

**Sixty-fifth Legislative Assembly of North Dakota  
In Regular Session Commencing Tuesday, January 3, 2017**

SENATE BILL NO. 2300  
(Senators Casper, Meyer, Robinson)  
(Representatives O'Brien, Vetter, Boe)

AN ACT to amend and reenact section 12.1-17-02 of the North Dakota Century Code, relating to aggravated assault of a peace officer; and to provide a penalty.

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

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

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

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

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President of the Senate

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Speaker of the House

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Secretary of the Senate

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Chief Clerk of the House

This certifies that the within bill originated in the Senate of the Sixty-fifth Legislative Assembly of North Dakota and is known on the records of that body as Senate Bill No. 2300.

Senate Vote:    Yeas 46            Nays 0            Absent 1

House Vote:    Yeas 63            Nays 27           Absent 4

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Secretary of the Senate

Received by the Governor at \_\_\_\_\_ M. on \_\_\_\_\_, 2017.

Approved at \_\_\_\_\_ M. on \_\_\_\_\_, 2017.

\_\_\_\_\_  
Governor

Filed in this office this \_\_\_\_\_ day of \_\_\_\_\_, 2017,

at \_\_\_\_\_ o'clock \_\_\_\_\_ M.

\_\_\_\_\_  
Secretary of State