

1 **SENATE FLOOR VERSION**

2 February 20, 2019

3 COMMITTEE SUBSTITUTE
4 FOR

5 SENATE BILL NO. 86

6 By: Jech

7 [crimes and punishments - assault and battery upon
8 medical care providers - firearm - effective date]
9

10 BE IT ENACTED BY THE PEOPLE OF THE STATE OF OKLAHOMA:

11 SECTION 1. AMENDATORY 21 O.S. 2011, Section 650.4, is
12 amended to read as follows:

13 Section 650.4. A. Every person who, without justifiable or
14 excusable cause and with intent to do bodily harm, commits any
15 assault, battery or assault and battery upon the person of ~~an~~
16 ~~emergency~~ a medical care provider who is performing medical care
17 duties, upon conviction, is guilty of a ~~felony~~ misdemeanor
18 punishable by imprisonment in the ~~custody of the Department of~~
19 ~~Corrections~~ county jail for a term not exceeding ~~two (2) years~~ one
20 (1) year, or by a fine not exceeding One Thousand Dollars
21 (\$1,000.00), or by both such fine and imprisonment.

22 B. As used in this section, "~~emergency~~ medical care provider"
23 means doctors, residents, interns, nurses, nurses' aides, ambulance
24 attendants and operators, paramedics, emergency medical technicians,

1 laboratory technicians, radiological technologists, medical
2 students, physical therapists, physician assistants, chaplains,
3 hospital employees and members of a hospital security force.

4 SECTION 2. AMENDATORY 21 O.S. 2011, Section 650.5, is
5 amended to read as follows:

6 Section 650.5. A. Every person who, without justifiable or
7 excusable cause and with intent to do bodily harm, commits any
8 aggravated assault and battery or any assault with a firearm or
9 other deadly weapon upon the person of ~~an emergency medical~~
10 ~~technician or other emergency~~ a medical care provider who is
11 performing medical care duties, upon conviction, is guilty of a
12 felony punishable by imprisonment in a state correctional
13 institution for not more than ~~one (1) year~~ two (2) years, or by a
14 fine not to exceed One Thousand Dollars (\$1,000.00), or by both such
15 fine and imprisonment.

16 B. As used in this section, "medical care provider" means
17 doctors, residents, interns, nurses, nurses' aides, ambulance
18 attendants and operators, paramedics, emergency medical technicians,
19 laboratory technicians, radiological technologists, medical
20 students, physical therapists, physician assistants, chaplains,
21 hospital employees and members of a hospital security force.

22 SECTION 3. This act shall become effective November 1, 2019.

23 COMMITTEE REPORT BY: COMMITTEE ON APPROPRIATIONS
24 February 20, 2019 - DO PASS AS AMENDED