

Regular Session, 2014

HOUSE BILL NO. 227

BY REPRESENTATIVE HENRY

CRIME/BATTERY: Amends penalties for the crime of battery of a school or recreation athletic contest official

1 AN ACT

2 To amend and reenact R.S. 14:34.4(B), relative to battery of a school or recreation athletic
3 contest official; to amend the penalties for the crime of battery of a school or
4 recreation athletic contest official; to require participation by the offender in
5 community service and a counseling program; and to provide for related matters.

6 Be it enacted by the Legislature of Louisiana:

7 Section 1. R.S. 14:34.4(B) is hereby amended and reenacted to read as follows:

8 §34.4. Battery of a school or recreation athletic contest official

9 * * *

10 B.(1) Whoever commits the crime of battery of a school or recreation athletic
11 contest official shall be fined not less than one thousand dollars and not more than
12 five ~~hundred~~ thousand dollars and imprisoned not less than ~~forty-eight hours~~ five
13 days nor more than ~~six~~ three months ~~without benefit of suspension of sentence,~~
14 ~~except as provided in Paragraph (2).~~

15 (2) Whoever commits the crime of battery of a school or recreation athletic
16 contest official which results in an injury to the victim that requires medical attention
17 shall be fined not less than one thousand dollars and not more than five thousand
18 dollars and imprisoned for not less than ten days nor more than six months.

1 ~~(2)(3)(a)~~ The court, in its discretion, may suspend the imposition of the
2 sentence and place the offender on probation with the condition that he In addition
3 to any other penalty imposed, the court shall order the offender to perform five days
4 forty hours of court-approved community service work.

5 (b) In addition to any other penalty imposed, the court shall order the
6 offender to participate in a court-approved counseling program which may include
7 anger management, abusive behavior intervention groups, or any other type of
8 counseling deemed appropriate by the court. Any costs associated with the
9 counseling program shall be borne by the offender.

10 (c) Participation in the community service and counseling program required
11 by the provisions of Subparagraphs (a) and (b) of this Paragraph shall not be
12 suspended.

13 (d) Failure to successfully complete the community service work and
14 counseling program, as determined by the supervisor of the program to which he is
15 assigned, may result in revocation of probation.

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)]

Henry

HB No. 227

Abstract: Amends the penalties for the crime of battery of a school or recreation athletic contest official.

Present law provides for the crime of battery of a school or recreation athletic contest official and provides that any person convicted of this offense shall be fined not more than \$500 and shall be imprisoned for not less than 48 hours nor more than six months. This sentence may only be suspended by the court if the offender is placed on probation with a minimum condition that he perform five days of community service work.

Proposed law amends the penalties as follows:

- (1) Fine of not less than \$1,000 nor more than \$5,000, and imprisonment for not less than five days nor more than three months.
- (2) If the offense results in an injury to the victim that requires medical attention: fine of not less \$1,000 nor more than \$5,000, and imprisonment for not less than 10 days nor more than six months.

- (3) In addition to the penalties provided in (1) and (2) above, the offender shall perform 40 hours of court-approved community service and participate in a court-approved counseling program which may include anger management, abusive behavior intervention groups, or any other type of counseling deemed appropriate by the court.

Proposed law further provides that participation in community service and the counseling program required by proposed law shall not be suspended and that the cost of participation in the counseling program shall be borne by the offender.

(Amends R.S. 14:34.4(B))