

---

THE GENERAL ASSEMBLY OF PENNSYLVANIA

---

HOUSE BILL

No. 2547 Session of  
2014

---

INTRODUCED BY CORBIN, MILLARD, READSHAW, DAVIS, SCHLOSSBERG,  
YOUNGBLOOD, ROSS, V. BROWN, PICKETT, KILLION, HEFFLEY,  
DONATUCCI, SWANGER, BAKER, GINGRICH, PARKER, McNEILL, FEE AND  
MURT, OCTOBER 15, 2014

---

REFERRED TO COMMITTEE ON JUDICIARY, OCTOBER 15, 2014

---

AN ACT

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

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

6 Section 1. Title 18 of the Pennsylvania Consolidated  
7 Statutes is amended by adding a section to read:

8 § 2718. Strangulation.

9 (a) Offense defined.--A person commits the offense of  
10 strangulation if the person knowingly or intentionally impedes  
11 the breathing or circulation of the blood of another by:

12 (1) applying pressure to the throat or neck; or

13 (2) blocking the nose and mouth of the person.

14 (b) Affirmative defense.--It is an affirmative defense to  
15 any prosecution for an offense under this section that:

16 (1) an act constituting strangulation was the result of  
17 a legitimate medical procedure; or

1       (2) the conduct was during training for or competition  
2 in an athletic event where the conduct is permitted under the  
3 rules of the athletic event.

4       (c) Physical injury.--No physical injury is required to  
5 prove strangulation under this section.

6       (d) Grading.--

7       (1) Except as provided in paragraph (2), a violation of  
8 this section shall constitute a felony of the second degree.

9       (2) A violation of this section shall constitute a  
10 felony of the first degree if:

11       (i) at the time of commission of the offense the  
12 defendant is subject to an active protection from abuse  
13 order that covers the victim;

14       (ii) the person uses an instrument of crime as  
15 defined in section 907 (relating to possessing  
16 instruments of crime) in commission of the offense under  
17 this section; or

18       (iii) the defendant has previously been convicted of  
19 an offense under this section.

20       (e) Definitions.--As used in this section, the following  
21 words and phrases shall have the meanings given to them in this  
22 subsection unless the context clearly indicates otherwise:

23       "Athletic event." An amateur or professional athletic  
24 competition duly recognized by an interscholastic, collegiate or  
25 professionally licensed organization in the United States.

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