

THE GENERAL ASSEMBLY OF PENNSYLVANIA

HOUSE BILL

No. 1219 Session of 2015

INTRODUCED BY WARD, ACOSTA, CUTLER, BAKER, SCHWEYER, O'BRIEN, CAUSER, HARHART, D. PARKER, GROVE, KAUFFMAN, COHEN, GOODMAN, MAJOR, ZIMMERMAN, WATSON, MILNE, GILLEN, PICKETT, MURT, GINGRICH, KORTZ, EVERETT, MCGINNIS, READSHAW, D. COSTA, DUSH AND DAVIS, MAY 14, 2015

AS AMENDED ON SECOND CONSIDERATION, HOUSE OF REPRESENTATIVES, FEBRUARY 9, 2016

AN ACT

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

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

6 Section 1. Section 2702(d) of Title 18 of the Pennsylvania <--
7 Consolidated Statutes is amended and subsection (c) is amended
8 by adding a paragraph to read:

9 § 2702. Aggravated assault.

10 * * *

11 SECTION 1. SECTION 2702(A) (3) AND (6), (C) (2) AND (D) OF <--
12 TITLE 18 OF THE PENNSYLVANIA CONSOLIDATED STATUTES ARE AMENDED
13 AND SUBSECTION (C) IS AMENDED BY ADDING A PARAGRAPH TO READ:

14 § 2702. AGGRAVATED ASSAULT.

15 (A) OFFENSE DEFINED.--A PERSON IS GUILTY OF AGGRAVATED
16 ASSAULT IF HE:

1 * * *

2 (3) ATTEMPTS TO CAUSE OR INTENTIONALLY OR KNOWINGLY
3 CAUSES BODILY INJURY TO ANY OF THE OFFICERS, AGENTS,
4 EMPLOYEES OR OTHER PERSONS ENUMERATED IN SUBSECTION (C) [,] OR
5 TO AN EMPLOYEE OF AN AGENCY, COMPANY OR OTHER ENTITY ENGAGED
6 IN PUBLIC TRANSPORTATION, WHILE IN THE PERFORMANCE OF DUTY;

7 * * *

8 (6) ATTEMPTS BY PHYSICAL MENACE TO PUT ANY OF THE
9 OFFICERS, AGENTS, EMPLOYEES OR OTHER PERSONS ENUMERATED IN
10 SUBSECTION (C) OR TO AN EMPLOYEE OF AN AGENCY, COMPANY OR
11 OTHER ENTITY ENGAGED IN PUBLIC TRANSPORTATION, WHILE IN THE
12 PERFORMANCE OF DUTY, IN FEAR OF IMMINENT SERIOUS BODILY
13 INJURY;

14 * * *

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

18 * * *

19 (2) FIREFIGHTER, INCLUDING A VOLUNTEER FIREFIGHTER AND A <--
20 SPECIAL FIRE POLICE OFFICER.

21 * * *

22 (39) A health care practitioner.

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

26 "Electric or electronic incapacitation device." A portable
27 device which is designed or intended by the manufacturer to be
28 used, offensively or defensively, to temporarily immobilize or
29 incapacitate persons by means of electric pulse or current,
30 including devices operated by means of carbon dioxide

1 propellant. The term does not include cattle prods, electric
2 fences or other electric devices when used in agricultural,
3 animal husbandry or food production activities.

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

10 "Health care practitioner." As defined in section 103 of the
11 act of July 19, 1979 (P.L.130, No.48), known as the Health Care
12 Facilities Act.

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