

IN THE HOUSE OF REPRESENTATIVES

HOUSE BILL NO. 458

BY JUDICIARY, RULES AND ADMINISTRATION COMMITTEE

AN ACT

1
2 RELATING TO BATTERY; AMENDING SECTION 18-915C, IDAHO CODE, TO PROVIDE CER-
3 TAIN EXEMPTIONS FOR BATTERY AGAINST HEALTH CARE WORKERS AND TO PROVIDE
4 THAT CERTAIN PROVISIONS SHALL APPLY.

5 Be It Enacted by the Legislature of the State of Idaho:

6 SECTION 1. That Section 18-915C, Idaho Code, be, and the same is hereby
7 amended to read as follows:

8 18-915C. BATTERY AGAINST HEALTH CARE WORKERS. (1) Any person who com-
9 mits battery as defined in section 18-903(a) or (c), Idaho Code, against or
10 upon any person licensed, certified or registered by the state of Idaho to
11 provide health care, or an employee of a hospital, medical clinic or medi-
12 cal practice, when the victim is in the course of performing his or her du-
13 ties or because of the victim's professional or employment status under this
14 statute, shall be subject to imprisonment in the state prison not to exceed
15 three (3) years.

16 (2) The provisions of subsection (1) of this section shall not apply
17 to any person whose commission of battery is the direct and proximate re-
18 sult of mental illness or symptoms such as delusions, hallucinations, erro-
19 neous perceptions of reality, disorganized thinking, mania, or disruptions
20 of consciousness, memory, and perception and who:

21 (a) Is in the process of seeking admission to a hospital or medical
22 clinic for mental illness, as defined in section 66-601, Idaho Code;

23 (b) Has been admitted to a hospital or medical clinic for treatment of
24 mental illness; or

25 (c) Is currently being treated in a mental health facility, as defined
26 in section 66-317(7), Idaho Code.

27 (3) The provisions of section 18-116, Idaho Code, shall apply notwith-
28 standing subsection (2) of this section.