

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 while the
17 operator is operating a bus shall be fined not more than ~~five hundred~~ one thousand
18 dollars and imprisoned for not less than ~~forty-eight~~ seventy-two hours nor more than
19 ~~six months~~ one year, with or without hard labor, without benefit of probation, parole,
20 or suspension of sentence.

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)]

HB 125 Engrossed

2024 Regular Session

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 while the operator is operating a bus 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 with or without hard labor without benefit of probation, parole, or suspension of sentence.

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

Summary of Amendments Adopted by House

The Committee Amendments Proposed by House Committee on Administration of Criminal Justice to the original bill:

1. Clarify that the present law crime applies when committed on a bus operator while the operator is operating a bus.
2. Clarify that the term of imprisonment is with or without hard labor.
3. Add a technical amendment.