

---

THE GENERAL ASSEMBLY OF PENNSYLVANIA

---

HOUSE BILL

No. 1261 Session of  
2013

---

INTRODUCED BY MICOZZIE, MILLARD, K. BOYLE, NEILSON, PARKER,  
KORTZ, SCHLOSSBERG, B. BOYLE, GODSHALL, KILLION, MCGEEHAN,  
READSHAW, SABATINA, O'BRIEN, SAINATO, WATSON, GIBBONS,  
BROWNLEE, MILLER, TAYLOR, C. HARRIS, D. COSTA, GINGRICH,  
COHEN, DeLUCA, W. KELLER, QUINN AND DONATUCCI, APRIL 29, 2013

---

REFERRED TO COMMITTEE ON JUDICIARY, APRIL 29, 2013

---

AN ACT

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

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

6 Section 1. Section 2702(a)(2), (b) and (c) of Title 18 of  
7 the Pennsylvania Consolidated Statutes, amended October 24, 2012  
8 (P.L.1205, No.150), are amended to read:

9 § 2702. Aggravated assault.

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

12 \* \* \*

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

1 performance of duty;

2 \* \* \*

3 (b) Grading.--Aggravated assault under subsection (a) (1)  
4 [and] or (2) is a felony of the first degree. Aggravated assault  
5 under subsection (a) (3), (4), (5), (6) [and] or (7) is a felony  
6 of the second degree.

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

10 (1) Police officer.

11 (2) Firefighter.

12 (3) County adult probation or parole officer.

13 (4) County juvenile probation or parole officer.

14 (5) An agent of the Pennsylvania Board of Probation and  
15 Parole.

16 (6) Sheriff.

17 (7) Deputy sheriff.

18 (8) Liquor control enforcement agent.

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

24 (10) Judge of any court in the unified judicial system.

25 (11) The Attorney General.

26 (12) A deputy attorney general.

27 (13) A district attorney.

28 (14) An assistant district attorney.

29 (15) A public defender.

30 (16) An assistant public defender.

- 1           (17) A Federal law enforcement official.
- 2           (18) A State law enforcement official.
- 3           (19) A local law enforcement official.
- 4           (20) Any person employed to assist or who assists any  
5 Federal, State or local law enforcement official.
- 6           (21) Emergency medical services personnel.
- 7           (22) Parking enforcement officer.
- 8           (23) A magisterial district judge.
- 9           (24) A constable.
- 10          (25) A deputy constable.
- 11          (26) A psychiatric aide.
- 12          (27) A teaching staff member, a school board member or  
13 other employee, including a student employee, of any  
14 elementary or secondary publicly funded educational  
15 institution, any elementary or secondary private school  
16 licensed by the Department of Education or any elementary or  
17 secondary parochial school while acting in the scope of his  
18 or her employment or because of his or her employment  
19 relationship to the school.
- 20          (28) Governor.
- 21          (29) Lieutenant Governor.
- 22          (30) Auditor General.
- 23          (31) State Treasurer.
- 24          (32) Member of the General Assembly.
- 25          (33) An employee of the Department of Environmental  
26 Protection.
- 27          (34) An individual engaged in the private detective  
28 business as defined in section 2(a) and (b) of the act of  
29 August 21, 1953 (P.L.1273, No.361), known as The Private  
30 Detective Act of 1953.

1           (35) An employee or agent of a county children and youth  
2 social service agency or of the legal representative of such  
3 agency.

4           (36) A public utility employee or an employee of an  
5 electric cooperative.

6           (37) A wildlife conservation officer or deputy wildlife  
7 conservation officer of the Pennsylvania Game Commission.

8           (38) A waterways conservation officer or deputy  
9 waterways conservation officer of the Pennsylvania Fish and  
10 Boat Commission.

11           (39) An employee of an agency, company or other entity  
12 engaged in public transportation.

13 \* \* \*

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