

HOUSE BILL NO. HB0129

Assault-amendments.

Sponsored by: Representative(s) Bagby and Buchanan and  
Senator(s) Vasey

A BILL

for

1 AN ACT relating to crimes and offenses; establishing the  
2 crimes of assault by contamination and aggravated assault  
3 by contamination; specifying elements; providing penalties;  
4 providing definitions; amending the crime of aggravated  
5 assault and battery as specified; making conforming  
6 amendments; and providing for an effective date.

7

8 *Be It Enacted by the Legislature of the State of Wyoming:*

9

10 **Section 1.** W.S. 6-2-508 is created to read:

11

12 **6-2-508. Assault by contamination; aggravated assault**  
13 **by contamination; penalties.**

14

15 (a) A person who purposefully or knowingly causes one

16 (1) or more contaminating substances to be introduced into

1 the food or drink of or otherwise be ingested by another  
2 person without that person's prior knowledge or consent is  
3 guilty of assault by contamination.

4

5 (b) A person who purposefully or knowingly causes one  
6 (1) or more contaminating substances to be introduced into  
7 the food or drink of or otherwise ingested by another  
8 person without that person's prior knowledge or consent is  
9 guilty of aggravated assault by contamination if:

10

11 (i) The contaminating substance is infected with  
12 or otherwise contains a serious contagious or infectious  
13 disease; or

14

15 (ii) The person intended or used the  
16 contaminating substance to substantially impair the other  
17 person's power to appraise or control his conduct.

18

19 (c) Assault by contamination is a misdemeanor  
20 punishable by imprisonment for not more than six (6)  
21 months, a fine of not more than seven hundred fifty dollars  
22 (\$750.00), or both. Aggravated assault by contamination is  
23 a felony punishable by not more than ten (10) years  
24 imprisonment.

1

2 (d) As used in this section:

3

4 (i) "Bodily tissues, fluids or wastes" means  
5 substances or secretions from the human body, including but  
6 not limited to skin, flesh, blood, saliva, urine and feces;

7

8 (ii) "Contaminating substance" includes bodily  
9 tissues, fluids or wastes and controlled substances;

10

11 (iii) "Controlled substance" means as defined in  
12 W.S. 35-7-1002(a)(iv);

13

14 (iv) "Serious contagious or infectious disease"  
15 means any disease or contagion that bears a substantial  
16 probability of death or grave physical or mental injury or  
17 debilitation for any person who comes into contact with or  
18 contracts the disease or contagion, including but not  
19 limited to human immunodeficiency virus (HIV) and  
20 hepatitis.

21

22 **Section 2.** W.S. 6-1-104(a)(xii) and 6-2-502(a)(i) are  
23 amended to read:

24

1           **6-1-104. Definitions.**

2

3           (a) As used in W.S. 6-1-101 through 6-10-203 unless  
4 otherwise defined:

5

6                   (xii) "Violent felony" means murder,  
7 manslaughter, kidnapping, sexual assault in the first or  
8 second degree, robbery, aggravated assault, aggravated  
9 assault by contamination, aircraft hijacking, arson in the  
10 first or second degree or aggravated burglary;

11

12           **6-2-502. Aggravated assault and battery; penalty.**

13

14           (a) A person is guilty of aggravated assault and  
15 battery if he:

16

17                   (i) Attempts to cause or causes serious bodily  
18 injury to another intentionally, knowingly or recklessly  
19 under circumstances manifesting extreme indifference to the  
20 value of human life;

21

1           **Section 3.**   This act is effective immediately upon  
2 completion of all acts necessary for a bill to become law  
3 as provided by Article 4, Section 8 of the Wyoming  
4 Constitution.

5

6

(END)