

2019 DRAFTING REQUEST

Assembly Substitute Amendment (ASA-SB163)

For: Mark Spreitzer (608) 266-1192 Drafter: ewheeler

By: Secondary Drafters:

Date: 1/16/2020 May Contact:

Same as LRB:

Submit via email: YES
Requester's email: Rep.Spreitzer@legis.wisconsin.gov
Carbon copy (CC) to: Elizabeth.Wheeler@legis.wisconsin.gov
Melinda.Johns@legis.wisconsin.gov

Pre Topic:

No specific pre topic given

Topic:

Exceptions to special circumstance battery

Instructions:

Draft substitute amendment to SB 163 to mirror a0643.

Drafting History:

Table with 6 columns: Vers., Drafted, Reviewed, Submitted, Jacketed, Required. It contains two rows of drafting history data.

FE Sent For: <END>



State of Wisconsin
2019 - 2020 LEGISLATURE

0219/1
LRBs0116/1
EAW:kjf

ASSEMBLY in 1/16
due 1/17

SENATE SUBSTITUTE AMENDMENT 1,
TO SENATE BILL 163

INSCA

October 17, 2019 - Offered by Senator KOOYENGA.

1 **AN ACT to amend** 940.20 (7) (a) 1g. and 940.20 (7) (b); and **to create** 940.20 (2r)
2 and 940.20 (7) (a) 4. of the statutes; **relating to:** battery to a health care
3 provider who works at a hospital or a nurse and providing a penalty.

The people of the state of Wisconsin, represented in senate and assembly, do enact as follows:

4 **SECTION 1.** 940.20 (2r) of the statutes is created to read:
5 940.20 (2r) BATTERY TO A NURSE. (a) In this subsection, "nurse" means an
6 individual who is licensed pursuant to s. 441.06 or 441.10.

7 (b) Whoever intentionally causes bodily harm to a nurse, or to an individual
8 acting under the supervision of a nurse, who is acting in his or her professional
9 capacity, and the actor knows or has reason to know that the victim is a nurse or an
10 individual acting under the supervision of a nurse, by an act done without the
11 consent of the individual so injured, is guilty of a Class H felony.

INS 2-1

1 **SECTION 2.** 940.20 (7) (a) 1g. of the statutes is amended to read:

2 940.20 (7) (a) 1g. "Emergency department" means a room or area in a hospital,
3 as defined in ~~s. 50.33 (2)~~, that is primarily used to provide emergency care, diagnosis
4 or radiological treatment.

5 **SECTION 3.** 940.20 (7) (a) 4. of the statutes is created to read:

6 940.20 (7) (a) 4. "Hospital" has the meaning given in s. 50.33 (2).

7 **SECTION 4.** 940.20 (7) (b) of the statutes is amended to read:

8 940.20 (7) (b) Whoever intentionally causes bodily harm to a health care
9 provider who works in a hospital, an emergency department worker, an emergency
10 medical services practitioner, an emergency medical responder, or an ambulance
11 driver who is acting in an official capacity and who the person knows or has reason
12 to know is a health care provider who works in a hospital, an emergency department
13 worker, an emergency medical services practitioner, an emergency medical
14 responder, or an ambulance driver, by an act done without the consent of the person
15 so injured, is guilty of a Class H felony.

16

(END)

INS 2-15



**ASSEMBLY AMENDMENT 1,
TO ASSEMBLY SUBSTITUTE AMENDMENT 1,
TO ASSEMBLY BILL 175**

USE AS INSERT

October 15, 2019 - Offered by Representatives SPREITZER, CROWLEY, STUBBS and
MCGUIRE.

1 At the locations indicated, amend the substitute amendment as follows:

2 **1.** Page 1, line 11: after that line insert:

3 “(c) This subsection does not apply to a person who has a condition or diagnosis
4 that meets one or more of the definitions under s. 51.01 (2g), (4r), (5) (a), (13), or
5 (14t).”

ins.
2-1

6 **2.** Page 2, line 15: after that line insert:

7 “~~SECTION 45.~~ 940.20 (7) (c) of the statutes is created to read:
8 940.20 (7) (c) This subsection does not apply to a person who has a condition
9 or diagnosis that meets one or more of the definitions under s. 51.01 (2g), (4r), (5) (a),
10 (13), or (14t).”

11

(END)

ins, 2-15