

---

## DIGEST

The digest printed below was prepared by House Legislative Services. It constitutes no part of the legislative instrument. The keyword, one-liner, abstract, and digest do not constitute part of the law or proof or indicia of legislative intent. [R.S. 1:13(B) and 24:177(E)]

---

HB 64 Original

2020 Regular Session

Dwight

**Abstract:** Amends the crime of unlawful disruption of the operation of a school and expands its application to certain acts committed by students, teachers, and nonstudents.

Present law prohibits a person who is not authorized to be on school premises from engaging in certain acts which would foreseeably cause any of the following:

- (1) Intimidation or harassment of any student or teacher by threat of force or force.
- (2) Placing teachers or students in sustained fear for their health, safety, or welfare.
- (3) Disrupting, obstructing, or interfering with the operation of the school.

Present law provides that whoever commits this present law offense shall be fined not more than \$1,000 or imprisoned with or without hard labor for not less than one year nor more than five years, or both.

Proposed law amends present law to prohibit any student, teacher, or nonstudent from engaging in any of the following acts which would foreseeably place teachers or students in sustained fear for their health, safety, or welfare or would foreseeably disrupt, obstruct, or interfere with the operation of the school or a school-sponsored function:

- (1) The intimidation or harassment of any student or teacher by the use or threatened use of physical force or violence.
- (2) The intentional transmission of any electronic textual, visual, written, or oral communication of information that the commission of a crime of violence is imminent or in progress.
- (3) The intentional transmission of any electronic textual, visual, written, or oral communication of information that a circumstance dangerous to human life exists or is about to exist.

For purposes of proposed law:

- (1) Proposed law retains the present law definitions of "school", "school premises", "school-sponsored function", and "student".
- (2) Proposed law amends the present law definition of "teacher" to include clerical, custodial,

or maintenance personnel employed by a city, parish, or other local public school board to work at the school.

- (3) Proposed law removes the present law definition of "authorized to be present on school premises".
- (4) Proposed law adds definitions of "electronic mail", "electronic textual, visual, written, or oral communication", "nonstudent", and "school bus".

Proposed law amends the present law penalties to provide as follows:

- (1) If the offense was committed by a student or teacher, the offender shall be fined not more than \$1,000, imprisoned for not less than 30 days nor more than six months, or both. At least 72 hours of the sentence imposed shall be imposed without benefit of parole, probation, or suspension of sentence.
- (2) If the offense was committed by a nonstudent, the offender shall be fined not more than \$5,000, imprisoned with or without hard labor for not less than one year nor more than five years, or both. At least 72 hours of the sentence imposed shall be without benefit of parole, probation, or suspension of sentence.

Proposed law retains the present law provision which provides an exception to the offense for legal activities of bona fide labor organizations and for the lawful assembly and orderly petition for the redress of grievances.

(Amends R.S. 14:40.6)