

SENATE BILL NO. 1

BY SENATORS MIGUEZ, ABRAHAM, ALLAIN, BASS, CATHEY, CLOUD, CONNICK, COUSSAN, EDMONDS, FESI, HENRY, HENSGENS, HODGES, KLEINPETER, LAMBERT, MCMATH, MORRIS, OWEN, REESE, SEABAUGH, STINE, TALBOT, WHEAT AND WOMACK AND REPRESENTATIVES ADAMS, AMEDEE, BACALA, BAGLEY, BAMBURG, BAYHAM, BEAULLIEU, BERAULT, BILLINGS, BOURRIAQUE, BOYER, BUTLER, CARLSON, CARRIER, CARVER, CHENEVERT, COATES, COX, CREWS, DESHOTEL, DEVILLIER, DEWITT, DICKERSON, DOMANGUE, ECHOLS, EDMONSTON, EGAN, EMERSON, FARNUM, FIRMENT, FONTENOT, GADBERRY, GALLE, GEYMAN, GLORIOSO, HENRY, HORTON, MIKE JOHNSON, TRAVIS JOHNSON, LACOMBE, JACOB LANDRY, MACK, MCCORMICK, MCFARLAND, MCMAHEN, MCMAKIN, MELERINE, MUSCARELLO, ORGERON, OWEN, RISER, ROMERO, SCHAMERHORN, TARVER, THOMPSON, VENTRELLA, WILDER, WILEY, WRIGHT AND WYBLE

1 AN ACT

2 To amend and reenact R.S. 14:95(M) and R.S. 40:1379.3(B)(2)(a), (M), and (O) and to enact
3 R.S. 14:95(N), relative to illegal carrying of weapons; to provide that law-abiding
4 persons eighteen years of age and not otherwise prohibited may carry a concealed
5 weapon lawfully without a permit; and to provide for related matters.

6 Be it enacted by the Legislature of Louisiana:

7 Section 1. R.S. 14:95(M) is hereby amended and reenacted and R.S. 14:95(N) is
8 hereby enacted to read as follows:

9 §95. Illegal carrying of weapons

10 * * *

11 M. The provisions of Paragraph (A)(1) of this Section shall not apply to a
12 ~~resident of Louisiana~~ **any person who is** if all of the following conditions are met:

13 ~~(1) The person is twenty-one~~ **eighteen** years of age or older: **and**

14 ~~(2) The person~~ is not prohibited from possessing a firearm under R.S.
15 14:95.1, ~~R.S. 40:1379.3(C)(5) through (17)~~; 18 U.S.C. 922(g), or any other state or
16 federal law.

17 ~~(3)(a) The person is a reserve or active-duty member of any branch of the~~
18 ~~United States Armed Forces; a member of the Louisiana National Guard or the~~
19 ~~Louisiana Air National Guard; or a former member of any branch of the United~~

1 ~~States Armed Forces, the Louisiana National Guard, or the Louisiana Air National~~
2 ~~Guard who has been honorably discharged from service.~~

3 ~~(b) At all times that a person is in possession of a concealed handgun~~
4 ~~pursuant to R.S. 40:1379.3(B)(2), that person shall have on his person proof that he~~
5 ~~meets the qualifications of Subparagraph (a) of this Paragraph demonstrated by one~~
6 ~~of the following:~~

7 ~~(i) A valid military identification card.~~

8 ~~(ii) A valid driver's license issued by the state of Louisiana displaying the~~
9 ~~word "Veteran" pursuant to R.S. 32:412(K).~~

10 ~~(iii) A valid special identification card issued by the state of Louisiana~~
11 ~~displaying the word "Veteran" pursuant to R.S. 40:1321(K).~~

12 ~~(iv) For a member released from service who does not qualify to have the~~
13 ~~word "Veteran" displayed on a state issued driver's license or special identification~~
14 ~~card, a Department of Defense Form 214 (DD-214) indicating the character of~~
15 ~~service as "Honorable" or "Under Honorable Conditions (General)" and a valid~~
16 ~~driver's license or special identification card issued by the state of Louisiana.~~

17 **N. Any person lawfully carrying a handgun pursuant to Subsection M**
18 **of this Section shall be subject to the restrictions contained in R.S. 40:1379.3(I),**
19 **(M), (N), and (O).**

20 Section 2. R.S. 40:1379.3(B)(2)(a), (M), and (O) are hereby amended and reenacted
21 to read as follows:

22 §1379.3. Statewide permits for concealed handguns; application procedures;
23 definitions

24 * * *

25 B. * * *

26 (2)(a) A ~~Louisiana resident~~ **person** who meets the qualifications of R.S.
27 14:95(M) shall not be required to possess a valid concealed handgun permit issued
28 by the state of Louisiana pursuant to the provisions of this Section in order to carry
29 a concealed handgun in the state of Louisiana. ~~The provisions of this Paragraph shall~~
30 ~~not affect the requirements of reciprocity as provided in Subsection T of this Section.~~

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M. No **concealed handgun may be carried into and no** concealed handgun permit shall be valid or entitle any permittee to carry a concealed ~~weapon~~ **handgun** in any facility, building, location, zone, or area in which firearms are banned by state or federal law.

* * *

O.**(1)** The provisions of Subsection N of this Section shall not limit the right of a property owner, lessee, or other lawful custodian to prohibit or restrict access of those persons possessing a concealed handgun pursuant to a permit issued under this Section **or a person lawfully carrying a handgun pursuant to R.S. 14:95(M).**

(2) No individual to whom a concealed handgun permit is issued **or who is lawfully carrying a handgun pursuant to R.S. 14:95(M)** may carry such a concealed handgun into the private residence of another without first receiving the consent of that person.

* * *

Section 3. This Act shall become effective on July 4, 2024.

PRESIDENT OF THE SENATE

SPEAKER OF THE HOUSE OF REPRESENTATIVES

GOVERNOR OF THE STATE OF LOUISIANA

APPROVED: _____

SENATE BILL NO. 152

BY SENATOR MIGUEZ

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AN ACT

To amend and reenact R.S. 9:2793.12(B) as enacted by Section 1 of Act 2 of the 2024 Second Extraordinary Session, the introductory paragraph of R.S. 14:95(M), R.S. 14:95(N) as enacted by Section 1 of Act 1 of the 2024 Second Extraordinary Session, and R.S. 40:1379.3(I)(1) and (2) and the introductory paragraph of 1379.3(I)(3), relative to the illegal carrying of weapons; to provide relative to exceptions; to make technical changes; and to provide for related matters.

