

Regular Session, 2013

SENATE BILL NO. 87

BY SENATOR PERRY

Prefiled pursuant to Article III, Section 2(A)(4)(b)(i) of the Constitution of Louisiana.

CRIME/PUNISHMENT. Provides relative to battery of a correctional facility employee.
(gov sig)

1 AN ACT

2 To amend and reenact R.S. 14:34.5(A)(3), relative to the crime of battery of a correctional

3 facility employee; to provide relative to the definition of battery of a correctional

4 facility employee; and to provide for related matters.

5 Be it enacted by the Legislature of Louisiana:

6 Section 1. R.S. 14:34.5(A)(3) is hereby amended and reenacted to read as follows:

7 §34.5. Battery of a correctional facility employee

8 A.(1) * * *

9 (3) For purposes of this Section, "battery of a correctional facility employee"

10 includes the use of force or violence upon the person of the employee by throwing

11 **water or any other liquid**, feces, urine, blood, saliva, or any form of human waste

12 by an offender while the offender is incarcerated and is being detained in any jail,

13 prison, correctional facility, juvenile institution, temporary holding center, halfway

14 house, or detention facility.

15 * * *

16 Section 2. This Act shall become effective upon signature by the governor or, if not

17 signed by the governor, upon expiration of the time for bills to become law without signature

1 by the governor, as provided by Article III, Section 18 of the Constitution of Louisiana. If
2 vetoed by the governor and subsequently approved by the legislature, this Act shall become
3 effective on the day following such approval.

The original instrument and the following digest, which constitutes no part
of the legislative instrument, were prepared by Alden A. Clement, Jr.

DIGEST

Perry (SB 87)

Present law provides that battery of a correctional facility employee includes the use of force or violence upon the person of the employee by throwing feces, urine, blood, saliva, or any form of human waste by an offender while the offender is incarcerated and is being detained in any jail, prison, correctional facility, juvenile institution, temporary holding center, halfway house, or detention facility.

Proposed law retains present law and adds that the throwing of water or any other liquid by an offender also constitutes battery of a correctional facility employee.

Effective upon signature of the governor or lapse of time for gubernatorial action.

(Amends R.S. 14:34.5(A)(3))