



SPONSOR: Rep. Bush & Sen. Paradee
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Mitchell, Osienski, D. Short, Shupe, Michael Smith,
Smyk; Sens. Bonini, Ennis, Gay, Hansen, Hocker,
Lawson, Lopez, Pettyjohn, Sokola, Walsh, Wilson

HOUSE OF REPRESENTATIVES
151st GENERAL ASSEMBLY

HOUSE BILL NO. 324

AN ACT TO AMEND TITLE 11 OF THE DELAWARE CODE RELATING TO ASSAULT.

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

1 Section 1. Amend § 612, Title 11 of the Delaware Code by making deletions as shown by strike through and
2 insertions shown by underline as follows:

3 § 612 Assault in the second degree; class D felony.

4 (3) The person intentionally causes physical injury to a law-enforcement officer, a volunteer firefighter, a
5 full-time firefighter, emergency medical technician, paramedic, fire police officer, fire marshal, correctional officer, a
6 sheriff, a deputy sheriff, public transit operator, hospital security officer or constable, a code enforcement constable, or
7 a code enforcement officer who is acting in the lawful performance of duty. For purposes of this subsection, if a law-
8 enforcement officer is off duty and the nature of the assault is related to that law-enforcement officer's official position,
9 then it shall fall within the meaning of "official duties" of a law-enforcement officer; or

10 (4) The person intentionally causes physical injury to the operator of an ambulance, a rescue squad member,
11 licensed practical nurse, registered nurse, paramedic, ~~or licensed medical doctor~~ doctor, or any person providing health
12 care treatment or employed by a health care provider while such person is performing a work-related duty; or

SYNOPSIS

House Bill 214 enacted by the 148th General Assembly (80 Del. Laws c. 287) expanded the offense of Assault in the Second Degree to include the intentional assault of ambulance operators, rescue squad members, and nurses injured while performing work-related duties. As a result of increasing workplace violence directed against healthcare providers, this Act further defines Assault in the Second Degree to include other health care treatment providers and employees and hospital security personnel who are injured while performing their work-related duties.