

Regular Session, 2012

HOUSE BILL NO. 1116

BY REPRESENTATIVE BADON

CRIME: Increases the minimum mandatory sentence for second offense domestic abuse battery

1 AN ACT

2 To amend and reenact R.S. 14:35.3(D)(introductory paragraph), relative to domestic abuse
3 battery; to increase the minimum mandatory sentence for second offense domestic
4 abuse battery; and to provide for related matters.

5 Be it enacted by the Legislature of Louisiana:

6 Section 1. R.S. 14:35.3(D)(introductory paragraph) is hereby amended and reenacted
7 to read as follows:

8 §35.3. Domestic abuse battery

9 * * *

10 D. On a conviction of a second offense, notwithstanding any other provision
11 of law to the contrary, regardless of whether the second offense occurred before or
12 after the first conviction, the offender shall be fined not less than seven hundred fifty
13 dollars nor more than one thousand dollars and shall be imprisoned for not less than
14 sixty days nor more than six months. At least ~~ninety-six hours~~ forty-five days of the
15 sentence imposed shall be served without benefit of parole, probation, or suspension
16 of sentence. Imposition or execution of the remainder of the sentence shall not be
17 suspended unless either of the following occur:

18 * * *

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)]

Badon

HB No. 1116

Abstract: Increases the minimum mandatory sentence for second offense domestic abuse battery.

Present law provides that on a conviction of a second offense of domestic abuse battery, the offender shall be fined not less than \$750 nor more than \$1,000 and shall be imprisoned for not less than 60 days nor more than six months. At least 96 hours of the sentence imposed shall be served without benefit of parole, probation, or suspension of sentence.

Proposed law amends present law to increase the minimum mandatory sentence from 96 hours to 45 days without benefit of parole, probation, or suspension of sentence.

(Amends R.S. 14:35.3(D)(intro. para.))