

Regular Session, 2012

SENATE BILL NO. 689

BY SENATOR APPEL

CRIME/PUNISHMENT. Creates the crime of battery of a security officer. (gov sig)

1 AN ACT

2 To enact R.S. 14:34.5.2, relative to assault and battery; to create the crime of battery of a
3 security officer; to provide for definitions; to provide for penalties; and to provide
4 for related matters.

5 Be it enacted by the Legislature of Louisiana:

6 Section 1. R.S. 14:34.5.2 is hereby enacted to read as follows:

7 **§34.5.2. Battery of a security officer**

8 **A. Battery of a security officer is a battery committed without the**
9 **consent of the victim when the offender has reasonable grounds to believe that**
10 **the victim is a security officer acting in the performance of his duty.**

11 **B. For the purposes of this Section, "security officer" means a security**
12 **officer as defined in R.S. 37:3272 and licensed by the state of Louisiana**
13 **pursuant to Chapter 47 of Title 37 of the Louisiana Revised Statutes of 1950.**

14 **C. Whoever commits the crime of battery of a security officer shall be**
15 **fined not more than one thousand dollars and imprisoned for not more than six**
16 **months.**

17 Section 2. This Act shall become effective upon signature by the governor or, if not

1 signed by the governor, upon expiration of the time for bills to become law without signature
2 by the governor, as provided by Article III, Section 18 of the Constitution of Louisiana. If
3 vetoed by the governor and subsequently approved by the legislature, this Act shall become
4 effective on the day following such approval.

The original instrument and the following digest, which constitutes no part
of the legislative instrument, were prepared by Alden A. Clement, Jr.

DIGEST

Appel (SB 689)

Proposed law creates the crime of battery of a security officer.

Proposed law defines battery of a security officer as a battery committed without the consent of the victim when the offender has reasonable grounds to believe that the victim is a security officer acting in the performance of his duty.

Proposed law defines "security officer" as that term is defined in present law relative to private contract security companies licensed by the state.

Proposed law provides that whoever commits the crime of battery of a security officer is to be fined not more than \$1,000 and imprisoned for not more than six months.

Effective upon signature of the governor or lapse of time for gubernatorial action.

(Adds R.S. 14:34.5.2)

Summary of Amendments Adopted by Senate

Committee Amendments Proposed by Senate Committee on Judiciary C to the original bill

1. Increases maximum fine from \$500 to \$1,000.
2. Removes minimum term of imprisonment of 15 days.
3. Removes provision that term of imprisonment is to be without suspension of sentence.
4. Clarifies that security officers subject to proposed law are those licensed by the state.