

Proposed law provides that on a second or subsequent offense, if the battery produces an injury that requires medical attention, the offender is punishable by a fine of not more than \$10,000 and imprisonment between two and five years, at least 90 days of which must be served without benefit of parole, probation, or suspension of sentence.

Proposed law otherwise retains present law.

Proposed law creates the crime of assault on emergency room personnel, emergency services personnel, or a healthcare professional, which is defined as an assault committed when the offender has reasonable grounds to believe that the victim is a emergency room personnel, emergency services personnel, or a healthcare professional acting in the performance of his duties.

Proposed law defines "assault," "emergency room personnel," "emergency services personnel," and "healthcare professional" for the purposes of proposed law.

A violation of proposed law is punishable by a fine of not more than \$1,000, or imprisonment between 30 and 180 days, or both.

Proposed law creates the crime of unlawful disruption of the operation of a healthcare facility, defined as the intentional communication of information that the commission of a crime of violence is imminent or in progress, or that a circumstance dangerous to human life exists or is about to exist, when committed under any one or more of the following circumstances:

- (1) When the offender's actions cause emergency room personnel, emergency services personnel, or healthcare professionals at a healthcare facility to be in sustained fear for their safety, and a reasonable person would have known that his actions could cause sustained fear.
- (2) When the offender's actions cause the evacuation of a healthcare facility, and a reasonable person would have known that his actions could cause an evacuation.
- (3) When the offender's actions cause any other serious disruption to the operation of a healthcare facility, and a reasonable person would have known that his actions could cause serious disruption to the operation of a healthcare facility.

Proposed law defines "healthcare facility", "emergency room personnel", "emergency services personnel", and "healthcare professional" for the purposes of proposed law.

A violation of proposed law is punishable by a fine of not more than \$1,000, or imprisonment, with or without hard labor, between one and five years, or both.

Effective August 1, 2022.

(Amends R.S. 14:34.8(A)(1), (B)(3), and (C); adds R.S. 14:2(B)(56), 38.5, and 40.9)

Summary of Amendments Adopted by Senate

Committee Amendments Proposed by Senate Committee on Judiciary C to the original bill

1. Changes certain proposed law references from "hospital" to "healthcare facility".

Senate Floor Amendments to engrossed bill

1. Increases sentence from 15 days to 45 days that must be served without benefit of parole, probation, or suspension of sentence for a second offense of battery of emergency room personnel, emergency services personnel or a healthcare professional.
2. Increases minimum sentence from 30 days to 60 days that must be served without benefit of parole, probation, or suspension of sentence for a first offense of battery if the battery produces an injury that requires medical attention.
3. Increases the minimum sentence from 60 days to 90 days that must be served without benefit of parole, probation or suspension of sentence for a second or subsequent offence of battery if the battery produces an injury that requires medical attention.