

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

27 **76-5-102.7. Assault against medical service worker -- Penalty.**

28 (1) As used in this section:

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

30 (b) "Emergency medical service worker" means a person licensed under Section
31 26-8a-302.

32 (c) "Health care provider" means the same as that term is defined in Section
33 78B-3-403.

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

36 (e) "Mental health therapist" means the same as that term is defined in Section
37 58-60-102.

38 ~~[(1)]~~ **(2)** ~~[A person]~~ An individual who commits an assault ~~[or threat of violence]~~
39 against a ~~[health care provider or emergency medical service worker]~~ medical service worker is
40 guilty of a class A misdemeanor if:

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

43 (b) at the time of the assault:

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

46 ~~[(c)]~~ **H→ (ii)** ~~[f] the [health care provider or emergency]~~ **medical service worker was**
46a **performing**
47 **emergency or life saving duties within the scope of [his or her] the medical service worker's**
47a **authority at the time of the**
48 **assault. [j] ←H**

49 **H→ [(ii) the medical service worker was performing a duty within the scope of the medical**
50 **service worker's authority.] ←H**

51 ~~[(2)]~~ **(3)** ~~[A person]~~ An individual who violates Subsection ~~[(1)]~~ **(2)** is guilty of a third
52 degree felony if the ~~[person]~~ individual:

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

54 (b) acts intentionally or knowingly.

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

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