

HOUSE AMENDMENT NO. _____
TO
HOUSE AMENDMENT NO. _____

Offered By

1 AMEND House Amendment No. _____ to House Committee Substitute for Senate Substitute No. 2
2 for Senate Bill No. 26, Page 1, Line 4, by deleting said line and inserting in lieu thereof the
3 following:

4
5 ""565.052. 1. A person commits the offense of assault in the second degree if he or she:

6 (1) Attempts to kill or knowingly causes or attempts to cause serious physical injury to
7 another person under the influence of sudden passion arising out of adequate cause; or

8 (2) Attempts to cause or knowingly causes physical injury to another person by means of a
9 deadly weapon or dangerous instrument; or

10 (3) Recklessly causes serious physical injury to another person; or

11 (4) Recklessly causes physical injury to another person by means of discharge of a firearm.

12 2. The defendant shall have the burden of injecting the issue of influence of sudden passion
13 arising from adequate cause under subdivision (1) of subsection 1 of this section.

14 3. The offense of assault in the second degree is a class D felony, unless the victim of such
15 assault is a special victim, as the term "special victim" is defined under section 565.002, in which
16 case it is a class B felony.

17 4. A person convicted of the offense of assault in the second degree shall serve eighty-five
18 percent of his or her sentence if the victim was a "special victim" as defined in paragraph (a), (b),
19 (c), or (g) of subdivision (14) of section 565.002.

20 566.145. 1. A person commits the offense of sexual conduct in the course of public duty if;
21 and

22
23 Further amend said bill by amending the title, enacting clause, and intersectional references
24 accordingly.

25
26 THIS AMENDMENT AMENDS 0828H05.59H.

Action Taken _____ Date _____