SLS 23RS-322 ENGROSSED

2023 Regular Session

SENATE BILL NO. 117

BY SENATOR HARRIS

1

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

CRIME/PUNISHMENT. Provides relative to the crime of assault by drive-by shooting. (8/1/23)

AN ACT

2	To amend and reenact R.S. 14:37.1(B) and (C), relative to the crime of assault by drive-by
3	shooting; to provide for certain penalties; to provide relative to the term "drive-by
4	shooting"; and to provide for related matters.
5	Be it enacted by the Legislature of Louisiana:
6	Section 1. R.S. 14:37.1(B) and (C) are hereby amended and reenacted to read as
7	follows:
8	§37.1. Assault by drive-by shooting
9	* * *
10	B. Whoever commits an assault by drive-by shooting shall be imprisoned for
11	not less than one year three years nor more than five ten years, with or without hard
12	labor, and without benefit of suspension of sentence.
13	C. As used in this Section and in R.S. 14:30(A)(1) and 30.1(A)(2), the term
14	"drive-by shooting" means the discharge of a firearm from a motor vehicle on a
15	public street, or highway, or interstate highway with the intent either to kill, cause
16	harm to, or frighten another person.

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

## DIGEST

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Harris

<u>Present law</u> provides for imprisonment of not less than one year nor more than five years, with or without hard labor, and without benefit of suspension of sentence for whoever commits an assault by drive-by shooting.

<u>Proposed law</u> changes the sentence <u>from</u> not less than one year <u>to</u> not less than three years and <u>from</u> not more than five years <u>to</u> not more than 10 years, with or without hard labor, and without benefit of suspension of sentence for whoever commits an assault by drive-by shooting.

<u>Present law</u> defines the term "drive-by shooting" as the discharge of a firearm from a motor vehicle on a public street or highway with the intent either to kill, cause harm to, or frighten another person.

<u>Proposed law</u> retains <u>present law</u> and adds "interstate highway" to the term "drive-by shooting".

Effective August 1, 2023.

(Amends R.S. 14:37.1(B) and (C))