



**Fiscal Note Request HB0363, As Introduced**

(continued)

TECHNICAL NOTES:

1. Section 1 removes the words “or knowingly” from section 45-5-214, MCA. When dealing with mentally ill individuals, staff at the Montana State Hospital and the Nursing Care Center must evaluate whether the assault with a bodily fluid was “purposeful” as used in section 1 or a manifestation of a mental illness. Removing the words “or knowingly” may allow mentally ill patients to be charged with an assault that is a symptom of their mental illness.