§ 120.02 Reckless assault of a child.

1. A person is guilty of reckless assault of a child when, being eighteen years of age or more, such person recklessly causes serious physical injury to the brain of a child less than five years old by shaking the child, or by slamming or throwing the child so as to impact the child's head on a hard surface or object.

2. For purposes of subdivision one of this section, the following shall constitute "serious physical injury":

a. "serious physical injury" as defined in subdivision ten of section 10.00 of this chapter; or

b. extreme rotational cranial acceleration and deceleration and one or more of the following: (i) subdural hemorrhaging; (ii) intracranial hemorrhaging; or (iii) retinal hemorrhaging.

Reckless assault of a child is a class D felony.