

2023 Regular Session

HOUSE BILL NO. 85

BY REPRESENTATIVE MIKE JOHNSON

Prefiled pursuant to Article III, Section 2(A)(4)(b)(i) of the Constitution of Louisiana.

CRIME/MISDEMEANOR: Creates the crime of approaching a law enforcement officer lawfully engaged in law enforcement duties

1 AN ACT

2 To enact R.S. 14:109, relative to offenses affecting law enforcement; to create the crime of
3 approaching a law enforcement officer lawfully engaged in law enforcement duties;
4 to provide for a definition; to provide for penalties; and to provide for related
5 matters.

6 Be it enacted by the Legislature of Louisiana:

7 Section 1. R.S. 14:109 is hereby enacted to read as follows:

8 §109. Approaching a law enforcement officer lawfully engaged in law enforcement
9 duties

10 A. No person shall knowingly or intentionally approach within twenty-five
11 feet of a law enforcement officer who is lawfully engaged in the execution of his
12 official duties after the law enforcement officer has ordered the person to stop
13 approaching or to retreat.

14 B. For the purposes of this Section, "law enforcement officer" means any
15 commissioned police officer, sheriff, deputy sheriff, marshal, deputy marshal,
16 correctional officer, probation and parole officer, constable, wildlife enforcement
17 agent, livestock brand inspector, forestry officer, or state park warden.

18 C. Whoever violates the provisions of this Section shall be fined not more
19 than five hundred dollars, imprisoned for not more than sixty days, or both.

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 85 Reengrossed

2023 Regular Session

Mike Johnson

Abstract: Creates the crime of approaching a law enforcement officer who is lawfully engaged in his law enforcement duties and provides for penalties.

Proposed law provides that no person shall knowingly or intentionally approach within 25 feet of a law enforcement officer who is lawfully engaged in the execution of his official duties after the law enforcement officer has ordered a person to stop approaching or to retreat.

Proposed law defines "law enforcement officer" as any commissioned police officer, sheriff, deputy sheriff, marshal, deputy marshal, correctional officer, probation and parole officer, constable, wildlife enforcement agent, livestock brand inspector, forestry officer, or state park warden.

Proposed law provides for a fine of not more than \$500, imprisonment for not more than 60 days, or both.

(Adds R.S. 14:109)

Summary of Amendments Adopted by House

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

1. Provide that the law enforcement officer can order the person to stop approaching or to retreat.

The House Floor Amendments to the engrossed bill:

1. Add livestock brand inspectors and forestry officers to the proposed law definition of "law enforcement officer".