

THE GENERAL ASSEMBLY OF PENNSYLVANIA

SENATE BILL

No. 818 Session of
2007

INTRODUCED BY ROBBINS, PILEGGI, GREENLEAF, COSTA, ARMSTRONG,
LAVALLE, WAUGH, WOZNIAK, M. WHITE, BOSCOLA, RAFFERTY, STACK,
BROWNE, LOGAN, FOLMER AND FONTANA, APRIL 27, 2007

REFERRED TO JUDICIARY, APRIL 27, 2007

AN ACT

1 Amending Title 18 (Crimes and Offenses) of the Pennsylvania
2 Consolidated Statutes, further providing for the offense of
3 disarming law enforcement officer.

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

6 Section 1. Section 5104.1 of Title 18 of the Pennsylvania
7 Consolidated Statutes is amended by adding a subsection to read:
8 § 5104.1. Disarming law enforcement officer.

9 (a) Offense defined.--A person commits the offense of
10 disarming a law enforcement officer if he:

11 (1) without lawful authorization, removes or attempts to
12 remove a firearm, rifle, shotgun or weapon from the person of
13 a law enforcement officer or corrections officer, or deprives
14 a law enforcement officer or corrections officer of the use
15 of a firearm, rifle, shotgun or weapon, when the officer is
16 acting within the scope of the officer's duties; and

17 (2) has reasonable cause to know or knows that the
18 individual is a law enforcement officer or corrections

1 officer.

2 (b) Grading.--A violation of this section constitutes a
3 felony of the third degree.

4 (c) Definition.--As used in this section, the term "law
5 enforcement officer" means any person who by virtue of his
6 office or public employment is vested by law with a duty to
7 maintain public order or to make arrests for offenses, whether
8 that duty extends to all offenses or is limited to specific
9 offenses.

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