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H.265

Introduced by Representatives Koch of Barre Town, McFaun of Barre Town
and Lewis of Berlin

Referred to Committee on

Date:

Subject: Crimes; assault of health care worker

Statement of purpose: This bill proposes to enhance the penalties for assault of
a health care worker.

An act relating to assault of a health care worker

It is hereby enacted by the General Assembly of the State of Vermont:

Sec. 1. 13 V.S.A. § 1028 is amended to read:

§ 1028. ASSAULT OF LAW ENFORCEMENT OFFICER, FIREFIGHTER,
~~EMERGENCY ROOM PERSONNEL, OR EMERGENCY~~
~~MEDICAL PERSONNEL MEMBER~~ HEALTH CARE WORKER;
ASSAULT WITH BODILY FLUIDS

(a) A person convicted of a simple or aggravated assault against a law
enforcement officer, firefighter, ~~emergency room personnel,~~ health care
provider as defined in 18 V.S.A. § 9432(8), an employee of a health care
facility as defined in 18 V.S.A. § 9432(7), or a member of emergency services
personnel as defined in ~~subdivision 24 V.S.A. § 2651(6) of Title 24~~ while the

1 officer, firefighter, health care provider, employee, or emergency medical
2 personnel member is performing a lawful duty, in addition to any other
3 penalties imposed under sections 1023 and 1024 of this title, shall:

4 (1) For the first offense, be imprisoned not more than one year;

5 (2) For the second offense and subsequent offenses, be imprisoned not
6 more than ten years.

7 (b)(1) No person shall intentionally cause blood, vomitus, excrement,
8 mucus, saliva, semen, or urine to come in contact with a law enforcement
9 officer while the officer is performing a lawful duty.

10 (2) A person who violates this subsection shall be imprisoned not more
11 than one year or fined not more than \$1,000.00, or both.