



# HOUSE BILL 283: Conner's Law.

2019-2020 General Assembly

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<b>Committee:</b>		<b>Date:</b>	December 10, 2019
<b>Introduced by:</b>		<b>Prepared by:</b>	Bill Patterson Staff Attorney
<b>Analysis of:</b>	S.L. 2019-228		

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**OVERVIEW:** *S.L. 2019-228 changes the penalty level for the following offenses: assaulting a law enforcement officer, probation officer, or parole officer with a firearm is increased from a Class E to a Class D felony; assaulting emergency personnel causing serious bodily injury or using a deadly weapon is increased from a Class H to a Class G felony; and assaulting emergency personnel with a firearm is increased from a Class F to Class E felony.*

*These changes became effective December 1, 2019, and apply to offenses committed on or after that date.*

*The act also provides a new death benefit of \$100,000 for public safety employees murdered in the line of duty.*

*This provision will become effective upon appropriation of funds for its implementation, and will apply to qualifying deaths occurring on or after July 1, 2016.*

*In addition, the act makes a technical change to a related death benefit provision, retroactively effective April 1, 2017, and applicable to qualifying deaths occurring on or after that date.*

**CURRENT LAW:** It is a Class E felony for any person to assault with a firearm a law enforcement officer, probation officer, or parole officer while the officer is in the performance of his or her duties.

It is a Class H felony for any person to cause serious bodily injury or use a deadly weapon while assaulting a firefighter, emergency medical technician, medical responder, hospital security personnel, or licensed healthcare provider or hospital personnel providing or attempting to provide health care services to a patient *in* a hospital. If the weapon used in the assault is a firearm, the offense is a Class F felony.

The Public Safety Employees' Death Benefit Act provides a \$100,000 death benefit when a covered person is killed in the line of duty. A "covered person" is a firefighter, law enforcement officer, a noncustodial employee of the Division of Adult Correction and Juvenile Justice, a rescue squad worker, or a Senior Civil Air Patrol member.

## **BILL ANALYSIS:**

**Section 1.(a)** increases to a Class D felony the penalty for assaulting a law enforcement officer, probation officer, or parole officer with a firearm while the officer is performing his or her duties.

**Section 1.(b)** increases to a Class G felony the penalty for an assault inflicting serious injury or using a deadly weapon against a firefighter, emergency medical technician, medical responder, hospital security personnel, or licensed healthcare provider or hospital personnel providing or attempting to provide health care services to a patient. This section of the act also increases to a Class E felony the penalty level for

Karen Cochrane-Brown  
Director



Legislative Analysis  
Division  
919-733-2578

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an assault using a firearm against such personnel and authorizes prosecution for assaults committed against hospital personnel and healthcare providers providing health care services to patients *outside* a hospital.

**Section 2** amends the Public Safety Employees' Death Benefit Act to provide an additional death benefit of \$100,000 when any covered person is "murdered in the line of duty," defined as "killed in the line of duty in a manner reasonably determined by the Industrial Commission to be directly caused by the intentional harmful act of another person." The death benefit would be paid to the surviving spouse, dependent child, dependent parent, or the estate of the deceased covered person.

**Section 3** makes a technical change to a related provision for payment of a death benefit to the estate of a deceased covered person.

**EFFECTIVE DATE:** Section 1 of this act became effective December 1, 2019, and applies to offenses committed on or after that date. Section 2 becomes effective upon appropriation of funds for the implementation of this section, and will apply to qualifying deaths occurring on or after July 1, 2016. Section 3 is effective retroactively April 1, 2017, and applies to qualifying deaths occurring on or after that date.

*Legislative Analysis Division Staff Attorney Susan Sitze contributed to this summary.*