

Regular Session, 2012

HOUSE BILL NO. 136

BY REPRESENTATIVE LOPINTO

CRIME/BATTERY: Adds federal law enforcement officers to the definition of "police officer" relative to the crime of battery of a police officer

1 AN ACT

2 To amend and reenact R.S. 14:34.2(A)(2) and to enact R.S. 14:34.2(C), relative to the crime  
3 of battery of a police officer; to provide for the definition of "police officer"; and to  
4 provide for related matters.

5 Be it enacted by the Legislature of Louisiana:

6 Section 1. R.S. 14:34.2(A)(2) is hereby amended and reenacted and R.S. 14:34.2(C)  
7 is hereby enacted to read as follows:

8 §34.2. Battery of a police officer

9 A.

10 \* \* \*

11 (2) For purposes of this Section, "police officer" shall include commissioned  
12 police officers, sheriffs, deputy sheriffs, marshals, deputy marshals, correctional  
13 officers, federal law enforcement officers, constables, wildlife enforcement agents,  
14 state park wardens, and probation and parole officers.

15 \* \* \*

16 C. The definition of a "police officer" as provided in Paragraph (A)(2) of this  
17 Section shall be strictly construed solely for the purposes of this Section and shall  
18 not be construed as granting the authority to any agency not defined as a "peace  
19 officer" pursuant to the provisions of R.S. 40:2402 to make arrests, perform search

- 1           and seizures, execute criminal warrants, prevent and detect crime, and enforce the  
2           laws of this state.
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## DIGEST

The digest printed below was prepared by House Legislative Services. It constitutes no part of the legislative instrument. The keyword, one-liner, abstract, and digest do not constitute part of the law or proof or indicia of legislative intent. [R.S. 1:13(B) and 24:177(E)]

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Lopinto

HB No. 136

**Abstract:** Makes the crime of battery of a police officer applicable to federal law enforcement officers.

Present law provides for the crime of battery of a police officer.

Present law defines "police officer" to include commissioned police officers, sheriffs, deputy sheriffs, marshals, deputy marshals, correctional officers, constables, wildlife enforcement agents, state park wardens, and probation and parole officers.

Proposed law retains present law and adds federal law enforcement officers to the definition of "police officer".

Proposed law provides that the definition of a "police officer" shall be strictly construed for the purposes of proposed law and shall not be construed as granting the authority to any agency not defined as a "peace officer" pursuant to the provisions of present law to make arrests, perform search and seizures, execute criminal warrants, prevent and detect crime, and enforce the laws of this state.

(Amends R.S. 14:34.2(A)(2); Adds R.S. 14:34.2(C))

Summary of Amendments Adopted by House

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

1. Added provision regarding the strict construction of the definition of "police officer".