

THE GENERAL ASSEMBLY OF PENNSYLVANIA

HOUSE BILL

No. 437 Session of 2013

INTRODUCED BY D. COSTA, O'NEILL, K. BOYLE, BAKER, RAVENSTAHL, SWANGER, O'BRIEN, MICOZZIE, CLAY, HAGGERTY, YOUNGBLOOD, CONKLIN, BOBACK, STERN, FABRIZIO, C. HARRIS, MCGEEHAN, SCHLOSSBERG, GINGRICH, B. BOYLE, KORTZ, DONATUCCI, BIZZARRO, COHEN, READSHAW, MOUL, CALTAGIRONE, DEASY, DAVIDSON, GROVE, WATSON, DELUCA, MATZIE, GIBBONS, MILLER, GOODMAN, GILLEN, MURT, MAHONEY, FARRY, MOLCHANY AND BRADFORD, JANUARY 30, 2013

REFERRED TO COMMITTEE ON JUDICIARY, JANUARY 30, 2013

AN ACT

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

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

6 Section 1. Section 2702(a)(5) and (c)(2) and (27) of Title
7 18 of the Pennsylvania Consolidated Statutes, amended October
8 24, 2012 (P.L.1205, No.150), are amended and subsection (d) is
9 amended by adding a definition to read:

10 § 2702. Aggravated assault.

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

13 * * *

14 (5) attempts to cause or intentionally or knowingly
15 causes bodily injury to a teaching staff member, school board
16 member or other employee, including a student employee, of

1 any elementary or secondary publicly-funded educational
2 institution, any elementary or secondary private school
3 licensed by the Department of Education or any elementary or
4 secondary parochial school while acting in the scope of his
5 or her employment or because of his or her employment
6 relationship to the school, or a crossing guard while acting
7 in the scope of his or her official capacity as designated by
8 a political subdivision, school entity or police department;

9 * * *

10 (c) Officers, employees, etc., enumerated.--The officers,
11 agents, employees and other persons referred to in subsection
12 (a) shall be as follows:

13 * * *

14 (2) Firefighter, including volunteer firefighters and
15 special fire police.

16 * * *

17 (27) A teaching staff member, a school board member or
18 other employee, including a student employee, of any
19 elementary or secondary publicly funded educational
20 institution, any elementary or secondary private school
21 licensed by the Department of Education or any elementary or
22 secondary parochial school while acting in the scope of his
23 or her employment or because of his or her employment
24 relationship to the school, or a crossing guard while acting
25 in the scope of his or her official capacity as designated by
26 a political subdivision, school entity or police department.

27 * * *

28 (d) Definitions.--As used in this section, the following
29 words and phrases shall have the meanings given to them in this
30 subsection:

1 * * *

2 "Public utility employee or an employee of an electric
3 cooperative." The term includes all of the following:

4 (1) An employee of a public utility.

5 (2) An employee of a municipally owned utility.

6 (3) An employee of a cable television company.

7 (4) An employee of an electric distribution company.

8 (5) An employee of an electric generation company.

9 (6) An independent contractor or an employee of an
10 independent contractor working on behalf of a cable
11 television company, a public utility, a municipally owned
12 utility, an electric distribution company, an electric
13 generation company or an electric cooperative.

14 (7) An employee of a telecommunications carrier.

15 (8) An independent contractor or an employee of an
16 independent contractor working on behalf of a
17 telecommunications carrier.

18 (9) An employee of a telephone or telecommunications
19 cooperative.

20 (10) An independent contractor or an employee of an
21 independent contractor working on behalf of a telephone or
22 telecommunications cooperative.

23 Section 2. This act shall take effect as follows:

24 (1) The following provisions shall take effect
25 immediately:

26 (i) The addition of the definition of "public
27 utility employee or an employee of an electric
28 cooperative" in 18 Pa.C.S. § 2702(d).

29 (ii) This section.

30 (2) The remainder of this act shall take effect in 60

1 days.