

HOUSE BILL NO. HB0263

Assault-contamination.

Sponsored by: Representative(s) Bagby, Berger, Bucholz and  
Martin and Senator(s) Caller and Vasey

A BILL

for

1 AN ACT relating to crimes and offenses; establishing the  
2 crimes of assault by contamination and aggravated assault  
3 by contamination; specifying elements; providing penalties;  
4 making conforming amendments; and providing for an  
5 effective date.

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7 *Be It Enacted by the Legislature of the State of Wyoming:*

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9 **Section 1.** W.S. 6-2-508 is created to read:

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11 **6-2-508. Assault by contamination; aggravated assault**  
12 **by contamination; penalties.**

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14 (a) As used in this section:

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1           (i) "Bodily tissues, fluids or wastes" means  
2 substances or secretions from the human body, including but  
3 not limited to, skin, flesh, blood, saliva, urine and  
4 feces;

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6           (ii) "Peace officer" means as defined by W.S.  
7 7-2-101(a)(iv);

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9           (iii) "Probation officer" means a state, county,  
10 municipal or other court-appointed official or employee  
11 assigned and trained in the performance of probation  
12 supervision services;

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14           (iv) "Serious contagious or infectious disease"  
15 means any disease or contagion that bears a substantial  
16 probability of death or grave physical or mental injury or  
17 debilitation for any person who comes into contact with or  
18 contracts the disease or contagion, including but not  
19 limited to, Human Immunodeficiency Virus (HIV) and  
20 Hepatitis.

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22           (b) A person is guilty of assault by contamination if  
23 he purposefully or knowingly causes one (1) or more of his  
24 bodily tissues, fluids or wastes to make physical contact

1 with, or be introduced into the food or drink of, a peace  
2 officer, probation officer, or an inmate, staff member or  
3 authorized visitor of a state, county or municipal  
4 correctional facility or work release center.

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6 (c) A person is guilty of aggravated assault by  
7 contamination if, at the time of the assault, the person  
8 knows he has a serious contagious or infectious disease and  
9 purposefully or knowingly causes one (1) or more of his  
10 bodily tissues, fluids or wastes to make physical contact  
11 with, or be introduced into the food or drink of, a peace  
12 officer, probation officer, or an inmate, staff member or  
13 authorized visitor of a state, county or municipal  
14 correctional facility or work release center.

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16 (d) Assault by contamination is a misdemeanor  
17 punishable by imprisonment for not more than six (6)  
18 months, a fine of not more than seven hundred fifty dollars  
19 (\$750.00), or both. Aggravated assault by contamination is  
20 a felony punishable by not more than ten (10) years  
21 imprisonment. Any sentence imposed upon conviction  
22 pursuant to this subsection shall be served consecutively  
23 to any sentence currently being served.

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