

SENATE BILL NO. 156

BY SENATOR KLEINPETER

1 AN ACT

2 To amend and reenact R.S. 14:32(C)(1) and (2), relative to negligent homicide; to provide
3 relative to penalties; to increase the maximum term of imprisonment for negligent
4 homicide under certain circumstances; and to provide for related matters.

5 Be it enacted by the Legislature of Louisiana:

6 Section 1. R.S. 14:32(C)(1) and (2) are hereby amended and reenacted to read as
7 follows:

8 §32. Negligent homicide

9 * * *

10 C.(1)~~(a)~~ Except as provided for in Paragraph (2) of this Subsection, whoever
11 commits the crime of negligent homicide shall be ~~imprisoned with or without hard~~
12 ~~labor for not more than ten years~~, fined not more than five thousand dollars, or
13 imprisoned, with or without hard labor, for not more than fifteen years, or both.

14 (b) If the court does not order the offender to a term of imprisonment
15 when the following two factors are established, the court shall state, both orally
16 and in writing at the time of sentencing, the reasons for not sentencing the
17 offender to a term of imprisonment:

18 (i) The fatality was caused by a person engaged in the operation of, or in
19 actual physical control of, any motor vehicle, aircraft, watercraft, or other
20 means of conveyance; and

21 (ii) The offender's blood alcohol concentration contributed to the fatality.

22 (2)~~(a)~~ If the victim ~~killed~~ was under the age of ~~ten~~ thirteen years, the
23 offender shall be imprisoned at hard labor, without benefit of probation, parole, or
24 suspension of sentence, for not less than two years nor more than ~~ten~~ twenty years.

25 ~~(b) If the court does not order the offender to a term of imprisonment when~~
26 ~~the following two factors are established, the court shall state, both orally and in~~
27 ~~writing at the time of sentencing, the reasons for not sentencing the offender to a~~

1 term of imprisonment:

2 (i) ~~The fatality was caused by a person engaged in the operation of, or in~~
3 ~~actual physical control of, any motor vehicle, aircraft, watercraft, or other means of~~
4 ~~conveyance; and~~

5 (ii) ~~The offender's blood alcohol concentration contributed to the fatality.~~

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PRESIDENT OF THE SENATE

SPEAKER OF THE HOUSE OF REPRESENTATIVES

GOVERNOR OF THE STATE OF LOUISIANA

APPROVED: _____