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THE GENERAL ASSEMBLY OF PENNSYLVANIA

SENATE BILL

No. 737 Session of 2013

INTRODUCED BY STACK, FONTANA, BREWSTER, ERICKSON, HUGHES AND SOLOBAY, MARCH 26, 2013

REFERRED TO JUDICIARY, MARCH 26, 2013

AN ACT

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

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

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

§ 2702. Aggravated assault.

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

* * *

(5) attempts to cause or intentionally or knowingly causes bodily injury to a teaching staff member, school board member or other employee, including a student employee, of any elementary or secondary publicly-funded educational institution, any elementary or secondary private school

licensed by the Department of Education or any elementary or secondary parochial school while acting in the scope of his or her employment or because of his or her employment relationship to the school, or a crossing guard while acting in the scope of his or her official capacity as designated by a political subdivision, school entity or police department;

* * *

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

* * *

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

* * *

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

* * *

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

* * *

"Public utility employee or an employee of an electric

cooperative." The term includes all of the following:

(1) An employee of a public utility.

(2) An employee of a municipally owned utility.

(3) An employee of a cable television company.

(4) An employee of an electric distribution company.

(5) An employee of an electric generation company.

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

(7) An employee of a telecommunications carrier.

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

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

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

Section 2. This act shall take effect as follows:

(1) The following provisions shall take effect immediately:

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

(ii) This section.

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