Be it enacted by the Legislature of Louisiana:

Section 1. R.S. 9:2793.12(B), as enacted by Section 1 of Act 2 of the 2024 Second Extraordinary Session, is hereby amended and reenacted to read as follows:

§2793.12. Limitation of liability; concealed handgun permit; definitions; exceptions

* * *

B. An authorized person as defined in this Section shall not be liable for damages for any injury, death, or loss suffered by a perpetrator when the injury, death, or loss is caused by a justified use of force or self-defense through the discharge of ~~the handgun~~ **a firearm** by the authorized person. This provision shall preclude any right of action by the perpetrator, his survivors, or his heirs.

* * *

Section 2. The introductory paragraph of R.S. 14:95(M) is hereby amended and reenacted to read as follows:

§95. Illegal carrying of weapons

* * *

M. The provisions of ~~Paragraph~~ **Subparagraph** (A)(1)(a) of this Section shall not apply to a resident of Louisiana if all of the following conditions are met:

* * *

Section 3. R.S. 14:95(N), as enacted by Section 1 of Act 1 of the 2024 Second Extraordinary Session, is hereby amended and reenacted to read as follows:

1 §95. Illegal carrying of weapons

2 * * *

3 N. Any person lawfully carrying a handgun pursuant to Subsection M of this
 4 Section shall be subject to the restrictions contained in R.S. 40:1379.3(I), (L), (M),
 5 (N), and (O).

6 Section 4. R.S. 40:1379.3(I)(1) and (2) and the introductory paragraph of
 7 1379.3(I)(3) are hereby amended and reenacted to read as follows:

8 §1379.3. Statewide permits for concealed handguns; application procedures;
 9 definitions

10 * * *

11 I.(1) No individual to whom a concealed handgun permit is issued or a person
 12 carrying a ~~weapon~~ **handgun** pursuant to R.S. 14:95(M) may carry and conceal such
 13 handgun while under the influence of alcohol or a controlled dangerous substance.
 14 While a permittee is under the influence of alcohol or a controlled dangerous
 15 substance, an otherwise lawful permit is considered automatically suspended and is
 16 not valid. A permittee **or person carrying a handgun** shall be considered under the
 17 influence as evidenced by a blood alcohol reading of .05 percent or greater by weight
 18 of alcohol in the blood, or when a blood test or urine test shows any confirmed
 19 presence of a controlled dangerous substance as defined in R.S. 40:961 and 964.

20 (2) A permittee armed with a handgun in accordance with this Section or a
 21 person carrying a ~~weapon~~ **handgun** pursuant to R.S. 14:95(M) shall notify any
 22 police officer who approaches the permittee **or person carrying a handgun**
 23 **pursuant to R.S. 14:95(M)** in an official manner or with an identified official
 24 purpose that he has a weapon on his person, submit to a pat down, and allow the
 25 officer to temporarily disarm him. Whenever a law enforcement officer is made
 26 aware that an individual is carrying a concealed handgun and the law enforcement
 27 officer has reasonable grounds to believe that the individual is under the influence
 28 of either alcohol or a controlled dangerous substance, the law enforcement officer
 29 may take temporary possession of the handgun and request submission of the
 30 individual to a department-certified chemical test for determination of the chemical

1 status of the individual. Whenever a law enforcement officer is made aware that an
 2 individual is behaving in a criminally negligent manner as defined under the
 3 provisions of this Section, or is negligent in the carrying of a concealed handgun as
 4 provided for in R.S. 40:1382, the law enforcement officer may seize the handgun,
 5 until adjudication by a judge, if the individual is issued a summons or arrested under
 6 the provisions of R.S. 40:1382. Failure by the permittee to comply with the
 7 provisions of this Paragraph shall result in a six-month automatic suspension of the
 8 permit. **A person carrying a concealed handgun pursuant to R.S. 14:95(M) who**
 9 **fails to comply with the provisions of this Paragraph shall be subject to the**
 10 **penalties set forth in Subsection L of this Section.**

11 (3) The permit to carry a concealed ~~weapon~~ **handgun** shall be revoked by the
 12 deputy secretary when the permittee is carrying and concealing a handgun under any
 13 of the following circumstances:

14 * * *

15 Section 5. This Act shall become effective on July 4, 2024; if vetoed by the governor
 16 and subsequently approved by the legislature, this Act shall become effective on the day
 17 following such approval by the legislature or July 4, 2024, whichever is later.

 PRESIDENT OF THE SENATE

 SPEAKER OF THE HOUSE OF REPRESENTATIVES

 GOVERNOR OF THE STATE OF LOUISIANA

APPROVED: _____

SENATE BILL NO. 7

BY SENATORS EDMONDS AND SEABAUGH AND REPRESENTATIVES ADAMS,
BACALA, BOYER, COX, HORTON, MIKE JOHNSON, KNOX,
LAFLEUR, MOORE, TAYLOR, WALTERS, WILEY AND WRIGHT

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AN ACT

To amend and reenact R.S. 14:98.1(A)(1)(d) and (3)(c) and 98.2(A)(3)(c) and R.S. 32:378.2(A), (B)(1)(a)(ii)(aa) and (bb), 414(A)(1)(c)(i) and (ii), and (D)(1)(b), 667(B)(1)(a) and (3)(b) and (c) and (D)(1)(a) and the introductory paragraph of 668(B)(1)(a) and to enact R.S. 32:378.2(P) and 668(D), relative to ignition interlock devices; to make technical changes; to change criminal offenses for driving while intoxicated; to provide for a change in time periods that a driver is required to have an ignition interlock device; to provide relative to restricted driver's licenses; to extend the amount of time that a driver is required to have an ignition interlock device upon notice of noncompliance; to provide relative to first and second offense penalties for operating a vehicle while intoxicated; and to provide for related matters.

Be it enacted by the Legislature of Louisiana:

Section 1. R.S. 14:98.1(A)(1)(d) and (3)(c) and 98.2(A)(3)(c) are hereby amended and reenacted to read as follows:

§98.1. Operating while intoxicated; first offense; penalties

A.(1) * * *

(d) Except as provided by Subparagraph (3)(c) of this Subsection, the court ~~may~~ **shall** order that the offender not operate a motor vehicle during the period of

1 probation, ~~or such shorter time as set by the court~~ **for no less than six months,**
 2 unless any vehicle, while being operated by the offender, is equipped with a
 3 functioning ignition interlock device in compliance with the requirements of R.S.
 4 14:98.5(C) and R.S. 32:378.2.

