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THE GENERAL ASSEMBLY OF PENNSYLVANIA

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HOUSE BILL

No. 201 Session of  
2011

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INTRODUCED BY KILLION, BARRAR, CALTAGIRONE, D. COSTA, J. EVANS,  
FLECK, GINGRICH, GODSHALL, HENNESSEY, MANN, MICOZZIE,  
STEVENSON, VULAKOVICH AND REICHLEY, JANUARY 25, 2011

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REFERRED TO COMMITTEE ON JUDICIARY, JANUARY 25, 2011

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AN ACT

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

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

6 Section 1. Section 103 of Title 18 of the Pennsylvania  
7 Consolidated Statutes is amended by adding a definition to read:  
8 § 103. Definitions.

9 Subject to additional definitions contained in subsequent  
10 provisions of this title which are applicable to specific  
11 provisions of this part, the following words and phrases when  
12 used in this title shall have, unless the context clearly  
13 indicates otherwise, the meanings given to them in this section:

14 \* \* \*

15 "Private residential rehabilitative institution." The term  
16 shall have the same meaning as given to it in section 914.1-A(c)  
17 of the act of March 10, 1949 (P.L.30, No.14), known as the  
18 Public School Code of 1949.

1 \* \* \*

2 Section 2. Sections 2702(a) and (c) and 3503(d) of Title 18  
3 are amended to read:

4 § 2702. Aggravated assault.

5 (a) Offense defined.--A person is guilty of aggravated  
6 assault if he:

7 (1) attempts to cause serious bodily injury to another,  
8 or causes such injury intentionally, knowingly or recklessly  
9 under circumstances manifesting extreme indifference to the  
10 value of human life;

11 (2) attempts to cause or intentionally, knowingly or  
12 recklessly causes serious bodily injury to any of the  
13 officers, agents, employees or other persons enumerated in  
14 subsection (c) or to an employee of an agency, company or  
15 other entity engaged in public transportation, while in the  
16 performance of duty;

17 (3) attempts to cause or intentionally or knowingly  
18 causes bodily injury to any of the officers, agents,  
19 employees or other persons enumerated in subsection (c), in  
20 the performance of duty;

21 (4) attempts to cause or intentionally or knowingly  
22 causes bodily injury to another with a deadly weapon;

23 (5) attempts to cause or intentionally or knowingly  
24 causes bodily injury to a teaching staff member, school board  
25 member or other employee, including a student employee, of  
26 any elementary or secondary publicly-funded educational  
27 institution, any elementary or secondary private school  
28 licensed by the Department of Education [or], any elementary  
29 or secondary parochial school or private residential  
30 rehabilitative institution while acting in the scope of his

1 or her employment or because of his or her employment  
2 relationship to the school;

3 (6) attempts by physical menace to put any of the  
4 officers, agents, employees or other persons enumerated in  
5 subsection (c), while in the performance of duty, in fear of  
6 imminent serious bodily injury; or

7 (7) uses tear or noxious gas as defined in section  
8 2708(b) (relating to use of tear or noxious gas in labor  
9 disputes) or uses an electric or electronic incapacitation  
10 device against any officer, employee or other person  
11 enumerated in subsection (c) while acting in the scope of his  
12 employment.

13 \* \* \*

14 (c) Officers, employees, etc., enumerated.--The officers,  
15 agents, employees and other persons referred to in subsection

16 (a) shall be as follows:

17 (1) Police officer.

18 (2) Firefighter.

19 (3) County adult probation or parole officer.

20 (4) County juvenile probation or parole officer.

21 (5) An agent of the Pennsylvania Board of Probation and  
22 Parole.

23 (6) Sheriff.

24 (7) Deputy sheriff.

25 (8) Liquor control enforcement agent.

26 (9) Officer or employee of a correctional institution,  
27 county jail or prison, juvenile detention center or any other  
28 facility to which the person has been ordered by the court  
29 pursuant to a petition alleging delinquency under 42 Pa.C.S.  
30 Ch. 63 (relating to juvenile matters).

- 1 (10) Judge of any court in the unified judicial system.
- 2 (11) The Attorney General.
- 3 (12) A deputy attorney general.
- 4 (13) A district attorney.
- 5 (14) An assistant district attorney.
- 6 (15) A public defender.
- 7 (16) An assistant public defender.
- 8 (17) A Federal law enforcement official.
- 9 (18) A State law enforcement official.
- 10 (19) A local law enforcement official.
- 11 (20) Any person employed to assist or who assists any  
12 Federal, State or local law enforcement official.
- 13 (21) Emergency medical services personnel.
- 14 (22) Parking enforcement officer.
- 15 (23) A magisterial district judge.
- 16 (24) A constable.
- 17 (25) A deputy constable.
- 18 (26) A psychiatric aide.
- 19 (27) A teaching staff member, a school board member or  
20 other employee, including a student employee, of any  
21 elementary or secondary publicly funded educational  
22 institution, any elementary or secondary private school  
23 licensed by the Department of Education [or] any elementary  
24 or secondary parochial school or private residential  
25 rehabilitative institution while acting in the scope of his  
26 or her employment or because of his or her employment  
27 relationship to the school.
- 28 (28) Governor.
- 29 (29) Lieutenant Governor.
- 30 (30) Auditor General.

1 (31) State Treasurer.

2 (32) Member of the General Assembly.

3 (33) An employee of the Department of Environmental  
4 Protection.

5 (34) An individual engaged in the private detective  
6 business as defined in section 2(a) and (b) of the act of  
7 August 21, 1953 (P.L.1273, No.361), known as The Private  
8 Detective Act of 1953.

9 (35) An employee or agent of a county children and youth  
10 social service agency or of the legal representative of such  
11 agency.

12 (36) A public utility employee or an employee of an  
13 electric cooperative.

14 \* \* \*

15 § 3503. Criminal trespass.

16 \* \* \*

17 (d) Definition.--As used in this section, the term "school  
18 grounds" means any building or grounds of any elementary or  
19 secondary publicly funded educational institution, any  
20 elementary or secondary private school licensed by the  
21 Department of Education, any elementary or secondary parochial  
22 school, any private residential rehabilitative institution, any  
23 certified day-care center or any licensed preschool program.

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