

HOUSE

AMENDMENT NO. \_\_\_

Offered by

of

1 AMEND House Committee Substitute for Senate Substitute for Senate  
2 Committee Substitute for Senate Bill No. 755, Page 16, Section  
3 527.290, Line 14, by inserting after all of said line the  
4 following:

5 "565.066. 1. A person commits the crime of assault of a  
6 utility worker or an employee of a mass transit system while in  
7 the scope of his or her duties in the first degree if such person  
8 attempts to kill or knowingly causes or attempts to cause serious  
9 physical injury to a utility worker or an employee of a mass  
10 transit system while in the scope of his or her duties.

11 2. As used in this section, the term "utility worker" means  
12 any employee, including any person employed under contract, of a  
13 utility that provides gas, heat, electricity, water, steam,  
14 telecommunications services, or sewer services, whether  
15 privately, municipally, or cooperatively owned.

16 3. As used in this section, "mass transit system", includes  
17 employees of public bus and light rail companies.

18 4. Assault of a utility worker or an employee of a mass  
19 transit system in the first degree is a class B felony.

20 565.067. 1. A person commits the crime of assault of a  
21 utility worker or an employee of a mass transit system while in  
22 the scope of his or her duties in the second degree if such  
23 person:

24 (1) Knowingly causes or attempts to cause physical injury  
25 to a utility worker or an employee of a mass transit system while  
26 in the scope of his or her duties by means of a deadly weapon or  
27 dangerous instrument;

28 (2) Knowingly causes or attempts to cause physical injury  
29 to a utility worker or an employee of a mass transit system while

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1 in the scope of his or her duties by means other than a deadly  
2 weapon or dangerous instrument;

3 (3) Recklessly causes serious physical injury to a utility  
4 worker or an employee of a mass transit system while in the scope  
5 of his or her duties;

6 (4) While in an intoxicated condition or under the  
7 influence of controlled substances or drugs, operates a motor  
8 vehicle in this state and when so operating, acts with criminal  
9 negligence to cause physical injury to a utility worker or an  
10 employee of a mass transit system while in the scope of his or  
11 her duties;

12 (5) Acts with criminal negligence to cause physical injury  
13 to a utility worker or an employee of a mass transit system while  
14 in the scope of his or her duties by means of a deadly weapon or  
15 dangerous instrument;

16 (6) Purposely or recklessly places a utility worker or an  
17 employee of a mass transit system while in the scope of his or  
18 her duties in apprehension of immediate serious physical injury;  
19 or

20 (7) Acts with criminal negligence to create a substantial  
21 risk of death or serious physical injury to a utility worker or  
22 an employee of a mass transit system while in the scope of his or  
23 her duties.

24 2. As used in this section, the term "utility worker" means  
25 any employee, including any person employed under contract, of a  
26 utility that provides gas, heat, electricity, water, steam,  
27 telecommunications services, or sewer services, whether  
28 privately, municipally, or cooperatively owned.

29 3. As used in this section, "mass transit system", includes  
30 employees of public bus and light rail companies.

31 4. Assault of a utility worker or an employee of a mass  
32 transit system while in the scope of his or her duties in the  
33 second degree is a class C felony unless committed under  
34 subdivision (2), (5), (6), or (7) of subsection 1 of this section  
35 in which case it is a class B felony.

36 565.068. 1. A person commits the crime of assault of a  
37 utility worker or an employee of a mass transit system while in

1 the scope of his or her duties in the third degree if:

2 (1) Such person recklessly causes physical injury to a  
3 utility worker or an employee of a mass transit system while in  
4 the scope of his or her duties;

5 (2) Such person purposely places a utility worker or an  
6 employee of a mass transit system while in the scope of his or  
7 her duties in apprehension of immediate physical injury;

8 (3) Such person knowingly causes or attempts to cause  
9 physical contact with a utility worker or an employee of a mass  
10 transit system while in the scope of his or her duties without  
11 the consent of the utility worker or employee of the mass transit  
12 system.

13 2. As used in this section, the term "utility worker" means  
14 any employee, including any person employed under contract, of a  
15 utility that provides gas, heat, electricity, water, steam,  
16 telecommunications services, or sewer services, whether  
17 privately, municipally, or cooperatively owned.

18 3. As used in this section, "mass transit system", includes  
19 employees of public bus and light rail companies.

20 4. Assault of a utility worker or an employee of a mass  
21 transit system while in the scope of his or her duties in the  
22 third degree is a class A misdemeanor."; and

23 Further amend said title, enacting clause and intersectional  
24 references accordingly.