HLS 14RS-403 ORIGINAL

Regular Session, 2014

HOUSE BILL NO. 52

1

BY REPRESENTATIVES HAVARD AND THIBAUT

CORRECTIONS: Adds "correctional facility employee" to the list of specific victims of the crime of first degree murder

AN ACT

2	To amend and reenact R.S. 14:30(B)(1) and to enact R.S. 14:30(A)(12), relative to first
3	degree murder; to add "correctional facility employee" to the list of specific victims
4	of the crime of first degree murder; to provide for a definition of "correctional
5	facility employee"; and to provide for related matters.
6	Be it enacted by the Legislature of Louisiana:
7	Section 1. R.S. 14:30(B)(1) is hereby amended and reenacted and R.S. 14:30(A)(12)
8	is hereby enacted to read as follows:
9	§30. First degree murder
10	A. First degree murder is the killing of a human being:
11	* * *
12	(12) When the offender has a specific intent to kill or to inflict great bodily
13	harm upon a correctional facility employee who is in the course and scope of his
14	employment.
15	* * *
16	B.(1) For the purposes of Paragraph (A)(2) of this Section, the term "peace
17	Section:
18	(a) "Correctional facility employee" means any employee of any jail, prison,
19	or correctional facility that is not a peace officer as defined by the provisions of
20	Subparagraph (b) of this Paragraph.

CODING: Words in struck through type are deletions from existing law; words <u>underscored</u> are additions.

(b) "Peace officer" means any peace officer, as defined in R.S. 40:2402, and includes any constable, marshal, deputy marshal, sheriff, deputy sheriff, local or state policeman, commissioned wildlife enforcement agent, federal law enforcement 3 officer, jail or prison guard, parole officer, probation officer, judge, attorney general, assistant attorney general, attorney general's investigator, district attorney, assistant district attorney, or district attorney's investigator. 6

1

2

4

5

7

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)]

Havard HB No. 52

Abstract: Adds "correctional facility employee" to the list of specific victims of the crime of first degree murder.

Present law defines first degree murder as the killing of a human being when certain circumstances exist, including but not limited to when the offender has a specific intent to kill or to inflict great bodily harm upon a fireman, peace officer, or civilian employee of a forensic laboratory while engaged in the performance of his lawful duties, or when the specific intent to kill or to inflict great bodily harm is directly related to the victim's status as a fireman, peace officer, or civilian employee.

Present law provides that persons convicted of first degree murder shall be punished by death or life imprisonment at hard labor without benefit of parole, probation, or suspension of sentence.

<u>Proposed law</u> adds "correctional facility employee" to the <u>present law</u> list of specific victims of the crime of first degree murder.

Proposed law defines "correctional facility employee" as any employee of any jail, prison, or correctional facility that is not a "peace officer" as defined by present law.

(Amends R.S. 14:30(B)(1); Adds R.S. 14:30(A)(12))