

1 S.66

2 Introduced by Senator Illuzzi

3 Referred to Committee on

4 Date:

5 Subject: Crimes; assault of health care worker

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

8 An act relating to assault of a health care worker

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

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

11 § 1028. ASSAULT OF LAW ENFORCEMENT OFFICER, FIREFIGHTER,
12 ~~EMERGENCY ROOM PERSONNEL, OR EMERGENCY~~
13 ~~MEDICAL PERSONNEL MEMBER~~ HEALTH CARE WORKER;
14 ASSAULT WITH BODILY FLUIDS

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

1 member is performing a lawful duty, in addition to any other penalties imposed
2 under sections 1023 and 1024 of this title, shall:

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

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

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

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

11 Sec. 2. EFFECTIVE DATE

12 This act shall take effect on passage.