

Regular Session, 2014

SENATE BILL NO. 592

BY SENATOR MORRELL

CRIME/PUNISHMENT. Provides relative to penalties for second degree battery. (8/1/14)

1 AN ACT

2 To amend and reenact R.S. 14:34.1(C), relative to the crime of second degree battery; to
3 double the possible fines and penalties for commission of second degree battery; and
4 to provide for related matters.

5 Be it enacted by the Legislature of Louisiana:

6 Section 1. R.S. 14:34.1(C) is hereby amended and reenacted to read as follows:

7 §34.1. Second degree battery

8 * * *

9 C. Whoever commits the crime of second degree battery shall be fined not
10 more than ~~two~~ **four** thousand dollars or imprisoned, with or without hard labor, for
11 not more than ~~five~~ **ten** years, or both. At least ~~one year~~ **two years** of the sentence
12 imposed shall be served without benefit of parole, probation, or suspension of
13 sentence if the offender knew or should have known that the victim is an active
14 member of the United States Armed Forces or is a disabled veteran and the second
15 degree battery was committed because of that status.

The original instrument and the following digest, which constitutes no part of the legislative instrument, were prepared by Alden A. Clement, Jr.

DIGEST

Morrell (SB 592)

Present law defines and provides penalties for the crime of second degree battery.

Present law provides that the crime of second degree battery is punishable by a fine of up to \$2,000, or imprisonment with or without hard labor for up to five years, or both. Present law further provides that at least one year of any sentence of imprisonment is to be served without benefit of parole, probation, or suspension of sentence if the offender knew or should have known that the victim is an active member of the U.S. Armed Forces or is a disabled veteran and the second degree battery was committed because of that status.

Proposed law increases the maximum fine for second degree battery from \$2,000 to \$4,000 and increases the maximum period of imprisonment from five years to 10 years. Proposed law further increases the minimum period of imprisonment that must be served without benefit of parole, probation, or suspension of sentence if the offender knew or should have known that the victim is an active member of the U.S. Armed Forces or a veteran from one year to two years.

Proposed law otherwise retains present law.

Effective August 1, 2014.

(Amends R.S. 14:34.1(C))