

HB 2072 -- THE OFFENSE OF ASSAULT IN THE FOURTH DEGREE

SPONSOR: Phelps

COMMITTEE ACTION: Voted "Do Pass" by the Standing Committee on Health and Mental Health by a vote of 15 to 0.

This bill amends the offense of assault in the fourth degree to include when a person knowingly causes physical pain to a special victim, defined in Section 565.002, RSMo. If a person commits the offense under this provision, the person will be guilty of a class A misdemeanor unless the person has previously pled guilty or been found guilty of being a prior or persistent assault offender, defined in Section 565.079, in which case the person will be guilty of a class E felony. If a person has previously pled or been found guilty of an assault offense on two or more occasions and the person violates the provisions of this bill, the person will be guilty of a class D felony. A person found guilty under the provisions of this bill will be required to serve at least six months' imprisonment for a first offense and at least one year for a second or subsequent offense prior to being eligible for probation or parole and the person will not be sentenced to pay a fine.

PROPOSERS: Supporters say that there is an awareness of the issue of increasing violence against health care workers. A survey conducted of nurses, techs, EMTs, and paramedics indicated that these people view being harassed and assaulted as part of the job, which is unacceptable.

Testifying in person for the bill were Representative Phelps; Andrew Wrenn; Ambulance District Association of Missouri; BJC Healthcare Systems; Mosaic Life Care; Missouri Ambulance Association; David Barnes, Missouri Emergency Nurses Association; Felicia Hampton, Missouri Nurses Association; Missouri College of Emergency Physicians; Missouri State Medical Association; Missouri Association of Osteopathic Physicians and Surgeons; Missouri Rural Health Association; and Arnie Dienoff.

OPPOSERS: There was no opposition voiced to the committee.

Written testimony has been submitted for this bill. The full written testimony and witnesses testifying online can be found under Testimony on the bill page on the House website.