

State of Wisconsin



2019 Senate Bill 163

Date of enactment: **February 5, 2020**
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2019 WISCONSIN ACT 97

AN ACT to amend 940.20 (7) (a) 1g. and 940.20 (7) (b); and to create 940.20 (2r) and 940.20 (7) (a) 4. of the statutes; relating to: battery to a health care 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:

SECTION 1. 940.20 (2r) of the statutes is created to read:

940.20 (2r) BATTERY TO A NURSE. (a) In this subsection, "nurse" means an individual who is licensed pursuant to s. 441.06 or 441.10.

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

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

940.20 (7) (a) 1g. "Emergency department" means a room or area in a hospital, ~~as defined in s. 50.33 (2),~~ that

is primarily used to provide emergency care, diagnosis or radiological treatment.

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

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

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

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

* Section 991.11, WISCONSIN STATUTES: Effective date of acts. "Every act and every portion of an act enacted by the legislature over the governor's partial veto which does not expressly prescribe the time when it takes effect shall take effect on the day after its date of publication."