

THE GENERAL ASSEMBLY OF PENNSYLVANIA

HOUSE BILL

No. 569 Session of
1995

INTRODUCED BY O'BRIEN, MAYERNIK, DENT, HENNESSEY, CLARK, WOGAN,
CORRIGAN, TIGUE, ROONEY, GEIST, FLICK, KELLER, WAUGH, TRELLO,
NAILOR, RAYMOND, BLAUM, E. Z. TAYLOR, MERRY, L. I. COHEN,
MARSICO, J. TAYLOR, BARD, EGOLF AND KENNEY, FEBRUARY 2, 1995

AS REPORTED FROM COMMITTEE ON JUDICIARY, HOUSE OF
REPRESENTATIVES, AS AMENDED, MARCH 21, 1995

AN ACT

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

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

6 Section 1. Section 2702 of Title 18 of the Pennsylvania
7 Consolidated Statutes is amended to read:

8 § 2702. Aggravated assault.

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

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

15 (2) attempts to cause or intentionally, knowingly or
16 recklessly causes serious bodily injury to [a police officer,
17 firefighter, county adult probation or parole officer, county

1 juvenile probation or parole officer or an agent of the
2 Pennsylvania Board of Probation and Parole in the performance
3 of duty or to] any of the officers, agents, employees or
4 other persons enumerated in subsection (c) or to an employee
5 of an agency, company or other entity engaged in public
6 transportation, while in the performance of duty;

7 (3) attempts to cause or intentionally or knowingly
8 causes bodily injury to [a police officer, firefighter or
9 county adult probation or parole officer, county juvenile
10 probation or parole officer or an agent of the Pennsylvania
11 Board of Probation and Parole] any of the officers, agents,
12 employees or other persons enumerated in subsection (c), in
13 the performance of duty;

14 (4) attempts to cause or intentionally or knowingly
15 causes bodily injury to another with a deadly weapon; [or]

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

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

29 (b) Grading.--Aggravated assault under subsection (a)(1) and
30 (2) is a felony of the first degree. Aggravated assault under

subsection (a)(3), (4) [and (5)], (5) and (6) is a felony of the second degree.

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

- (1) Police officer.
- (2) Firefighter.
- (3) County adult probation or parole officer.
- (4) County juvenile probation or parole officer.
- (5) An agent of the Pennsylvania Board of Probation and Parole.
- (6) Sheriff.
- (7) Deputy sheriff.
- (8) Liquor control enforcement agent.
- (9) Officer or employee of a correctional institution.
- (10) Judge of any court in the unified judicial system.
- (11) The Attorney General.
- (12) A deputy attorney general.
- (13) A district attorney.
- (14) An assistant district attorney.
- (15) A public defender.
- (16) An assistant public defender.
- (17) A Federal law enforcement official.
- (18) A State law enforcement official.
- (19) A local law enforcement official.
- (20) Any person employed to assist or who assists any Federal, State or local law enforcement official.
- (21) EMERGENCY MEDICAL SERVICES PERSONNEL.

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

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