

CONFERENCE COMMITTEE REPORT

HB 446

2018 Regular Session

Falconer

May 14, 2018

To the Honorable Speaker and Members of the House of Representatives and the Honorable President and Members of the Senate.

Ladies and Gentlemen:

We, the conferees appointed to confer over the disagreement between the two houses concerning House Bill No. 446 by Representative Falconer, recommend the following concerning the Reengrossed bill:

- 1. That the set of Senate Committee Amendments by the Senate Committee on Judiciary C (#2764) be adopted.
- 2. That the set of Amendments by the Legislative Bureau (#2918) be adopted.
- 3. That the following amendments to the Reengrossed bill be adopted:

AMENDMENT NO. 1

On page 2, at the beginning of line 16, delete "C. Any" and insert "C.(1) Except as provided in Paragraph (2) of this Subsection, any"

AMENDMENT NO. 2

On page 2, line 17, change "imprisoned for not more than six months" to "imprisoned with or without hard labor for not more than one year"

AMENDMENT NO. 3

On page 2, after line 17, add the following:

"(2) If the serious bodily injury results in the death of the person, any person who violates the provisions of this Section shall be fined not more than two thousand dollars, imprisoned with or without hard labor for not more than five years, or both."

Respectfully submitted,

Representative Reid Falconer

Senator Dan Claitor

Representative Sherman Mack

Senator Ronnie Johns

Representative Stephen Dwight

Senator Jay Luneau

CONFERENCE COMMITTEE REPORT DIGEST

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Keyword and onliner of the instrument as it left the House

CRIME/MISDEMEANOR: Provides relative to the failure to seek medical assistance

Report adopts Senate amendments to:

1. Limit the applicability of proposed law to require that reasonable assistance be given when a person suffers serious bodily injury and not when the person is exposed to serious bodily injury.

Report amends the bill to:

1. Amend the penalties to increase the term of imprisonment from up to six months to up to one year with or without hard labor, and further provide that if the serious bodily injury results in the death of the person, the person who violated the provisions of proposed law shall be fined not more than \$2,000, imprisoned with or without hard labor for not more than five years, or both.

Digest of the bill as proposed by the Conference Committee

Proposed law requires the following:

- (1) Any person at the scene of an emergency who knows that another person has suffered serious bodily injury shall, to the extent that the person can do so without danger or peril to self or others, give reasonable assistance to the injured person.
- (2) Any person who engages in reckless behavior that results in the serious bodily injury of any person shall, to the extent that the person can do so without danger or peril to self or others, give reasonable assistance to the injured person.

Proposed law provides that reasonable assistance includes immediately seeking or reporting the need for medical assistance from an appropriate authority which is defined by proposed law to include any state or local law enforcement agency, a 911 Public Safety Answering Point, and emergency medical personnel.

Proposed law provides that any person who intentionally or knowingly fails to immediately seek or report the need for assistance pursuant to the provisions of proposed law shall be subject to the following penalties:

- (1) A fine of up to \$1,000, imprisonment with or without hard labor for up to one year, or both.
- (2) If the serious bodily injury results in the death of the person, a fine of up to \$2,000, imprisonment with or without hard labor for up to five years, or both.

Proposed law provides for definitions of "reckless behavior" and "serious bodily injury".

(Adds R.S. 14:502)