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DIGEST

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DIGEST

Kostelka (SB 70)

Present law provides relative to the crime of domestic abuse battery and provides definitions relative to that crime.

Proposed law retains present law and adds that if the domestic abuse battery is committed by burning of the victim that results in serious bodily injury, the offense shall be classified as a crime of violence under present law and the offender shall be imprisoned at hard labor for not less than five nor more than 50 years without benefit of probation, parole, or suspension of sentence.

Proposed law defines "serious bodily injury" as bodily injury that involves unconsciousness, extreme physical pain, or protracted and obvious disfigurement, or protracted loss or impairment of the function of a bodily member, organ, or mental faculty, or a substantial risk of death.

Proposed law defines "burning" as an injury to flesh or skin caused by heat, electricity, friction, radiation, or any other chemical or thermal reaction.

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

(Amends R.S. 14:35.3 (B); adds R.S. 14:35.3(M))

Summary of Amendments Adopted by Senate

Senate Floor Amendments to engrossed bill

1. Technical.

Summary of Amendments Adopted by House

Committee Amendments Proposed by House Committee on Administration of Criminal Justice to the reengrossed bill.

1. Added a definition of "burning".