

RÉSUMÉ DIGEST

ACT 342 (HB 1238)

2026 Regular Session

McMakin

New law enacts the La. Behind the Counter Protection Act, which prohibits workplace violence against an employee of a regulated establishment.

Existing law defines and provides penalties for the crime of simple battery.

New law adds an enhanced penalty to the crime of simple battery, which includes enforcing a fine of not more than \$2,000 or imprisonment, with or without hard labor, for not more than two years, or both, against a person who commits such crime against an employee of a regulated establishment. New law otherwise retains existing law.

Existing law defines and provides penalties for the crime of simple assault.

New law adds an enhanced penalty to the crime of simple assault, which includes enforcing a fine of not more than \$1,000 or imprisonment for not more than six months, or both, against a person who commits such crime against an employee of a regulated establishment. New law otherwise retains existing law.

New law provides for a short title and defines "department", "employee", and "workplace violence".

New law prohibits workplace violence against an employee of a regulated establishment and provides that whoever commits such an offense shall be charged with any of the appropriate crimes pursuant to new law (R.S. 14:35(B)(2) and 14:38(B)(2)).

New law allows a regulated establishment to display at its premises a sign that contains the following statement in 48-point boldface font:

"WARNING: Workplace violence against an employee is a crime and will not be tolerated. Such acts may result in arrest and felony conviction under Louisiana law."

New law requires La. Works to prescribe and furnish the aforementioned sign and ensure that it conforms with certain specifications. New law further requires La. Works to make the sign readily accessible for or distribute the sign to a regulated establishment.

Effective Aug. 1, 2026.

(Amends R.S. 14:35(B) and 38(B); Adds R.S. 23:271-274)