

2019 Regular Session

HOUSE BILL NO. 111

BY REPRESENTATIVES STEFANSKI AND JIM MORRIS

Prefiled pursuant to Article III, Section 2(A)(4)(b)(i) of the Constitution of Louisiana.

CRIME: Provides relative to the crime of disarming of a peace officer

1 AN ACT

2 To amend and reenact R.S. 14:34.6(B)(1), relative to the crime of disarming of a peace
3 officer; to amend the definition of "law enforcement equipment" for purposes of the
4 crime; and to provide for related matters.

5 Be it enacted by the Legislature of Louisiana:

6 Section 1. R.S. 14:34.6(B)(1) is hereby amended and reenacted to read as follows:

7 §34.6. Disarming of a peace officer

8 * * *

9 B. For purposes of this Section:

10 (1) "Law enforcement equipment" shall include any firearms, weapons,
11 restraints, ballistics shields, forced entry tools, defense technology equipment, self-
12 defense batons, self-defense sprays, chemical weapons, or electro shock weapons
13 ~~issued to a peace officer and~~ used by the peace officer in the course and scope of his
14 law enforcement duties and approved for such use by the peace officer's law
15 enforcement agency.

16 * * *

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)]

HB 111 Reengrossed

2019 Regular Session

Stefanski

Abstract: Amends the crime of disarming of a peace officer to apply to the taking of equipment used by the peace officer in the course and scope of his duties and approved for such use by the peace officer's law enforcement agency.

Present law provides that the crime of disarming of a peace officer is committed when an offender, through use of force or threat of force, and without the consent of the peace officer, takes possession of any law enforcement equipment from the person of a peace officer or from an area within the peace officer's immediate control, when the offender has reasonable grounds to believe that the victim is a peace officer acting in the performance of his duty.

For these purposes, present law defines "law enforcement equipment" as any firearms, weapons, restraints, ballistic shields, forced entry tools, defense technology equipment, self-defense batons, self-defense sprays, chemical weapons, or electro shock weapons issued to a peace officer and used in the course and scope of his law enforcement duties.

Proposed law amends present law to remove the requirement that the law enforcement equipment be issued to the peace officer by his law enforcement agency for the crime of disarming of a peace officer to apply. Proposed law also adds an element of the crime that the equipment be approved by the peace officer's law enforcement agency for use by the peace officer in the course and scope of his duties.

Proposed law otherwise retains present law.

(Amends R.S. 14:34.6(B)(1))