

RÉSUMÉ DIGEST

ACT 131 (HB 208)

2024 Regular Session

Villio

Existing law (R.S. 14:34.9) provides for the crime of battery of a dating partner.

Existing law (R.S. 14:34.9(L)) provides that if the existing law offense of battery of a dating partner involves strangulation, the offender, in addition to any other penalties imposed pursuant to existing law, shall be imprisoned at hard labor for not more than three years.

New law adds that if the strangulation results in serious bodily injury, the offender, in addition to any other penalties imposed pursuant to existing law, shall be imprisoned at hard labor for not less than five nor more than 50 years without benefit of probation, parole, or suspension of sentence.

Prior law (R.S. 14:34.9(N)) provided that except as provided in existing law (R.S. 14:34.9(M)(2) and (P)), if the offender intentionally inflicted serious bodily injury, the offender, in addition to any other penalties imposed pursuant to existing law, was required to be imprisoned at hard labor for not more than eight years.

New law changes prior law to add an exception for new law as it relates to strangulation that results in serious bodily injury.

Existing law (R.S. 14:35.3) provides for the crime of domestic abuse battery.

Existing law (R.S. 14:35.3(L)) provides that if the existing law offense of domestic abuse battery involves strangulation, the offender, in addition to any other penalties imposed pursuant to existing law, shall be imprisoned at hard labor for not more than three years.

New law adds that if the strangulation results in serious bodily injury, the offender, in addition to any other penalties imposed pursuant to existing law, shall be imprisoned at hard labor for not less than five nor more than 50 years without benefit of probation, parole, or suspension of sentence.

Prior law (R.S. 14:35.3(N)) provided that except as provided in existing law (R.S. 14:35.3(M)(2) and (P)), if the offender intentionally inflicted serious bodily injury, the offender, in addition to any other penalties imposed pursuant to existing law, was required to be imprisoned at hard labor for not more than eight years.

New law changes prior law to add an exception for new law as it relates to strangulation that results in serious bodily injury.

Effective August 1, 2024.

(Amends R.S. 14:34.9(L) and (N) and 35.3(L) and (N))