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## DIGEST

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HB 47 Engrossed

2019 Regular Session

Jenkins

**Abstract:** Amends the penalties for the crime of improper supervision of a minor and requires the issuance of a summons instead of arrest for persons who commit the offense.

Present law provides for the crime of improper supervision of a minor by a parent or legal custodian and present law penalties include a fine of not less than \$25 and not more than \$250 for each offense, imprisonment for not more than 30 days, or both.

Present law provides that whoever violates the crime of improper supervision of a minor by allowing the minor to be habitually absent or tardy from school without a valid excuse is subject to being fined not less than \$25 nor more than \$250 for each offense, imprisonment for not more than 30 days, or both. Present law requires a minimum condition of probation to be imposed, including school or community service activities.

Proposed law changes the penalties to a fine of not more than \$500, imprisonment for not more than six months, or both and repeals the specific penalty for violation of improper supervision of a minor by allowing the minor to be habitually absent or tardy from school.

Proposed law authorizes a peace officer to issue a summons, in lieu of making an arrest, to any person who commits the offense of improper supervision of a minor unless:

- (1) The officer has reasonable grounds to believe that the person will not appear upon summons.
- (2) The officer has reasonable grounds to believe that the person will cause injury to himself or another, will cause damage to property, or will continue in the same or a similar offense unless immediately arrested and booked.
- (3) It is necessary to book the person to comply with routine identification procedures.

(Amends R.S. 14:92.2(A)(1) and (2), (B)(1), (C), and (D); Adds C.Cr.P. Art. 211.3; Repeals R.S. 14:92.2(B)(4))