

HOUSEAMENDMENT NO. \_\_\_\_Offered byof

1 AMEND House Committee Substitute for Senate Committee Substitute  
 2 for Senate Bill No. 45, Page 5, Section 488.26, Line 20, by  
 3 inserting after all of said line the following:

4 "565.087. 1. A person commits the crime of assault of an  
 5 employee of a mass transit system while in the scope of his or  
 6 her duties in the first degree if such person attempts to kill or  
 7 knowingly causes or attempts to cause serious physical injury to  
 8 an employee of a mass transit system while in the scope of his or  
 9 her duties.

10 2. As used in this section, "mass transit system" includes  
 11 employees of public bus and light rail companies.

12 3. Assault of an employee of a mass transit system in the  
 13 first degree is a class B felony.

14 565.088. 1. A person commits the crime of assault of an  
 15 employee of a mass transit system while in the scope of his or  
 16 her duties in the second degree if such person:

17 (1) Knowingly causes or attempts to cause physical injury  
 18 to an employee of a mass transit system while in the scope of his  
 19 or her duties by means of a deadly weapon or dangerous  
 20 instrument;

21 (2) Knowingly causes or attempts to cause physical injury  
 22 to an employee of a mass transit system while in the scope of his  
 23 or her duties by means other than a deadly weapon or dangerous  
 24 instrument;

25 (3) Recklessly causes serious physical injury to an  
 26 employee of a mass transit system while in the scope of his or  
 27 her duties;

28 (4) While in an intoxicated condition or under the  
 29 influence of controlled substances or drugs, operates a motor

Action Taken \_\_\_\_\_ Date \_\_\_\_\_

1 vehicle in this state and when so operating, acts with criminal  
2 negligence to cause physical injury to an employee of a mass  
3 transit system while in the scope of his or her duties;

4 (5) Acts with criminal negligence to cause physical injury  
5 to an employee of a mass transit system while in the scope of his  
6 or her duties by means of a deadly weapon or dangerous  
7 instrument;

8 (6) Purposely or recklessly places an employee of a mass  
9 transit system while in the scope of his or her duties in  
10 apprehension of immediate serious physical injury; or

11 (7) Acts with criminal negligence to create a substantial  
12 risk of death or serious physical injury to an employee of a mass  
13 transit system while in the scope of his or her duties.

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

16 3. Assault of an employee of a mass transit system while in  
17 the scope of his or her duties in the second degree is a class C  
18 felony unless committed under subdivision (2), (5), (6), or (7)  
19 of subsection 1 of this section in which case it is a class D  
20 felony.

21 565.089. 1. A person commits the crime of assault of an  
22 employee of a mass transit system while in the scope of his or  
23 her duties in the third degree if:

24 (1) Such person recklessly causes physical injury to an  
25 employee of a mass transit system while in the scope of his or  
26 her duties;

27 (2) Such person purposely places an employee of a mass  
28 transit system while in the scope of his or her duties in  
29 apprehension of immediate physical injury;

30 (3) Such person knowingly causes or attempts to cause  
31 physical contact with an employee of a mass transit system while  
32 in the scope of his or her duties without the consent of the  
33 employee of the mass transit system.

34 2. As used in this section, "mass transit system" includes  
35 employees of public bus and light rail companies.

36 3. Assault of an employee of a mass transit system while in  
37 the scope of his or her duties in the third degree is a class B

1    misdemeanor."; and

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3           Further amend said title, enacting clause and intersectional  
4    references accordingly.