

JAN 7 6 1998
JUDICIARY

HOUSE FILE 2050
BY KREIMAN

Passed House, Date _____ Passed Senate, Date _____
Vote: Ayes _____ Nays _____ Vote: Ayes _____ Nays _____
Approved _____

A BILL FOR

1 An Act relating to the elements which comprise certain forms of
2 the crime of assault.

3 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:
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HF 2050

1 Section 1. Section 708.2, subsection 2, Code 1997, is
2 amended to read as follows:

3 2. A person who commits an assault, as defined in section
4 708.1, ~~without-the-intent-to-inflict-a-serious-injury-upon~~
5 another, and who causes bodily injury or ~~disabling~~ mental
6 illness, is guilty of a serious misdemeanor.

7 Sec. 2. Section 708.3A, subsection 3, Code 1997, is
8 amended to read as follows:

9 3. A person who commits an assault, as defined in section
10 708.1, against a peace officer, health care provider, or fire
11 fighter, whether paid or volunteer, who knows that the person
12 against whom the assault is committed is a peace officer,
13 health care provider, or fire fighter, and who causes bodily
14 injury or ~~disabling~~ mental illness, is guilty of an aggravated
15 misdemeanor.

16 EXPLANATION

17 This bill changes the statutory elements for two forms of
18 assault -- assault which is committed without the intent to
19 inflict serious injury but which results in bodily injury or
20 disabling mental illness and assaults against peace officers,
21 health care providers, or fire fighters. In the former form
22 of assault, the language relating to the lack of intent to
23 inflict serious injury is eliminated, as well as the
24 requirement that any mental illness caused as a result of the
25 assault must be disabling. With respect to the assaults on
26 peace officers, health care providers, and fire fighters, the
27 requirement that any resulting mental illness be disabling is
28 eliminated.

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