

1 **SENATE FLOOR VERSION**

2 February 19, 2021

3 SENATE BILL NO. 793

By: Weaver

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7 An Act relating to medical care providers; amending  
8 21 O.S. 2011, Sections 650.4, as amended by Section  
9 2, Chapter 68, O.S.L. 2020 and 650.5, as amended by  
10 Section 3, Chapter 68, O.S.L. 2020 (21 O.S. Supp.  
11 2020, Sections 650.4 and 650.5), which relate to  
12 assault and battery upon medical care providers and  
13 aggravated assault and battery upon medical care  
14 providers; modifying definition; and providing an  
15 effective date.

16 BE IT ENACTED BY THE PEOPLE OF THE STATE OF OKLAHOMA:

17 SECTION 1. AMENDATORY 21 O.S. 2011, Section 650.4, as  
18 amended by Section 2, Chapter 68, O.S.L. 2020 (21 O.S. Supp. 2020,  
19 Section 650.4), is amended to read as follows:

20 Section 650.4. A. Every person who, without justifiable or  
21 excusable cause and with intent to do bodily harm, commits any  
22 assault, battery or assault and battery upon the person of a medical  
23 care provider who is performing medical care duties, upon  
24 conviction, is guilty of a felony punishable by imprisonment in the  
custody of the Department of Corrections for a term not exceeding

1 two (2) years, or by a fine not exceeding One Thousand Dollars  
2 (\$1,000.00), or by both such fine and imprisonment.

3 B. As used in this section, "medical care provider" means  
4 doctors, residents, interns, nurses, nurses' aides, ambulance  
5 attendants and operators, paramedics, emergency medical technicians,  
6 laboratory technicians, radiologic technologists, physical  
7 therapists, physician assistants, chaplains, volunteers,  
8 pharmacists, nursing students, medical students, respiratory  
9 therapists and members of a hospital security force.

10 SECTION 2. AMENDATORY 21 O.S. 2011, Section 650.5, as  
11 amended by Section 3, Chapter 68, O.S.L. 2020 (21 O.S. Supp. 2020,  
12 Section 650.5), is amended to read as follows:

13 Section 650.5. A. Every person who, without justifiable or  
14 excusable cause and with intent to do bodily harm, commits any  
15 aggravated assault and battery or any assault with a firearm or  
16 other deadly weapon upon the person of a medical care provider, upon  
17 conviction, is guilty of a felony punishable by imprisonment in the  
18 custody of the Department of Corrections for a term not less than  
19 two (2) years nor more than five (5) years, or by a fine not to  
20 exceed One Thousand Dollars (\$1,000.00), or by both such fine and  
21 imprisonment.

22 B. As used in this section, "medical care provider" means  
23 doctors, residents, interns, nurses, nurses' aides, ambulance  
24 attendants and operators, paramedics, emergency medical technicians,

laboratory technicians, radiologic technologists, physical  
therapists, physician assistants, chaplains, volunteers,  
pharmacists, nursing students, medical students, respiratory  
therapists and members of a hospital security force.

SECTION 3. This act shall become effective November 1, 2021.

COMMITTEE REPORT BY: COMMITTEE ON PUBLIC SAFETY  
February 19, 2021 - DO PASS