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

DIGEST

SB 243 Original | 2016 Regular Session | Milkovich

Present law provides relative to the crime of second degree battery. Present law defines second degree battery as a battery committed when the offender intentionally inflicts serious bodily injury, except that this provision of present law does not apply to a medical provider who has obtained the consent of a patient.

Proposed law retains present law and adds that second degree battery is also committed when two or more offenders jointly commit a battery and inflict injury upon the victim.

Present law provides that second degree battery is punishable by a fine of up to $2,000, or imprisonment with or without hard labor for up to eight years, or both.

Proposed law provides that a second degree battery where serious bodily injury is inflicted is punishable by a fine of up to $2,000, or imprisonment with or without hard labor for up to 15 years, or both.

Proposed law provides that a second degree battery committed by two or more offenders who inflict any injury upon the victim is punishable by imprisonment with or without hard labor for between one and five years, and a possible fine of up to $2,000.

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

(Amends R.S. 14:34.1(A) and (C))