 enumerated in subsection (c) while acting in the scope of his
6 employment[.];

7 (8) attempts to cause or intentionally, knowingly or
8 recklessly causes bodily injury to a child under four years
9 of age; or

10 (9) attempts to cause or intentionally, knowingly or
11 recklessly causes serious bodily injury to a child under 12
12 years of age.

13 (b) Grading.--Aggravated assault under subsection (a) (1)
14 [and (2)], (2) and (9) is a felony of the first degree.
15 Aggravated assault under subsection (a) (3), (4), (5), (6) [and
16 (7)], (7) and (8) is a felony of the second degree.

17 * * *

18 Section 2. The amendment of 18 Pa.C.S. §§ 2701(b) (2) and
19 2702(a) and (b) shall apply to offenses committed on or after
20 the effective date of this section.

21 Section 3. This act shall take effect in 60 days.