

Representative Stephen G. Handy proposes the following substitute bill:

TRANSIT WORKER SAFETY AMENDMENTS

2022 GENERAL SESSION

STATE OF UTAH

Chief Sponsor: Stephen G. Handy

Senate Sponsor: _____

LONG TITLE

General Description:

This bill concerns the offense of assault or threat of violence against a transit worker.

Highlighted Provisions:

This bill:

- ▶ defines terms;
- ▶ creates the offense of assault or threat of violence against a transit worker;
- ▶ provides a sunset date; and
- ▶ makes technical and conforming changes.

Money Appropriated in this Bill:

None

Other Special Clauses:

This bill provides a coordination clause.

Utah Code Sections Affected:

AMENDS:

63I-1-276, as last amended by Laws of Utah 2019, Chapters 136 and 440

ENACTS:

76-5-102.10, Utah Code Annotated 1953

Utah Code Sections Affected by Coordination Clause:



26 [76-5-102.10](#), Utah Code Annotated 1953

27

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

29 Section 1. Section **63I-1-276** is amended to read:

30 **63I-1-276. Repeal dates, Title 76.**

31 Section [76-5-102.10](#), Assault or threat of violence against a transit worker, is repealed
32 July 1, 2024.

33 Section 2. Section **76-5-102.10** is enacted to read:

34 **76-5-102.10. Assault or threat of violence against a transit worker.**

35 (1) As used in this section:

36 (a) "Assault" means an offense under Section [76-5-102](#).

37 (b) "Public transit" means the same as that term is defined in Section [17B-2a-802](#).

38 (c) "Public transit district" means the same as that term is defined in Section
39 [17B-2a-802](#).

40 (d) "Public transit provider" means:

41 (i) a public transit district; or

42 (ii) a political subdivision that provides public transit.

43 (e) "Threat of violence" means an offense under Section [76-5-107](#).

44 (f) "Transit worker" means an individual:

45 (i) employed by a public transit provider to transport passengers; or

46 (ii) employed by, or an independent contractor for, an entity that contracts with a public
47 transit provider to transport passengers.

48 (2) An actor commits assault or threat of violence against a transit worker if:

49 (a) the actor commits an assault or threat of violence against a transit worker;

50 (b) the actor has knowledge that the transit worker is a transit worker; and

51 (c) the transit worker is acting within the scope of the transit worker's authority as a
52 transit worker.

53 (3) A violation of Subsection (2) is a class A misdemeanor.

54 Section 3. **Coordinating H.B. 415 with S.B. 123 -- Technical amendment.**

55 If this H.B. 415 and S.B. 123, Criminal Code Recodification, both pass and become
56 law, it is the intent of the Legislature that the Office of Legislative Research and General

57 Counsel prepare the Utah Code database for publication by amending Subsection

58 76-5-102.10(1) to read:

59 "(1) (a) As used in this section:

60 (i) "Assault" means an offense under Section 76-5-102.

61 (ii) "Public transit" means the same as that term is defined in Section 17B-2a-802.

62 (iii) "Public transit district" means the same as that term is defined in Section

63 17B-2a-802.

64 (iv) "Public transit provider" means:

65 (A) a public transit district; or

66 (B) a political subdivision that provides public transit.

67 (v) "Threat of violence" means an offense under Section 76-5-107.

68 (vi) "Transit worker" means an individual:

69 (A) employed by a public transit provider to transport passengers; or

70 (B) employed by, or an independent contractor for, an entity that contracts with a

71 public transit provider to transport passengers.

72 (b) The terms defined in Section 76-1-101.5 apply to this section."