

SECOND REGULAR SESSION

# HOUSE BILL NO. 1618

## 92ND GENERAL ASSEMBLY

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INTRODUCED BY REPRESENTATIVES SKAGGS (Sponsors), SELBY, KELLY (36), WILSON (42),  
DAUS, BISHOP, PAGE, MEINERS AND HILGEMANN (Co-sponsors).

Read 1<sup>st</sup> time March 3, 2004, and copies ordered printed.

STEPHEN S. DAVIS, Chief Clerk

4752L.01I

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### AN ACT

To repeal sections 565.081, 565.082, and 565.083, RSMo, and to enact in lieu thereof three new sections relating to assault of a law enforcement officer, emergency personnel, or security officer, with penalty provisions.

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*Be it enacted by the General Assembly of the state of Missouri, as follows:*

Section A. Sections 565.081, 565.082, and 565.083, RSMo, are repealed and three new sections enacted in lieu thereof, to be known as sections 565.081, 565.082, and 565.083, to read as follows:

565.081. 1. A person commits the crime of assault of a law enforcement officer, **security officer**, or emergency personnel in the first degree if such person attempts to kill or knowingly causes or attempts to cause serious physical injury to a law enforcement officer, **security officer**, or emergency personnel.

2. As used in this section[,] **the following terms shall mean:**

(1) "Emergency personnel" [means], any paid or volunteer firefighter, emergency room or trauma center personnel, or emergency medical technician as defined in subdivisions (15), (16), and (17) of section 190.100, RSMo;

(2) "**Security officer**", an individual wearing a distinctive uniform or badge indicating the individual's employment as a security officer.

3. Assault of a law enforcement officer, **security officer**, or emergency personnel in the first degree is a class A felony.

**EXPLANATION — Matter enclosed in bold faced brackets [thus] in this bill is not enacted and is intended to be omitted in the law. Matter in boldface type in the above law is proposed language.**

565.082. 1. A person commits the crime of assault of a law enforcement officer,  
2 **security officer**, or emergency personnel in the second degree if such person:

3 (1) Knowingly causes or attempts to cause physical injury to a law enforcement officer,  
4 **security officer**, or emergency personnel by means of a deadly weapon or dangerous instrument;

5 (2) Recklessly causes serious physical injury to a law enforcement officer, **security**  
6 **officer**, or emergency personnel; or

7 (3) While in an intoxicated condition or under the influence of controlled substances or  
8 drugs, operates a motor vehicle in this state and when so operating, acts with criminal negligence  
9 to cause physical injury to a law enforcement officer, **security officer**, or emergency personnel.

10 2. As used in this section[,] **the following terms shall mean:**

11 (1) "Emergency personnel" [means], any paid or volunteer firefighter, emergency room  
12 or trauma center personnel, or emergency medical technician as defined in subdivisions (15),  
13 (16), and (17) of section 190.100, RSMo;

14 (2) "**Security officer**", **an individual wearing a distinctive uniform or badge**  
15 **indicating the individual's employment as a security officer.**

16 3. Assault of a law enforcement officer, **security officer**, or emergency personnel in the  
17 second degree is a class B felony.

565.083. 1. A person commits the crime of assault of a law enforcement officer,  
2 **security officer**, or emergency personnel in the third degree if:

3 (1) Such person attempts to cause or recklessly causes physical injury to a law  
4 enforcement officer, **security officer**, or emergency personnel;

5 (2) With criminal negligence such person causes physical injury to a law enforcement  
6 officer, **security officer**, or emergency personnel by means of a deadly weapon;

7 (3) Such person purposely places a law enforcement officer, **security officer**, or  
8 emergency personnel in apprehension of immediate physical injury;

9 (4) With criminal negligence such person creates a grave risk of death or serious physical  
10 injury to a law enforcement officer, **security officer**, or emergency personnel; or

11 (5) Such person knowingly causes or attempts to cause physical contact with a law  
12 enforcement officer, **security officer**, or emergency personnel without the consent of the law  
13 enforcement officer, **security officer**, or emergency personnel.

14 2. As used in this section[,] **the following terms shall mean:**

15 (1) "Emergency personnel" [means], any paid or volunteer firefighter, emergency room  
16 or trauma center personnel, or emergency medical technician as defined in subdivisions (15),  
17 (16), and (17) of section 190.100, RSMo;

18 (2) "**Security officer**", **an individual wearing a distinctive uniform or badge**  
19 **indicating the individual's employment as a security officer.**

20           3. Assault of a law enforcement officer, **security officer**, or emergency personnel in the  
21   third degree is a class A misdemeanor.