

2018 Regular Session

HOUSE BILL NO. 446

BY REPRESENTATIVES FALCONER, BILLIOT, TERRY BROWN, CARMODY,
DWIGHT, HODGES, HOFFMANN, NANCY LANDRY, MACK, AND STAGNI
AND SENATOR JOHNS

1 AN ACT

2 To enact R.S. 14:502, relative to offenses against the person; to provide relative to the
3 failure of a person to seek assistance when another person suffers serious bodily
4 injury; to provide for elements of the offense; to provide for definitions; to provide
5 for criminal penalties; and to provide for related matters.

6 Be it enacted by the Legislature of Louisiana:

7 Section 1. R.S. 14:502 is hereby enacted to read as follows:

8 §502. Failure to seek assistance

9 A.(1) Any person at the scene of an emergency who knows that another
10 person has suffered serious bodily injury shall, to the extent that the person can do
11 so without danger or peril to self or others, give reasonable assistance to the injured
12 person. Reasonable assistance includes immediately seeking or reporting the need
13 for medical assistance from an appropriate authority.

14 (2) Any person who engages in reckless behavior that results in the serious
15 bodily injury of any person shall, to the extent that the person can do so without
16 danger or peril to self or others, give reasonable assistance to the person. Reasonable
17 assistance includes immediately seeking or reporting the need for medical assistance
18 from an appropriate authority.

19 B. For purposes of this Section:

20 (1) "Appropriate authority" includes:

21 (a) Any state or local law enforcement agency.

1 (b) A 911 Public Safety Answering Point as defined in Title 33 of the
2 Louisiana Revised Statutes of 1950.

3 (c) Emergency medical personnel.

4 (2) "Reckless behavior" means an activity or behavior in which a reasonable
5 person knew or reasonably should have known that the activity or behavior may
6 result in injury to another, including but not limited to excessive consumption of
7 alcohol, binge drinking, drag racing, consumption of any controlled dangerous
8 substance, acts of hazing, or other similar activity, including activity which is
9 defined as a criminal offense under this Title.

10 (3) "Serious bodily injury" means bodily injury that involves
11 unconsciousness, extreme physical pain, or protracted and obvious disfigurement,
12 or protracted loss or impairment of the function of a bodily member, organ, or
13 mental faculty, death, or a substantial risk of death.

14 C.(1) Except as provided in Paragraph (2) of this Subsection, any person who
15 violates the provisions of this Section shall be fined not more than one thousand
16 dollars, imprisoned with or without hard labor for not more than one year, or both.

17 (2) If the serious bodily injury results in the death of the person, any person
18 who violates the provisions of this Section shall be fined not more than two thousand
19 dollars, imprisoned with or without hard labor for not more than five years, or both.

SPEAKER OF THE HOUSE OF REPRESENTATIVES

PRESIDENT OF THE SENATE

GOVERNOR OF THE STATE OF LOUISIANA

APPROVED: _____