

**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:*



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)]~~  **$\hat{H} \rightarrow$  (ii) [H] 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. [H]  $\leftarrow \hat{H}$****

49  ****$\hat{H} \rightarrow$  ~~(ii) the medical service worker was performing a duty within the scope of the medical~~****  
50 ****service worker's authority.  $\leftarrow \hat{H}$****

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.]~~**

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.~~]