

Representative Andrew Stoddard proposes the following substitute bill:

ASSAULT AGAINST HEALTH PROVIDERS AMENDMENTS

2020 GENERAL SESSION

STATE OF UTAH

Chief Sponsor: Andrew Stoddard

Senate Sponsor: Don L. Ipson

LONG TITLE

General Description:

This bill modifies the crime of assaulting a medical service worker.

Highlighted Provisions:

This bill:

- defines terms;
- modifies the crime of assaulting a medical service worker;
- modifies who qualifies as a medical service worker for purposes of the crime of assaulting a medical service worker; and
- makes technical and conforming changes.

Money Appropriated in this Bill:

None

Other Special Clauses:

None

Utah Code Sections Affected:

AMENDS:

76-5-102.7, as last amended by Laws of Utah 2017, Chapters 123 and 326

Be it enacted by the Legislature of the state of Utah:



Section 1. Section **76-5-102.7** is amended to read:

76-5-102.7. Assault against medical service worker -- Penalty.

(1) As used in this section:

(a) "Assault" means the same as that term is described in Section [76-5-102](#).

(b) "Emergency medical service worker" means a person licensed under Section [26-8a-302](#).

(c) "Health care provider" means the same as that term is defined in Section [78B-3-403](#).

(d) "Medical service worker" means an emergency medical service worker, a health care provider, or a mental health therapist.

(e) "Mental health therapist" means the same as that term is defined in Section [58-60-102](#).

~~[(1)]~~ (2) ~~[A person]~~ An individual who commits an assault ~~[or threat of violence]~~ against a ~~[health care provider or emergency medical service worker]~~ medical service worker is guilty of a class A misdemeanor if:

(a) the ~~[person]~~ individual is not a prisoner or a person detained under Section [77-7-15](#); and

(b) at the time of the assault:

(i) the ~~[person]~~ individual knew that the victim was a ~~[health care provider or emergency medical service worker]~~ medical service worker; and

~~[(c)]~~ ~~Ĥ→~~ (ii) ~~[Ĥ] the [health care provider or emergency]~~ medical service worker was performing

emergency or life saving duties within the scope of [his or her] the medical service worker's authority at the time of the

assault. [Ĥ] ←Ĥ

~~Ĥ→ [(ii) the medical service worker was performing a duty within the scope of the medical service worker's authority.] ←Ĥ~~

~~[(2)]~~ (3) ~~[A person]~~ An individual who violates Subsection ~~[(1)]~~ (2) is guilty of a third degree felony if the ~~[person]~~ individual:

(a) causes substantial bodily injury, as defined in Section [76-1-601](#); and

(b) acts intentionally or knowingly.

~~[(3) As used in this section:]~~

~~[(a) "Assault" means the same as that term is defined in Section [76-5-102](#).]~~

57 ~~[(b) "Emergency medical service worker" means a person licensed under Section~~
58 ~~26-8a-302.]~~

59 ~~[(c) "Health care provider" means the same as that term is defined in Section~~
60 ~~78B-3-403.]~~

61 ~~[(d) "Threat of violence" means the same as that term is defined in Section 76-5-107.]~~