

2024 Regular Session

HOUSE BILL NO. 173

BY REPRESENTATIVES FONTENOT, MIKE JOHNSON, AND WILDER

1 AN ACT

2 To enact R.S. 14:109, relative to offenses affecting law enforcement; to create the crime of
3 approaching a peace officer lawfully engaged in law enforcement duties; to provide
4 for a definition; to provide for an affirmative defense; to provide for penalties; and
5 to provide for related matters.

6 Be it enacted by the Legislature of Louisiana:

7 Section 1. R.S. 14:109 is hereby enacted to read as follows:

8 §109. Approaching a peace officer lawfully engaged in law enforcement duties

9 A. No person shall knowingly or intentionally approach within twenty-five
10 feet of a peace officer who is lawfully engaged in the execution of his official duties
11 after the peace officer has ordered the person to stop approaching or to retreat.

12 B. For the purposes of this Section, "peace officer" shall include all
13 individuals as defined in R.S. 14:112.4(B)(2) and R.S. 40:2402(3).

14 C. It shall be an affirmative defense to this crime if the defendant can
15 establish that the lawful order or command was neither received nor understood by
16 the defendant nor capable of being received or understood under the conditions and
17 circumstances that existed at the time of the issuance of the order.

1 D. Whoever violates the provisions of this Section shall be fined not more
2 than five hundred dollars, imprisoned for not more than sixty days, or both.

SPEAKER OF THE HOUSE OF REPRESENTATIVES

PRESIDENT OF THE SENATE

GOVERNOR OF THE STATE OF LOUISIANA

APPROVED: _____