

HOUSE _____ **AMENDMENT NO.** _____

Offered By

AMEND House Committee Substitute for Senate Bill No. 48, Page 1, In the Title, Line 4, by inserting after "RSMo," the following: "section 565.082 as enacted by conference committee substitute for senate substitute for senate committee substitute for house committee substitute for house bill no. 62, ninety-fifth general assembly, first regular session and section 565.082 as enacted by conference committee substitute for senate substitute for senate committee substitute for house bill no. 683, ninety-fifth general assembly, first regular session"; and

Further amend said bill, Page 1, Section A, Line 3, by inserting after "RSMo," the following: "section 565.082 as enacted by conference committee substitute for senate substitute for senate committee substitute for house committee substitute for house bill no. 62, ninety-fifth general assembly, first regular session and section 565.082 as enacted by conference committee substitute for senate substitute for senate committee substitute for house bill no. 683, ninety-fifth general assembly, first regular session"; and

Further amend said bill, Page 19, Section 414.570, Line 36, by inserting after all of said section and line, the following:

“565.081. 1. A person commits the crime of assault of a law enforcement officer, corrections officer, emergency personnel, highway worker in a construction zone or work zone, utility worker, or probation and parole officer 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, corrections officer, emergency personnel, highway worker in a construction zone or work zone, utility worker, or probation and parole officer.

2. As used in this section, "emergency personnel" means any paid or volunteer firefighter, emergency room or trauma center personnel, or emergency medical technician as defined in subdivisions (15), (16), (17), and (18) of section 190.100.

3. As used in this section the term "corrections officer" includes any jailer or corrections officer of the state or any political subdivision of the state.

4. When used in this section, the terms "highway worker", "construction zone", or "work

zone" shall have the same meaning as such terms are defined in section 304.580.

5. As used in this section, the term "utility worker" means any employee while in performance of their job duties, including any person employed under contract, of a utility that provides gas, heat, electricity, water, steam, telecommunications services, or sewer services, whether privately, municipally, or cooperatively owned.

6. Assault of a law enforcement officer, corrections officer, emergency personnel, highway worker in a construction zone or work zone, utility worker, or probation and parole officer in the first degree is a class A felony.

[565.082. 1. A person commits the crime of assault of a law enforcement officer, corrections officer, emergency personnel, or probation and parole officer in the second degree if such person:

(1) Knowingly causes or attempts to cause physical injury to a law enforcement officer, corrections officer, emergency personnel, or probation and parole officer by means of a deadly weapon or dangerous instrument;

(2) Knowingly causes or attempts to cause physical injury to a law enforcement officer, corrections officer, emergency personnel, highway worker in a construction zone or work zone, or probation and parole officer by means other than a deadly weapon or dangerous instrument;

(3) Recklessly causes serious physical injury to a law enforcement officer, corrections officer, emergency personnel, or probation and parole officer; or

(4) While in an intoxicated condition or under the influence of controlled substances or drugs, operates a motor vehicle or vessel in this state and when so operating, acts with criminal negligence to cause physical injury to a law enforcement officer, corrections officer, emergency personnel, or probation and parole officer;

(5) Acts with criminal negligence to cause physical injury to a law enforcement officer, corrections officer, emergency personnel, or probation and parole officer by means of a deadly weapon or dangerous instrument;

(6) Purposely or recklessly places a law enforcement officer, corrections officer, emergency personnel, or probation and parole officer in apprehension of immediate serious physical injury; or

(7) Acts with criminal negligence to create a substantial risk of death or serious physical injury to a law enforcement officer, corrections officer, emergency personnel, or probation and parole officer.

2. As used in this section, "emergency personnel" means any paid or volunteer firefighter, emergency room or trauma center personnel, or emergency medical technician as defined in subdivisions (15), (16), (17), and (18) of section 190.100.

3. As used in this section the term "corrections officer" includes any jailer or corrections officer of the state or any political subdivision of the state.

4. Assault of a law enforcement officer, corrections officer, emergency personnel, or probation and parole officer in the second degree is a class B felony unless committed pursuant to subdivision (2), (5), (6), or (7) of subsection 1 of this section in which case it is a class C felony.]

