
DIGEST

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HB 355 Original

2024 Regular Session

Galle

Abstract: Adds an additional circumstance where the use of force or violence or homicide upon the person of another is justifiable.

Present law (R.S. 14:19) provides for certain circumstances where the use of force or violence upon the person of another is justifiable.

Proposed law retains present law.

Proposed law (R.S. 14:20) adds an additional circumstance for a person who is lawfully inside a motor vehicle against a person who is illegally blocking a roadway in violation of present law (R.S. 32:143.2 or 216) or any other applicable provision of law, provided that the force or violence used is reasonable and apparently necessary in order to retreat or escape from the person illegally blocking the roadway, and the person lawfully inside the motor vehicle reasonably believes that he or his passenger is in immediate danger of imminent death, bodily injury, or serious bodily harm.

Present law provides for certain circumstances where a homicide is justifiable.

Proposed law retains present law.

Proposed law adds an additional circumstance for a person who is lawfully inside a motor vehicle against a person who is illegally blocking a roadway in violation of present law (R.S. 32:143.2 or 216) or any other applicable provision of law, provided that the force or violence used is reasonable and apparently necessary in order to retreat or escape from the person illegally blocking the roadway, and the person lawfully inside the motor vehicle reasonably believes that he or his passenger is in immediate danger of imminent death, bodily injury, or serious bodily harm.

(Adds R.S. 14:19(A)(1)(c) and 20(A)(5))