5 * * *

6 (3)

7 * * *

8 (c) The court shall require that the offender not operate a motor vehicle
 9 during the period of probation unless any vehicle, while being operated by the
 10 offender, is equipped with a functioning ignition interlock device in compliance with
 11 the requirements of R.S. 14:98.5(C) and R.S. 32:378.2. The ignition interlock device
 12 shall remain installed and operative on his vehicle during the ~~first twelve-month~~
 13 period of suspension of his driver's license following the date of conviction.

14 * * *

15 §98.2. Operating while intoxicated; second offense; penalties

16 A.

17 * * *

18 (3)

19 * * *

20 (c) The court shall require that the offender not operate a motor vehicle
 21 during the period of probation unless any vehicle, while being operated by the
 22 offender, is equipped with a functioning ignition interlock device in compliance with
 23 the requirements of R.S. 14:98.5(C), R.S. 15:306, and R.S. 32:378.2. The ignition
 24 interlock device shall remain installed and operative on his vehicle during the ~~first~~
 25 ~~three years of the~~ four-year period of the suspension of his driver's license.

26 * * *

27 Section 2. R.S. 32:378.2(A), (B)(1)(a)(ii)(aa) and (bb), 414(A)(1)(c)(i) and (ii) and
 28 (D)(1)(b), 667(B)(1)(a) and (3)(b) and (c) and (I)(1)(a) and the introductory paragraph of 668
 29 (B)(1)(a) are hereby amended and reenacted and R.S. 32:378.2(P) and 668(D) are hereby
 30 enacted to read as follows:

1 §378.2. Ignition interlock devices; condition of probation for certain DWI offenders;
2 restricted license

3 A. In addition to any other provisions of law and except as otherwise
4 provided in Subsection I of this Section, the court may require that any person who
5 is placed on probation as provided in ~~R.S. 14:98(B)~~ **R.S. 14:98.1**, and the court shall
6 require that any person who is placed on probation as provided by ~~R.S. 14:98(C)~~
7 **R.S. 14:98.2** not operate a motor vehicle during the period of probation unless the
8 vehicle is equipped with a functioning ignition interlock device as provided in this
9 Section.

10 B.(1)

11 * * *

12 (a)

13 * * *

14 (ii)

15 * * *

16 (aa) Upon first offense, if the offender had a blood alcohol concentration of
17 0.15 percent or greater, he shall be issued a restricted driver's license during the
18 entire period of the two-year driver's license suspension imposed under the
19 provisions of R.S. 14:98.1(A)(3)(b) and (c) and shall be required to have a
20 functioning ignition interlock device installed on his vehicle during the ~~first twelve-~~
21 ~~month~~ period of the suspension.

22 (bb) Upon second offense, if the offender has a blood alcohol concentration
23 of 0.15 percent or greater, he shall be eligible for a restricted driver's license for the
24 period of suspension as imposed under the provisions of R.S. 14:98.2(A)(3)(b) and
25 (c). The offender may be issued a restricted license during the entire four years on
26 his suspension and shall be required to have a functioning ignition interlock device
27 installed on his vehicle during the ~~first three years of the~~ four-year suspension.

28 * * *

29 **P. No provision of this Section shall be construed to require the use of**
30 **any particular vendor who meets the requirements set forth in R.S. 15:307 for**

1 **ignition interlock devices.**

2 * * *

3 §414. Suspension, revocation, renewal, and cancellation of licenses; judicial review

4 A.(1)

5 * * *

6 (c)

7 * * *

8 (i) Upon first conviction, if the offender had a blood alcohol concentration
9 of 0.15 percent or greater, his driver's license shall be suspended for two years and
10 he shall be issued a restricted driver's license for the entire period of the suspension
11 after he has provided proof to the department that his motor vehicle is equipped with
12 a functioning ignition interlock device. A functioning ignition interlock device shall
13 remain installed on his vehicle during the ~~first twelve-month~~ period of the
14 suspension of his driver's license.

15 (ii) Upon second conviction, if the offender has a blood alcohol concentration
16 of 0.15 percent or greater, his driver's license shall be suspended for four years. The
17 offender shall be eligible for a restricted license for the four-year period of
18 suspension after he has provided proof to the department that his motor vehicle is
19 equipped with a functioning ignition interlock device. A functioning ignition
20 interlock device shall remain installed on his vehicle during the ~~first three-year~~
21 ~~period of the~~ four-year period of the suspension of his driver's license.

22 * * *

23 D.(1)

24 * * *

25 (b) Any licensee who has had his license suspended for operating a motor
26 vehicle while under the influence of alcoholic beverages under the provisions of this
27 Subsection shall be eligible to apply for a restricted driver's license upon proof that
28 his motor vehicle has been equipped with a functioning ignition interlock device.
29 The ignition interlock device shall remain on the motor vehicle for not less than ~~six~~
30 **twelve** months from the date the restricted driver's license is granted. In the event

1 that the department fails or refuses to issue the restricted driver's license, the district
2 court for the parish in which the licensee resides may issue an order directing the
3 department to issue the restricted license either by ex parte order or after
4 contradictory hearing.

5 * * *

6 §667. Seizure of license; circumstances; temporary license

7 * * *

8 B. If written request is not made by the end of the thirty-day period, the
9 person's license shall be suspended as follows:

10 (1)(a) If the person submitted to the test and the test results show a blood
11 alcohol level of 0.08 percent or above by weight, his driving privileges shall be
12 suspended for ~~ninety~~ **one hundred eighty** days from the date of suspension on first
13 offense violation and for three hundred sixty-five days from the date of suspension
14 on second and subsequent violations occurring within five years of the first offense.
15 If the person was under the age of twenty-one years on the date of the test and the
16 test results show a blood alcohol level of 0.02 percent or above by weight, his
17 driving privileges shall be suspended for one hundred eighty days from the date of
18 suspension.

19 * * *

20 (3)

21 * * *

22 (b) If the person submitted to the test as a result of a first violation and the
23 test results show a blood alcohol level of 0.15 percent or above by weight, he shall
24 be eligible for a hardship license during the entire period of the imposed two-year
25 suspension after he has provided proof that his motor vehicle has been equipped with
26 an ignition interlock device. A functioning ignition interlock device shall remain
27 installed on his motor vehicle during the ~~first twelve-month~~ period of his driver's
28 license suspension.

