

1 **HOUSE OF REPRESENTATIVES - FLOOR VERSION**

2 STATE OF OKLAHOMA

3 1st Session of the 57th Legislature (2019)

4 ENGROSSED SENATE
5 BILL NO. 86

By: Jech of the Senate

6 and

7 McEntire and Sanders of the
8 House

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

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

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

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

1 (1) year, or by a fine not exceeding One Thousand Dollars
2 (\$1,000.00), or by both such fine and imprisonment.

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

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

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

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

1 students, physical therapists, physician assistants, chaplains and
2 members of a hospital security force.

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

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5 COMMITTEE REPORT BY: COMMITTEE ON APPROPRIATIONS AND BUDGET, dated
6 03/28/2019 - DO PASS.
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