

2026 Regular Session

HOUSE BILL NO. 137

BY REPRESENTATIVES MIKE JOHNSON AND CARLSON

CRIMINAL/SENTENCING: Changes sentencing guidelines for posting or calling in threats to schools

1 AN ACT

2 To amend and reenact R.S. 14:40.1(A)(1), R.S. 15:951(E), and Children's Code Article
3 897.1(D) through (G) and to enact R.S. 14:40.1(A)(3) and (B)(3), 92.2(A)(2)(g) and
4 (h), R.S. 17:416.20.1 and 3996(B)(92), and Children's Code Article 897.1(H) and (I),
5 relative to the crimes of terrorizing and menacing; to provide for penalties when the
6 communication is directed toward a school; to provide relative to offenders under the
7 age of eighteen; to require school dissemination of certain information; to provide
8 relative to disposition after adjudication of certain felony-grade delinquent acts; and
9 to provide for related matters.

10 Be it enacted by the Legislature of Louisiana:

11 Section 1. R.S. 14:40.1(A)(1) is hereby amended and reenacted and R.S.
12 14:40.1(A)(3) and (B)(3) and 92.2(A)(2)(g) and (h) are hereby enacted to read as follows:

13 §40.1. Terrorizing; menacing

14 A.(1) Terrorizing is the intentional communication of information that the
15 commission of a crime of violence, as defined in R.S. 14:2(B), is imminent or in
16 progress or that a circumstance dangerous to human life exists or is about to exist,
17 with the intent of causing members of the general public to be in sustained fear for
18 their safety; or causing evacuation of a building, a public structure, or a facility of
19 transportation; or causing other serious disruption to the general public.

20 * * *

(3) Whoever commits the offense of terrorizing a school property, a school-sponsored function, or a firearm-free zone shall be fined not more than fifteen thousand dollars or imprisoned with or without hard labor for not less than five nor more than fifteen years without the benefit of parole, probation, or suspension of sentence, or both.

* * *

B.

* * *

(3) Whoever commits the offense of menacing a school property, a school-sponsored function, or a firearm-free zone shall be fined not more than one thousand dollars or imprisoned with or without hard labor for not less than two years nor more than five years, or both.

* * *

§92.2. Improper supervision of a minor by parent or legal custodian

A. Improper supervision of a minor by a parent or legal custodian, who has care and control of the minor, includes any of the following:

* * *

(2) Through criminal negligence, or knowingly or willfully, permitting the minor to do any of the following:

* * *

(g) Terrorize or menace a school in violation of R.S. 14:40.1.

(h) Communicate false information of a planned bombing on school property in violation of R.S. 14:54.6.

* * *

Section 2. R.S. 15:951(E) is hereby amended and reenacted to read as follows:

§951. Back on Track Youth Pilot Program

* * *

1 E. For the purposes of this Section, "youth or youths" ~~shall mean~~ means a
2 person who has attained at least ~~sixteen~~ fourteen years of age and not more than
3 twenty-four years of age.

4 Section 3. R.S. 17:416.20.1 and 3996(B)(92) are hereby enacted to read as follows:

5 §416.20.1. Information; terrorizing; Louisiana Department of Education; public
6 school distribution

7 A. The principal of each public school shall disseminate information during
8 the first five days of each school year to each student grades six and above regarding
9 the crime and consequences of terrorizing or menacing a school property, a school-
10 sponsored function, or a firearm-free zone as provided in R.S. 14:95.6. This
11 information may be incorporated into an existing orientation program. In addition
12 to each student, the information shall be provided to each student's parent or legal
13 guardian on a written form containing a signature line for each student's parent or
14 legal guardian to sign to acknowledge receipt and understanding of the information,
15 which the parent or legal guardian shall return to the school. The information
16 required by this Section shall be age and grade appropriate and shall give full
17 consideration as to whether the student is in a regular or special program of
18 education.

19 B. The Louisiana Department of Education shall develop the information
20 prescribed by this Section and provide it to each public school governing authority,
21 which shall disseminate it to each principal for this purpose.

