

2025 Regular Session

HOUSE BILL NO. 558

BY REPRESENTATIVE DAVIS

Prefiled pursuant to Article III, Section 2(A)(4)(b)(i) of the Constitution of Louisiana.

HIGHER EDUCATION: Provides relative to initial eligibility requirements for the M.J. Foster Promise Program

1 AN ACT

2 To amend and reenact R.S. 17:3047.2(A)(8)(b), relative to the M.J. Foster Promise Program;
3 to provide relative to eligibility requirements with respect to criminal history; and
4 to provide for related matters.

5 Be it enacted by the Legislature of Louisiana:

6 Section 1. R.S. 17:3047.2(A)(8)(b) is hereby amended and reenacted to read as
7 follows:

8 §3047.2. Initial eligibility

9 A. To be eligible for the award, an applicant shall meet the following
10 requirements:

11 * * *

12 (8)

13 * * *

14 (b) Have no conviction for any crime of violence as defined in R.S. 14:2(B);
15 however, a conviction for any crime also listed in R.S. 13:5401(B)(1)(f) shall not
16 make an otherwise qualified applicant ineligible unless the conviction is for one of
17 the following:

18 (i) Battery of a police officer (R.S. 14:34.2).19 (ii) Disarming of a peace officer (R.S. 14:34.6).20 (iii) Aggravated assault with a firearm (R.S. 14:37.4).21 (iv) Simple kidnapping (R.S. 14:45).

1 (v) False imprisonment; offender armed with dangerous weapon (R.S.
2 14:46.1).

3 (vi) Aggravated arson (R.S. 14:51).

4 (vii) Home invasion (R.S. 14:62.8).

5 * *

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 558 Engrossed

2025 Regular Session

Davis

Abstract: Authorizes people who were convicted of certain crimes to be initially eligible for the M.J. Foster Promise Program.

Present law provides for the M.J. Foster Promise Program, a financial assistance program for students attending a two-year public postsecondary education institution or proprietary school who are enrolled in certain qualified programs.

Present law provides for specific initial eligibility requirements, including not having a conviction for any crime of violence listed in present law (R.S. 17:14:2(B)).

Proposed law retains present law relative to having a conviction for the following crimes making a person ineligible for the program:

- (1) Solicitation for murder.
- (2) First degree murder.
- (3) Second degree murder.
- (4) Manslaughter.
- (5) Aggravated assault.
- (6) Aggravated kidnapping of a child.
- (7) Aggravated or first degree rape.
- (8) Forcible or second degree rape.
- (9) Simple or third degree rape.
- (10) Sexual battery.
- (11) Second degree sexual battery.
- (12) Intentional exposure to AIDS virus.
- (13) Aggravated kidnapping.

- (14) Second degree kidnapping.
- (15) Simple kidnapping.
- (16) Aggravated arson.
- (17) Aggravated burglary.
- (18) Armed robbery.
- (19) First degree robbery.
- (20) False imprisonment; offender armed with dangerous weapon.
- (21) Assault by drive-by shooting.
- (22) Aggravated crime against nature.
- (23) Carjacking.
- (24) Molestation of a juvenile or a person with a physical or mental disability.
- (25) Terrorism.
- (26) Aggravated second degree battery.
- (27) Aggravated assault upon a peace officer.
- (28) Aggravated assault with a firearm.
- (29) Armed robbery; use of firearm; additional penalty.
- (30) Disarming of a peace officer.
- (31) Stalking.
- (32) Second degree cruelty to juveniles.
- (33) Sexual battery of persons with infirmities.
- (34) Battery of a police officer.
- (35) Trafficking of children for sexual purposes.
- (36) Human trafficking.
- (37) Home invasion.
- (38) Domestic abuse aggravated assault.
- (39) Vehicular homicide, when the operator's blood alcohol concentration exceeds 0.20 percent by weight based on grams of alcohol per one hundred cubic centimeters of blood.
- (40) Aggravated assault upon a dating partner.
- (41) Domestic abuse battery punishable under present law (R.S. 14:35.3(L), (M)(2), (N), (O), or (P)).

- (42) Battery of a dating partner punishable under present law (R.S. 14:34.9(L), (M)(2), (N), (O), or (P)).
- (43) Violation of a protective order punishable under present law (R.S. 14:79(C)).
- (44) Criminal abortion.
- (45) First degree feticide.
- (46) Second degree feticide.
- (47) Third degree feticide.
- (48) Aggravated abortion by dismemberment.
- (49) Battery of emergency room personnel, emergency services personnel, or a healthcare professional.
- (50) Possession of a firearm or carrying of a concealed weapon by a person convicted of certain felonies in violation of present law (R.S. 14:95.1(D)).
- (51) Distribution of fentanyl or carfentanil punishable under present law (R.S. 40:967(B)(4)(f)).
- (52) Distribution of heroin punishable under present law (R.S. 40:966(B)(3)(b)).
- (53) Simple burglary of an inhabited dwelling when a person is present in the dwelling, house, apartment, or other structure.
- (54) Illegal use of weapons or dangerous instrumentalities.
- (55) First degree vehicular negligent injuring, when the operator's blood alcohol concentration exceeds 0.20 percent by weight based on grams of alcohol per one hundred cubic centimeters of blood.

Proposed law authorizes a person to be eligible who has had a conviction for certain crimes. The exception applies to the following crimes listed in present law (R.S. 13:5401(B)(1)(f)):

- (1) Aggravated battery.
- (2) Second degree battery.
- (3) Aggravated assault.
- (4) Aggravated criminal damage to property.
- (5) Second degree robbery.
- (6) Simple robbery.
- (7) Purse snatching.
- (8) Aggravated flight from an officer.

(Amends R.S. 17:3047.2(A)(8)(b))

Summary of Amendments Adopted by House

The Committee Amendments Proposed by House Committee on Education to the original bill:

1. Restore present law relative to adding back the following crimes to the list that deem a person who was convicted of such crimes ineligible for the M.J. Foster Promise Program:
 - (a) Disarming of a peace officer.
 - (b) False imprisonment; offender armed with dangerous weapon.
 - (c) Aggravated arson.
 - (d) Home invasion.