

2018 Regular Session

HOUSE BILL NO. 446

BY REPRESENTATIVE FALCONER

CRIME/MISDEMEANOR: Provides relative to the failure to seek medical assistance when reckless behavior results in serious bodily injury

1 AN ACT

2 To enact R.S. 14:502, relative to offenses against the person; to provide relative to the
3 failure of a person to seek assistance when another person suffers serious bodily
4 injury as a result of reckless behavior; to provide for elements of the offense; to
5 provide for definitions; to provide for criminal penalties; and to provide for related
6 matters.

7 Be it enacted by the Legislature of Louisiana:

8 Section 1. R.S. 14:502 is hereby enacted to read as follows:

9 §502. Failure to seek assistance

10 A.(1) Any person who engages in reckless behavior that results in the serious
11 bodily injury of another person shall immediately seek or report the need for medical
12 assistance from an appropriate authority.

13 (2) Any person who intentionally or knowingly fails to immediately seek or
14 report the need for assistance pursuant to the provisions of Paragraph (1) of this
15 Subsection, shall be subject to the provisions of Subsection C of this Section.

16 B. For purposes of this Section:

17 (1) "Appropriate authority" includes:

18 (a) A state or local law enforcement agency.

19 (b) A 911 Public Safety Answering Point as defined in Title 33 of the
20 Louisiana Revised Statutes of 1950.

- 1 (c) Emergency medical personnel.
- 2 (2) "Reckless behavior" means an activity or behavior in which a person
- 3 knows or should know that such activity or behavior could result in injury to
- 4 another, including but not limited to binge drinking, drag racing, consumption of
- 5 drugs, acts of hazing, or other similar activity, including activity which is defined as
- 6 a criminal offense under this Title.
- 7 C. Any person who violates the provisions of this Section shall be fined not
- 8 more than five hundred dollars, imprisoned for not more than six months, or both.

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 446 Engrossed

2018 Regular Session

Falconer

Abstract: Prohibits the failure to seek medical assistance when reckless behavior, in which the offender is engaged, results in serious bodily injury of another.

Proposed law requires any person who engages in reckless behavior that results in the serious bodily injury of another person to immediately seek or report the need for medical assistance from an appropriate authority. For purposes of proposed law "appropriate authority" includes a state or local law enforcement agency, a 911 Public Safety Answering Point, and emergency medical personnel.

Proposed law provides that any person who intentionally or knowingly fails to immediately seek or report the need for assistance pursuant to the provisions of proposed law shall be subject to a fine of up to \$500, imprisonment for up to six months, or both.

For purposes of proposed law, "reckless behavior" means an activity or behavior in which a person knows or should know that such activity or behavior could result in injury to another, including but not limited to binge drinking, drag racing, consumption of drugs, acts of hazing, or other similar activity, including activity which is defined as a criminal offense under present law.

(Adds R.S. 14:502)

Summary of Amendments Adopted by House

The Committee Amendments Proposed by House Committee on Administration of Criminal Justice to the original bill:

1. Remove from proposed law the requirement that any person who is in the presence of and associated with another person or persons who are engaged in reckless behavior that results in the serious bodily injury of another person immediately seek or report the need for medical assistance from an appropriate authority.