

Introduced by

Senators Casper, Meyer, Robinson

Representatives O'Brien, Vetter, Boe

1 A BILL for an Act to amend and reenact section 12.1-17-02 of the North Dakota Century Code,
2 relating to aggravated assault of a peace officer; and to provide a penalty.

3 **BE IT ENACTED BY THE LEGISLATIVE ASSEMBLY OF NORTH DAKOTA:**

4 **SECTION 1. AMENDMENT.** Section 12.1-17-02 of the North Dakota Century Code is
5 amended and reenacted as follows:

6 **12.1-17-02. Aggravated assault.**

- 7 1. Except as provided in subsection 2, a person is guilty of a class C felony if that person:
- 8 a. Willfully causes serious bodily injury to another human being;
 - 9 b. Knowingly causes bodily injury or substantial bodily injury to another human
10 being with a dangerous weapon or other weapon, the possession of which under
11 the circumstances indicates an intent or readiness to inflict serious bodily injury;
 - 12 c. Causes bodily injury or substantial bodily injury to another human being while
13 attempting to inflict serious bodily injury on any human being; or
 - 14 d. Fires a firearm or hurls a destructive device at another human being.
- 15 2. The person is guilty of a class B felony if the person violates subsection 1 and the
16 victim ~~is under the age of:~~
- 17 a. Is under twelve years of age;
 - 18 b. Is a peace officer acting in an official capacity, which the actor knows to be a fact;
19 ~~or the victim suffers~~
 - 20 c. Suffers permanent loss or impairment of the function of a bodily member or
21 organ.