

CHILD WELFARE WORKER PROTECTIONS

2019 GENERAL SESSION

STATE OF UTAH

Chief Sponsor: Evan J. Vickers

House Sponsor: Walt Brooks

LONG TITLE

General Description:

This bill makes it a crime to assault a child welfare worker.

Highlighted Provisions:

This bill:

- ▶ makes it a crime to assault or threaten violence against a child welfare worker.

Money Appropriated in this Bill:

None

Other Special Clauses:

None

Utah Code Sections Affected:

ENACTS:

76-8-318, Utah Code Annotated 1953

Be it enacted by the Legislature of the state of Utah:

Section 1. Section **76-8-318** is enacted to read:

76-8-318. Assault or threat of violence against child welfare worker -- Penalty.

(1) As used in this section:

(a) "Assault" means the same as that term is defined in Section [76-5-102](#).

(b) "Child welfare worker" means an employee of the Division of Child and Family Services created in Section [62A-4a-103](#).

(c) "Threat of violence" means the same as that term is defined in Section [76-5-107](#).

(2) An individual who commits an assault or threat of violence against a child welfare

30 worker is guilty of a class A misdemeanor if:

31 (a) the individual is not:

32 (i) a prisoner or an individual detained under Section [77-7-15](#); or

33 (ii) a minor in the custody of or receiving services from a division within the

34 Department of Human Services;

35 (b) the individual knew that the victim was a child welfare worker; and

36 (c) the child welfare worker was acting within the scope of the child welfare worker's

37 authority at the time of the assault or threat of violence.

38 (3) An individual who violates this section is guilty of a third degree felony if the

39 individual:

40 (a) causes substantial bodily injury, as defined in Section [76-1-601](#); and

41 (b) acts intentionally or knowingly.