29 (c) If the person submitted to the test as a result of a second violation and the
30 test results show a blood alcohol level of 0.15 percent or above by weight, he shall

1 be eligible for a hardship license during the entire four-year period of the suspension
2 after he has provided proof that his motor vehicle has been equipped with an ignition
3 interlock device. A functioning ignition interlock device shall remain installed on his
4 motor vehicle during the ~~first three years of the~~ four-year period of his driver's
5 license suspension.

6 * * *

7 I.(1)

8 * * *

9 (a) Any person who has refused to submit to an approved chemical test for
10 intoxication, after being requested to do so, for a **first, second, or subsequent** arrest
11 of R.S. 14:98 or 98.6 or a parish or municipal ordinance that prohibits operating a
12 vehicle while intoxicated and whose driver's license has been suspended in
13 accordance with law.

14 * * *

15 §668. Procedure following revocation or denial of license; hearing; court review;
16 review of final order; restricted licenses

17 * * *

18 B.(1)(a) In a case of first **or second** refusal, or **a first or second** submission
19 to a test for intoxication ~~and when there has been no prior suspension of the driver's~~
20 ~~license~~, if suspension is otherwise proper, upon a showing of proof satisfactory to the
21 department that **an approved and functioning ignition interlock device has been**
22 **installed in the vehicle the person shall drive, and that** the suspension of driving
23 privileges would prevent the person from earning a livelihood, the department may:

24 * * *

25 **D. Any person who has his license suspended, revoked, or is subject to**
26 **installation of an ignition interlock device pursuant to R.S. 32:667(I) or R.S.**
27 **14:98, 98.1, 98.2, 98.3, or 98.4 shall receive credit for the time period of which**
28 **the ignition interlock device was installed.**

29 Section 3. This Act shall become effective on July 1, 2024, and shall apply to
30 offenses committed on and after July 1, 2024; if vetoed by the governor and subsequently

1 approved by the legislature, this Act shall become effective on the day following such
2 approval by the legislature or July 1, 2024, whichever is later.

PRESIDENT OF THE SENATE

SPEAKER OF THE HOUSE OF REPRESENTATIVES

GOVERNOR OF THE STATE OF LOUISIANA

APPROVED: _____

ACT No. 11

2024 Regular Session

HOUSE BILL NO. 12

BY REPRESENTATIVE JORDAN

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AN ACT

To amend and reenact R.S. 14:283.2(A)(1) and to enact R.S. 14:283.2(C)(5), relative to the nonconsensual disclosure of private images; to provide for elements of the offense; to provide for a definition; and to provide for related matters.

Be it enacted by the Legislature of Louisiana:

Section 1. R.S. 14:283.2(A)(1) is hereby amended and reenacted and R.S. 14:283.2(C)(5) is hereby enacted to read as follows:

§283.2. Nonconsensual disclosure of a private image

A. A person commits the offense of nonconsensual disclosure of a private image when all of the following occur:

(1) The person intentionally discloses an image of another person who is seventeen years of age or older, who is identifiable from the image or information displayed in connection with the image, and who is either engaged in a sexual performance or whose intimate parts are exposed in whole or in part.

* * *

C. For purposes of this Section:

* * *

1 (5) "Sexual performance" means any performance or part thereof that
2 includes actual or simulated sexual intercourse, deviate sexual intercourse, sexual
3 bestiality, masturbation, sadomasochistic abuse, or lewd exhibition of the genitals
4 or anus.

* * *

SPEAKER OF THE HOUSE OF REPRESENTATIVES

PRESIDENT OF THE SENATE

GOVERNOR OF THE STATE OF LOUISIANA

APPROVED: _____

2024 Second Extraordinary Session

ACT No. 17

HOUSE BILL NO. 5

BY REPRESENTATIVE MIKE JOHNSON AND SENATOR SEABAUGH

1 AN ACT

2 To enact R.S. 14:2(B)(61), relative to crimes of violence; to designate the crime of illegal
3 use of weapons or dangerous instrumentalities as a crime of violence; and to provide
4 for related matters.

5 Be it enacted by the Legislature of Louisiana:

6 Section 1. R.S. 14:2(B)(61) is hereby enacted to read as follows:

7 §2. Definitions

8 * * *

9 B. In this Code, "crime of violence" means an offense that has, as an
10 element, the use, attempted use, or threatened use of physical force against the
11 person or property of another, and that, by its very nature, involves a substantial risk
12 that physical force against the person or property of another may be used in the
13 course of committing the offense or an offense that involves the possession or use
14 of a dangerous weapon. The following enumerated offenses and attempts to commit
15 any of them are included as "crimes of violence":

16 * * *

17 (61) Illegal use of weapons or dangerous instrumentalities.

18 * * *

SPEAKER OF THE HOUSE OF REPRESENTATIVES

PRESIDENT OF THE SENATE

GOVERNOR OF THE STATE OF LOUISIANA

APPROVED: _____

HOUSE BILL NO. 7

BY REPRESENTATIVES SCHLEGEL, BACALA, COX, HILFERTY, AND MIKE JOHNSON AND SENATORS HODGES, KLEINPETER, PRESSLY, AND SEABAUGH

1 AN ACT

2 To amend and reenact R.S. 14:64.2(B), relative to the crime of carjacking; to enhance the
3 penalties for the crime of carjacking; and to provide for related matters.

4 Be it enacted by the Legislature of Louisiana:

5 Section 1. R.S. 14:64.2(B) is hereby amended and reenacted to read as follows:

6 §64.2. Carjacking

7 * * *

8 B.(1) Except as provided in Paragraph (2) of this Subsection, whoever
9 commits the crime of carjacking shall be imprisoned at hard labor for not less than
10 ~~two~~ five years nor more than twenty years, without benefit of parole, probation, or
11 suspension of sentence.

12 (2) Whoever commits the crime of carjacking when serious bodily injury
13 results shall be imprisoned at hard labor for not less than ~~ten~~ twenty years nor more
14 than ~~twenty~~ thirty years, without benefit of parole, probation, or suspension of
15 sentence.

SPEAKER OF THE HOUSE OF REPRESENTATIVES

PRESIDENT OF THE SENATE

GOVERNOR OF THE STATE OF LOUISIANA

APPROVED: _____

ACT No. 19

2024 Regular Session

HOUSE BILL NO. 167

BY REPRESENTATIVE BRASS

1 AN ACT

2 To amend and reenact R.S. 14:337(A) and (E), relative to the unlawful use of an unmanned
3 aircraft system; to provide relative to the forfeiture of an unmanned aircraft system;
4 and to provide for related matters.

