

IN THE HOUSE OF REPRESENTATIVES

HOUSE BILL NO. 292

BY HEALTH AND WELFARE COMMITTEE

AN ACT

1 RELATING TO ASSAULT AND BATTERY; AMENDING CHAPTER 9, TITLE 18, IDAHO CODE,
2 BY THE ADDITION OF A NEW SECTION 18-915C, IDAHO CODE, TO PROVIDE THAT ANY
3 PERSON WHO COMMITS ASSAULT OR BATTERY UPON CERTAIN PERSONS SHALL BE SUB-
4 JECT TO A CERTAIN PUNISHMENT AND TO PROVIDE AN AFFIRMATIVE DEFENSE.
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6 Be It Enacted by the Legislature of the State of Idaho:

7 SECTION 1. That Chapter 9, Title 18, Idaho Code, be, and the same is
8 hereby amended by the addition thereto of a NEW SECTION, to be known and des-
9 ignated as Section 18-915C, Idaho Code, and to read as follows:

10 18-915C. ASSAULT OR BATTERY UPON CERTAIN HEALTH CARE PERSONNEL. Any
11 person who commits assault as defined in section 18-901, Idaho Code, or bat-
12 tery as defined in section 18-903, Idaho Code, against or upon any person li-
13 censed, certified or registered by the state of Idaho to provide health care,
14 or any employee of a hospital, medical clinic or medical practice, when the
15 victim is in the course of performing his or her professional or employment
16 duties or because of the victim's professional or employment status under
17 this statute, shall be punished by imprisonment in the state prison not to
18 exceed five (5) years. It shall be an affirmative defense to a violation of
19 this section that the commission of the act was by a person who, at the time of
20 the commission of the act, lacked the ability to form the intent to commit the
21 act because of a mental illness.