

HOUSE BILL NO. 452

INTRODUCED BY G. PARRY

A BILL FOR AN ACT ENTITLED: "AN ACT PROVIDING FOR THE CRIME OF ASSAULT ON AN EMPLOYEE OF A PUBLIC UTILITY, AN ELECTRIC COOPERATIVE, OR A TELECOMMUNICATIONS CARRIER; AND PROVIDING PENALTIES.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MONTANA:

NEW SECTION. Section 1. Assault on employee of public utility, electric cooperative, or telecommunications carrier. (1) A person commits the offense of assault on an employee of a public utility, as defined in 69-3-101, electric cooperative, as defined in 35-18-102, or telecommunications carrier, as defined in 69-3-803, if the person purposely or knowingly causes:

(a) bodily injury to an employee of a public utility, electric cooperative, or telecommunications carrier while the employee is performing the employee's duties;

(b) reasonable apprehension of serious bodily injury in an employee of a public utility, electric cooperative, or telecommunications carrier while the employee is performing the employee's duties by use of:

(i) a weapon; or

(ii) what reasonably appears to be a weapon;

(c) bodily injury to an employee of a public utility, electric cooperative, or telecommunications carrier while the employee is performing the employee's duties with a weapon; or

(d) serious bodily injury to an employee of a public utility, electric cooperative, or telecommunications carrier while the employee is performing the employee's duties.

(2) (a) A person convicted of assault on an employee of a public utility, electric cooperative, or telecommunications carrier:

(i) under subsection (1)(a), (1)(b)(i), or (1)(c) shall be imprisoned in the state prison for a term not to exceed 10 years and may be fined an amount not to exceed \$50,000; or

(ii) under subsection (1)(b)(ii) shall be imprisoned in the state prison for a term not to exceed 8

1 years and may be fined an amount not to exceed \$50,000.

2 (b) ~~Except as provided in 46-18-222, a~~ person convicted of assault on an employee of a public
3 utility, electric cooperative, or telecommunications carrier under subsection (1)(d) of this section shall be fined
4 an amount not to exceed \$50,000 or be imprisoned in the state prison for a term not to exceed 20 years, or
5 both.

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7 NEW SECTION. Section 2. Codification instruction. [Section 1] is intended to be codified as an
8 integral part of Title 45, chapter 5, part 2, and the provisions of Title 45, chapter 5, part 2, apply to [section 1].

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