

DEPARTMENT OF FINANCE BILL ANALYSIS

AMENDMENT DATE: April 14, 2008
POSITION: Neutral

BILL NUMBER: SB 1509
AUTHOR: A. Lowenthal

BILL SUMMARY: Highway Workers: Assault and Battery

This bill would make assault and battery of a highway worker, engaged in the performance of his or her job, a misdemeanor punishable by a fine, imprisonment in the county jail up to one year, or by both a fine and imprisonment.

FISCAL SUMMARY

This bill would have no fiscal impact on any state department or agency.

Any local government costs resulting from the mandate in this measure would not be state reimbursable because the mandate only involves the definition of a crime or the penalty for conviction of a crime.

COMMENTS

Existing law:

- Defines assault and battery.
- Prescribes different levels of punishments based on the damage caused by an assault or battery.
- Prescribes a higher level of punishment if the victim of an assault or battery is employed in specified professions and the crime is committed while the victim is engaged in the performance of his or her job.

This bill would:

- Make assaulting a highway worker, who is engaged in the performance of his or her job, a crime punishable by a fine of up to \$2,000, imprisonment in the county jail for up to one year, or both a fine and imprisonment.
- Make the battery of a highway worker, who is engaged in the performance of his or her job, a crime punishable by a fine of up to \$5,000, imprisonment in the county jail for up to one year, or both a fine and imprisonment.

Code/Department Agency or Revenue Type	(Fiscal Impact by Fiscal Year)							Fund Code
	SO	LA	CO	PROP	FC	FC	FC	
	RV	98	FC	2007-2008	FC	2008-2009	FC	2009-2010
5225/Corr & Rehab	SO	No	-----	No/Minor	Fiscal Impact	-----	-----	0001

Analyst/Principal (0233) J. Osborn	Date	Program Budget Manager Todd Jerue	Date
---------------------------------------	------	--------------------------------------	------

Department Deputy Director	Date
----------------------------	------

Governor's Office:	By:	Date:	Position Approved _____
			Position Disapproved _____

BILL ANALYSIS Form DF-43 (Rev 03/95 Buff)