

IN THE SENATE

SENATE BILL NO. 1259

BY JUDICIARY AND RULES COMMITTEE

AN ACT

1
2 RELATING TO BATTERY; AMENDING CHAPTER 9, TITLE 18, IDAHO CODE, BY THE ADDI-
3 TION OF A NEW SECTION 18-915C, IDAHO CODE, TO AUTHORIZE PUNISHMENT FOR
4 BATTERY AGAINST CERTAIN HEALTH CARE WORKERS, TO PROVIDE AFFIRMATIVE DE-
5 FENSES AND TO PROVIDE FOR THE APPLICATION OF CERTAIN SECTIONS OF IDAHO
6 CODE.

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

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

11 18-915C. BATTERY AGAINST HEALTH CARE WORKERS. Any person who commits
12 battery as defined in section 18-903, Idaho Code, against or upon any per-
13 son licensed, certified or registered by the state of Idaho to provide health
14 care, or an employee of a hospital, medical clinic or medical practice, when
15 the victim is in the course of performing his or her duties or because of the
16 victim's professional or employment status under this statute, shall be sub-
17 ject to imprisonment in the state prison not to exceed five (5) years. It
18 shall be an affirmative defense to a violation of this statute that the ac-
19 tion was taken by a person who, because of mental illness or disability or
20 because he is under the influence of lawfully obtained and properly used pre-
21 scription drugs, lacks the ability to form the intent to commit the crime.
22 The provisions of section 18-116, Idaho Code, shall apply to this section.
23 The provisions of section 18-207, Idaho Code, shall not apply to this sec-
24 tion.