

Unofficial Draft Copy

As of: December 5, 2016 (12:06pm)

LC0223

**** Bill No. ****

Introduced By *****

By Request of the *****

A Bill for an Act entitled: "An Act solely creating the felony offense of assault on a health care worker or emergency responder; providing a penalty; and providing an immediate effective date."

Be it enacted by the Legislature of the State of Montana:

NEW SECTION. **Section 1. Assault on health care provider or emergency responder -- penalty -- definitions.** (1) A person commits the offense of assault on a health care provider or emergency responder if, while a health care provider or emergency responder is performing professional duties, the person:

(a) purposely or knowingly causes bodily injury to the health care provider or emergency responder;

(b) negligently causes bodily injury to the health care provider or emergency responder with a weapon; or

(c) purposely or knowingly causes the health care provider or emergency responder reasonable apprehension of bodily injury.

(2) A person convicted of assault on a health care provider or emergency responder shall be fined an amount not to exceed \$50,000 or be imprisoned for a term not to exceed 10 years, or both.

(3) As used in this section, the following definitions

apply:

(a) "Emergency responder" has the meaning provided in 45-5-214.

(b) "Health care provider" has the meaning provided in 50-4-504.

NEW SECTION. **Section 2. {standard} Codification**

instruction. [Section 1] is intended to be codified as an integral part of Title 45, chapter 5, part 2, and the provisions of Title 45, chapter 5, part 2, apply to [section 1].

NEW SECTION. **Section 3. {standard} Effective date.** [This act] is effective on passage and approval.

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