22 * * *

23 §3996. Charter schools; exemptions; requirements

24 * * *

25 B. Notwithstanding any state law, rule, or regulation to the contrary and
26 except as may be otherwise specifically provided for in an approved charter, a
27 charter school established and operated in accordance with the provisions of this
28 Chapter and its approved charter and the school's officers and employees shall be
29 exempt from all statutory mandates or other statutory requirements that are

applicable to public schools and to public school officers and employees except for the following laws otherwise applicable to public schools with the same grades:

* * *

(92) Information relative to terrorizing or menacing a school property, a school-sponsored function, or a firearm-free zone, R.S. 17:416.20.1.

* * *

Section 4. Children's Code Article 897.1(D) through (G) are hereby amended and reenacted and Children's Code Article 897.1(H) and (I) are hereby enacted to read as follows:

Art. 897.1. Disposition after adjudication of certain felony-grade delinquent acts

* * *

D.(1)(a) After adjudication of a felony-grade delinquent act based upon a violation of R.S. 14:40.1 or R.S. 14:54.6, the court shall order the child who is fourteen years of age or older at the time of the commission of the offense to any or all of the following:

(i) A mental examination, if one has not already been conducted pursuant to R.S. 17:409.5.

(ii) Up to twelve months probation or no more than six months commitment in a juvenile detention facility pursuant to Children's Code Article 898.

(iii) Participation in the Back on Track Youth Pilot Program as provided in R.S. 15:951.

(b) After adjudication of a felony-grade delinquent act based upon a violation of R.S. 14:40.1 or R.S. 14:54.6, the parent, custodian, or other legal guardian of the child shall be subject to a civil fine of up to five thousand dollars.

(2)(a) After a second or subsequent adjudication of a felony-grade delinquent act based upon a violation of R.S. 14:40.1 or R.S. 14:54.6, the court shall order the child who is fourteen years of age or older at the time of the commission of the offense to any or all of the following:

1 (i) A mental examination, if one has not already been conducted pursuant to
2 R.S. 17:409.5.

3 (ii) Up to eighteen months probation or no more nine months commitment
4 in a juvenile detention facility.

5 (iii) Participation in the Back on Track Youth Pilot Program as provided in
6 R.S. 15:951.

7 (b) After adjudication of a felony-grade delinquent act based upon a second
8 or subsequent violation of R.S. 14:40.1 or R.S. 14:54.6, the parent, custodian, or
9 other legal guardian shall be subject to a civil fine of not less than five thousand
10 dollars nor more than ten thousand dollars.

11 E.(1) In addition to the dispositions provided in Paragraph D of this Article,
12 the court shall conduct a hearing in accordance with Code of Criminal Procedure
13 Article 875.1 to make a determination regarding the financial ability of the child's
14 parent, legal guardian, or other person who is financially responsible for the care of
15 the child to reimburse the responding agency, local municipality, sheriff's
16 department, or any other governmental agency or political subdivision for all
17 incurred costs pertaining to the response, prosecution, or any other activities that
18 result from a violation of R.S. 14:40.1 or R.S. 14:54.6.

19 (2) If the court determines that payment in full of the aggregate amount of
20 all financial obligations imposed upon the child's parent, legal guardian, or other
21 person who is financially responsible for the care of the child would not cause
22 substantial financial hardship, the court shall order the person to reimburse the entity
23 described in Subparagraph (E)(1) of this Article.

24 ~~D. F.~~ Juveniles confined in secure placement for an adjudication as set forth
25 in Paragraph C of this Article shall be eligible for modification after serving
26 twenty-four months of the disposition or if the disposition is less than thirty-six
27 months, one-half of the disposition.

28 E. G. A motion for modification of a disposition shall be filed pursuant to
29 Article 910 et seq. and a contradictory hearing shall be set no sooner than thirty days

1 from the date of notice to the district attorney. To grant a motion for modification
2 of disposition, the court ~~must~~ shall find that the child poses a reduced risk to the
3 community based on the following considerations:

4 (1) The child has a favorable progress report from the placement facility.

5 (2) The child meets one of the following work or self-improvement criteria:

6 (a) Has attained a high school diploma or equivalent.

7 (b) Is actively participating in workforce training or a certification program
8 and is in good standing as evidenced by grades and behavior notes submitted by the
9 child's instructors.

