

2018 Regular Session

SENATE BILL NO. 563 (Substitute of Senate Bill No. 84 by Senator Walsworth)

BY SENATOR WALSWORTH

JUVENILE JUSTICE. Provides relative to the penalty for cruelty to a juvenile and second degree cruelty to a juvenile. (8/1/18)

1 AN ACT

2 To amend and reenact R.S. 14:93(D) and 93.2.3(C), relative to criminal justice; to provide

3 relative to the penalty for cruelty to a juvenile; to provide relative to the penalty for

4 second degree cruelty to a juvenile; to provide for the age of victims; and to provide

5 for related matters.

6 Be it enacted by the Legislature of Louisiana:

7 Section 1. R.S. 14:93(D) and 93.2.3(C) are hereby amended and reenacted to read

8 as follows:

9 §93. Cruelty to juveniles

10 * * *

11 D.(1) Whoever commits the crime of cruelty to juveniles shall be fined not

12 more than one thousand dollars or imprisoned with or without hard labor for not

13 more than ten years, or both.

14 **(2) Whoever violates the provisions of Paragraph (A)(1) of this Section**

15 **when the victim is eight years old or younger shall be imprisoned at hard labor**

16 **for not less than five years nor more than forty years.**

17 * * *

1 §93.2.3. Second degree cruelty to juveniles

2 * * *

3 C.(1) Whoever commits the crime of second degree cruelty to juveniles shall
4 be imprisoned at hard labor for not more than forty years.

5 **(2) Whoever commits the crime of second degree cruelty to juveniles**
6 **when the victim is eight years old or younger shall be imprisoned at hard labor**
7 **for not less than ten years nor more than forty years.**

The original instrument and the following digest, which constitutes no part
of the legislative instrument, were prepared by Ashley E. Menou.

DIGEST

SB 563 Engrossed

2018 Regular Session

Walsworth

Present law provides that cruelty to a juvenile includes, among other criteria, the intentional or criminally negligent mistreatment or neglect by anyone 17 or older of any child under the age of 17 whereby unjustifiable pain or suffering is caused to the child.

Present law provides the penalty for cruelty to a juvenile shall be a fine of not more than \$1,000 or imprisoned with or without hard labor for not more than 10 years, or both.

Proposed law retains present law.

Proposed law provides that if a person is convicted of the present law provision of cruelty to a juvenile and the victim is eight years old or younger, the penalty shall be imprisonment at hard labor for not less than five years nor more than 40 years.

Present law provides the penalty for second degree cruelty to juveniles is imprisonment at hard labor for not more than 40 years.

Proposed law retains present law.

Proposed law provides that if the victim is eight years old or younger, the penalty for second degree cruelty to a juvenile is imprisonment at hard labor for not less than ten nor more than 40 years.

Effective August 1, 2018.

(Amends R.S. 14:93(D) and 93.2.3(C))