

AMENDMENTS TO LB 677

(Amendments to E & R amendments, ER168)

Introduced by Lathrop

1           1. Strike the original sections and all amendments  
2 thereto and insert the following new sections:

3           Section 1. Section 28-929, Revised Statutes Cumulative  
4 Supplement, 2010, is amended to read:

5           28-929 (1) A person commits the offense of assault on an  
6 officer or a health care professional in the first degree if:

7           (a) He or she intentionally or knowingly causes serious  
8 bodily injury:

9           (i) To a peace officer, a probation officer, or an  
10 employee of the Department of Correctional Services; ~~or~~

11           (ii) To an employee of the Department of Health and Human  
12 Services if the person committing the offense is committed as a  
13 dangerous sex offender under the Sex Offender Commitment Act; ~~and~~  
14 or

15           (iii) To a health care professional; and

16           (b) The offense is committed while such officer or  
17 employee is engaged in the performance of his or her official  
18 duties or while the health care professional is on duty at a  
19 hospital or a health clinic.

20           (2) Assault on an officer or a health care professional  
21 in the first degree shall be a Class ID felony.

22           Sec. 2. Section 28-930, Revised Statutes Cumulative

1 Supplement, 2010, is amended to read:

2 28-930 (1) A person commits the offense of assault on an  
3 officer or a health care professional in the second degree if:

4 (a) He or she:

5 (i) Intentionally or knowingly causes bodily injury with  
6 a dangerous instrument:

7 (A) To a peace officer, a probation officer, or an  
8 employee of the Department of Correctional Services; ~~or~~

9 (B) To an employee of the Department of Health and Human  
10 Services if the person committing the offense is committed as a  
11 dangerous sex offender under the Sex Offender Commitment Act; or

12 (C) To a health care professional while the health care  
13 professional is on duty at a hospital or a health clinic; or

14 (ii) Recklessly causes bodily injury with a dangerous  
15 instrument:

16 (A) To a peace officer, a probation officer, or an  
17 employee of the Department of Correctional Services; ~~or~~

18 (B) To an employee of the Department of Health and Human  
19 Services if the person committing the offense is committed as a  
20 dangerous sex offender under the Sex Offender Commitment Act; ~~and~~

21 or

22 (C) To a health care professional; and

23 (b) The offense is committed while such officer or  
24 employee is engaged in the performance of his or her official  
25 duties or while the health care professional is on duty at a  
26 hospital or a health clinic.

27 (2) Assault on an officer or a health care professional

1 in the second degree shall be a Class II felony.

2 Sec. 3. Section 28-931, Revised Statutes Cumulative  
3 Supplement, 2010, is amended to read:

4 28-931 (1) A person commits the offense of assault on an  
5 officer or a health care professional in the third degree if:

6 (a) He or she intentionally, knowingly, or recklessly  
7 causes bodily injury:

8 (i) To a peace officer, a probation officer, or an  
9 employee of the Department of Correctional Services; ~~ex~~

10 (ii) To an employee of the Department of Health and Human  
11 Services if the person committing the offense is committed as a  
12 dangerous sex offender under the Sex Offender Commitment Act; ~~and~~  
13 or

14 (iii) To a health care professional; and

15 (b) The offense is committed while such officer or  
16 employee is engaged in the performance of his or her official  
17 duties or while the health care professional is on duty at a  
18 hospital or a health clinic.

19 (2) Assault on an officer or a health care professional  
20 in the third degree shall be a Class IIIA felony.

21 Sec. 4. For purposes of sections 28-929, 28-930, and  
22 28-931 and section 5 of this act:

23 (1) Health care professional means a physician or other  
24 health care practitioner who is licensed, certified, or registered  
25 to perform specified health services consistent with state law who  
26 practices at a hospital or a health clinic;

27 (2) Health clinic has the definition found in section

1 71-416; and

2 (3) Hospital has the definition found in section 71-419.

3 Sec. 5. Every hospital and health clinic shall display at  
4 all times in a prominent place a printed sign with a minimum height  
5 of twenty inches and a minimum width of fourteen inches, with each  
6 letter to be a minimum of one-fourth inch in height, which shall  
7 read as follows:

8 WARNING: ASSAULTING A HEALTH CARE PROFESSIONAL WHO IS  
9 ENGAGED IN THE PERFORMANCE OF HIS OR HER OFFICIAL DUTIES IS A  
10 FELONY.

11 Sec. 6. Original sections 28-929, 28-930, and 28-931,  
12 Revised Statutes Cumulative Supplement, 2010, are repealed.