

Regular Session, 2008

# ACT No. 295

HOUSE BILL NO. 757

BY REPRESENTATIVES TRAHAN, ELBERT GUILLORY, HOWARD, KATZ,  
NORTON, AND SCHRODER AND SENATOR NEVERS

1 AN ACT

2 To amend and reenact R.S. 14:34.3(A)(2) and (B) and 38.2(A)(2)(a) and (B), relative to  
3 crimes against a school teacher; to provide for penalties for the crimes of battery of  
4 and assault on a school teacher; and to provide for related matters.

5 Be it enacted by the Legislature of Louisiana:

6 Section 1. R.S. 14:34.3(A)(2) and (B) and 38.2(A)(2)(a) and (B) are hereby amended  
7 and reenacted to read as follows:

8 §34.3. Battery of a school teacher

9 A.(1)

10 \* \* \*

11 (2) For purposes of this Section, "school teacher" shall include any teacher  
12 or instructor, administrator, staff person, or employee of any public or private  
13 elementary, secondary, vocational-technical training, special, or ~~post-secondary~~  
14 postsecondary school or institution. For purposes of this Section, "school teacher"  
15 shall also include any teacher aid and paraprofessional, school bus driver, food  
16 service worker, and other clerical, custodial, or maintenance personnel employed by  
17 a city, parish, or other local public school board.

18 \* \* \*

19 B. Whoever commits the crime of battery of a school teacher shall be fined  
20 not more than ~~one~~ five thousand dollars or imprisoned not less than ~~fifteen~~ thirty  
21 days nor more than ~~six months~~ one year. At least seventy-two hours of the sentence  
22 imposed shall be imposed without benefit of suspension of sentence.

23 \* \* \*

1           §38.2. Assault on a school teacher

2                   A.(1)

3   \*       \*       \*

4                   (2)(a) For purposes of this Section, "school teacher" means any teacher,  
5 instructor, administrator, staff person, or employee of any public or private  
6 elementary, secondary, vocational-technical training, special, or postsecondary  
7 school or institution. For purposes of this Section, "school teacher" shall also  
8 include any teacher aid and paraprofessional, school bus driver, food service worker,  
9 and other clerical, custodial, or maintenance personnel employed by a city, parish,  
10 or other local public school board.

11   \*       \*       \*

12                   B. Whoever commits the crime of assault on a school teacher shall be fined  
13 not more than ~~five hundred~~ two thousand dollars or imprisoned not less than thirty  
14 days nor more than ~~ninety~~ one hundred eighty days, or both.

15           Section 2. This Act shall become effective upon signature by the governor or, if not  
16 signed by the governor, upon expiration of the time for bills to become law without signature  
17 by the governor, as provided by Article III, Section 18 of the Constitution of Louisiana. If  
18 vetoed by the governor and subsequently approved by the legislature, this Act shall become  
19 effective on the day following such approval.

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SPEAKER OF THE HOUSE OF REPRESENTATIVES

\_\_\_\_\_  
PRESIDENT OF THE SENATE

\_\_\_\_\_  
GOVERNOR OF THE STATE OF LOUISIANA

APPROVED: \_\_\_\_\_