

1 ENGROSSED SENATE
2 BILL NO. 86

By: Jech of the Senate

3 and

4 McEntire and Sanders of the
5 House

6 An Act relating to crimes and punishments; amending
7 21 O.S. 2011, Section 650.4, which relates to assault
8 and battery upon medical care providers; clarifying
9 language; amending 21 O.S. 2011, Section 650.5, which
10 relates to aggravated assault and battery with a
11 firearm upon medical providers; clarifying language;
12 providing definition; and providing an effective
13 date.

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

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

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

1 B. As used in this section, "~~emergency~~ medical care provider"
2 means doctors, residents, interns, nurses, nurses' aides, ambulance
3 attendants and operators, paramedics, emergency medical technicians,
4 laboratory technicians, radiological technologists, medical
5 students, physical therapists, physician assistants, chaplains and
6 members of a hospital security force.

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

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

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

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

2 Passed the Senate the 4th day of March, 2019.

3
4 _____
5 Presiding Officer of the Senate

6 Passed the House of Representatives the ____ day of _____,

7 2019.

8
9 _____
10 Presiding Officer of the House
11 of Representatives