

2024 Regular Session

HOUSE BILL NO. 213

BY REPRESENTATIVE HILFERTY

CRIME: Provides relative to the crime of negligent homicide

1 AN ACT

2 To amend and reenact R.S. 14:32(C)(1), (2)(a), and (3), relative to the crime of negligent
3 homicide; to provide for penalties; to provide relative to the elements of this offense
4 when the victim is killed by a dog or other animal; to provide for increased penalties;
5 and to provide for related matters.

6 Be it enacted by the Legislature of Louisiana:

7 Section 1. R.S. 14:32(C)(1), (2)(a), and (3) are hereby amended and reenacted to
8 read as follows:

9 §32. Negligent homicide

10 * * *

11 C.(1) Except as provided for in Paragraph (2) of this Subsection, whoever
12 commits the crime of negligent homicide shall be imprisoned with or without hard
13 labor for not more than ~~five~~ twenty years, fined not more than five thousand dollars,
14 or both.

15 (2)(a) If the victim killed was under the age of ten years, the offender shall
16 be imprisoned at hard labor, without benefit of probation, parole, or suspension of
17 sentence, for not less than two nor more than ~~five~~ twenty years.

18 * * *

19 (3) If the victim was killed by a dog or other animal and the owner of the dog
20 or other animal was criminally negligent, the owner of the dog or other animal shall

1 be imprisoned with or without hard labor for not more than ~~five~~ twenty years or fined
2 not more than five thousand dollars, or both.

3 * * *

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 213 Engrossed

2024 Regular Session

Hilferty

Abstract: Increases penalties for the crime of negligent homicide when victim killed by a dog or other animal.

Present law provides that the crime of negligent homicide is either of the following:

- (1) The killing of a human being by criminal negligence.
- (2) The killing of a human being by a dog or other animal when the owner is reckless and criminally negligent in confining or restraining the dog or other animal.

Present law provides penalties for the crime of negligent homicide as follows:

- (1) Imprisonment with or without hard labor for not more than five years, fined not more than \$5,000, or both.
- (2) If the victim killed was under the age of 10 years, the offender shall be imprisoned at hard labor, without benefit of probation, parole, or suspension of sentence, for not less than two nor more than five years.

Proposed law changes the maximum penalty from five years to 20 years.

Present law provides that if the victim was killed by a dog or other animal, the owner of the dog or other animal shall be imprisoned with or without hard labor for not more than five years or fined not more than \$5,000, or both.

Proposed law changes the element of the crime to require the owner to also be criminally negligent and increases the maximum prison sentence from five to 20 years.

(Amends R.S. 14:32(C)(1), (2)(a), and (3))