

THE GENERAL ASSEMBLY OF PENNSYLVANIA

SENATE BILL

No. 925 Session of
2003

INTRODUCED BY ORIE, COSTA, KITCHEN, STACK, MUSTO, ARMSTRONG,
TOMLINSON, RAFFERTY, TARTAGLIONE, C. WILLIAMS, WONDERLING AND
BOSCOLA, OCTOBER 8, 2003

REFERRED TO JUDICIARY, OCTOBER 8, 2003

AN ACT

1 Amending Title 18 (Crimes and Offenses) of the Pennsylvania
2 Consolidated Statutes, increasing penalties for certain
3 crimes committed in the presence of children.

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

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

8 § 2701. Simple assault.

9 * * *

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

12 (1) in a fight or scuffle entered into by mutual
13 consent, in which case it is a misdemeanor of the third
14 degree; [or]

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

18 (3) in the presence of a child under 16 years of age, in

1 which case it is a misdemeanor of the first degree.

2 § 2702. Aggravated assault.

3 * * *

4 (b) Grading.--Aggravated assault under subsection (a)(1) and
5 (2) is a felony of the first degree. Aggravated assault under
6 subsection (a)(3), (4), (5), (6) and (7) is a felony of the
7 second degree. Any offense under subsection (a) committed in the
8 presence of a minor under 16 years of age is a felony of the
9 first degree.

10 * * *

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