

---

The original instrument and the following digest, which constitutes no part of the legislative instrument, were prepared by Hanna Gettys.

---

DIGEST

SB 6 Original

2024 Second Extraordinary Session

Seabaugh

Proposed law provides that as used in proposed law, the term "peace officer" shall include every person as defined in present law (R.S. 40:2402).

Proposed law provides that as used in proposed law, the term "public entity" shall mean the state, or a political subdivision thereof which employs or appoints any peace officer as defined in proposed law.

Proposed law provides that as used in proposed law, the term "discretionary function" shall mean any action or conduct of a peace officer, acting within the course and scope of his duties that includes exercising judgment in the enforcement of the criminal laws of the state, including, but not limited to, arresting or attempting to arrest persons or carrying out any other duties or obligations imposed upon a peace officer in this state.

Proposed law provides that liability shall not be imposed on any peace officer or any public entity which employs or appoints such peace officer based upon the conduct or actions of a peace officer in performance of any discretionary function within the course and scope of his duties.

Proposed law provides that the provisions of proposed law shall not be applicable to any of the following:

- (1) Acts or omissions which constitute criminal, fraudulent, or intentional misconduct.
- (2) Any private nongovernmental person or entity, including any private employer of a peace officer during that officer's off-duty hours.

Proposed law provides that in addition to the provisions of proposed law, no person who has been convicted of a criminal offense in this state shall have a right or cause of action for damages or injuries arising from conduct or actions related to the commission of the criminal offense and events prior to, or following the commission of the criminal offense.

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

(Adds R.S. 9:2793.11)