

**708.1 Assault defined.**

1. An assault as defined in [this section](#) is a general intent crime.
  2. A person commits an assault when, without justification, the person does any of the following:
    - a. Any act which is intended to cause pain or injury to, or which is intended to result in physical contact which will be insulting or offensive to another, coupled with the apparent ability to execute the act.
    - b. Any act which is intended to place another in fear of immediate physical contact which will be painful, injurious, insulting, or offensive, coupled with the apparent ability to execute the act.
    - c. Intentionally points any firearm toward another, or displays in a threatening manner any dangerous weapon toward another.
    - d. (1) Intentionally points a laser emitting a visible light beam at another person with the intent to cause pain or injury to another. For purposes of this paragraph, “*laser*” means a device that emits a visible light beam amplified by the stimulated emission of radiation and any light which simulates the appearance of a laser.
      - (2) This paragraph does not apply to any of the following:
        - (a) A law enforcement officer who uses a laser in discharging or attempting to discharge the officer’s official duties.
        - (b) A health care professional who uses a laser in providing services within the scope of practice of that professional or any other person who is licensed or authorized by law to use a laser or who uses a laser in the performance of the person’s official duties.
        - (c) A person who uses a laser to play laser tag, paintball, and other similar games using light-emitting diode technology.
  3. An act described in [subsection 2](#) shall not be an assault under the following circumstances:
    - a. If the person doing any of the enumerated acts, and such other person, are voluntary participants in a sport, social or other activity, not in itself criminal, and such act is a reasonably foreseeable incident of such sport or activity, and does not create an unreasonable risk of serious injury or breach of the peace.
    - b. If the person doing any of the enumerated acts is employed by a school district or accredited nonpublic school, or is an area education agency staff member who provides services to a school or school district, and intervenes in a fight or physical struggle, or other disruptive situation, that takes place in the presence of the employee or staff member performing employment duties in a school building, on school grounds, or at an official school function regardless of the location, whether the fight or physical struggle or other disruptive situation is between students or other individuals, if the degree and the force of the intervention is reasonably necessary to restore order and to protect the safety of those assembled.
- [C51, §2594, 2597; R60, §4217, 4220; C73, §3875, 3878, 3879; C97, §4771, 4774, 4775; S13, §4771; C24, 27, 31, 35, 39, §12929, 12930, 12934; C46, 50, 54, 58, 62, 66, 71, 73, 75, 77, §694.1, 694.2, 694.6; C79, 81, §708.1]
- [95 Acts, ch 191, §49](#); [2002 Acts, ch 1094, §1](#); [2013 Acts, ch 90, §183](#); [2021 Acts, ch 183, §39, 43](#)
- Referred to in [§9E.2, 135.108, 232.52, 236.2, 282.4, 671A.2, 707.2, 708.2, 708.2A, 708.2B, 708.2C, 708.3, 708.3A, 708.3B, 709.11, 711.3B, 719.1, 724.26, 905.15, 907.3](#)
- Subsection 2, NEW paragraph d