

2024 Regular Session

SENATE BILL NO. 358

BY SENATOR MIZELL

STUDENTS. Provides relative to mandatory expulsion. (8/1/24)

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AN ACT

To amend and reenact R.S. 14:416(C)(2)(a)(i) and (ii), (b)(i), and (ii), relative to mandatory expulsion; to lower the age for which a student who is in possession of a firearm may be expelled; and to provide for related matters.

Be it enacted by the Legislature of Louisiana:

Section 1. R.S. 14:416(C)(2)(a)(i), (b)(i), and (ii) are hereby amended and reenacted to read as follows:

§416. Discipline of students; suspension; expulsion

\* \* \*

C. \* \* \*

(2)(a)(i) Notwithstanding the provisions of Subsection B of this Section, any student ~~sixteen~~ **thirteen** years of age or older found guilty of being in possession of a firearm on school property, on a school bus, or in actual possession at a school-sponsored event, pursuant to a hearing as provided for by Paragraph (1) of this Subsection, shall be expelled from school for a minimum period of four complete school semesters and shall be referred to the district attorney for appropriate action. However, the superintendent may modify the length of such minimum expulsion

1 requirement on a case-by-case basis, provided such modification is in writing.

2 (ii) Notwithstanding the provisions of Subsection B of this Section, any  
3 student ~~sixteen~~ **thirteen** years of age or older found guilty of possession of, or  
4 knowledge of and intentional distribution of, or possession with intent to distribute  
5 any illegal narcotic, drug, or other controlled substance on school property, on a  
6 school bus, or at a school-sponsored event pursuant to a hearing as provided for by  
7 Paragraph (1) of this Subsection shall be expelled from school for a minimum period  
8 of four complete school semesters.

9 (b)(i) Any student who is under ~~sixteen~~ **thirteen** years of age and in grades  
10 six through twelve and who is found guilty of being in possession of a firearm on  
11 school property, on a school bus, or in actual possession at a school-sponsored event,  
12 pursuant to a hearing as provided for by Paragraph (1) of this Subsection, shall be  
13 expelled from school for a minimum period of four complete school semesters, and  
14 shall be referred to the district attorney for appropriate action. However, the  
15 superintendent of a city, parish, or other local public school system may modify the  
16 length of such minimum expulsion requirement on a case-by-case basis, provided  
17 such modification is in writing.

18 (ii) Any student who is under ~~sixteen~~ **thirteen** years of age and in grades six  
19 through twelve and who is found guilty of possession of, or knowledge of and  
20 intentional distribution of, or possession with intent to distribute any illegal narcotic,  
21 drug, or other controlled substance on school property, on a school bus, or at a  
22 school-sponsored event pursuant to a hearing as provided for by Paragraph (1) of this  
23 Subsection shall be expelled from school for a minimum period of two complete  
24 school semesters.

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The original instrument and the following digest, which constitutes no part  
of the legislative instrument, were prepared by Carla S. Roberts.

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Proposed law retains present law but lowers the age from 16 to 13.

Effective August 1, 2024.

(Amends R.S. 14:416(C)(2)(a)(i)(ii), (b)(i), and (ii))