

THE GENERAL ASSEMBLY OF PENNSYLVANIA

HOUSE BILL

No. 1805 Session of
2001

INTRODUCED BY RUFFING, WALKO, WOJNAROSKI, BELARDI, BELFANTI,
BROWNE, CALTAGIRONE, CAPPELLI, DeLUCA, FAIRCHILD, FRANKEL,
HARHAI, HORSEY, MELIO, R. MILLER, J. WILLIAMS, PALLONE,
READSHAW, ROHRER, RUBLEY, SHANER, SOLOBAY, STABACK, STEELMAN,
TANGRETTI, WATSON, YOUNGBLOOD, YUDICHAK, WATERS, PETRARCA AND
WASHINGTON, JUNE 19, 2001

AS AMENDED ON THIRD CONSIDERATION, HOUSE OF REPRESENTATIVES,
DECEMBER 5, 2001

AN ACT

1 Amending Title 18 (Crimes and Offenses) of the Pennsylvania
2 Consolidated Statutes, further providing for AGGRAVATED <—
3 ASSAULT AND FOR the grading of the offenses of sexual assault
4 and indecent assault.

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

7 ~~Section 1. Sections 3124.1 and 3126(b) of Title 18 of the~~ <—
8 ~~Pennsylvania Consolidated Statutes are amended to read:~~

9 SECTION 1. SECTION 2702(C) OF TITLE 18 OF THE PENNSYLVANIA <—
10 CONSOLIDATED STATUTES IS AMENDED BY ADDING A PARAGRAPH TO READ:
11 § 2702. AGGRAVATED ASSAULT.

12 * * *

13 (C) OFFICERS, EMPLOYEES, ETC., ENUMERATED.--THE OFFICERS,
14 AGENTS, EMPLOYEES AND OTHER PERSONS REFERRED TO IN SUBSECTION
15 (A) SHALL BE AS FOLLOWS:

16 * * *

1 (28) AN EMPLOYEE OF A COUNTY CHILDREN AND YOUTH SOCIAL
2 SERVICE AGENCY.

3 * * *

4 SECTION 2. SECTIONS 3124.1 AND 3126(B) OF TITLE 18 ARE
5 AMENDED TO READ:

6 § 3124.1. Sexual assault.

7 (a) Offense defined.--Except as provided in section 3121
8 (relating to rape) or 3123 (relating to involuntary deviate
9 sexual intercourse), a person commits [a felony of the second
10 degree] an offense when that person engages in sexual
11 intercourse or deviate sexual intercourse with a complainant
12 without the complainant's consent.

13 (b) Grading.--

14 (1) Except as provided in paragraph (2), an offense
15 under subsection (a) is a felony of the second degree.

16 (2) If the victim of the offense is a care-dependent
17 person, as defined in section 2713 (relating to neglect of
18 care-dependent person), an offense under subsection (a) is a
19 felony of the first degree.

20 § 3126. Indecent assault.

21 * * *

22 (b) Grading.--

23 (1) Except as otherwise provided in this subsection,
24 indecent assault is a misdemeanor of the second degree.

25 (2) Indecent assault under any provision of subsection
26 (a), other than subsection (a)(7), is a misdemeanor of the
27 first degree if the complainant is a care-dependent person,
28 as defined in section 2713 (relating to neglect of care-
29 dependent person).

30 (3) Indecent assault under subsection (a)(7) is a

1 misdemeanor of the first degree. [Otherwise, indecent assault
2 is a misdemeanor of the second degree.]
3 Section ~~2~~ 3. This act shall take effect in 60 days. <—