

Committee on Criminal Justice

HB 825 — Assault or Battery on Hospital Personnel

by Rep. Berfield and others (SB 568 by Senators Rodriguez, Hooper, Torres, and Book)

The bill amends s. 784.07, F.S., to reclassify the degree of the offense whenever a person is charged with knowingly committing an assault or battery upon hospital personnel while the hospital personnel is engaged in the lawful performance of his or her duties. The bill defines “hospital personnel” as 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.

The offenses are reclassified as follows:

- In the case of assault, from a second degree misdemeanor to a first degree misdemeanor;
- In the case of battery, from a first degree misdemeanor to a third degree felony;
- In the case of aggravated assault, from a third degree felony to a second degree felony;
and
- In the case of aggravated battery, from a second degree felony to a first degree felony.

The reclassification of the offense has the effect of increasing the maximum sentence that may be imposed for the offense and also increasing sentence points under the Criminal Punishment Code, if the offense is a felony.

If approved by the Governor, or allowed to become law without the Governor’s signature, these provisions take effect October 1, 2023.

Vote: Senate 38-1; House 109-0