

2026 Regular Session

HOUSE BILL NO. 133

BY REPRESENTATIVES NEWELL, BOYD, BRYANT, CARPENTER, COX, FISHER,  
GREEN, DANA HENRY, ILLG, JACKSON, LAFLEUR, LARVADAIN,  
MARCELLE, MARTINEZ, MILLER, MOORE, MURRAY, PHELPS, AND  
TAYLOR

1 AN ACT

2 To amend and reenact R.S. 14:34.3(A), (B)(introductory paragraph), and (C), and Children's  
3 Code Article 897.1(D) through (G) and to enact R.S. 14:34.3(B)(4) and Children's  
4 Code Article 897.1(H), relative to assault and battery; to provide for definitions; to  
5 provide relative to the crime of battery of a school teacher; to provide for penalties;  
6 to provide for the disposition of certain offenders; and to provide for related matters.

7 Be it enacted by the Legislature of Louisiana:

8 Section 1. R.S. 14:34.3(A), (B)(introductory paragraph), and (C) are hereby amended  
9 and reenacted and R.S. 14:34.3(B)(4) is hereby enacted to read as follows:

10 §34.3. Battery of a school teacher

11 A. Battery of a school teacher is a battery committed without the consent of  
12 the victim when the offender has reasonable grounds to believe the victim is a school  
13 teacher acting in the performance of employment duties or when the battery was  
14 committed because of the status of the victim as a school teacher.

15 B. For the purposes of this Section, the following terms have the following  
16 meanings:

17 \* \* \*

18 (4) "Developmental disability" has the same meaning as provided in R.S.  
19 28:451.2.

20 C. Whoever commits the crime of battery of a school teacher shall be  
21 punished as follows:



1                    (2) In addition to the penalties provided in Subparagraph (1) of this  
 2                    Paragraph, the court shall impose a requirement that the child participate in a  
 3                    court-approved counseling program which may include anger management, abusive  
 4                    behavior intervention groups, or any other type of counseling deemed appropriate by  
 5                    the court. Any costs associated with the counseling program shall be borne by the  
 6                    child or a parent, tutor, guardian, or other person who is financially responsible for  
 7                    the care of the child.

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

12                    E. F. A motion for modification of a disposition shall be filed pursuant to  
 13                    Article 910 et seq. and a contradictory hearing shall be set no sooner than thirty days  
 14                    from the date of notice to the district attorney. To grant a motion for modification  
 15                    of disposition, the court must find that the child poses a reduced risk to the  
 16                    community based on the following considerations:

- 17                    (1) The child has a favorable progress report from the placement facility.
- 18                    (2) The child meets one of the following work or self-improvement criteria:
  - 19                    (a) Has attained a high school diploma or equivalent.
  - 20                    (b) Is actively participating in workforce training or a certification program  
 21                    and is in good standing as evidenced by grades and behavior notes submitted by the  
 22                    child's instructors.
- 23                    (3) The child has obtained a low-risk designation as determined by a valid  
 24                    risk assessment procedure approved by the office of juvenile justice.
- 25                    (4) The recommendation of the office of juvenile justice.
- 26                    (5) A reentry plan that includes an appropriate placement to conduct  
 27                    supervision and achieve aftercare goals.
- 28                    (6) Any additional evidence provided by the child, the state, or the office of  
 29                    juvenile justice.

1           F. G. At least six months prior to the release of the child, the department  
 2           shall prepare an individualized and thorough transitional plan that identifies the  
 3           techniques, programs, personnel, and facilities that will be used to assist the child in  
 4           achieving a successful return to his family and the community. A copy of the  
 5           transitional plan shall be mailed to the court that ordered the disposition of  
 6           commitment.

7           G. H. The provisions of this Article ~~shall~~ apply to all children in the custody  
 8           of the Department of Public Safety and Corrections, office of juvenile justice, on or  
 9           after August 1, 2018.

10          Section 3. The Louisiana State Law Institute is hereby authorized and directed to  
 11          renumber the Paragraphs of R.S. 14:34.3(B) so as to properly place R.S. 14:34.3(B)(4) as  
 12          enacted by this Act.

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SPEAKER OF THE HOUSE OF REPRESENTATIVES

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PRESIDENT OF THE SENATE

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GOVERNOR OF THE STATE OF LOUISIANA

APPROVED: \_\_\_\_\_