

ARTICLE 529
Offenses Relating to Persons

- 529.01 Assault and battery**
- 529.02 Assault and battery on school employees**
- 529.99 Penalty**

CROSS REFERENCES

Uniform Controlled Substances Act - see WV Code Ch. 60A
State law provisions - see WV Code Art. 61-2
Harassing telephone calls - see GEN. OFF. 517.06
Intoxication or drinking in public places - see GEN. OFF. 521.06

529.01 ASSAULT AND BATTERY

(a) Assault. No person shall unlawfully attempt to commit a violent injury to the person of another or unlawfully commit an act which places another in reasonable apprehension of immediately receiving a violent injury.

(b) Battery. No person shall unlawfully and intentionally make physical contact of an insulting or provoking nature with the person of another or unlawfully and intentionally cause physical harm to another person. (WVC 61-2-9)

529.02 ASSAULT AND BATTERY ON SCHOOL EMPLOYEES

(a) No person shall commit an assault by unlawfully attempting to commit a violent injury to the person of a school employee or by unlawfully committing an act which places a school employee in reasonable apprehension of immediately receiving a violent injury.

(b) No person shall commit a battery by unlawfully and intentionally making physical contact of an insulting or provoking nature with the person of a school employee or by unlawfully and intentionally causing physical harm to a school employee.

(c) For the purposes of this section, "school employee" means a person employed by the Board of Education whether employed on a regular full-time basis, an hourly basis or otherwise, if at the time of the commission of any offense provided for in this section, such person is engaged in the performance of his duties or is commuting to or from his place of employment. For the purposes of this section, a "school employee" shall be deemed to include a student teacher. (WVC 61-2-15)

529.99 PENALTY

(EDITOR'S NOTE: See Section 501.99 for general Code penalty if no specific penalty is provided.) Whoever violates Section 529.01(a) or 529.02(a) shall be fined not more than one hundred dollars (\$100.00) or imprisoned not more than thirty days, or both.