

SENATE BILL NO. 132  
INTRODUCED BY HALLIGAN

IN THE SENATE

|                  |  |
|------------------|--|
| January 18, 1985 | Introduced and referred to Committee on Judiciary.           |
| January 28, 1985 | Committee recommend bill do pass as amended. Report adopted. |
| January 29, 1985 | Bill printed and placed on members' desks.                   |
| January 30, 1985 | Second reading, do pass.                                     |
| January 31, 1985 | Considered correctly engrossed.                              |
| February 1, 1985 | Third reading, passed.<br>Ayes, 49; Noes, 0.                 |
|                  | Transmitted to House.  |

IN THE HOUSE

|                   |   |
|-------------------|---|
| February 27, 1985 | Introduced and referred to Committee on Judiciary.        |
| March 12, 1985    | Committee recommend bill be concurred in. Report adopted. |
| March 14, 1985    | Second reading, concurred in.                             |
| March 16, 1985    | Third reading, concurred in.<br>Returned to Senate.       |

IN THE SENATE

March 16, 1985

Received from House.

March 18, 1985

Sent to enrolling.

Reported correctly enrolled.

1 *Senate* BILL NO. 132  
 2 INTRODUCED BY *Holligan*  
 3

4 A BILL FOR AN ACT ENTITLED: "AN ACT DIVIDING AGGRAVATED  
 5 ASSAULT INTO FIRST- AND SECOND-DEGREE OFFENSES; AMENDING  
 6 SECTION 45-5-202, MCA."

7  
 8 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MONTANA:

9 Section 1. Section 45-5-202, MCA, is amended to read:

10 "45-5-202. Aggravated assault. (1) A person commits  
 11 the offense of aggravated assault in the first degree if he  
 12 purposely or knowingly causes:

13 (a) serious bodily injury to another;

14 (2) A person commits the offense of aggravated assault  
 15 in the second degree if he purposely or knowingly causes:

16 (b)(a) bodily injury to another with a weapon;

17 (b)(b) reasonable apprehension of serious bodily  
 18 injury in another by use of a weapon; or

19 (b)(c) bodily injury to a peace officer or a person  
 20 who is responsible for the care or custody of a prisoner.

21 (3) A person convicted of aggravated assault in the  
 22 first degree shall be imprisoned in the state prison for a  
 23 term of not less than 2 years or more than 20 years and may  
 24 be fined not more than \$50,000, except as provided in  
 25 46-18-222. A person convicted of aggravated assault in the

1 second degree shall be imprisoned in the state prison for a  
 2 term not to exceed 10 years or be fined not more than  
 3 \$50,000, or both."

-End-



INTRODUCED BILL  
 SB132

APPROVED BY COMMITTEE  
ON JUDICIARY

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2 INTRODUCED BY HALLIGAN

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14 (2) A person commits the offense of aggravated FELONY  
15 assault in-the-second-degree if he purposely or knowingly  
16 causes:

17 (b)(a) bodily injury to another with a weapon;

18 (c)(b) reasonable apprehension of serious bodily  
19 injury in another by use of a weapon; or

20 (d)(c) bodily injury to a peace officer or a person  
21 who is responsible for the care or custody of a prisoner.

22 (2)(3) A person convicted of aggravated assault in-the  
23 first--degree shall be imprisoned in the state prison for a  
24 term of not less than 2 years or more than 20 years and may  
25 be fined not more than \$50,000, except as provided in

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