

Regular Session, 2014

SENATE BILL NO. 592

BY SENATOR MORRELL

CRIME/PUNISHMENT. Provides relative to penalties for second degree battery. (8/1/14)

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AN ACT

To amend and reenact R.S. 14:34.1(C), relative to the crime of second degree battery; to provide for the possible fines and penalties for commission of second degree battery; and to provide for related matters.

Be it enacted by the Legislature of Louisiana:

Section 1. R.S. 14:34.1(C) is hereby amended and reenacted to read as follows:

§34.1. Second degree battery

* * *

C. Whoever commits the crime of second degree battery shall be fined not more than two thousand dollars or imprisoned, with or without hard labor, for not more than ~~five~~ **eight** years, or both. At least ~~one year~~ **eighteen months** of the sentence imposed shall be served without benefit of parole, probation, or suspension of sentence if the offender knew or should have known that the victim is an active member of the United States Armed Forces or is a disabled veteran and the second degree battery was committed because of that status.

The original instrument was prepared by Alden A. Clement, Jr. The following digest, which does not constitute a part of the legislative instrument, was prepared by Cathy R. Wells.

DIGEST

Morrell (SB 592)

Present law defines and provides penalties for the crime of second degree battery.

Present law provides that the crime of second degree battery is punishable by a fine of up to \$2,000, or imprisonment with or without hard labor for up to five years, or both. Present law further provides that at least one year of any sentence of imprisonment is to be served without benefit of parole, probation, or suspension of sentence if the offender knew or should have known that the victim is an active member of the U.S. Armed Forces or is a disabled veteran and the second degree battery was committed because of that status.

Proposed law increases the maximum period of imprisonment from five years to eight years.

Proposed law further increases the minimum period of imprisonment that must be served without benefit of parole, probation, or suspension of sentence if the offender knew or should have known that the victim is an active member of the U.S. Armed Forces or a veteran from one year to 18 months.

Proposed law otherwise retains present law.

Effective August 1, 2014.

(Amends R.S. 14:34.1(C))

Summary of Amendments Adopted by SenateSenate Floor Amendments to engrossed bill

1. Maintains present law fine.
2. Changes the period of time of imprisonment.