

HOUSE BILL NO. HB0321

Assault by contamination-2.

Sponsored by: Representative(s) Watt

A BILL

for

1 AN ACT relating to crimes and offenses; amending the crime  
 2 of aggravated assault and battery to include intentionally  
 3 and knowingly propelling a dangerous substance at a peace  
 4 or corrections officer or employee; providing definitions;  
 5 and providing for an effective date.

6

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

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9       **Section 1.** W.S. 6-2-502(a)(iii), (iv), by creating a  
 10 new paragraph (v) and by creating a new subsection (c) is  
 11 amended to read:

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13       **6-2-502. Aggravated assault and battery; penalty.**

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15       (a) A person is guilty of aggravated assault and  
 16 battery if he:

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1 (iii) Threatens to use a drawn deadly weapon on  
2 another unless reasonably necessary in defense of his  
3 person, property or abode or to prevent serious bodily  
4 injury to another;~~or~~

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6 (iv) Intentionally, knowingly or recklessly  
7 causes bodily injury to a woman whom he knows is pregnant;~~or~~  
8 or

9

10 (v) Knowing the other person is a peace officer,  
11 detention officer or staff member, intentionally or  
12 knowingly:

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14 (A) Propels any dangerous substance at the  
15 peace officer, detention officer or staff member while the  
16 peace officer, detention officer or staff member is acting  
17 in the course of his official duty, or as a result of the  
18 peace officer's, detention officer's or staff member's  
19 official duties; or

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21 (B) Tamper with or alters any item by  
22 contaminating the item with any dangerous substance, if the  
23 item may be handled or consumed by the peace officer,  
24 detention officer or staff member while the peace officer,

1 detention officer or staff member is acting in the course  
2 of his official duty, or as a result of the peace  
3 officer's, detention officer's or staff member's official  
4 duties.

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6 (c) As used in this section:

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8 (i) "Dangerous substance" includes, but is not  
9 limited to, blood, urine, saliva, semen and feces;

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11 (ii) "Detention officer" means a person who is  
12 employed by a county or municipality on a full-time basis  
13 to care for, supervise and control persons detained in a  
14 jail or holding facility;

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16 (iii) "Peace officer" means as defined in W.S.  
17 7-2-101;

18  
19 (iv) "Staff member" means:

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21 (A) A corrections officer or other  
22 department of corrections or department of family services  
23 staff member, or a person employed pursuant to a contract  
24 with the department of corrections or department of family

1 services, who works with, or in the vicinity of, inmates or  
2 youth offenders; and

3

4 (B) A volunteer authorized by the  
5 department of corrections or other entity in charge of a  
6 corrections facility to work with, or in the vicinity of,  
7 inmates or youth offenders.

8

9 **Section 2.** This act is effective July 1, 2005.

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(END)