SENATE FILE 2400
BY COMMITTEE ON JUDICIARY

(SUCCESSOR TO SSB 3156)

A BILL FOR

1 An Act relating to assaults on persons engaged in certain
2 occupations and harassment against public utility employees
3 or contractors, and making penalties applicable.
4 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:

Section 1. Section 708.3A, subsections 1, 2, 3, and 4, Code 2026, are amended to read as follows:

1. A person who commits an assault, as defined in section 708.1, against a peace officer, jailer, correctional or juvenile detention staff, member or employee of the board of parole, health care provider, employee of the department of health and human services, employee of the department of inspections, appeals, and licensing who conducts investigations or inspections, employee of the department of revenue, national guard member engaged in national guard duty or state active duty, civilian employee of a law enforcement agency, civilian employee of a fire department, ~~or~~ fire fighter, whether paid or volunteer, <u>or employee or contractor of a public utility engaged in the performance of a public utility responsibility,</u> with the knowledge that the person against whom the assault is committed is a peace officer, jailer, correctional or juvenile detention staff, member or employee of the board of parole, health care provider, employee of the department of health and human services, employee of the department of inspections, appeals, and licensing who conducts investigations or inspections, employee of the department of revenue, national guard member engaged in national guard duty or state active duty, civilian employee of a law enforcement agency, civilian employee of a fire department, ~~or~~ fire fighter<u>, or employee or contractor of a public utility</u> and with the intent to inflict a serious injury upon the peace officer, jailer, correctional or juvenile detention staff, member or employee of the board of parole, health care provider, employee of the department of health and human services, employee of the department of inspections, appeals, and licensing who conducts investigations or inspections, employee of the department of revenue, national guard member engaged in national guard duty or state active duty, civilian employee of a law enforcement agency, civilian employee of a fire department, ~~or~~ fire fighter, <u>or employee or contractor of a public utility,</u> is guilty of a class "C"

felony.

2. A person who commits an assault, as defined in section 708.1, against a peace officer, jailer, correctional or juvenile detention staff, member or employee of the board of parole, health care provider, employee of the department of health and human services, employee of the department of inspections, appeals, and licensing who conducts investigations or inspections, employee of the department of revenue, national guard member engaged in national guard duty or state active duty, civilian employee of a law enforcement agency, civilian employee of a fire department, ~~or~~ fire fighter, whether paid or volunteer, or employee or contractor of a public utility engaged in the performance of a public utility responsibility, who knows that the person against whom the assault is committed is a peace officer, jailer, correctional or juvenile detention staff, member or employee of the board of parole, health care provider, employee of the department of health and human services, employee of the department of inspections, appeals, and licensing who conducts investigations or inspections, employee of the department of revenue, national guard member engaged in national guard duty or state active duty, civilian employee of a law enforcement agency, civilian employee of a fire department, ~~or~~ fire fighter, or employee or contractor of a public utility and who uses or displays a dangerous weapon in connection with the assault, is guilty of a class "C" felony.

3. A person who commits an assault, as defined in section 708.1, against a peace officer, jailer, correctional or juvenile detention staff, member or employee of the board of parole, health care provider, employee of the department of health and human services, employee of the department of inspections, appeals, and licensing who conducts investigations or inspections, employee of the department of revenue, national guard member engaged in national guard duty or state active duty, civilian employee of a law enforcement agency, civilian employee of a fire department, ~~or~~ fire fighter, whether paid

or volunteer, or employee or contractor of a public utility engaged in the performance of a public utility responsibility, who knows that the person against whom the assault is committed is a peace officer, jailer, correctional or juvenile detention staff, member or employee of the board of parole, health care provider, employee of the department of health and human services, employee of the department of inspections, appeals, and licensing who conducts investigations or inspections, employee of the department of revenue, national guard member engaged in national guard duty or state active duty, civilian employee of a law enforcement agency, civilian employee of a fire department, ~~or~~ fire fighter, or employee or contractor of a public utility, and who causes bodily injury or mental illness, is guilty of a class "D" felony.

4. Any other assault, as defined in section 708.1, including an assault causing another to come into contact with saliva by throwing, tossing, spitting, or expelling the fluid, committed against a peace officer, jailer, correctional or juvenile detention staff, member or employee of the board of parole, health care provider, employee of the department of health and human services, employee of the department of inspections, appeals, and licensing who conducts investigations or inspections, employee of the department of revenue, national guard member engaged in national guard duty or state active duty, civilian employee of a law enforcement agency, civilian employee of a fire department, ~~or~~ fire fighter, whether paid or volunteer, or employee or contractor of a public utility engaged in the performance of a public utility responsibility, by a person who knows that the person against whom the assault is committed is a peace officer, jailer, correctional or juvenile detention staff, member or employee of the board of parole, health care provider, employee of the department of health and human services, employee of the department of inspections, appeals, and licensing who conducts investigations or inspections, employee of the department of revenue, national

guard member engaged in national guard duty or state active duty, civilian employee of a law enforcement agency, civilian employee of a fire department, ~~or~~ fire fighter, or employee or contractor of a public utility, is an aggravated misdemeanor. A person convicted of violating this subsection shall serve a minimum term of seven days of the sentence imposed by law, and shall not be eligible for suspension of the minimum sentence.

Sec. 2. Section 708.7, subsection 2, paragraph a, Code 2026, is amended by adding the following new subparagraph:

NEW SUBPARAGRAPH. (5) Harassment that occurs against an employee or contractor of a public utility while engaged in the performance of a public utility responsibility.

EXPLANATION

The inclusion of this explanation does not constitute agreement with the explanation's substance by the members of the general assembly.

This bill relates to assaults on persons engaged in certain occupations and harassment against public utility employees or contractors.

The bill adds an employee or contractor of a public utility engaged in the performance of a public utility responsibility to the list of occupations that are protected by enhanced assault penalties. The penalty for assault against an employee or contractor of a public utility ranges from an aggravated misdemeanor to a class "C" felony depending on the nature of the assault. A class "C" felony is punishable by confinement for no more than 10 years and a fine of at least $1,370 but not more than $13,660. A class "D" felony is punishable by confinement for no more than five years and a fine of at least $1,025 but not more than $10,245. An aggravated misdemeanor is punishable by confinement for no more than two years and a fine of at least $855 but not more than $8,540.

The bill provides that harassment that occurs against an employee or contractor of a public utility while engaged in the performance of a public utility responsibility is harassment in the first degree. Harassment in the first degree is an

1 aggravated misdemeanor.