



2015 BILL

1 **AN ACT to create** 940.20 (2r) of the statutes; **relating to:** causing or threatening
2 bodily harm to a nurse and providing a penalty.

Analysis by the Legislative Reference Bureau

Under current law, a person who intentionally causes bodily harm to another without the other person's consent commits the crime of ordinary battery, the penalties for which increase depending on the severity of the injury the person causes his or her victim. A person convicted of ordinary battery is subject to fines and periods of imprisonment. Current law provides more severe penalties for battery committed under certain circumstances against certain government officials, employees, and agents or against certain other victims.

Among those covered under these "special circumstances battery" provisions are law enforcement officers, persons serving on a jury, and emergency medical care providers. If a person intentionally causes bodily harm to one of these victims, the person is guilty of a Class H felony and may be fined not more than \$10,000 or sentenced to a term of imprisonment of not more than six years, or both.

This bill extends the special circumstances battery provisions to a person who is a licensed registered nurse, a licensed practical nurse, or a person working under the supervision of a licensed registered or licensed practical nurse. Under the bill, if a person intentionally causes bodily harm or threatens to cause bodily harm to one of the enumerated victims, the person is guilty of a Class H felony if the person knows or has reason to know that the victim is a licensed registered or practical nurse or working under the supervision of a licensed registered or practical nurse and the victim does not consent to the harm.

