

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, ROCK, R. MILLER, MURT, MILNE, MARSICO, MATZIE, GILLEN, SAINATO, GRELL, GOODMAN, EVERETT, SCHLEGEL CULVER AND CALTAGIRONE, JANUARY 10, 2013

AS REPORTED FROM COMMITTEE ON JUDICIARY, HOUSE OF REPRESENTATIVES, AS AMENDED, MARCH 11, 2014

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.

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

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

23 \* \* \*

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