

THE GENERAL ASSEMBLY OF PENNSYLVANIA

SENATE BILL

No. 27

Session of
2007

INTRODUCED BY FONTANA, BOSCOLA, ORIE, KASUNIC, C. WILLIAMS,
STOUT, WASHINGTON, PIPPY, WONDERLING, COSTA, MUSTO, LOGAN,
BROWNE AND STACK, JANUARY 29, 2007

REFERRED TO JUDICIARY, JANUARY 29, 2007

AN ACT

1 Amending Title 18 (Crimes and Offenses) of the Pennsylvania
2 Consolidated Statutes, further prohibiting murder, simple
3 assault of a child and aggravated assault of a child.

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

6 Section 1. Section 2502 of Title 18 of the Pennsylvania
7 Consolidated Statutes is amended by adding a subsection to read:

8 § 2502. Murder.

9 * * *

10 (c.1) Sentences.--Notwithstanding the provisions of section
11 1103 (relating to sentence of imprisonment for felony), a person
12 convicted of an offense under subsection (c) when the victim is
13 under 13 years of age shall be sentenced to a term of
14 imprisonment for not less than 20 years.

15 * * *

16 Section 2. Title 18 is amended by adding sections to read:

17 § 2701.1. Simple assault of a child.

18 (a) Offense defined.--A person commits the offense of simple

assault of a child, a felony of the third degree, when the person:

(1) Attempts to cause or intentionally, knowingly or recklessly causes bodily injury to a child under 16 years of age.

(2) Attempts by physical menace to place a child under 16 years of age in fear of imminent serious bodily injury.

(3) Negligently causes bodily injury to a child under five years of age.

(b) Sentences.--Notwithstanding the provisions of section 1103 (relating to sentence of imprisonment for felony), a person convicted of an offense under subsection (a) shall be sentenced to a term of imprisonment for not less than one year.

§ 2702.1. Aggravated assault of a child.

(a) Offense defined.--A person commits the offense of aggravated assault of a child when the person:

(1) Attempts to cause serious bodily injury to a child under 16 years of age or causes such injury intentionally, knowingly or recklessly under circumstances manifesting an extreme indifference to the value of human life or the health or safety of a child under 16 years of age.

(2) Attempts with a deadly weapon to cause or intentionally, knowingly or recklessly causes bodily injury to a child under 16 years of age.

(b) Grading.--A person who commits the offense of aggravated assault of a child commits:

(1) A felony of the first degree if the child is under five years of age.

(2) A felony of the second degree if the child is between 5 and 16 years of age.

1 (c) Sentences.--Notwithstanding the provisions of section
2 1103 (relating to sentence of imprisonment for felony) and 42
3 Pa.C.S. § 9718 (relating to sentences for offenses against
4 infant persons), a person convicted of an offense under:

5 (1) Subsection (b)(1) shall be sentenced to a term of
6 imprisonment for not less than five years.

7 (2) Subsection (b)(2) shall be sentenced to a term of
8 imprisonment for not less than two years.

9 Section 3. This act shall take effect in 60 days.