

BILL ANALYSIS

Senate Research Center
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H.B. 705
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Criminal Justice
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Engrossed

AUTHOR'S / SPONSOR'S STATEMENT OF INTENT

It has been reported that violent attacks on nurses and other emergency medical personnel are increasing nationwide. Research from a national emergency nurses association shows that the emergency services environment is one of the most dangerous work settings in health care for nurses because of potential violence from patients and visitors and that approximately 25 percent of surveyed emergency department nurses had experienced physical violence numerous times over the past years. Current Texas law enhances the penalty for assault from a Class A misdemeanor to a third degree felony if committed against emergency services personnel while providing emergency services. However, this law does not include hospital emergency room personnel, who must file charges, provide depositions, and go through other related processes if assaulted.

H.B. 705 amends current law relating to the definition of emergency services personnel for purposes of the enhanced penalty prescribed for an assault committed against a person providing services in that capacity.

RULEMAKING AUTHORITY

This bill does not expressly grant any additional rulemaking authority to a state officer, institution, or agency.

SECTION BY SECTION ANALYSIS

SECTION 1. Amends Section 22.01(e)(1), Penal Code, to redefine "emergency services personnel" to include firefighters, emergency medical services personnel as defined by Section 773.003 (Definitions), Health and Safety Code, emergency room personnel, and other individuals who, in the course and scope of employment or as a volunteer, provide services for the benefit of the general public during emergency situations.

SECTION 2. Effective date: September 1, 2013.