

THE GENERAL ASSEMBLY OF PENNSYLVANIA

HOUSE BILL

No. 1879 Session of 2019

INTRODUCED BY GILLESPIE, ULLMAN, MILLARD, SCHLOSSBERG, BERNSTINE, HOHENSTEIN, ZIMMERMAN, MOUL, SOLOMON, HILL-EVANS, READSHAW, SAYLOR, SCHWEYER, DeLUCA, KLUNK, JONES, GREINER, M. K. KELLER, JAMES, ECKER, KORTZ AND T. DAVIS, SEPTEMBER 25, 2019

AS AMENDED ON SECOND CONSIDERATION, HOUSE OF REPRESENTATIVES, DECEMBER 16, 2019

AN ACT

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

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

6 Section 1. Section 2702(d) of Title 18 of the Pennsylvania
7 Consolidated Statutes is amended and subsection (c) is amended
8 by adding a paragraph PARAGRAPHS to read: <--

9 § 2702. Aggravated assault.

10 * * *

11 (c) Officers, employees, etc., enumerated.--The officers,
12 agents, employees and other persons referred to in subsection
13 (a) shall be as follows:

14 * * *

15 (39) A health care practitioner or technician.

16 (40) AN INDIVIDUAL WHOSE PRINCIPAL DUTIES ARE THE <--

1 MANAGEMENT OR OPERATION OF A PUBLIC RECREATION CENTER,
2 PLAYGROUND, PARK OR LIBRARY.

3 (41) A LOCAL CODE ENFORCEMENT OFFICIAL.

4 (d) Definitions.--As used in this section, the following
5 words and phrases shall have the meanings given to them in this
6 subsection:

7 "Electric or electronic incapacitation device." A portable
8 device which is designed or intended by the manufacturer to be
9 used, offensively or defensively, to temporarily immobilize or
10 incapacitate persons by means of electric pulse or current,
11 including devices operated by means of carbon dioxide
12 propellant. The term does not include cattle prods, electric
13 fences or other electric devices when used in agricultural,
14 animal husbandry or food production activities.

15 "Emergency medical services personnel." The term includes,
16 but is not limited to, doctors, residents, interns, registered
17 nurses, licensed practical nurses, nurse aides, ambulance
18 attendants and operators, paramedics, emergency medical
19 technicians and members of a hospital security force while
20 working within the scope of their employment.

21 "Health care practitioner." As defined in section 103 of the
22 act of July 19, 1979 (P.L.130, No.48), known as the Health Care
23 Facilities Act.

24 "Technician." As defined in section 2 of the act of December
25 20, 1985 (P.L.457, No.112), known as the Medical Practice Act of
26 1985.

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