

THE GENERAL ASSEMBLY OF PENNSYLVANIA

HOUSE BILL

No. 1016 Session of
2007

INTRODUCED BY SIPTROTH, BAKER, BARRAR, BUXTON, CARROLL, COX,
EVERETT, GEIST, GINGRICH, GOODMAN, GRUCELA, HARRIS,
HENNESSEY, HESS, HICKERNELL, HORNAMAN, JAMES, KORTZ, KOTIK,
MANN, McILHATTAN, MURT, PAYNE, PETRARCA, PYLE, REICHLEY,
ROAE, RUBLEY, SANTONI, SCAVELLO, McILVAINE SMITH, STABACK,
SWANGER, THOMAS, TRUE, VULAKOVICH, YOUNGBLOOD AND YUDICHAK,
APRIL 3, 2007

REFERRED TO COMMITTEE ON JUDICIARY, APRIL 3, 2007

AN ACT

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

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

6 Section 1. Section 3126(b) of Title 18 of the Pennsylvania
7 Consolidated Statutes is amended to read:

8 § 3126. Indecent assault.

9 * * *

10 (b) Grading.--Indecent assault [shall be graded as follows:

11 (1) An offense under subsection (a)(1) or (8) is a
12 misdemeanor of the second degree.

13 (2) An offense under subsection (a)(2), (3), (4), (5) or
14 (6) is a misdemeanor of the first degree.

15 (3) An offense under subsection (a)(7) is a misdemeanor
16 of the first degree unless any of the following apply, in

1 which case it is a felony of the third degree:

2 (i) It is a second or subsequent offense.

3 (ii) There has been a course of conduct of indecent
4 assault by the person.

5 (iii) The indecent assault was committed by touching
6 the complainant's sexual or intimate parts with sexual or
7 intimate parts of the person.

8 (iv) The indecent assault is committed by touching
9 the person's sexual or intimate parts with the
10 complainant's sexual or intimate parts.] under subsection
11 (a)(7) is a felony of the third degree. Otherwise,
12 indecent assault is a misdemeanor of the first degree.

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