

SENATE BILL NO. 212

IN THE LEGISLATURE OF THE STATE OF ALASKA

TWENTY-EIGHTH LEGISLATURE - SECOND SESSION

BY THE SENATE JUDICIARY COMMITTEE

Introduced: 3/17/14

Referred: Judiciary

A BILL

FOR AN ACT ENTITLED

1 "An Act relating to certain assaults committed against certain emergency medical
2 personnel and emergency responders."

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

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

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

6 (1) recklessly

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

9 (B) causes physical injury to another person by means of a
10 dangerous instrument; [OR]

11 (C) while being 18 years of age or older,

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

1 treatment;

2 (ii) causes physical injury to a child under 12 years of
3 age on more than one occasion; or

4 **(D) causes physical injury to a uniformed or otherwise**
5 **clearly identified emergency medical technician, paramedic, ambulance**
6 **attendant, emergency responder, or a member of the staff of an**
7 **emergency room who is engaged in the performance of official duties at**
8 **the time of injury;**

9 (2) with intent to place another person in fear of death or serious
10 physical injury to the person or the person's family member, makes repeated threats to
11 cause death or serious physical injury to another person;

12 (3) while being 18 years of age or older, knowingly causes physical
13 injury to a child under 16 years of age but at least 12 years of age and the injury
14 reasonably requires medical treatment;

15 (4) with criminal negligence, causes

16 (A) serious physical injury under AS 11.81.900(b)(56)(B) to
17 another person by means of a dangerous instrument; or

18 **(B) physical injury by means of a dangerous instrument to**
19 **a uniformed or otherwise clearly identified emergency medical technician,**
20 **paramedic, ambulance attendant, emergency responder, or a member of**
21 **the staff of an emergency room who is engaged in the performance of**
22 **official duties at the time of injury; or**

23 (5) commits a crime that is a violation of AS 11.41.230(a)(1) or (2)
24 and, within the preceding 10 years, the person was convicted on two or more separate
25 occasions of crimes under

26 (A) AS 11.41.100 - 11.41.170;

27 (B) AS 11.41.200 - 11.41.220, 11.41.230(a)(1) or (2),
28 11.41.280, or 11.41.282;

29 (C) AS 11.41.260 or 11.41.270;

30 (D) AS 11.41.410, 11.41.420, or 11.41.425(a)(1); or

31 (E) a law or ordinance of this or another jurisdiction with

elements similar to those of an offense described in (A) - (D) of this paragraph.

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

(a) A person commits the crime of assault in the fourth degree if

(1) under circumstances not proscribed under AS 11.41.220(a)(1)(D), that person recklessly causes physical injury to another person;

(2) under circumstances not proscribed under AS 11.41.220(a)(4)(B), with criminal negligence that person causes physical injury to another person by means of a dangerous instrument; or

(3) by words or other conduct that person recklessly places another person in fear of imminent physical injury.