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THE GENERAL ASSEMBLY OF PENNSYLVANIA

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**SENATE BILL**

**No. 443**      Session of  
2007

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INTRODUCED BY ORIE, PUNT, REGOLA, COSTA, FONTANA, LOGAN,  
RAFFERTY, BOSCOLA, WASHINGTON AND MUSTO, MARCH 14, 2007

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REFERRED TO JUDICIARY, MARCH 14, 2007

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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.