

**§ 14-32.1. Assaults on individuals with a disability; punishments.**

(a) For purposes of this section, an "individual with a disability" is an individual who has one or more of the following that would substantially impair the ability to defend oneself:

- (1) A physical or mental disability, such as a decreased use of arms or legs, blindness, deafness, intellectual disability, or mental illness.
- (2) An infirmity.

(b) through (d) Repealed by Session Laws 1993 (Reg. Sess., 1994), c. 767, s. 31, effective October 1, 1994.

(e) Unless the conduct is covered under some other provision of law providing greater punishment, any person who commits any aggravated assault or assault and battery on an individual with a disability is guilty of a Class F felony. A person commits an aggravated assault or assault and battery upon an individual with a disability if, in the course of the assault or assault and battery, that person does any of the following:

- (1) Uses a deadly weapon or other means of force likely to inflict serious injury or serious damage to an individual with a disability.
- (2) Inflicts serious injury or serious damage to an individual with a disability.
- (3) Intends to kill an individual with a disability.

(f) Any person who commits a simple assault or battery upon an individual with a disability is guilty of a Class A1 misdemeanor. (1981, c. 780, s. 1; 1993, c. 539, ss. 15, 1139; 1994, Ex. Sess., c. 24, s. 14(c); 1993 (Reg. Sess., 1994), c. 767, s. 31; 2006-179, s. 1; 2018-47, s. 4(m).)