
DIGEST

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HB 102 Engrossed

2026 Regular Session

Wiley

Abstract: Creates the crime of second degree cruelty to the elderly and persons with infirmities and provides for certain designations involving this offense.

Present law (R.S. 14:2(B)) provides for a list of offenses that are designated as crimes of violence.

Proposed law retains present law and adds the proposed law offense of second degree cruelty to the elderly and persons with infirmities.

Present law (R.S. 14:30 and 30.1) provides for the offenses of first and second degree murder.

Proposed law retains present law and adds the proposed law offense of second degree cruelty to the elderly and persons with infirmities as a predicate felony to these present law offenses.

Proposed law creates the crime of second degree cruelty to the elderly and persons with infirmities and provides for elements, definitions, exceptions, and penalties.

Proposed law provides an affirmative defense to a caregiver who provided treatment in accordance with a well-recognized spiritual method of healing in lieu of medical treatment.

Proposed law provides for a penalty of imprisonment at hard labor for not more than 40 years.

(Amends R.S. 14:30(A)(1) and 30.1(A)(2); Adds R.S. 14:2(B)(63) and 93.3.1)

Summary of Amendments Adopted by House

The Committee Amendments Proposed by House Committee on Administration of Criminal Justice to the original bill:

1. Make technical changes.
2. Add the proposed law offense as a predicate felony within the present law offenses of first and second degree murder.
3. Clarify the affirmative defense in proposed law.
4. Remove the proposed law penalty consisting of a range of five to 40 years with a

five-year mandatory minimum if the death of an elderly or infirmed person occurs.