

SENATE BILL NO. 299

IN THE LEGISLATURE OF THE STATE OF ALASKA

TWENTY-FIFTH LEGISLATURE - SECOND SESSION

BY THE SENATE HEALTH, EDUCATION AND SOCIAL SERVICES COMMITTEE

Introduced: 3/5/08

Referred: Judiciary, Finance

A BILL

FOR AN ACT ENTITLED

1 **"An Act relating to certain assaults committed against certain health care workers."**

2 **BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF ALASKA:**

3 *** Section 1.** AS 11.41.220(a) is amended to read:

4 (a) A person commits the crime of assault in the third degree if that person

5 (1) recklessly

6 (A) places another person in fear of imminent serious physical
7 injury by means of a dangerous instrument;

8 (B) causes physical injury to another person by means of a
9 dangerous instrument; or

10 (C) while being 18 years of age or older

11 (i) causes physical injury to a child under 10 years of
12 age and the injury would cause a reasonable caregiver to seek medical
13 attention from a health care professional in the form of diagnosis or
14 treatment;

15 (ii) causes physical injury to a child under 10 years of

- 1 age on more than one occasion;
- 2 (2) with intent to place another person in fear of death or serious
- 3 physical injury to the person or the person's family member makes repeated threats to
- 4 cause death or serious physical injury to another person;
- 5 (3) while being 18 years of age or older, knowingly causes physical
- 6 injury to a child under 16 years of age but at least 10 years of age and the injury
- 7 reasonably requires medical treatment; [OR]
- 8 (4) with criminal negligence, causes serious physical injury under
- 9 AS 11.81.900(b)(56)(B) to another person by means of a dangerous instrument; or
- 10 **(5) violates AS 11.41.230(a)(1) or (2) and the victim of the offense**
- 11 **is an employee of the Alaska Psychiatric Institute who was engaged in the**
- 12 **performance of official duties at the Alaska Psychiatric Institute at the time of the**
- 13 **offense.**

14 * **Sec. 2.** AS 11.41.230(a) is amended to read:

- 15 (a) A person commits the crime of assault in the fourth degree if
- 16 (1) **under circumstances not proscribed under AS 11.41.220(a)(5),**
- 17 that person recklessly causes physical injury to another person;
- 18 (2) **under circumstances not proscribed under AS 11.41.220(a)(5),**
- 19 with criminal negligence that person causes physical injury to another person by
- 20 means of a dangerous instrument; or
- 21 (3) by words or other conduct that person recklessly places another
- 22 person in fear of imminent physical injury.