5 Be it enacted by the Legislature of Louisiana:

6 Section 1. R.S. 14:337(A) and (E) are hereby amended and reenacted to read as
7 follows:

8 §337. Unlawful use of an unmanned aircraft system

9 A.(1) Unlawful use of an unmanned aircraft system is either of the
10 following:

11 ~~(1)~~ (a) The intentional use of an unmanned aircraft system to conduct
12 surveillance of, gather evidence or collect information about, or photographically or
13 electronically record a targeted facility without the prior written consent of the owner
14 of the targeted facility.

15 ~~(2)~~ (b) The intentional use of an unmanned aircraft system over the grounds
16 of a the governor's mansion, state or local jail, prison, or other correctional facility
17 that incarcerates or detains juveniles or adults accused of, convicted of, sentenced
18 for, or adjudicated delinquent for violations of criminal law without the express
19 written consent of the person in charge of that state building, state or local jail,
20 prison, or other correctional facility.

21 (2) The unmanned aircraft system shall be seized by a law enforcement
22 officer in the course of arrest or issuance of summons or shall be seized by order of
23 court pursuant to other provisions of law.

24 * * *

25 E.(1) Whoever commits the crime of unlawful use of an unmanned aircraft
26 system as provided in ~~Paragraph~~ Subparagraph (A)(1)(a) of this Section shall be

1 fined not more than five hundred dollars, or imprisoned for not more than six
2 months, or both.

3 (2) On a conviction for a second or subsequent offense as provided in
4 ~~Paragraph Subparagraph (A)(1)(a)~~ of this Section, the offender shall be fined not less
5 than five hundred dollars nor more than four thousand dollars, or imprisoned, with
6 or without hard labor, for not less than six months nor more than two years, or both.
7 In addition to the sentence imposed pursuant to this Paragraph, the court shall order
8 the forfeiture of the unmanned aircraft system used in connection with the offense
9 and provide for the destruction, sale, or other disposition of the unmanned aircraft
10 system.

11 (3) Whoever commits the crime of unlawful use of an unmanned aircraft
12 system as provided in ~~Paragraph Subparagraph (A)(2) (1)(b)~~ of this Section shall be
13 fined not more than two thousand dollars, or imprisoned for not more than six
14 months, or both.

15 (4) On a conviction for a second or subsequent offense as provided in
16 ~~Paragraph Subparagraph (A)(2) (1)(b)~~ of this Section, the offender shall be fined not
17 less than two thousand dollars nor more than five thousand dollars, or imprisoned,
18 with or without hard labor, for not more than one year, or both.

19 * * *

SPEAKER OF THE HOUSE OF REPRESENTATIVES

PRESIDENT OF THE SENATE

GOVERNOR OF THE STATE OF LOUISIANA

APPROVED: _____

ACT No. 21

HOUSE BILL NO. 211

BY REPRESENTATIVES VILLIO, ADAMS, BILLINGS, CARLSON, COX, DAVIS, DEWITT, EDMONSTON, EGAN, FISHER, GLORIOSO, HORTON, JACKSON, MIKE JOHNSON, OWEN, SCHLEGEL, TAYLOR, THOMPSON, WALTERS, WILEY, AND ZERINGUE

1 AN ACT

2 To amend and reenact R.S. 14:67.4(B)(4) and (5), (C), (D)(3), and (E), relative to offenses
3 against property; to provide relative to the Anti-Skimming Act; to provide relative
4 to definitions; to provide relative to elements of the offense; to provide for penalties;
5 to provide relative to restitution; and to provide for related matters.

6 Be it enacted by the Legislature of Louisiana:

7 Section 1. R.S. 14:67.4(B)(4) and (5), (C), (D)(3), and (E) are hereby amended and
8 reenacted to read as follows:

9 §67.4. Anti-Skimming Act

10 * * *

11 B. As used in this Section the following terms have the following meanings:

12 * * *

13 (4) "Re-encoder" means an electronic device that places encoded information
14 from the microchip or magnetic strip or stripe of a payment card onto the microchip
15 or magnetic strip or stripe of a different payment card.

16 (5) "Scanning device" means a scanner, reader, or any other electronic
17 device that is used to access, read, scan, obtain, memorize, or store, temporarily or
18 permanently, information encoded on the microchip or magnetic strip or stripe of a
19 payment card.

20 C. It shall be unlawful for any person to do ~~either~~ any of the following:

21 (1) Use a scanning device to access, read, obtain, memorize, or store,
22 temporarily or permanently, information encoded on the microchip or magnetic strip

1 or stripe of a payment card without the permission of the authorized user of the
2 payment card and with the intent to defraud the authorized user, the issuer of the
3 authorized user's payment card, or a merchant.

4 (2) Use a re-encoder to place information encoded on the microchip or
5 magnetic strip or stripe of a payment card onto the microchip or magnetic strip or
6 stripe of a different card without the permission of the authorized user of the card
7 from which the information is being re-encoded and with the intent to defraud the
8 authorized user, the issuer of the authorized user's payment card, or a merchant.

9 (3) Possess a re-encoder or scanning device with the intent to defraud.

10 D.

11 * * *

12 (3) Upon a ~~third~~ second or subsequent conviction of a violation of the
13 provisions of this Section, the offender shall be imprisoned, with or without hard
14 labor, for not less than one year nor more than ten years, ~~or may~~ and may be fined
15 not more than twenty thousand dollars, ~~or both~~.

16 E. In addition to the penalties provided in Subsection D of this Section, a
17 person convicted under this Section shall be ordered to make full restitution to the
18 victim and any other person who has suffered a financial loss as a result of the
19 offense in accordance with Code of Criminal Procedure Article 883.2. ~~If a person~~
20 ~~ordered to make restitution pursuant to this Section is found to be indigent and~~
21 ~~therefore unable to make restitution in full at the time of conviction, the court shall~~
~~order a periodic payment plan consistent with the person's financial ability.~~

SPEAKER OF THE HOUSE OF REPRESENTATIVES

PRESIDENT OF THE SENATE

GOVERNOR OF THE STATE OF LOUISIANA

SENATE BILL NO. 214

BY SENATOR MIGUEZ

1 AN ACT

2 To amend and reenact R.S. 14:95.5(C)(2), relative to the illegal carrying of weapons; to
3 provide an exception for the lawful concealed carry of a handgun in a restaurant that
4 serves alcoholic beverages; and to provide for related matters.

