
THE GENERAL ASSEMBLY OF PENNSYLVANIA

HOUSE BILL

No. 1301 Session of
2019

INTRODUCED BY FARRY, McNEILL, RYAN, MILLARD, MURT, JAMES,
BERNSTINE, DRISCOLL, SIMMONS, HILL-EVANS, SAINATO AND GILLEN,
APRIL 25, 2019

REFERRED TO COMMITTEE ON JUDICIARY, APRIL 25, 2019

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) and (b) of Title 18 of the
7 Pennsylvania Consolidated Statutes are amended to read:

8 § 2702. Aggravated assault.

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

11 (1) attempts to cause serious bodily injury to another,
12 or causes such injury intentionally, knowingly or recklessly
13 under circumstances manifesting extreme indifference to the
14 value of human life;

15 (2) attempts to cause or intentionally, knowingly or
16 recklessly causes serious bodily injury to any of the
17 officers, agents, employees or other persons enumerated in
18 subsection (c) or to an employee of an agency, company or

1 other entity engaged in public transportation, while in the
2 performance of duty;

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

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

9 (5) attempts to cause or intentionally or knowingly
10 causes bodily injury to a teaching staff member, school board
11 member or other employee, including a student employee, of
12 any elementary or secondary [publicly-funded] publicly funded
13 educational institution, any elementary or secondary private
14 school licensed by the Department of Education or any
15 elementary or secondary parochial school while acting in the
16 scope of his or her employment or because of his or her
17 employment relationship to the school;

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

22 (7) uses tear or noxious gas as defined in section
23 2708(b) (relating to use of tear or noxious gas in labor
24 disputes) or uses an electric or electronic incapacitation
25 device against any officer, employee or other person
26 enumerated in subsection (c) while acting in the scope of his
27 employment;

28 (8) attempts to cause or intentionally, knowingly or
29 recklessly causes bodily injury to a child less than six
30 years of age, by a person 18 years of age or older; [or]

1 (9) attempts to cause or intentionally, knowingly or
2 recklessly causes serious bodily injury to a child less than
3 13 years of age, by a person 18 years of age or older[.]; or

4 (10) introduces any bodily fluid, foreign substance or
5 foreign object into food being consumed or intended for
6 consumption by a police officer, firefighter or emergency
7 medical services personnel.

8 (b) Grading.--

9 (1) Aggravated assault under subsection (a) (1), (2) and
10 (9) is a felony of the first degree.

11 (2) Aggravated assault under subsection (a) (3), (4),
12 (5), (6), (7) and (8) is a felony of the second degree.

13 (3) Aggravated assault under subsection (a) (10) is a
14 misdemeanor of the third degree unless it causes bodily
15 injury, in which case it is a misdemeanor of the first
16 degree.

17 * * *

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