1 565.082. 1. A person commits the crime of assault of a law enforcement officer,
2 corrections officer, emergency personnel, highway worker in a construction zone or work zone,
3 utility worker, or probation and parole officer in the second degree if such person:

4 (1) Knowingly causes or attempts to cause physical injury to a law enforcement officer,
5 corrections officer, emergency personnel, highway worker in a construction zone or work zone,
6 utility worker, or probation and parole officer by means of a deadly weapon or dangerous
7 instrument;

8 (2) Knowingly causes or attempts to cause physical injury to a law enforcement officer,
9 corrections officer, emergency personnel, highway worker in a construction zone or work zone,
10 utility worker, or probation and parole officer by means other than a deadly weapon or dangerous
11 instrument;

12 (3) Recklessly causes serious physical injury to a law enforcement officer, corrections
13 officer, emergency personnel, highway worker in a construction zone or work zone, utility worker,
14 or probation and parole officer; or

15 (4) While in an intoxicated condition or under the influence of controlled substances or
16 drugs, operates a motor vehicle or vessel in this state and when so operating, acts with criminal
17 negligence to cause physical injury to a law enforcement officer, corrections officer, emergency
18 personnel, highway worker in a construction zone or work zone, utility worker, or probation and
19 parole officer;

20 (5) Acts with criminal negligence to cause physical injury to a law enforcement officer,
21 corrections officer, emergency personnel, highway worker in a construction zone or work zone,
22 utility worker, or probation and parole officer by means of a deadly weapon or dangerous
23 instrument;

24 (6) Purposely or recklessly places a law enforcement officer, corrections officer,
25 emergency personnel, highway worker in a construction zone or work zone, utility worker, or
26 probation and parole officer in apprehension of immediate serious physical injury; or

27 (7) Acts with criminal negligence to create a substantial risk of death or serious physical
28 injury to a law enforcement officer, corrections officer, emergency personnel, highway worker in
29 a construction zone or work zone, utility worker, or probation and parole officer.

30 2. As used in this section, "emergency personnel" means any paid or volunteer firefighter,
31 emergency room or trauma center personnel, or emergency medical technician as defined in
32 subdivisions (15), (16), (17), and (18) of section 190.100.

33 3. As used in this section the term "corrections officer" includes any jailer or corrections
34 officer of the state or any political subdivision of the state.

35 4. When used in this section, the terms "highway worker", "construction zone", or "work
36 zone" shall have the same meaning as such terms are defined in section 304.580.

1 5. As used in this section, the term "utility worker" means any employee while in
2 performance of their job duties, including any person employed under contract, of a utility that
3 provides gas, heat, electricity, water, steam, telecommunications services, or sewer services,
4 whether privately, municipally, or cooperatively owned.

5 6. Assault of a law enforcement officer, corrections officer, emergency personnel,
6 highway worker in a construction zone or work zone, utility worker, or probation and parole
7 officer in the second degree is a class B felony unless committed pursuant to subdivision (2), (5),
8 (6), or (7) of subsection 1 of this section in which case it is a class C felony. For any violation of
9 subdivision (1), (3), or (4) of subsection 1 of this section, the defendant must serve mandatory jail
10 time as part of his or her sentence.

11 565.083. 1. A person commits the crime of assault of a law enforcement officer,
12 corrections officer, emergency personnel, highway worker in a construction zone or work zone,
13 utility worker, or probation and parole officer in the third degree if:

14 (1) Such person recklessly causes physical injury to a law enforcement officer, corrections
15 officer, emergency personnel, highway worker in a construction zone or work zone, utility worker,
16 or probation and parole officer;

17 (2) Such person purposely places a law enforcement officer, corrections officer,
18 emergency personnel, highway worker in a construction zone or work zone, utility worker, or
19 probation and parole officer in apprehension of immediate physical injury;

20 (3) Such person knowingly causes or attempts to cause physical contact with a law
21 enforcement officer, corrections officer, emergency personnel, highway worker in a construction
22 zone or work zone, utility worker, or probation and parole officer without the consent of the law
23 enforcement officer, corrections officer, emergency personnel, highway worker in a construction
24 zone or work zone, utility worker, or probation and parole officer.

25 2. As used in this section, "emergency personnel" means any paid or volunteer firefighter,
26 emergency room or trauma center personnel, or emergency medical technician as defined in
27 subdivisions (15), (16), (17), and (18) of section 190.100.

28 3. As used in this section the term "corrections officer" includes any jailer or corrections
29 officer of the state or any political subdivision of the state.

30 4. When used in this section, the terms "highway worker", "construction zone", or "work
31 zone" shall have the same meaning as such terms are defined in section 304.580.

32 5. As used in this section, the term "utility worker" means any employee while in
33 performance of their job duties, including any person employed under contract, of a utility that
34 provides gas, heat, electricity, water, steam, telecommunications services, or sewer services,
35 whether privately, municipally, or cooperatively owned.

36 6. Assault of a law enforcement officer, corrections officer, emergency personnel,

1 highway worker in a construction zone or work zone, utility worker, or probation and parole
2 officer in the third degree is a class A misdemeanor.”; and
3
4 Further amend said bill by amending the title, enacting clause, and intersectional references
5 accordingly.