5 Be it enacted by the Legislature of Louisiana:

6 Section 1. R.S. 14:95.5(C)(2) is hereby amended and reenacted to read as follows:

7 §95.5. Possession of firearm on premises of alcoholic beverage outlet

8 * * *

9 C.(1) * * *

10 (2) The provisions of this Section shall not apply to a person possessing a
11 firearm in accordance with a concealed handgun permit issued pursuant to R.S.
12 40:1379.1 or 1379.3, **or pursuant to R.S. 14:95(M)** on the premises of an alcoholic
13 beverage outlet which has been issued a Class A-Restaurant permit, as defined in
14 Part II of Chapter 1 or Part II of Chapter 2 of Title 26 of the Louisiana Revised
15 Statutes of 1950.

16 * * *

17 Section 2. This Act shall become effective on July 4, 2024; if vetoed by the governor
18 and subsequently approved by the legislature, this Act shall become effective on the day
following such approval by the legislature or July 4, 2024, whichever is later.

PRESIDENT OF THE SENATE

SPEAKER OF THE HOUSE OF REPRESENTATIVES

GOVERNOR OF THE STATE OF LOUISIANA

APPROVED: _____

SENATE BILL NO. 233

BY SENATOR MIGUEZ

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AN ACT

To amend and reenact R.S. 14:95(H)(2) and to enact R.S. 40:1379.1.3(D),(E),(F), and (G) and 1379.1.4(F),(G),(H), and (I), relative to carrying of concealed firearms; to provide relative to carrying of concealed firearms by qualified law enforcement officers and retired law enforcement officers and certain state officials; to provide relative to penalties for violation of concealed carry provisions; to provide relative to authority of attorney general to bring civil actions; to provide for court costs and attorney fees; and to provide for related matters.

Be it enacted by the Legislature of Louisiana:

Section 1. R.S. 14:95(H)(2) is hereby amended and reenacted to read as follows:

§95. Illegal carrying of weapons

* * *

H.

* * *

(2) Nothing in this Subsection shall permit the carrying of a weapon in the state capitol building- with the exception of the following state officials if they are annually qualified in the use of firearms by the Council on Peace Officer Standards and Training:

(a) The attorney general and members of his Louisiana Bureau of Investigation security detail.

(b) Members of the legislature.

* * *

Section 2. R.S. 40:1379.1.3(D),(E),(F), and (G) and 1379.1.4(F),(G),(H), and (I) are hereby enacted to read as follows:

§1379.1.3. Carrying of concealed firearms by qualified law enforcement officers

* * *

1 **D. No business organization shall deny entry or otherwise prohibit a**
2 **qualified law enforcement officer who is lawfully carrying a concealed firearm**
3 **from entering a venue.**

4 **E. As used in this Section:**

5 **(1) "Business organization" means a sole proprietorship, partnership,**
6 **corporation, limited liability company, or other business association recognized**
7 **by the Internal Revenue Service.**

8 **(2) "Venue" means a physical location open to the public that is**
9 **operated, managed, owned by, or otherwise under the control or authority of**
10 **a business organization.**

11 **F. A business organization operating a venue shall be subject to a civil**
12 **fine of one thousand dollars per occurrence to be paid to the Department of**
13 **Justice for each violation of the provisions of Subsection D of this Section. Each**
14 **violation of Subsection D of this Section shall constitute a separate offense. The**
15 **attorney general shall have the authority to bring a civil action arising out of**
16 **any violation of the provisions of Subsection D of this Section, in addition to any**
17 **other authority granted by the Constitution of Louisiana and laws of this state.**

18 **G. The court shall assess all court costs, including attorney fees, incurred**
19 **in the institution of the action authorized by Subsection F of this Section against**
20 **the subject of the action for any violation of the provisions of Subsection D of**
21 **this Section.**

22 §1379.1.4. Carrying of concealed firearms by qualified retired law enforcement
23 officers

24 * * *

25 **F. No business organization shall deny entry or otherwise prohibit a**
26 **qualified retired law enforcement officer who is lawfully carrying a concealed**
27 **firearm from entering a venue.**

28 **G. As used in this Section:**

29 **(1) "Business organization" means a sole proprietorship, partnership,**
30 **corporation, limited liability company, or other business association recognized**

1 by the Internal Revenue Service.

2 (2) "Venue" means a physical location open to the public that is
3 operated, managed, owned by, or otherwise under the control or authority of
4 a business organization.

5 H. A business organization operating a venue shall be subject to a civil
6 fine of one thousand dollars per occurrence to be paid to the Department of
7 Justice for each violation of the provisions of Subsection F of this Section. Each
8 violation of Subsection F of this Section shall constitute a separate offense. The
9 attorney general shall have the authority to bring a civil action arising out of
10 any violation of the provisions of Subsection F of this Section, in addition to any
11 other authority granted by the Constitution of Louisiana and laws of this state.

12 I. The court shall assess all court costs, including attorney fees, incurred
13 in the institution of the action authorized by Subsection H of this Section against
14 the subject of the action for any violation of the provisions of Subsection F of
15 this Section.

PRESIDENT OF THE SENATE

SPEAKER OF THE HOUSE OF REPRESENTATIVES

GOVERNOR OF THE STATE OF LOUISIANA

APPROVED: _____

2024 Regular Session
HOUSE BILL NO. 214
BY REPRESENTATIVES VILLIO AND THOMPSON

ACT No. 45

1 AN ACT

2 To amend and reenact R.S. 14:72.2, relative to offenses against property; to provide relative
3 to the offense of monetary instrument abuse; to provide relative to elements of the
4 offense; to provide relative to definitions; to provide for a penalty; to provide for
5 restitution; and to provide for related matters.

6 Be it enacted by the Legislature of Louisiana:

7 Section 1. R.S. 14:72.2 is hereby amended and reenacted to read as follows:

8 §72.2. Monetary instrument abuse

9 A. Whoever makes, issues, possesses, sells, or otherwise transfers a
10 counterfeit or forged monetary instrument of the United States, a state, or a political
11 subdivision thereof, ~~or of an organization, or a person~~ with intent to deceive or
12 defraud another person, shall be fined not more than one million dollars but not less
13 than five thousand dollars or imprisoned, with or without hard labor, for not more
14 than ten years but not less than six months, or both.

15 B. Whoever makes, issues, possesses, sells, or otherwise transfers an
16 implement designed for or particularly suited for making a counterfeit or forged
17 monetary instrument with the intent to deceive or defraud a person shall be fined not
18 more than one million dollars but not less than five thousand dollars, or imprisoned,
19 with or without hard labor, for not more than ten years but not less than six months,
20 or both.

