

2024 Regular Session

HOUSE BILL NO. 125

BY REPRESENTATIVE BAYHAM

CRIMINAL/PENALTIES: Provides relative to the penalties for battery of a bus operator

1 AN ACT

2 To amend and reenact R.S. 14:34.5.1(B) and (C), relative to battery of a bus operator; to  
3 provide for penalties; and to provide for related matters.

4 Be it enacted by the Legislature of Louisiana:

5 Section 1. R.S. 14:34.5.1(B) and (C) are hereby amended and reenacted to read as  
6 follows:

7 §34.5.1. Battery of a bus operator

8 \* \* \*

9 B. For the purposes of this Section, a "bus operator" means any person  
10 employed by a public transit system who operates a bus, as defined in R.S. 32:1(5),  
11 or who operates an electronically operated cable car while that person is on duty in  
12 the course and scope of his or her employment, regardless of whether the bus is in  
13 motion at the time of the offense. "Bus operator" shall not include any person who  
14 operates a school bus.

15 \* \* \*

16 C. Whoever commits the crime of battery on a bus operator shall be fined not  
17 more than ~~five hundred~~ one thousand dollars and imprisoned for not less than ~~forty-~~  
18 ~~eight hours~~ three days nor more than ~~six months~~ one year without benefit of  
19 probation, parole, or suspension of sentence.

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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)]

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HB 125 Original

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Bayham

**Abstract:** Provides relative to penalties for the crime of battery of a bus operator.

Present law provides that battery of a bus operator is a battery committed without the consent of the victim when the offender has reasonable grounds to believe the victim is a bus operator.

Proposed law retains present law.

Present law defines the term "bus operator".

Proposed law removes an incorrect cross-reference to the term "bus operator" with the correct cross-reference as defined in present law (R.S. 32:1).

Present law provides that whoever commits the crime of battery on a bus operator shall be fined not more than \$500 and imprisoned for not less than 48 hours nor more than six months without benefit of probation, parole, or suspension of sentence.

Proposed law increases the maximum fine from \$500 to \$1,000, increases the minimum term of imprisonment from 48 hours to three days, and increases the maximum term of imprisonment from six months to one year without benefit of probation, parole, or suspension of sentence.

(Amends R.S. 14:34.5.1(B) and (C))