



2001 SENATE BILL 437

February 13, 2002 - Introduced by Senators WIRCH, BURKE, DARLING, HUELSMAN and KANAVAS, cosponsored by Representatives WASSERMAN, TURNER, SYKORA, MUSSER, UNDERHEIM and URBAN. Referred to Committee on Judiciary, Consumer Affairs, and Campaign Finance Reform.

1 **AN ACT** *to create* 940.20 (8) of the statutes; **relating to:** battery to a health care
2 provider and providing a penalty.

Analysis by the Legislative Reference Bureau

Under current law, a person who intentionally causes bodily harm to another (commits simple battery) is guilty of a Class A misdemeanor, for which the person may be fined not more than \$10,000 or incarcerated for up to nine months or both. "Bodily harm" is defined as physical pain or injury, illness, or any impairment of physical condition. If the intentional battery results in greater injury, such as a laceration, broken bone, serious risk of death, or certain permanent disfigurements, the penalties are greater. The penalties are also greater if a person commits simple battery against certain persons, such as judges, probation and parole agents, school district officers or employees, or emergency medical care providers.

This bill increases the penalty for committing simple battery against a nurse, physician, or physician assistant who is acting in his or her capacity as a health care provider, if the batterer knows or has reason to know that the victim is a nurse, physician, or physician assistant. The bill makes battery to a nurse, physician, or physician assistant a Class D felony, for which a person may be fined not more than \$10,000; sentenced to a term of confinement followed by a term of extended supervision that together may not exceed ten years; or both.

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

