

HOUSE BILL 1217

By Harmon

AN ACT to amend Tennessee Code Annotated, Title 39, Chapter 13, Part 1, relative to the offense of aggravated assault.

BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF TENNESSEE:

SECTION 1. Tennessee Code Annotated, Section 39-13-102, is amended by adding the following new subsection (e) and redesignating accordingly:

(e) A person commits aggravated assault who:

(1) Intentionally throws, spits, or otherwise projects human urine, feces, vomit, blood, semen, saliva or other bodily fluids upon or at:

(A) A correctional officer or other employee of a prison, jail or other facility to which adults are sentenced to imprisonment; or

(B) An employee of a juvenile detention facility or other institution or camp to which juveniles adjudicated to be delinquent are committed or confined;

(2) Intends to cause the bodily fluid to come in contact with the officer;

and

(3) Reasonably should know that the officer would regard the contact with the person's bodily fluids to be extremely offensive.

SECTION 2. Tennessee Code Annotated, Section 39-13-102, is amended by deleting the third sentence of present subdivision (e)(1) and substituting instead the following:

Aggravated assault under subdivision (a)(2) or subsection (e) is a Class D felony.

SECTION 3. This act shall take effect July 1, 2011, the public welfare requiring it.