

IN THE HOUSE OF REPRESENTATIVES

HOUSE BILL NO. 657

BY WAYS AND MEANS COMMITTEE

AN ACT

RELATING TO BATTERY; AMENDING SECTION 18-915C, IDAHO CODE, TO PROVIDE EXEMPTIONS AND TO PROVIDE THAT A CERTAIN PROVISION SHALL APPLY.

Be It Enacted by the Legislature of the State of Idaho:

SECTION 1. That Section 18-915C, Idaho Code, be, and the same is hereby amended to read as follows:

18-915C. BATTERY AGAINST HEALTH CARE WORKERS. (1) Any person who commits battery as defined in section 18-903, Idaho Code, against or upon any person licensed, certified or registered by the state of Idaho to provide health care, or an employee of a hospital, medical clinic or medical practice, when the victim is in the course of performing his or her duties or because of the victim's professional or employment status under this statute, shall be subject to imprisonment in the state prison not to exceed three (3) years.

(2) The provisions of subsection (1) of this section shall not apply to any person whose commission of battery is the direct and proximate result of his mental illness and who:

(a) Is in the process of seeking admission to a hospital or medical clinic for his mental illness, as defined in section 66-601, Idaho Code;

(b) Has been admitted to a hospital or medical clinic for his mental illness; or

(c) Is currently being treated in a mental health facility, as defined in section 66-317(7), Idaho Code.

(3) The provisions of section 18-116, Idaho Code, shall apply, notwithstanding subsection (1) of this section.