

2022 Regular Session

HOUSE BILL NO. 462

BY REPRESENTATIVE MINCEY

CRIME: Creates the crime of unauthorized removal of a minor from school property

1 AN ACT

2 To enact R.S. 14:45.2, relative to kidnapping and false imprisonment; to create the crime of
3 unauthorized removal of a minor from a school; to provide for criminal penalties; to
4 provide for exceptions; and to provide for related matters.

5 Be it enacted by the Legislature of Louisiana:

6 Section 1. R.S. 14:45.2 is hereby enacted to read as follows:

7 §45.2. Unauthorized removal of a minor from a school

8 A. Unauthorized removal of a minor from a school is the intentional removal
9 of a minor from a school as defined in R.S. 14:95.6 by a person who is not
10 authorized to do so, including a parent otherwise prohibited from removing the child
11 from a school by an order of a court of competent jurisdiction.

12 B. Whoever commits the crime of unauthorized removal of a minor from a
13 school shall be fined not more than five thousand dollars, imprisoned with or without
14 hard labor for not less than five years, or both.

15 C. The provisions of this Section shall not apply to a student who leaves a
16 school for a school-sponsored function as defined in R.S. 14:40.6.

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)]

HB 462 Original

2022 Regular Session

Mincey

Abstract: Creates the crime of unauthorized removal of a minor from a school, and provides for the elements of the offense and criminal penalties.

Proposed law creates the crime of unauthorized removal of a minor from a school and defines the elements as all of the following:

- (1) The intentional removal of a minor from a school.
- (2) By a person who is not authorized to do so.

Proposed law applies to a parent prohibited from removing the child from a school by an order of a court of competent jurisdiction.

Proposed law provides for a fine not to exceed \$5,000, a term of imprisonment, with or without hard labor, not to exceed five years, or both.

Proposed law shall not apply to a student who leaves a school for a school-sponsored function as defined in present law.

(Adds R.S. 14:45.2)