

Regular Session, 2011

HOUSE BILL NO. 197

BY REPRESENTATIVE AUSTIN BADON

Prefiled pursuant to Article III, Section 2(A)(4)(b)(i) of the Constitution of Louisiana.

CRIME/HOMICIDE-MURDER: Amends the crime of second degree murder

1 AN ACT

2 To amend and reenact R.S. 14:30.1(A)(2), relative to second degree murder; to provide for
3 the crime of second degree murder; to add to the list of enumerated offenses for
4 which a person can be charged with second degree murder; and to provide for related
5 matters.

6 Be it enacted by the Legislature of Louisiana:

7 Section 1. This Act shall be known as the "Mariah Woods Act" in honor of Mariah
8 Woods, a resident of New Orleans, Louisiana, who was killed on January 8, 2011.

9 Section 2. R.S. 14:30.1(A)(2) is hereby amended and reenacted to read as follows:

10 §30.1. Second degree murder

11 A. Second degree murder is the killing of a human being:

12 * * *

13 (2) When the offender is engaged in the perpetration or attempted
14 perpetration of aggravated rape, forcible rape, aggravated arson, aggravated burglary,
15 aggravated kidnapping, second degree kidnapping, aggravated escape, assault by
16 drive-by shooting, armed robbery, first degree robbery, second degree robbery,
17 simple robbery, cruelty to juveniles, second degree cruelty to juveniles, flight from
18 an officer, aggravated flight from an officer, or terrorism, even though he has no
19 intent to kill or to inflict great bodily harm.

20 * * *

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)]

Austin Badon

HB No. 197

Abstract: Expands the crime of second degree murder to include the killing of a human being when the offender is engaged in the perpetration or attempted perpetration of flight from an officer or aggravated flight from an officer.

Present law provides that second degree murder is the killing of a human being when the offender is engaged in the perpetration or attempted perpetration of the following crimes even when the offender has no intent to kill or inflict great bodily harm: aggravated rape, forcible rape, aggravated arson, aggravated burglary, aggravated kidnapping, second degree kidnapping, aggravated escape, assault by drive-by shooting, armed robbery, first degree robbery, second degree robbery, simple robbery, cruelty to juveniles, second degree cruelty to juveniles, or terrorism.

Proposed law adds flight from an officer and aggravated flight from an officer to this list of present law crimes.

(Amends R.S. 14:30.1(A)(2))