21 C. Upon a second or subsequent conviction of a violation of the provisions
22 of this Section, the offender shall be imprisoned with or without hard labor, for not

1 less than one year nor more than ten years and may, in addition, be required to pay
2 a fine of not more than one million dollars.

3 D. For purposes of this Section:

4 (1) "Counterfeit" means a document or writing that purports to be genuine
5 but is not, because it has been falsely made, manufactured, or composed.

6 (2) "Forged" means the false making or altering, with intent to defraud, of
7 any signature to, or any part of, any writing purporting to have legal efficacy.
8 Forged also means the washing through the use of chemical solvents or physical
9 removal of ink writing on a monetary instrument with the intent to defraud, including
10 but not limited to the washing or physical removal of a name of a payee or dollar
11 amount on a monetary instrument.

12 (3) "Monetary instrument" means:

13 (a) A note, stock certificate, treasury stock certificate, bond, treasury bond,
14 debenture, certificate of deposit, interest coupon, warrant, debit or credit instrument,
15 access device or means of electronic fund transfer, United States currency, check or
16 draft, money order, bank check, teller's check, cashier's check, traveler's check, letter
17 of credit, warehouse receipt, negotiable bill of lading, certificate of interest in or
18 participation in any profit-sharing agreement, collateral-trust certificate, pre-
19 organization certificate of subscription, transferable share, investment contract,
20 voting trust certificate, or certificate of interest in tangible or intangible property.

21 (b) An instrument evidencing ownership of goods, wares, or merchandise.

22 (c) Any other written instrument commonly known as a security.

23 (d) A certificate of interest in, certificate of participation in, certificate for,
24 receipt for, or warrant or option or other right to subscribe to or purchase, any of the
25 foregoing.

26 (e) A blank form of any of the foregoing.

27 (4) "Organization" means a legal entity, other than a government, established
28 or organized for any purpose, and includes a corporation, limited liability company,
29 company, federally insured financial institution, association, firm, partnership, joint
30 stock company, foundation, institution, society, union, or any other association of

1 persons which operates in or the activities of which affect intrastate, interstate, or
2 foreign commerce.

3 (5) "State" includes a any state of the United States, the District of Columbia,
4 Puerto Rico, Guam, the Virgin Islands, and any other territory or possession of the
5 United States.

6 ~~D. E.~~ E. In addition to the penalties provided in Subsections A, and B, and C
7 of this Section, a person convicted under the provisions of this Section shall be
8 ordered to make full restitution to the victim and any other person who has suffered
9 a financial loss as a result of the offense in accordance with Code of Criminal
10 Procedure Article 883.2. ~~If a person ordered to make restitution pursuant to this~~
11 ~~Section is found to be indigent and therefore unable to make restitution in full at the~~
12 ~~time of conviction, the court shall order a periodic payment plan consistent with the~~
13 ~~person's financial ability.~~

SPEAKER OF THE HOUSE OF REPRESENTATIVES

PRESIDENT OF THE SENATE

GOVERNOR OF THE STATE OF LOUISIANA

APPROVED: _____

SENATE BILL NO. 105

BY SENATOR SEABAUGH

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AN ACT

To amend and reenact R.S. 14:95.1(B) and (D), relative to the crime of possession of firearms or carrying concealed weapons by a person convicted of certain crimes; to make the crime applicable to a person convicted of any felony; and to provide for related matters.

Be it enacted by the Legislature of Louisiana:

Section 1. R.S. 14:95.1(B) and (D) are hereby amended and reenacted to read as follows:

§95.1. Possession of firearm or carrying concealed weapon by a person convicted of certain felonies

* * *

B. Whoever is found guilty of violating the provisions of this Section shall be imprisoned at hard labor for not less than five nor more than twenty years without the benefit of probation, parole, or suspension of sentence and be fined not less than one thousand dollars nor more than five thousand dollars. ~~Notwithstanding the provisions of R.S. 14:27, whoever~~ **Whoever** is found guilty of attempting to violate the provisions of this Section shall be imprisoned at hard labor for not **less than one year nor** more than seven and one-half years and fined not less than **five hundred one thousand** dollars nor more than ~~two thousand five hundred~~ **five thousand** dollars.

* * *

SENATE BILL NO. 132

BY SENATOR MILLER

1 AN ACT

2 To amend and reenact R.S. 14:95.2.1(A) and 95.2.2(C)(2), relative to offenses affecting the
3 public; to provide relative to the crimes of illegal carrying of a firearm at a parade
4 and reckless discharge of a firearm at a parade; to provide relative to penalties; to
5 provide relative to exceptions; and to provide for related matters.

6 Be it enacted by the Legislature of Louisiana:

7 Section 1. R.S. 14:95.2.1(A) and 95.2.2(C)(2) are hereby amended and reenacted to
8 read as follows:

9 §95.2.1. Illegal carrying of a firearm at a parade with any firearm used in the
10 commission of a crime of violence

11 A.(1) Whoever commits the crime of illegal carrying of weapons pursuant to
12 R.S. 14:95 with any firearm used in the commission of a crime of violence as defined
13 in R.S. 14:2(B), within one thousand feet of any parade or demonstration for which
14 a permit is issued by a governmental entity, shall be fined not more than two
15 thousand dollars, or imprisoned, with or without hard labor, for not less than one
16 year nor more than five years, or both. **The entire sentence of imprisonment, not**
17 **to exceed the first three years for sentences greater than three years, shall be**
18 **served without benefit of parole, probation, or suspension of sentence.**

19 (2) Any sentence issued pursuant to the provisions of this Subsection and any
20 sentence issued pursuant to a violation of a crime of violence as defined in R.S.
21 14:2(B) shall be served consecutively.

22 * * *

23 §95.2.2. Reckless discharge of a firearm at a parade or demonstration

24 * * *

25 C. The provisions of this Section shall not apply to:

26 * * *

27 (2) The possession of a firearm occurring within one thousand feet of a public

1 gathering entirely within a private residence or in accordance with a concealed
2 handgun permit issued pursuant to R.S. 40:1379.1 **and 1379.3**.

3 * * *

PRESIDENT OF THE SENATE

SPEAKER OF THE HOUSE OF REPRESENTATIVES

GOVERNOR OF THE STATE OF LOUISIANA

APPROVED: _____

SENATE BILL NO. 377

BY SENATOR KLEINPETER

1 AN ACT

2 To amend and reenact R.S. 14:95.1(A), relative to illegal possession of a firearm or
3 concealed carry of a weapon; to prohibit possession of a firearm or carrying a
4 concealed weapon by persons convicted of certain felonies; to provide for
5 consideration of certain juvenile offenses; and to provide for related matters.

