
THE GENERAL ASSEMBLY OF PENNSYLVANIA

HOUSE BILL

No. 350 Session of
2013

INTRODUCED BY ROCK, MARSICO, GRELL, CALTAGIRONE, ROAE, STEPHENS,
HELM, KNOWLES, MILLARD, SIMMONS, PICKETT, D. COSTA, MAJOR,
TOEPEL, MILLER, REESE, O'NEILL, WATSON, HICKERNELL,
SCHLOSSBERG, YOUNGBLOOD, STERN, KAUFFMAN, READSHAW, CUTLER,
M. K. KELLER, SWANGER, BISHOP, GINGRICH, EMRICK, THOMAS,
KORTZ, MICOZZIE, BENNINGHOFF, C. HARRIS AND HESS,
JANUARY 29, 2013

REFERRED TO COMMITTEE ON JUDICIARY, JANUARY 29, 2013

AN ACT

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

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

6 Section 1. Sections 2701(b)(2) and 2702(a) and (b) of Title
7 18 of the Pennsylvania Consolidated Statutes are amended to
8 read:

9 § 2701. Simple assault.

10 * * *

11 (b) Grading.--Simple assault is a misdemeanor of the second
12 degree unless committed:

13 * * *

14 (2) against a child under 12 years of age by [an adult
15 21] a person 18 years of age or older, in which case it is a
16 misdemeanor of the first degree.

1 § 2702. Aggravated assault.

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

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

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

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

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

20 (5) attempts to cause or intentionally or knowingly
21 causes bodily injury to a teaching staff member, school board
22 member or other employee, including a student employee, of
23 any elementary or secondary publicly-funded educational
24 institution, any elementary or secondary private school
25 licensed by the Department of Education or any elementary or
26 secondary parochial school while acting in the scope of his
27 or her employment or because of his or her employment
28 relationship to the school;

29 (6) attempts by physical menace to put any of the
30 officers, agents, employees or other persons enumerated in

1 subsection (c), while in the performance of duty, in fear of
2 imminent serious bodily injury; [or]

3 (7) uses tear or noxious gas as defined in section
4 2708(b) (relating to use of tear or noxious gas in labor
5 disputes) or uses an electric or electronic incapacitation
6 device against any officer, employee or other person
7 enumerated in subsection (c) while acting in the scope of his
8 employment[.];

9 (8) attempts to cause or intentionally, knowingly or
10 recklessly causes bodily injury to a child under four years
11 of age; or

12 (9) attempts to cause or intentionally, knowingly or
13 recklessly causes serious bodily injury to a child under 12
14 years of age.

15 (b) Grading.--Aggravated assault under subsection (a)(1)
16 [and (2)], (2) and (9) is a felony of the first degree.
17 Aggravated assault under subsection (a)(3), (4), (5), (6) [and
18 (7)], (7) and (8) is a felony of the second degree.

19 * * *

20 Section 2. The amendment of 18 Pa.C.S. §§ 2701(b)(2) and
21 2702(a) and (b) shall apply to offenses committed on or after
22 the effective date of this section.

23 Section 3. This act shall take effect in 60 days.