

HOUSE BILL NO. HB0129

Assault-amendments.

Sponsored by: Representative(s) Bagby and Buchanan and
Senator(s) 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 providing definitions; modifying definition of violent
5 felony to include aggravated assault by contamination; and
6 providing for an effective date.

7

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

9

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

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

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15 (a) A person who purposefully or knowingly causes one
16 (1) or more contaminating substances to be introduced into

1 the food or drink of or otherwise be ingested by another
2 person without that person's prior knowledge or consent is
3 guilty of assault by contamination.

4

5 (b) A person who purposefully or knowingly causes one
6 (1) or more contaminating substances to be introduced into
7 the food or drink of or otherwise ingested by another
8 person without that person's prior knowledge or consent is
9 guilty of aggravated assault by contamination if:

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11 (i) The contaminating substance is infected with
12 or otherwise contains a serious contagious or infectious
13 disease; or

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15 (ii) The person used the contaminating substance
16 to substantially impair the other person's power to
17 appraise or control his conduct.

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19 (c) Assault by contamination is a misdemeanor
20 punishable by imprisonment for not more than six (6)
21 months, a fine of not more than seven hundred fifty dollars
22 (\$750.00), or both. Aggravated assault by contamination is
23 a felony punishable by not more than ten (10) years
24 imprisonment.

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2 (d) As used in this section:

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

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9 (ii) "Contaminating substance" includes bodily
10 tissues, fluids or wastes and controlled substances;

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12 (iii) "Controlled substance" means as defined in
13 W.S. 35-7-1002(a)(iv);

14

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

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23 **Section 2.** W.S. 6-1-104(a)(xii) is amended to read:

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1 **6-1-104. Definitions.**

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3 (a) As used in W.S. 6-1-101 through 6-10-203 unless
4 otherwise defined:

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6 (xii) "Violent felony" means murder,
7 manslaughter, kidnapping, sexual assault in the first or
8 second degree, robbery, aggravated assault, aggravated
9 assault by contamination, aircraft hijacking, arson in the
10 first or second degree or aggravated burglary;

11

12 **Section 3.** This act is effective immediately upon
13 completion of all acts necessary for a bill to become law
14 as provided by Article 4, Section 8 of the Wyoming
15 Constitution.

16

17

(END)