

HOUSE BILL NO. HB0263

Assault-contamination.

Sponsored by: Representative(s) Bagby

A BILL

for

1 AN ACT relating to crimes and offenses; establishing the
2 crimes of assault by contamination and aggravated assault
3 by contamination; specifying elements; providing penalties;
4 making conforming amendments; and providing for an
5 effective date.

6

7 *Be It Enacted by the Legislature of the State of Wyoming:*

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9 **Section 1.** W.S. 6-2-508 is created to read:

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11 **6-2-508. Assault by contamination; aggravated assault**
12 **by contamination; penalties.**

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14 (a) As used in this section:

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1 (i) "Bodily tissues, fluids or wastes" means
2 substances or secretions from the human body, including
3 skin, flesh, blood, saliva, urine and feces;

4
5 (ii) "Peace officer" means as defined by W.S.
6 7-2-101(a)(iv);

7
8 (iii) "Probation officer" means a state, county,
9 municipal or other court-appointed official or employee
10 assigned and trained in the performance of probation
11 supervision services;

12
13 (iv) "Serious contagious or infectious disease"
14 means any disease or contagion that bears a substantial
15 probability of death or grave physical or mental injury or
16 debilitation for any person who comes into contact with or
17 contracts the disease or contagion, including Human
18 Immunodeficiency Virus (HIV) and Hepatitis.

19
20 (b) A person is guilty of assault by contamination if
21 he purposefully or knowingly causes one (1) or more of his
22 bodily tissues, fluids or wastes to make physical contact
23 with or be introduced into the food or drink of a peace
24 officer, probation officer, or an inmate, staff member or

1 authorized visitor of a state, county or municipal
2 correctional facility or work release center.

3

4 (c) A person is guilty of aggravated assault by
5 contamination if the person has a serious contagious or
6 infectious disease and purposefully or knowingly causes one
7 or more of his bodily tissues, fluids or wastes to make
8 physical contact with or be introduced into the food or
9 drink of a peace officer, probation officer, or an inmate,
10 staff member or authorized visitor of a state, county or
11 municipal correctional facility or work release center.

12

13 (d) Assault by contamination is a felony punishable
14 by imprisonment for not more than five (5) years.
15 Aggravated assault by contamination is a felony punishable
16 by not more than ten (10) years imprisonment. Any sentence
17 imposed upon conviction pursuant to this subsection shall
18 be served consecutively to any sentence currently being
19 served.

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21 **Section 2.** W.S. 6-1-104(a)(xii) is amended to read:

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23 **6-1-104. Definitions.**

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1 (a) As used in W.S. 6-1-101 through 6-10-203 unless
2 otherwise defined:

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4 (xii) "Violent felony" means murder,
5 manslaughter, kidnapping, sexual assault in the first or
6 second degree, robbery, aggravated assault, aggravated
7 assault by contamination, aircraft hijacking, arson in the
8 first or second degree or aggravated burglary;

9

10 **Section 3.** This act is effective immediately upon
11 completion of all acts necessary for a bill to become law
12 as provided by Article 4, Section 8 of the Wyoming
13 Constitution.

14

15

(END)