

SB 614 – Assault or Battery on Hospital Personnel

This bill adds hospital personnel to s. 784.07, F.S., which addresses assault or battery of law enforcement officers, firefighters, emergency medical providers, public transit employees, etc. Hospital personnel is defined as “a physician, an employee, an agent, or a volunteer who is employed, under contract, or otherwise authorized by a hospital, as defined in s. 395.002, F.S., to perform duties directly associated with the care and treatment rendered by any department of a hospital or with the security thereof.”

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. In FY 18-19, there were 400 new commitments to prison for these offenses and in FY 19-20, there were 286 new commitments. It is unknown how large the hospital personnel victim pool is, but simple battery is the most common felony offense and the incarceration rate is low (16.5% in FY 18-19 and 15.0% in FY 19-20). 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: Senate