

## **HB 825 – Assault or Battery on Hospital Personnel (Similar SB 568)**

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. Additional language states that “‘hospital personnel’ means a health care practitioner as defined in s. 456.001, F.S., 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 2<sup>nd</sup> degree misdemeanor to 1<sup>st</sup> degree misdemeanor;  
Battery from 1<sup>st</sup> degree misdemeanor to 3<sup>rd</sup> degree felony  
Aggravated assault from 3<sup>rd</sup> degree felony to 2<sup>nd</sup> degree felony  
Aggravated battery from 2<sup>nd</sup> degree felony to 1<sup>st</sup> 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. In FY 20-21, there were 260 new commitments, and there were 320 new commitments in FY 21-22. 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 (16.2% in FY 18-19, 14.4% in FY 19-20, 16.7% in FY 20-21, and 14.4% in FY 21-22). Furthermore, emergency medical care providers are already included in the existing law. 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: House & Senate**