

HOUSE**AMENDMENT NO. ____****Offered by****of**

1 AMEND House Committee Substitute for Senate Committee Substitute
 2 for Senate Bill No. 648, Page 9, Section 304.154, Line 64, by
 3 inserting after all of said line the following:

4 "565.066. 1. A person commits the crime of assault of a
 5 utility worker or an employee of a mass transit system while in
 6 the scope of his or her duties in the first degree if such person
 7 attempts to kill or knowingly causes or attempts to cause serious
 8 physical injury to a utility worker or an employee of a mass
 9 transit system while in the scope of his or her duties.

10 2. As used in this section, the term "utility worker" means
 11 any employee, including any person employed under contract, of a
 12 utility that provides gas, heat, electricity, water, steam,
 13 telecommunications services, or sewer services, whether
 14 privately, municipally, or cooperatively owned.

15 3. As used in this section, "mass transit system", includes
 16 employees of public bus and light rail companies.

17 4. Assault of a utility worker or an employee of a mass
 18 transit system in the first degree is a class B felony.

19 565.067. 1. A person commits the crime of assault of a
 20 utility worker or an employee of a mass transit system while in
 21 the scope of his or her duties in the second degree if such
 22 person:

23 (1) Knowingly causes or attempts to cause physical injury
 24 to a utility worker or an employee of a mass transit system while
 25 in the scope of his or her duties by means of a deadly weapon or
 26 dangerous instrument;

27 (2) Knowingly causes or attempts to cause physical injury
 28 to a utility worker or an employee of a mass transit system while
 29 in the scope of his or her duties by means other than a deadly

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1 weapon or dangerous instrument;

2 (3) Recklessly causes serious physical injury to a utility
3 worker or an employee of a mass transit system while in the scope
4 of his or her duties;

5 (4) While in an intoxicated condition or under the
6 influence of controlled substances or drugs, operates a motor
7 vehicle in this state and when so operating, acts with criminal
8 negligence to cause physical injury to a utility worker or an
9 employee of a mass transit system while in the scope of his or
10 her duties;

11 (5) Acts with criminal negligence to cause physical injury
12 to a utility worker or an employee of a mass transit system while
13 in the scope of his or her duties by means of a deadly weapon or
14 dangerous instrument;

15 (6) Purposely or recklessly places a utility worker or an
16 employee of a mass transit system while in the scope of his or
17 her duties in apprehension of immediate serious physical injury;
18 or

19 (7) Acts with criminal negligence to create a substantial
20 risk of death or serious physical injury to a utility worker or
21 an employee of a mass transit system while in the scope of his or
22 her duties.

23 2. As used in this section, the term "utility worker" means
24 any employee, including any person employed under contract, of a
25 utility that provides gas, heat, electricity, water, steam,
26 telecommunications services, or sewer services, whether
27 privately, municipally, or cooperatively owned.

28 3. As used in this section, "mass transit system", includes
29 employees of public bus and light rail companies.

30 4. Assault of a utility worker or an employee of a mass
31 transit system while in the scope of his or her duties in the
32 second degree is a class C felony unless committed under
33 subdivision (2), (5), (6), or (7) of subsection 1 of this section
34 in which case it is a class B felony.

35 565.068. 1. A person commits the crime of assault of a
36 utility worker or an employee of a mass transit system while in
37 the scope of his or her duties in the third degree if:

1 (1) Such person recklessly causes physical injury to a
2 utility worker or an employee of a mass transit system while in
3 the scope of his or her duties;

4 (2) Such person purposely places a utility worker or an
5 employee of a mass transit system while in the scope of his or
6 her duties in apprehension of immediate physical injury;

7 (3) Such person knowingly causes or attempts to cause
8 physical contact with a utility worker or an employee of a mass
9 transit system while in the scope of his or her duties without
10 the consent of the utility worker or employee of the mass transit
11 system.

12 2. As used in this section, the term "utility worker" means
13 any employee, including any person employed under contract, of a
14 utility that provides gas, heat, electricity, water, steam,
15 telecommunications services, or sewer services, whether
16 privately, municipally, or cooperatively owned.

17 3. As used in this section, "mass transit system", includes
18 employees of public bus and light rail companies.

19 4. Assault of a utility worker or an employee of a mass
20 transit system while in the scope of his or her duties in the
21 third degree is a class A misdemeanor."; and

22 Further amend said title, enacting clause and intersectional
23 references accordingly.