

## 1 SENATE BILL NO. 198

2 INTRODUCED BY F. THOMAS

3

4 A BILL FOR AN ACT ENTITLED: "AN ACT PROVIDING FOR INCREASED PENALTIES FOR ASSAULT ON A  
5 MINOR UNDER 36 MONTHS OF AGE; AMENDING SECTION 45-5-212, MCA; AND PROVIDING AN  
6 APPLICABILITY DATE."

7

8 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MONTANA:

9

10 **Section 1.** Section 45-5-212, MCA, is amended to read:

11 **"45-5-212. Assault on minor.** (1) A person commits the offense of assault on a minor if the person  
12 commits an offense under 45-5-201, and at the time of the offense, the victim is under 14 years of age and the  
13 offender is 18 years of age or older.

14 (2) (a) Except as provided in subsection (2)(b) or (2)(c), a A person convicted of assault on a minor shall  
15 be imprisoned in a state prison for a term not to exceed 5 years or be fined not more than \$50,000, or both.

16 (b) If, at the time of the offense the victim is under 36 months of age, a person convicted of assault on  
17 a minor shall be imprisoned in a state prison for a term not to exceed 20 years or be fined not more than \$50,000,  
18 or both.

19 (c) If, at the time of the offense the victim is under 36 months of age, a person convicted of assault on  
20 a minor that resulted in serious bodily injury to the victim shall be imprisoned in a state prison for a term not to  
21 exceed 40 years or be fined not more than \$50,000, or both."

22

23 NEW SECTION. **Section 2. Applicability.** [This act] applies to proceedings begun after [the effective  
24 date of this act].

25

- END -