

THE GENERAL ASSEMBLY OF PENNSYLVANIA

HOUSE BILL

No. 56 Session of 2013

INTRODUCED BY GILLESPIE, SAYLOR, D. COSTA, GINGRICH, BAKER,
 LONGIETTI, KNOWLES, M. K. KELLER, STEPHENS, KAUFFMAN, BOBACK,
 TOEPEL, HALUSKA, DAVIS, KORTZ, SCHLOSSBERG, HICKERNELL,
 MILLARD, TALLMAN, BIZZARRO, BENNINGHOFF, COHEN, READSHAW,
 MOUL, C. HARRIS, GROVE, HESS, FLECK AND ROCK,
 JANUARY 10, 2013

REFERRED TO COMMITTEE ON JUDICIARY, JANUARY 10, 2013

AN ACT

1 Amending Title 18 (Crimes and Offenses) of the Pennsylvania
 2 Consolidated Statutes, further providing for the offense of
 3 assault of law enforcement officer.

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

6 Section 1. Section 2702.1(a) of Title 18 of the Pennsylvania
 7 Consolidated Statutes is amended and the section is amended by
 8 adding subsections to read:

9 § 2702.1. Assault of law enforcement officer.

10 (a) Assault of a law enforcement officer in the first
 11 degree.--A person commits a felony of the first degree who
 12 [attempts to cause or] intentionally or knowingly causes or
 13 attempts to cause bodily injury to a law enforcement officer,
 14 while in the performance of duty and with knowledge that the
 15 victim is a law enforcement officer, by discharging a firearm.

16 (a.1) Assault of law enforcement officer in the second

1 degree.--A person commits a felony of the second degree if he
2 intentionally or knowingly causes or attempts to cause a law
3 enforcement officer, while in the performance of his duty and
4 with knowledge that the victim is a law enforcement officer, to
5 come into contact with blood, seminal fluid, saliva, urine or
6 feces by throwing, tossing, spitting or expelling such fluid or
7 material when, at the time of the offense, the person knew, had
8 reason to know, should have known or believed such fluid or
9 material to have been obtained from an individual, including the
10 person charged under this subsection, infected by a communicable
11 disease, including, but not limited to, human immunodeficiency
12 virus (HIV) or hepatitis B.

13 (a.2) Assault of law enforcement officer in the third
14 degree.--A person commits a felony of the third degree if he
15 intentionally or knowingly causes or attempts to cause a law
16 enforcement officer, while in the performance of his duty and
17 with knowledge that the victim is a law enforcement officer, to
18 come into contact with blood, seminal fluid, saliva, urine or
19 feces by throwing, tossing, spitting or expelling such fluid or
20 material.

21 * * *

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