

HOUSE BILL NO. 565

INTRODUCED BY B. MERCER

A BILL FOR AN ACT ENTITLED: "AN ACT REVISING ASSAULT LAWS; CREATING THE CRIME OF ASSAULT ON A NURSE; AND PROVIDING PENALTIES AND A DEFINITION."

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MONTANA:

NEW SECTION. **Section 1. Assault on nurse -- penalty -- definition.** (1) A person commits the offense of assault on a nurse if, while a nurse is performing professional duties, the person:

- (a) purposely or knowingly causes bodily injury to the nurse;
- (b) negligently causes bodily injury to the nurse with a weapon; or
- (c) purposely or knowingly causes the nurse reasonable apprehension of bodily injury.

(2) A person convicted of assault on a nurse is guilty of a misdemeanor punishable by a fine in an amount not to exceed \$10,000, imprisonment for a term not to exceed 6 months, or both.

(3) As used in this section, "nurse" means any person engaged in the practice of nursing, as defined by 37-8-102.

NEW SECTION. **Section 2. Codification instruction.** [Section 1] is intended to be codified as an integral part of Title 45, chapter 5, part 2, and the provisions of Title 45, chapter 5, part 2, apply to [section 1].

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