

CONFERENCE COMMITTEE REPORT

SB 128

2025 Regular Session

Carter

June 11, 2025

To the Honorable President and Members of the Senate and to the Honorable Speaker and Members of the House of Representatives.

Ladies and Gentlemen:

We, the conferees appointed to confer over the disagreement between the two houses concerning Senate Bill No. 128 by Senator Carter, recommend the following concerning the Reengrossed bill:

1.
- That all House Committee Amendments proposed by the House Committee on the Judiciary and adopted by the House of Representatives on May 27, 2025, be adopted.
2.
- That House Committee Amendments No. 1, 3, 4, and 5 proposed by the House Committee on the Administration of Criminal Justice and adopted by the House of Representatives on June 8, 2025, be adopted.
3.
- That House Committee Amendment No. 2 proposed by the House Committee on the Administration of Criminal Justice and adopted by the House of Representatives on June 8, 2025, be rejected.
4.
- That the House Floor Amendment proposed by Representative Fontenot and adopted by House of Representatives on June 9, 2025, be rejected.
5.
- That the following amendment to the Reengrossed bill be adopted:

AMENDMENT NO. 1

On page 1, line 10, after "**force**" delete the remainder of the line, at the beginning of line 11, delete "**weapon**" and insert "**that results in serious bodily injury as defined in R.S. 14:2(C),**"

Respectfully submitted,

Senators:

Representatives:

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Senator Gary M. Carter Jr.

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Representative Tony Bacala

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Senator Jimmy Harris

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Representative Robby Carter

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Senator Mike Reese

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Representative Debbie Villio

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The legislative instrument and the following digest, which constitutes no part of the legislative instrument, were prepared by Senate Legislative Services. The keyword, summary, 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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## CONFERENCE COMMITTEE REPORT DIGEST

**SB 128**

**2025 Regular Session**

**Carter**

### **Keyword and summary of the bill as proposed by the Conference Committee**

LAW ENFORCEMENT. Requires a written report when any law enforcement officer uses force on a member of the public. (8/1/25)

### **Report adopts House amendments to:**

1. Remove authorization to cite proposed law as "Shantel Arnold's Law".
2. Provide that mandatory reporting applies only when the use of force results in serious bodily injury.
3. Remove provision that physical force includes but is not limited to use of a weapon.
4. Remove provision requiring a penalty for failure to complete the report.
5. Remove the requirement that reports be considered a public record and subject to the Public Records Law.

### **Report rejects House amendments which would have:**

1. Changed provision that mandatory reporting applies only when the use of force is deadly and results in serious bodily injury.

### **Report amends the bill to:**

1. Clarify that the term "serious bodily injury" means "serious bodily injury" as defined in present law.

### **Digest of the bill as proposed by the Conference Committee**

Present law defines "serious bodily injury" as bodily injury which involves unconsciousness; extreme physical pain; protracted and obvious disfigurement; protracted loss or impairment of the function of a bodily member, organ, or mental faculty; or a substantial risk of death.

Proposed law requires the Council on Peace Officer Standards and Training (P.O.S.T. council) to adopt a policy no later than Jan. 1, 2026, regarding mandatory reporting when a peace officer uses force that results in serious bodily injury as defined in present law, to a member of the public whether or not the interaction results in an arrest.

Proposed law requires the P.O.S.T. council to adopt policies regarding but not limited to the following:

- (1) When the use of force report is required.
- (2) Who is required to complete the report.

Proposed law provides that the policy apply to all law enforcement agencies in the state.

Proposed law authorizes a law enforcement agency to adopt a more strenuous policy.

Effective August 1, 2025.

(Adds R.S. 40:2554)