



1 (a) For purposes of this section:

2 (1) "Government representative" means any officer or employee  
3 of the state or a political subdivision thereof, or a person under  
4 contract with a state agency or political subdivision thereof.

5 (2) "Health care worker" means any nurse, nurse practitioner,  
6 physician, physician assistant or technician practicing at, and all  
7 persons employed by or under contract to a hospital, county or  
8 district health department, long-term care facility, physician's  
9 office, clinic or outpatient treatment facility.

10 (3) "Emergency service personnel" means any paid or volunteer  
11 firefighter, emergency medical technician, paramedic, or other  
12 emergency services personnel employed by or under contract with an  
13 emergency medical service provider or a state agency or political  
14 subdivision thereof.

15 (b) *Malicious assault.* -- Any person who maliciously shoots,  
16 stabs, cuts or wounds or by any means causes bodily injury with  
17 intent to maim, disfigure, disable or kill a government  
18 representative, health care worker or emergency service personnel  
19 acting in his or her official capacity, and the person committing  
20 the malicious assault knows or has reason to know that the victim  
21 is acting in his or her official capacity is guilty of a felony  
22 and, upon conviction thereof, shall be confined in a correctional  
23 facility for not less than ~~three nor more than~~ fifteen years.

24 (c) *Unlawful assault.* -- Any person who unlawfully but not

1 maliciously shoots, stabs, cuts or wounds or by any means causes a  
2 government representative, health care worker or emergency service  
3 personnel acting in his or her official capacity bodily injury with  
4 intent to maim, disfigure, disable or kill him or her and the  
5 person committing the unlawful assault knows or has reason to know  
6 that the victim is acting in his or her official capacity is guilty  
7 of a felony and, upon conviction thereof, shall be confined in a  
8 correctional facility for not less than ~~two nor more than five~~  
9 ~~years~~ ten years.

10 (d) *Battery*. -- Any person who unlawfully, knowingly and  
11 intentionally makes physical contact of an insulting or provoking  
12 nature with a government representative, health care worker or  
13 emergency service personnel acting in his or her official capacity,  
14 or unlawfully and intentionally causes physical harm to that person  
15 acting in such capacity, is guilty of a misdemeanor and, upon  
16 conviction thereof, shall be fined not more than \$500 or confined  
17 in jail not less than onemonth nor more than twelve months or both  
18 fined and confined. If any person commits a second such offense,  
19 he or she is guilty of a felony and, upon conviction thereof, shall  
20 be fined not more than \$1,000 or imprisoned in a state correctional  
21 facility not less than one year nor more than three years, or both  
22 fined and imprisoned. Any person who commits a third violation of  
23 this subsection is guilty of a felony and, upon conviction thereof,  
24 shall be fined not more than \$2,000 or imprisoned in a state

1 correctional facility not less than two years nor more than five  
2 years, or both fined and imprisoned.

3       (e) *Assault.* -- Any person who unlawfully attempts to commit  
4 a violent injury to the person of a government representative,  
5 health care worker or emergency service personnel acting in his or  
6 her official capacity, or unlawfully commits an act which places  
7 that person acting in his or her official capacity in reasonable  
8 apprehension of immediately receiving a violent injury, is guilty  
9 of a misdemeanor and, upon conviction thereof, shall be confined in  
10 jail for not less than twenty-four hours nor more than six months,  
11 fined not more than \$200, or both fined and confined.

NOTE: The purpose of this bill is to provide a mandatory sentence of fifteen years for any person who maliciously shoots a police officer on duty, while providing a mandatory sentence of ten years for any person who unlawfully, but not maliciously, shoots a police officer on duty.

Strike-throughs indicate language that would be stricken from the present law, and underscoring indicates new language that would be added.