

Regular Session, 2012

HOUSE BILL NO. 63

BY REPRESENTATIVE BROSSETT

WEAPONS/FIREARMS: Creates the crime of reckless discharge of a firearm on a school campus

1 AN ACT

2 To enact R.S. 14:95.2.3, relative to offenses affecting public safety; to create the crime of  
3 reckless discharge of a firearm on a school campus; to provide for definitions; to  
4 provide for penalties; and to provide for related matters.

5 Be it enacted by the Legislature of Louisiana:

6 Section 1. R.S. 14:95.2.3 is hereby enacted to read as follows:

7 §95.2.3. Reckless discharge of a firearm on a school campus

8 A. Reckless discharge of a firearm on a school campus is the reckless or  
9 criminally negligent discharge of a firearm on a school campus or within one  
10 thousand feet of a school campus.

11 B. For the purposes of this Section:

12 (1) "Campus" means all facilities and property within the boundary of the  
13 school property.

14 (2) "Firearm" means any pistol, revolver, rifle, shotgun, machine gun,  
15 submachine gun, excluding black powder weapons, or assault rifle which is designed  
16 to fire or is capable of firing fixed cartridge ammunition or from which a shot or  
17 projectile is discharged by an explosive.

18 (3) "Reckless or criminally negligent" means that although neither specific  
19 nor general criminal intent is present, there is such disregard of the interest of others

1 that the offender's conduct amounts to a gross deviation below the standard of care  
2 expected to be maintained by a reasonably careful man under like circumstances.

3 (4) "School" means any elementary, secondary, high school, vocational-  
4 technical school, college, or university in this state.

5 C. Whoever commits the crime of reckless discharge of a firearm on a school  
6 campus shall be sentenced to imprisonment at hard labor for not less than five nor  
7 more than ten years and shall be fined not more than five thousand dollars. At least  
8 three years of the sentence imposed shall be served without benefit of parole,  
9 probation, or suspension of sentence.

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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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Brossett

HB No. 63

**Abstract:** Creates the crime of reckless discharge of a firearm on a school campus.

Proposed law provides that reckless discharge of a firearm on a school campus is the reckless or criminally negligent discharge of a firearm on a school campus or within 1,000 feet of any school campus.

Proposed law defines "campus", "firearm", "reckless or criminally negligent", and "school".

Proposed law provides penalties of imprisonment at hard labor for not less than five nor more than 10 years and a fine of not more than \$5,000. At least three years shall be served without benefit of parole, probation, or suspension of sentence.

(Adds R.S. 14:95.2.3)