

SB 742 – Assault or Battery on Healthcare Providers (Identical HB 101)

This bill adds healthcare providers to s. 784.07, F.S., which addresses assault or battery of law enforcement officers, firefighters, emergency medical providers, public transit employees, etc. Healthcare provider is defined as “a physician, a registered nurse, an employee, an agent, or a volunteer of a hospital, as defined in s. 395.002, or a nursing home facility, as defined in s. 400.021, who is employed by, under contract with, or otherwise authorized by such hospital or nursing home facility to perform duties directly associated with the care and treatment rendered by the hospital or nursing home facility.” Offenses under this statute are reclassified as follows:

Assault increased from 2nd degree misdemeanor to 1st degree misdemeanor;
Battery from 1st degree misdemeanor to 3rd degree felony
Aggravated assault from 3rd degree felony to 2nd degree felony
Aggravated battery from 2nd degree felony to 1st degree felony

Large numbers come to prison each year with these offenses as primary. 1,871 (adj.) were sentenced in FY 16-17 with 447 (adj.) sentenced to prison. **See Handout.** It is unknown how large the healthcare provider victim pool is, but simple battery is the most common felony offense and the incarceration rate is low (18.1% adj.). CJIC has heard bills with the same provisions in prior years and found them to have an insignificant impact due to low volume.

CONFERENCE ADOPTED ESTIMATE: Positive Insignificant

Requested by: House