

HOUSE BILL 1628

By Cepicky

AN ACT to amend Tennessee Code Annotated, Title 39,
relative to assault.

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

SECTION 1. Tennessee Code Annotated, Title 39, Chapter 13, Part 1, is amended by adding the following new section:

(a) A person commits assault within a healthcare facility who:

(1) Knowingly causes bodily injury to another within a healthcare facility;

or

(2) Knowingly causes physical contact with another within a healthcare facility and a reasonable person would regard the contact as extremely offensive or provocative, including, but not limited to, spitting, throwing, or otherwise transferring bodily fluids, bodily pathogens, or human waste onto the person of another.

(b) A person commits aggravated assault within a healthcare facility who knowingly commits an assault under subsection (a) within a healthcare facility, and the assault:

(1) Results in serious bodily injury to the victim;

(2) Results in the death of the victim;

(3) Involves the use or display of a deadly weapon; or

(4) Involves strangulation or attempted strangulation.

(c)

(1) Assault within a healthcare facility under subsection (a) is a Class A misdemeanor, and shall be punished by a mandatory fine of five thousand dollars (\$5,000) and a mandatory minimum sentence of thirty (30) days incarceration. The defendant is not eligible for release from confinement until the defendant has served the entire thirty-day mandatory minimum sentence.

(2) Aggravated assault within a healthcare facility under subsection (b) is a Class C felony, and is punished by a mandatory fine of fifteen thousand dollars (\$15,000) and a mandatory minimum sentence of ninety (90) days incarceration. The defendant is not eligible for release from confinement until the defendant has served the entire ninety-day mandatory minimum sentence.

(d) As used in this section, "healthcare facility" has the same meaning as defined in § 56-6-703.

SECTION 2. This act takes effect October 1, 2023, the public welfare requiring it.