

# Hall of the House of Representatives

93rd General Assembly - Regular Session, 2021

## Amendment Form

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### Subtitle of House Bill No. 1508

CONCERNING RIOT OFFENSES AND PUBLIC DEMONSTRATION OFFENSES; CONCERNING OFFENSES  
COMMITTED AGAINST FIRST RESPONDERS; CONCERNING PUBLIC AND PRIVATE PROPERTY  
OFFENSES; AND CONCERNING PROCEDURES UPON ARREST.

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### Amendment No. 4 to House Bill 1508

Amend House Bill No. 1508 as engrossed H3/15/21 (version: 03/15/2021 10:52:21 AM):

Page 1, delete lines 33 through 35, and substitute the following:

"As used in this chapter, "first responder" means a law enforcement officer, firefighter, emergency medical provider, or emergency management official, who is acting within the scope or course of his or her employment."

AND

Page 2, delete lines 14 through 18, and substitute the following:

"(5) The person knowingly causes physical contact with a first responder by spitting, throwing, or otherwise transferring bodily fluids, pathogens, or human waste onto the person of the first responder."

AND

Page 2, delete lines 21 through 28, and substitute the following:

"(2) Battery in the third degree under subdivision (a)(5) of this section is a Class A misdemeanor with a mandatory fine of two thousand five hundred dollars (\$2,500) and a mandatory minimum sentence of at least thirty (30) days of imprisonment for which the defendant is required to serve at least thirty (30) days before being released from imprisonment."

AND

Page 2, delete lines 32 through 36

AND

Page 3, delete lines 1 through 10, and substitute the following:

"5-13-212. Aggravated assault against first responder."



(a) A person commits aggravated assault against a first responder if:  
(1) The person knowingly causes physical contact with a first responder by spitting, throwing, or otherwise transferring bodily fluids, pathogens, or human waste onto the person of the first responder or by throwing an object such as a brick, rock, bottle, projectile, firework, chemical agent, or explosive device that a reasonable person knows or should know could cause physical injury if the object struck the first responder; and  
(2) The physical contact:"

AND

Page 3, delete lines 11 through 15, and substitute the following:

"(A) Results in serious physical injury to the first responder;  
(B) Involves the use or display of a deadly weapon; or  
(C) Involves strangulation or attempted strangulation."

AND

Delete SECTION 6 in its entirety

AND

Page 6, delete lines 33 through 36

AND

Page 7, delete lines 1 through 5, and substitute the following:

"(b)(1) Riot is a Class A misdemeanor.  
(2) A person convicted of riot shall be sentenced to a minimum of thirty (30) days of imprisonment for which the defendant is required to serve at least thirty (30) days before being released from imprisonment and shall be ordered to pay restitution for any physical injury, damage, or loss incurred as a result of the offense."

AND

Page 7, delete lines 29 through 36

AND

Page 8, delete line 1, and substitute the following:

"(b)(1) Inciting riot is a Class D felony if physical injury to a person or damage to property results from the offense.  
(2)(A) Otherwise, inciting riot is a Class A misdemeanor.  
(B) In addition to any other sentence imposed under this section, a person convicted of inciting riot shall be ordered to pay restitution for any physical injury, damage, or loss incurred as a result of the offense."

AND

Delete SECTION 11 in its entirety

AND

Delete SECTION 14 in its entirety

AND

Appropriately renumber the sections of the bill

The Amendment was read \_\_\_\_\_

By: Representative Brown

BPG/BPG - 04-08-2021 09:22:04

BPG526

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Chief Clerk