2016 Regular Session

HOUSE BILL NO. 582

1

BY REPRESENTATIVES JACKSON AND HOFFMANN AND SENATOR WALSWORTH

AN ACT

2	To amend and reenact R.S. 14:2(B)(32) and 37.2 and R.S. 15:642(2)(b), relative to
3	aggravated assault upon a peace officer; to amend the crime of aggravated assault
4	upon a peace officer with a firearm; to remove the element that the offense be
5	committed with a firearm; and to provide for related matters.
6	Be it enacted by the Legislature of Louisiana:
7	Section 1. R.S. 14:2(B)(32) and 37.2 are hereby amended and reenacted to read as
8	follows:
9	§2. Definitions
10	* * *
11	B. In this Code, "crime of violence" means an offense that has, as an
12	element, the use, attempted use, or threatened use of physical force against the
13	person or property of another, and that, by its very nature, involves a substantial risk
14	that physical force against the person or property of another may be used in the
15	course of committing the offense or an offense that involves the possession or use
16	of a dangerous weapon. The following enumerated offenses and attempts to commit
17	any of them are included as "crimes of violence":
18	* * *
19	(32) Aggravated assault upon a peace officer with a firearm.
20	* * *

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1	§37.2. Aggravated assault upon a peace officer with a firearm
2	A. Aggravated assault upon a peace officer with a firearm is an assault
3	committed upon a peace officer who is acting in the course and scope of his duties
4	with a firearm.
5	B. For purposes of this Section, "firearm" is defined as an instrument used
6	in the propulsion of shot, shell, or bullets by the action of gunpowder exploded
7	within it.
8	C. Whoever commits an aggravated assault upon a peace officer with a
9	firearm shall be fined not more than five thousand dollars, or imprisoned for not less
10	than one year nor more than ten years, with or without hard labor, or both.
11	Section 2. R.S. 15:642(2)(b) is hereby amended and reenacted to read as follows:
12	§642. Definitions
13	For the purposes of this Chapter, the following words have the following
14	meanings ascribed to them:
15	* * *
16	(2) "Offense against a peace officer" means any of the following:
17	* * *
18	(b) Aggravated assault upon a peace officer with a firearm.
19	* * *
	SPEAKER OF THE HOUSE OF REPRESENTATIVES
	PRESIDENT OF THE SENATE
	GOVERNOR OF THE STATE OF LOUISIANA
	APPROVED:
	ALL NOVED.

ENROLLED

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