

RÉSUMÉ DIGEST

ACT 16 (HB 2)

2024 Second Extraordinary Session

Bacala

New law provides definitions for "discretionary function", "peace officer", and "public entity".

New law prohibits civil claims for damages against a peace officer or public entity that employs or appoints a peace officer under any of the following circumstances:

- (1) The conduct or actions of the peace officer arise out of the performance of any discretionary function within the course and scope of the peace officer's law enforcement duties.
- (2) The success of the claim necessarily implies the invalidity of a criminal conviction or sentence, unless the conviction or sentence has been invalidated through appropriate legal proceedings.

New law provides that new law shall not apply to any of the following:

- (1) Any act or omission of a peace officer which constitutes criminal, fraudulent, or intentional misconduct.
- (2) Any private nongovernmental person or entity, including any private employer of a peace officer during that officer's off-duty hours.

New law does not relieve a police officer from the duty to drive or ride with due regard for the safety of all persons when he is the driver or rider of a vehicle operated in the course and scope of his employment.

Effective April 29, 2024.

(Adds R.S. 9:2793.11)