



HOUSE COMMITTEE ON APPROPRIATIONS

FISCAL NOTE

HOUSE BILL NO. 1618

PRINTERS NO. 2088

PRIME SPONSOR: Gillespie

COST / (SAVINGS)

FUND	FY 2010/11	FY 2011/12
General Fund	\$0	See Below

SUMMARY: House Bill 1618 amend the Crimes Code concerning Assault of a Law Enforcement Officer

ANALYSIS: This legislation adds two new offenses to the Crimes Code, Assault of a Law Enforcement Officer in the Second Degree and Assault of a Law Enforcement Officer in the Third Degree. The third degree offense is committed when a person intentionally or knowingly causes or attempts to cause a law enforcement officer, while in the performance of his duty and with knowledge that the victim is a law enforcement officer, to come into contact with blood, seminal fluid, saliva, urine or feces by throwing, tossing, spitting or expelling such fluid or material. Such conduct is classified as a felony of the third degree.

The second degree offense involves the same conduct when the person knew, had reason to know, should have known or believed such fluid or material to have been obtained from an individual, including the perpetrator, infected by a communicable disease, such as human immunodeficiency virus or hepatitis B. Such conduct is classified as a felony of the second degree.

FISCAL IMPACT: It is not possible to determine the fiscal impact of this legislation. Reliable data do not exist to estimate how many individuals may engage in this conduct and be subsequently sentenced to a second or third degree felony. Currently these actions are considered a felony if performed by a prisoner against a law enforcement officer engaged in official duties, such as transporting the prisoner. This legislation would expand that offense to include such actions performed by anyone a law enforcement officer encounter on the job.

PREPARED BY: Jeff Miller
House Appropriations Committee (R)

DATE: June 21, 2011

Estimates are calculated using the best information available. Actual costs and revenue impact incurred may vary from estimates.