10 (3) The child has obtained a low-risk designation as determined by a valid
11 risk assessment procedure approved by the office of juvenile justice.

12 (4) The recommendation of the office of juvenile justice.

13 (5) A reentry plan that includes an appropriate placement to conduct
14 supervision and achieve aftercare goals.

15 (6) Any additional evidence provided by the child, the state, or the office of
16 juvenile justice.

17 ~~F. H.~~ H. At least six months prior to the release of the child, the department
18 shall prepare an individualized and thorough transitional plan that identifies the
19 techniques, programs, personnel, and facilities that will be used to assist the child in
20 achieving a successful return to his family and the community. A copy of the
21 transitional plan shall be mailed to the court that ordered the disposition of
22 commitment.

23 ~~G. I.~~ I. The provisions of this Article ~~shall~~ apply to all children in the custody
24 of the Department of Public Safety and Corrections, office of juvenile justice, on or
25 after August 1, 2018.

26 Section 5. This Act shall be known and may be cited as "The School Threat
27 Accountability and Safety Act".

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 137 Original

2026 Regular Session

Mike Johnson

Abstract: Increases penalties for terrorizing and menacing when the target is a school.

Present law provides that the crime of terrorizing is the intentional communication that a crime of violence is occurring or imminent with the intent to cause the general public to be in sustained fear for their safety. Provides a penalty of \$15,000 or up to 15 years of imprisonment, or both.

Proposed law increases the penalty for terrorizing a school. Provides a penalty of \$15,000 or five to 15 years of imprisonment without benefit of parole, probation, or suspension of sentence, or both.

Present law provides that the crime of menacing is similar to the crime of terrorizing but with a lesser standard of intent. Provides a penalty of \$1,000 or imprisonment of up to two years, or both.

Proposed law retains present law.

Proposed law increases the penalty for menacing a school. Provides a penalty of \$1,000 or two to five years of imprisonment, or both.

Present law provides a list of crimes which serve as predicate crimes for improper supervision of a minor by a parent or legal custodian (R.S. 14:92.2).

Proposed law retains present law and adds terrorizing or menacing a school (R.S. 14:40.1) and communicating false information of a planned bombing on school property (R.S. 14:54.6) as predicate crimes.

Present law creates the Back on Track Youth Pilot Program (R.S. 15:951).

Proposed law generally retains present law but lowers the age of participants in the program from at least 16 years old to at least 14 years old.

Proposed law requires the La. Dept. of Education to develop and provide information to schools to inform students and their parents of the expected consequences for terrorizing or menacing a school.

Present law (R.S. 17:3996) provides a list of laws from which charter schools are not exempt.

Proposed law retains present law and adds the requirement for charter schools to inform students and parents of the consequences of terrorizing and menacing a school.

Present law provides for disposition after adjudication of certain felony-grade delinquent acts by a juvenile.

Proposed law retains present law.

Proposed law provides that after adjudication for violation of terrorizing or menacing (R.S. 14:40.1) or communicating false information of a planned bombing (R.S. 14:54.6), the court

shall order a child to undergo a mental examination, up to 12 months probation or up to six months commitment in a juvenile detention facility, and/or participation in the Back on Track Youth Pilot Program.

Proposed law provides that after adjudication for these crimes by a juvenile, the parent or legal guardian shall be subject to a civil fine of up to \$5,000.

Proposed law provides that after a second or subsequent adjudication for these crimes, the court shall order a mental examination, up to 18 months probation or up to nine months commitment, and/or participation in the Back on Track Youth Pilot Program.

Proposed law provides that after a second or subsequent adjudication, the child's parent or legal guardian is subject to a civil fine between \$5,000 and \$10,000.

Proposed law provides that in addition to these penalties, if the court finds that the parents are financially able, they shall reimburse the government agencies and political subdivision for incurred costs pertaining to the response, prosecution, and other activities resulting from the violation.

(Amends R.S. 14:40.1(A)(1), R.S. 15:951(E), and Ch.C. Art. 897.1(D)-(G); Adds R.S. 14:40.1(A)(3) and (B)(3) and 92.2(A)(2)(g) and (h), R.S. 17:416.20.1 and 3996(B)(92), and Ch.C. Art. 897.1(H) and (I))