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

DIGEST

SB 335 Original 2022 Regular Session Jackson

Present law provides for the divestiture of juvenile court jurisdiction for certain offenses.

Proposed law retains present law and adds the offenses of aggravated battery, second degree battery, battery on a correctional facility employee, simple battery, aggravated assault, and simple assault to the list of offenses for which a juvenile may be prosecuted as an adult under certain circumstances.

Proposed law enhances penalties when a juvenile, under the jurisdiction and legal custody of the Dept. of Public Safety and Corrections or being detained in a juvenile institution commits any of the following offenses upon a correctional facility employee or a juvenile under the legal custody of the Dept. of Public Safety and Corrections or is being detained in a juvenile institution:

(1) Aggravated battery.

(2) Second degree battery.

(3) Battery on a correctional facility employee.

(4) Simple battery.

(5) Aggravated assault.

(6) Simple assault.

Present law provides that second degree kidnapping includes using the victim to facilitate the commission of a simple escape or aggravated escape, including a simple escape or aggravated escape from either an adult or juvenile correctional or detention facility. Proposed law deletes present law.

Proposed law provides that kidnapping includes the forcible seizing of any corrections officer or any other official or employee of an adult or juvenile correctional or detention facility for any period of time. Proposed law deletes present law.

Effective if and when the proposed amendment of Article V, Section 12 of the Constitution of Louisiana originating as SB No. 234 of this 2022 Regular Session of the Legislature is adopted at the statewide election to be held on 11/8/22 and becomes effective.

(Amends R.S. 14:34(B), 34.1(C), 34.5(B)(2), 35(B), 37(B), and 38(B); adds Ch.C. Art. 857(A)(9) - (14); repeals R.S. 14:44.1(A)(6) and (B)(4))