

SENATE BILL 397

Introduced by Doherty, et al.

2/15	Introduced
2/15	Referred to Judiciary
2/15	First Reading
2/17	Hearing
2/20	Committee Report--Bill Passed
2/22	2nd Reading Passed
2/23	3rd Reading Passed
	Transmitted to House
2/23	Referred to Judiciary
2/23	First Reading
3/09	Hearing
3/10	Committee Report--Bill Concurred
3/13	2nd Reading Concur as Amended
	Motion Failed

1 Senate BILL NO. 397
 2 INTRODUCED BY Deputy Yellowtail
 3 HARP BY REQUEST OF THE SENATE JUDICIARY COMMITTEE
 4 Conrad Franklin
 5 A BILL FOR AN ACT ENTITLED: "AN ACT INCLUDING CAUSING OR
 6 THREATENING BODILY INJURY TO A JUDGE IN THE OFFENSE OF
 7 FELONY ASSAULT; AND AMENDING SECTION 45-5-202, MCA."

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

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

11 "45-5-202. Aggravated assault -- felony assault. (1) A
 12 person commits the offense of aggravated assault if he the
 13 person purposely or knowingly causes serious bodily injury
 14 to another.

15 (2) A person commits the offense of felony assault if
 16 he the person purposely or knowingly:

17 (a) causes:

18 (a)(i) bodily injury to another with a weapon;

19 (a)(ii) reasonable apprehension of serious bodily injury
 20 in another by use of a weapon; or

21 (a)(iii) bodily injury to a peace officer or a person
 22 who is responsible for the care or custody of a prisoner;
 23 or

24 (b) causes or threatens bodily injury to a judge, as
 25 defined in 46-1-202, while the judge is performing the

1 judge's official duties or because of a judge's performance
 2 of the judge's official duties.

3 (3) A person convicted of aggravated assault shall be
 4 imprisoned in the state prison for a term of not less than 2
 5 years or more than 20 years and may be fined not more than
 6 \$50,000, except as provided in 46-18-222. A person convicted
 7 of felony assault shall be imprisoned in the state prison
 8 for a term not to exceed 10 years or be fined not more than
 9 \$50,000, or both."

-End-

APPROVED BY COMMITTEE
ON JUDICIARY

1 Sarah BILL NO. 397
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3 HARIS BY REQUEST OF THE SENATE JUDICIARY COMMITTEE
4 Garfield Franklyn
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