

ONE HUNDRED FIFTH LEGISLATURE - SECOND SESSION - 2018
COMMITTEE STATEMENT
LB913

Hearing Date: Wednesday January 31, 2018
Committee On: Judiciary
Introducer: McDonnell
One Liner: Change provisions relating to assault with a bodily fluid against a public safety officer

Roll Call Vote - Final Committee Action:
Advanced to General File

Vote Results:

Aye:	6	Senators Baker, Ebke, Halloran, Hansen, Krist, Pansing Brooks
Nay:		
Absent:	1	Senator Chambers
Present Not Voting:	1	Senator Morfeld

Verbal Testimony:

Proponents:

Senator Mike McDonnell
Abbey Klein
Karen Wiley

Representing:

Introducer
self
Nebraska Nurses Association

Opponents:

Spike Eickholt

Representing:

Nebraska Criminal Defense Attorneys Association

Neutral:

Representing:

Summary of purpose and/or changes:

This bill would add health care professionals to the definition of "public safety officer" for purposes of the criminal prohibition on assault with a bodily fluid against a public safety officer. A definition for "health care professionals" is incorporated by reference from Neb. Rev. Stat. Sec. 28-929.01(1), and would include "a physician or other health care practitioner who is licensed, certified, or registered to perform specified health services consistent with state law who practices at a hospital or a health clinic[.]"

Under current law, assault with a bodily fluid against a public safety officer is a Class I misdemeanor, but is aggravated to a Class IIIA felony (1) if the bodily fluid strikes the victim's eyes, mouth, or skin, and (2) the attacker knew that the source of the fluid was infected with HIV, hepatitis B, or hepatitis C.

Laura Ebke, Chairperson