

## HB0411S01 compared with HB0411

~~deleted text~~ shows text that was in HB0411 but was deleted in HB0411S01.

inserted text shows text that was not in HB0411 but was inserted into HB0411S01.

**DISCLAIMER:** This document is provided to assist you in your comparison of the two bills. Sometimes this automated comparison will NOT be completely accurate. Therefore, you need to read the actual bills. This automatically generated document could contain inaccuracies caused by: limitations of the compare program; bad input data; or other causes.

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: \_\_\_\_\_

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#### 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:

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None

### Utah Code Sections Affected:

AMENDS:

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

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*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 ~~worker~~ therapist.

(e) "Mental health ~~worker~~" means an individual who is not a health care provider, but, through experience and training, is qualified to participate in the psychological or psychiatric care of a patient.

~~——~~ (f) "Threat of violence" ~~therapist~~" means the same as that term is defined in Section ~~76-5-107~~ 58-60-102.

(~~†~~) (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 medical service worker was performing a duty within the scope of the medical service worker's authority; and

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

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### a duty within the scope of the medical service workers authority.

~~[(c) the health care provider or emergency medical service worker was performing emergency or life saving duties within the scope of his or her authority at the time of the assault.]~~

~~{ (ii) the medical service worker was performing a duty within the scope of the medical service worker's authority.~~

† [(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.]~~

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