
THE GENERAL ASSEMBLY OF PENNSYLVANIA

HOUSE BILL

No. 28 Session of
2023

INTRODUCED BY STRUZZI, JAMES, MARCELL, MOUL, PICKETT, RIGBY AND
SMITH, MARCH 7, 2023

REFERRED TO COMMITTEE ON JUDICIARY, MARCH 7, 2023

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(b) of Title 18 of the Pennsylvania
7 Consolidated Statutes is amended, subsection (a) is amended by
8 adding a paragraph and subsection (d) is amended by adding
9 definitions to read:

10 § 2702. Aggravated assault.

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

13 * * *

14 (3.1) attempts to cause or intentionally or knowingly
15 causes bodily injury to an individual whom he knows or should
16 know has an intellectual disability or an autism spectrum
17 disorder;

18 * * *

1 (b) Grading.--Aggravated assault under subsection (a) (1),
2 (2) and (9) is a felony of the first degree. Aggravated assault
3 under subsection (a) (3), (3.1), (4), (5), (6), (7) and (8) is a
4 felony of the second degree.

5 * * *

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

9 "Autism spectrum disorder." As defined in 42 Pa.C.S. § 5992
10 (relating to definitions), regardless of the age of the
11 individual.

12 * * *

13 "Intellectual disability." Regardless of the age of the
14 individual, significantly subaverage general intellectual
15 functioning of an individual that is accompanied by significant
16 limitations in adaptive functioning in at least two of the
17 following skill areas:

- 18 (1) Communication.
- 19 (2) Self-care.
- 20 (3) Home living.
- 21 (4) Social and interpersonal.
- 22 (5) Use of community resources.
- 23 (6) Self-direction.
- 24 (7) Functional academic.
- 25 (8) Work.
- 26 (9) Health and safety.

27 * * *

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