

---

THE GENERAL ASSEMBLY OF PENNSYLVANIA

---

SENATE BILL

No. 544

Session of  
1979

---

INTRODUCED BY O'PAKE, REIBMAN, FUMO, MELLOW, JUBELIRER,  
ROMANELLI, LEWIS, TILGHMAN, LYNCH, MESSINGER, HOPPER, LOEPER,  
ORLANDO, MOORE, PECORA, STAPLETON, HESS, CORMAN, DWYER,  
PRICE, O'CONNELL, GEKAS, GREENLEAF, ANDREWS, GURZENDA AND  
HAGER, MARCH 27, 1979

---

REFERRED TO JUDICIARY, MARCH 27, 1979

---

AN ACT

1 Amending Title 18 (Crimes and Offenses) of the Pennsylvania  
2 Consolidated Statutes, further defining aggravated assault  
3 and increasing the grading for certain types of aggravated  
4 assault on a second and subsequent conviction.

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

7 Section 1. Section 2702 of Title 18, act of November 25,  
8 1970 (P.L.707, No.230), known as the Pennsylvania Consolidated  
9 Statutes, is amended to read:

10 § 2702. Aggravated assault.

11 (a) Offense defined.--A person is guilty of aggravated  
12 assault if he:

13 (1) attempts to cause serious bodily injury to another,  
14 or causes such injury intentionally, knowingly or recklessly  
15 under circumstances manifesting extreme indifference to the  
16 value of human life;

17 (2) attempts to cause or intentionally, knowingly or

1       recklessly causes serious bodily injury to a police officer  
2       making or attempting to make a lawful arrest;

3           (3) attempts to cause or intentionally or knowingly  
4       causes bodily injury to a police officer making or attempting  
5       to make a lawful arrest; [or]

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

8           (5) attempts to cause or intentionally or knowingly  
9       causes bodily injury to a teaching staff member, school board  
10      member, or other employee of a board of school directors  
11      while acting in a scope of his or her employment or because  
12      of his or her relationship to the public school system of the  
13      Commonwealth.

14      (b) Grading.--Aggravated assault under [paragraphs]  
15      subsections (a)(1) and (a)(2) of this section is a felony of the  
16      second degree. Aggravated assault under [paragraphs] subsections  
17      (a)(3), [and] (a)(4) and (a)(5) of this section is a misdemeanor  
18      of the first degree. Whenever any person has been previously  
19      convicted in this Commonwealth of the offense set forth in  
20      subsection (a)(5), another conviction of aggravated assault  
21      under subsection (a)(5) shall be graded as a felony of the third  
22      degree.

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