

---

## 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 462 Engrossed

2022 Regular Session

Mincey

**Abstract:** Creates the crime of unauthorized removal of a minor from a school, child day care center, or early learning center and provides for the elements of the offense and criminal penalties.

Proposed law provides that it shall be unlawful for any person to knowingly and intentionally remove a minor from a school, child day care center, or early learning center when such person is not authorized to do so, including a parent otherwise prohibited from removing the child from a school, child day care center, or early learning center by an order of a court of competent jurisdiction.

Proposed law provides for a fine of not more than \$1,000, imprisonment for not more than six months, or both for a first or second offense.

Proposed law provides for a fine of not more than \$5,000, imprisonment with or without hard labor for not less than five years, or both for a third or subsequent offense.

Proposed law shall not apply to a minor who leaves a school, child day care center, or early learning center for a sponsored function by the school, child day care center, or early learning center.

Proposed law provides that the provisions of proposed law shall only be enforced by the use of summons in lieu of custodial arrest, in accordance with present law (C.Cr.P. Art. 211).

Proposed law provides for definitions for "school", "child day care center", and "early learning center".

(Adds R.S. 14:45.2)

### Summary of Amendments Adopted by House

The Committee Amendments Proposed by House Committee on Administration of Criminal Justice to the original bill:

1. Redefine the elements of unauthorized removal of a minor from a school, child day care center, or early learning center.
2. Redefine the penalties for a first or second offense as well as a third or subsequent

offense.

3. Require the use of summons in lieu of custodial arrest for a first or second offense.
4. Provide for definitions.
5. Make technical changes.