

ACT No. 56

2023 Regular Session

HOUSE BILL NO. 86

BY REPRESENTATIVES HODGES, ADAMS, AMEDEE, BAGLEY, BOYD, BUTLER, CARRIER, CORMIER, COX, DAVIS, ECHOLS, EDMONDS, EDMONSTON, EMERSON, FREIBERG, FRIEMAN, GAROFALO, HARRIS, HORTON, JEFFERSON, KNOX, MACK, CHARLES OWEN, SCHLEGEL, SEABAUGH, STAGNI, AND THOMPSON

1 AN ACT

2 To amend and reenact R.S. 17:416.11, relative to liability of school employees; to provide
3 for immunity from civil liability and criminal prosecution under certain
4 circumstances; to provide for an exception; and to provide for related matters.

5 Be it enacted by the Legislature of Louisiana:

6 Section 1. R.S. 17:416.11 is hereby amended and reenacted to read as follows:

7 §416.11. Discipline of pupils; limitation of liability

8 A. ~~No~~ A teacher, principal, or administrator in a public school system or in
9 an approved nonpublic school shall be ~~personally liable~~ immune from civil liability
10 for any act or failure to act in the directing of or disciplining of school ~~children~~
11 students under his care and supervision, unless such act or failure to act was
12 malicious and willfully and deliberately intended to cause bodily harm.

13 B.(1) A teacher, principal, or administrator in a public school system or in
14 an approved nonpublic school who intervenes and acts in justifiable defense to
15 protect a student or a school employee from a battery or aggravated battery
16 committed by one or more students shall be immune from civil liability and criminal
17 prosecution unless the act of intervention was malicious and willfully and
18 deliberately intended to cause bodily harm.

19 (2) Nothing in this Subsection shall require a teacher, principal, or
20 administrator to intervene in a battery or aggravated battery committed by a student.

1 B: C. This Section shall not be applicable to the operation, use, or
2 maintenance of any motor vehicle.

3 Section 2. This Act shall be cited and referred to as the "Protect Teachers Act".

SPEAKER OF THE HOUSE OF REPRESENTATIVES

PRESIDENT OF THE SENATE

GOVERNOR OF THE STATE OF LOUISIANA

APPROVED: _____