

**SUBJECT:** Increasing the criminal penalty for assault of certain hospital personnel

**COMMITTEE:** Criminal Jurisprudence — favorable, without amendment

**VOTE:** 8 ayes — Moody, Cook, Bhojani, Bowers, Darby, Harrison, C. Morales, Schatzline  
0 nays  
1 absent — Leach

**WITNESSES:** For —Jennifer Kachel, Dallas County District Attorney; Dan Blizzard, Methodist Health System; Heather De La Garza, Texas Hospital Association (*Registered, but did not testify*: Marisa Finley, Baylor Scott & White Health; Timothy Ottinger, CHI St. Lukes Health; Travis Richmond, CHRISTUS Health; Julio Gonzalez, Dallas Police Department; Matthew Garcia, Dallas Regional Chamber; Marcus Mitias, Texas Health Resources; Michelle Romero, Texas Medical Association; John Wilkerson, Texas Municipal Police Association (TMPA); AJ Louderback, Texas Sheriffs Regional Alliance; Jeff Hill, UMC LUBBOCK; Elisa Hernandez, University Medical Center of El Paso and 12 individuals)  
  
Against — (*Registered, but did not testify*: Ashley Ford, The Arc of Texas)

**BACKGROUND:** Some have suggested that increasing the penalty for assaults committed against hospital workers could lower cases of physical abuse experienced by health care workers.

**DIGEST:** HB 3548 would enhance the penalty for assault causing bodily injury from a class A misdemeanor (up to one year in jail and/or a maximum fine of \$4,000) to a third-degree felony (two to 10 years in prison and an optional fine of up to \$10,000) if the offense was committed against a person the actor knows is hospital personnel while the person is performing a service in the hospital.

The bill would define "hospital personnel" as nurses, physicians, physician assistants, maintenance or janitorial staff, receptionists, and certain other individuals employed by a hospital.

This bill would take effect September 1, 2023.