
THE GENERAL ASSEMBLY OF PENNSYLVANIA

HOUSE BILL

No. 474 Session of
2013

INTRODUCED BY KILLION, D. COSTA, HARHART, FABRIZIO, KORTZ,
FLECK, BARRAR, DENLINGER, MICOZZIE AND MURT, 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, further providing for definitions, for
3 aggravated assault and for criminal trespass.

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

6 Section 1. Section 103 of Title 18 of the Pennsylvania
7 Consolidated Statutes is amended by adding a definition to read:
8 § 103. Definitions.

9 Subject to additional definitions contained in subsequent
10 provisions of this title which are applicable to specific
11 provisions of this part, the following words and phrases when
12 used in this title shall have, unless the context clearly
13 indicates otherwise, the meanings given to them in this section:

14 * * *

15 "Private residential rehabilitative institution." The term
16 shall have the same meaning as given to it in section 914.1-A(c)
17 of the act of March 10, 1949 (P.L.30, No.14), known as the
18 Public School Code of 1949.

1 * * *

2 Section 2. Section 2702(a) and (c) of Title 18, amended
3 October 24, 2012 (P.L.1205, No.150), are amended to read:

4 § 2702. Aggravated assault.

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

7 (1) attempts to cause serious bodily injury to another,
8 or causes such injury intentionally, knowingly or recklessly
9 under circumstances manifesting extreme indifference to the
10 value of human life;

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

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

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

23 (5) attempts to cause or intentionally or knowingly
24 causes bodily injury to a teaching staff member, school board
25 member or other employee, including a student employee, of
26 any elementary or secondary publicly-funded educational
27 institution, any elementary or secondary private school
28 licensed by the Department of Education [or], any elementary
29 or secondary parochial school or private residential
30 rehabilitative institution while acting in the scope of his

1 or her employment or because of his or her employment
2 relationship to the school;

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

7 (7) uses tear or noxious gas as defined in section
8 2708(b) (relating to use of tear or noxious gas in labor
9 disputes) or uses an electric or electronic incapacitation
10 device against any officer, employee or other person
11 enumerated in subsection (c) while acting in the scope of his
12 employment.

13 * * *

14 (c) Officers, employees, etc., enumerated.--The officers,
15 agents, employees and other persons referred to in subsection

16 (a) shall be as follows:

17 (1) Police officer.

18 (2) Firefighter.

19 (3) County adult probation or parole officer.

20 (4) County juvenile probation or parole officer.

21 (5) An agent of the Pennsylvania Board of Probation and
22 Parole.

23 (6) Sheriff.

24 (7) Deputy sheriff.

25 (8) Liquor control enforcement agent.

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

- 1 (10) Judge of any court in the unified judicial system.
- 2 (11) The Attorney General.
- 3 (12) A deputy attorney general.
- 4 (13) A district attorney.
- 5 (14) An assistant district attorney.
- 6 (15) A public defender.
- 7 (16) An assistant public defender.
- 8 (17) A Federal law enforcement official.
- 9 (18) A State law enforcement official.
- 10 (19) A local law enforcement official.
- 11 (20) Any person employed to assist or who assists any
12 Federal, State or local law enforcement official.
- 13 (21) Emergency medical services personnel.
- 14 (22) Parking enforcement officer.
- 15 (23) A magisterial district judge.
- 16 (24) A constable.
- 17 (25) A deputy constable.
- 18 (26) A psychiatric aide.
- 19 (27) A teaching staff member, a school board member or
20 other employee, including a student employee, of any
21 elementary or secondary publicly funded educational
22 institution, any elementary or secondary private school
23 licensed by the Department of Education [or] any elementary
24 or secondary parochial school or private residential
25 rehabilitative institution while acting in the scope of his
26 or her employment or because of his or her employment
27 relationship to the school.
- 28 (28) Governor.
- 29 (29) Lieutenant Governor.
- 30 (30) Auditor General.

1 (31) State Treasurer.

2 (32) Member of the General Assembly.

3 (33) An employee of the Department of Environmental
4 Protection.

5 (34) An individual engaged in the private detective
6 business as defined in section 2(a) and (b) of the act of
7 August 21, 1953 (P.L.1273, No.361), known as The Private
8 Detective Act of 1953.

9 (35) An employee or agent of a county children and youth
10 social service agency or of the legal representative of such
11 agency.

12 (36) A public utility employee or an employee of an
13 electric cooperative.

14 (37) A wildlife conservation officer or deputy wildlife
15 conservation officer of the Pennsylvania Game Commission.

16 (38) A waterways conservation officer or deputy
17 waterways conservation officer of the Pennsylvania Fish and
18 Boat Commission.

19 * * *

20 Section 3. Section 3503(d) of Title 18 is amended to read:
21 § 3503. Criminal trespass.

22 * * *

23 (d) Definition.--As used in this section, the term "school
24 grounds" means any building or grounds of any elementary or
25 secondary publicly funded educational institution, any
26 elementary or secondary private school licensed by the
27 Department of Education, any elementary or secondary parochial
28 school, any private residential rehabilitative institution, any
29 certified day-care center or any licensed preschool program.

30 Section 4. This act shall take effect in 60 days.