
THE GENERAL ASSEMBLY OF PENNSYLVANIA

HOUSE BILL

No. 2239 Session of
2020

INTRODUCED BY ROZZI, MURT, MILLARD, DeLUCA AND BURNS,
JANUARY 21, 2020

REFERRED TO COMMITTEE ON JUDICIARY, JANUARY 21, 2020

AN ACT

1 Amending Title 18 (Crimes and Offenses) of the Pennsylvania
2 Consolidated Statutes, in obstructing governmental
3 operations, further providing for the offense of resisting
4 arrest or other law enforcement.

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

7 Section 1. Section 5104 of Title 18 of the Pennsylvania
8 Consolidated Statutes is amended to read:

9 § 5104. Resisting arrest or other law enforcement.

10 (a) Offense defined.--A person commits a misdemeanor of the
11 second degree if, with the intent of preventing a public servant
12 from effecting a lawful arrest or discharging any other duty,
13 the person [creates a substantial risk of bodily injury to the
14 public servant or anyone else, or employs means justifying or
15 requiring substantial force to overcome the resistance.]

16 attempts to inflict or causes bodily harm to a public servant or
17 another person or otherwise engages in physically resistant
18 behavior that would require force to be utilized to overcome the
19 resistance.

1 (b) Threats.--A person commits a misdemeanor of the third
2 degree if, with the intent of preventing a public servant from
3 effecting a lawful arrest or discharging any other duty, the
4 person threatens, by word or menace, to cause bodily harm to a
5 public servant or another person; or otherwise engages in
6 destructive behavior that would require force to be utilized to
7 overcome the resistance.

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