

2025 Regular Session

HOUSE BILL NO. 260

BY REPRESENTATIVES VILLIO AND BEAULLIEU

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

CRIME/HOMICIDE: Provides relative to second degree murder

1 AN ACT

2 To amend and reenact R.S. 14:30.1(A)(2), relative to offenses against the person; to provide  
3 relative to the crime of second degree murder; to add resisting a police officer with  
4 force or violence as a predicate felony to second degree murder; to provide for an  
5 additional circumstance that constitutes second degree murder; to provide for an  
6 effective date; and to provide for related matters.

7 Be it enacted by the Legislature of Louisiana:

8 Section 1. R.S. 14:30.1(A)(2) is hereby amended and reenacted to read as follows:

9 §30.1. Second degree murder

10 A. Second degree murder is the killing of a human being:

11 \* \* \*

12 (2) When the offender is engaged in the perpetration or attempted  
13 perpetration of aggravated or first degree rape, forcible or second degree rape,  
14 aggravated arson, aggravated burglary, aggravated kidnapping, second degree  
15 kidnapping, aggravated escape, resisting a police officer with force or violence,  
16 assault by drive-by shooting, armed robbery, first degree robbery, second degree  
17 robbery, simple robbery, cruelty to juveniles, second degree cruelty to juveniles, or  
18 terrorism, even though he has no intent to kill or to inflict great bodily harm.

19 \* \* \*

1 Section 2. This Act shall become effective upon signature by the governor or, if not  
2 signed by the governor, upon expiration of the time for bills to become law without signature  
3 by the governor, as provided by Article III, Section 18 of the Constitution of Louisiana. If  
4 vetoed by the governor and subsequently approved by the legislature, this Act shall become  
5 effective on the day following such approval.

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#### 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)]

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HB 260 Engrossed

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Villio

**Abstract:** Provides relative to second degree murder.

Present law (R.S. 14:30.1) provides for the crime of second degree murder.

Proposed law retains present law.

Present law (R.S. 14:30.1(A)(2)) provides for a list of offenses that constitute second degree murder even when the offender has no intent to kill or to inflict great bodily harm.

Proposed law retains present law and adds resisting a police officer with force or violence to this list.

Effective upon signature of governor or lapse of time for gubernatorial action.

(Amends R.S. 14:30.1(A)(2))

#### Summary of Amendments Adopted by House

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

1. Make technical changes.
2. Remove a provision of proposed law that provided an additional circumstance of second degree murder for the killing of a human when the offender is in, or has escaped from, the lawful custody of a law enforcement officer or a place of lawful confinement, even though the offender has no intent to kill or inflict great bodily harm.