6 Be it enacted by the Legislature of Louisiana:

7 Section 1. R.S. 14:95.1(A) is hereby amended and reenacted to read as follows:

8 §95.1. Possession of firearm or carrying concealed weapon by a person convicted of
9 certain felonies

10 A.(1) It is unlawful for any person who has been convicted of, or has been
11 found not guilty by reason of insanity for, a crime of violence as defined in R.S.
12 14:2(B) which is a felony or simple burglary, ~~burglary of a pharmacy~~, burglary of an
13 inhabited dwelling, unauthorized entry of an inhabited dwelling, felony illegal use
14 of weapons or dangerous instrumentalities, manufacture or possession of a delayed
15 action incendiary device, manufacture or possession of a bomb, or possession of a
16 firearm while in the possession of or during the sale or distribution of a controlled
17 dangerous substance, or any violation of the Uniform Controlled Dangerous
18 Substances Law which is a felony, or any crime which is defined as a sex offense in
19 R.S. 15:541, or any crime defined as an attempt to commit one of the above-
20 enumerated offenses under the laws of this state, or who has been convicted under
21 the laws of any other state or of the United States or of any foreign government or
22 country of a crime which, if committed in this state, would be one of the above-
23 enumerated crimes, to possess a firearm or carry a concealed weapon.

24 **(2)(a) This Section shall also apply to any person who committed a**
25 **felony-grade delinquent act described in Paragraph (1) of this Subsection while**
26 **in possession of a firearm, if adjudicated when that person was fifteen or sixteen**
27 **years of age, and the person is under the age of twenty-two years at the time of**

1 the violation of this Section.

2 (b) The provisions of this Paragraph shall not apply to any person who
3 has been accepted into military service as a member of any of the branches of
4 the armed forces of the United States as defined by 10 U.S.C. 101(a)(4), the
5 reserve components of the armed forces of the United States as defined by 10
6 U.S.C. 10101, or the Louisiana National Guard.

7 * * *

PRESIDENT OF THE SENATE

SPEAKER OF THE HOUSE OF REPRESENTATIVES

GOVERNOR OF THE STATE OF LOUISIANA

APPROVED: _____

2024 Regular Session
HOUSE BILL NO. 138
BY REPRESENTATIVE SCHLEGEL

ACT No. 65

1 AN ACT

2 To amend and reenact R.S. 14:283.2(A)(1) and (4) and (B)(3) and to enact R.S.
3 14:283.2(C)(5), relative to the nonconsensual disclosure of a private image; to
4 provide relative to the offense of nonconsensual disclosure of a private image; to
5 provide relative to the elements of the offense of nonconsensual disclosure of a
6 private image; to provide for exceptions; to provide for definitions; and to provide
7 for related matters.

8 Be it enacted by the Legislature of Louisiana:

9 Section 1. R.S. 14:283.2(A)(1) and (4) and (B)(3) are hereby amended and reenacted
10 and R.S. 14:283.2(C)(5) is hereby enacted to read as follows:

11 §283.2. Nonconsensual disclosure of a private image

12 A. A person commits the offense of nonconsensual disclosure of a private
13 image when all of the following occur:

14 (1) The person intentionally discloses an image of another person ~~who is~~
15 ~~seventeen years of age or older~~, who is identifiable from the image or information
16 displayed in connection with the image; and either whose intimate parts are exposed
17 in whole or in part or who is engaged in sexual conduct.

18 * * *

19 (4) The person who discloses the image ~~has the intent to harass or cause~~
20 ~~emotional distress to the person in the image, and the person who commits the~~
21 ~~offense~~ knew or should have known that the disclosure could harass or cause
22 emotional distress to the person in the image.

1 B. Disclosure of an image under any of the following circumstances does not
2 constitute commission of the offense defined in Subsection A of this Section:

3 * * *

4 (3) When the person depicted in the image voluntarily or knowingly exposed
5 his or her intimate parts or engaged in sexual conduct in a public setting.

6 * * *

7 C. For purposes of this Section:

8 * * *

9 (5) "Sexual conduct" means actual or simulated vaginal, anal, or oral sexual
10 intercourse, deviant sexual intercourse, sexual bestiality, masturbation,
11 sadomasochistic abuse, or exhibition of the genitals.

12 * * *

SPEAKER OF THE HOUSE OF REPRESENTATIVES

PRESIDENT OF THE SENATE

GOVERNOR OF THE STATE OF LOUISIANA

2024 Regular Session

ACT No. 67

HOUSE BILL NO. 202

BY REPRESENTATIVES CARVER, ADAMS, BOYER, COX, KNOX, LAFLEUR,
MOORE, WALTERS, AND WILEY

1 AN ACT

2 To enact R.S. 14:67.6 and 67.7, relative to offenses against property; to create the crime of
3 mail theft; to create the crime of theft or unauthorized reproduction of a mail
4 receptacle key or lock; to provide for definitions; to provide for penalties; and to
5 provide for related matters.

6 Be it enacted by the Legislature of Louisiana:

7 Section 1. R.S. 14:67.6 and 67.7 are hereby enacted to read as follows:

8 §67.6. Mail theft

9 A. As used in this Section, the following terms shall have the following
10 meanings:

11 (1) "Mail" means any letter, postal card, parcel, envelope, package, bag, or
12 any other sealed article addressed to another, along with its contents.

13 (2) "Mail depository" means a mail box, letter box, or mail receptacle of a
14 postal service, an office of a postal service, or a vehicle of a postal service.

15 (3) "Postal service" means the United States Postal Service or its contractors,
16 or any commercial courier that delivers mail.

17 B. Any of the following acts shall constitute mail theft:

18 (1) Removing mail from a mail depository or taking mail from a mail carrier
19 with a postal service with an intent to steal.

20 (2) Obtaining custody of mail by fraud or deception with an intent to steal.

21 (3) Selling, receiving, possessing, transferring, buying, or concealing mail
22 obtained by acts described in Paragraphs (1) or (2) of this Subsection, while knowing
23 or having reason to know the mail was obtained illegally.

1 C.(1) Whoever violates the provisions of this Section shall be imprisoned,
 2 with or without hard labor, for not more than five years, or fined not more than five
 3 thousand dollars, or both.

4 (2) Upon a second or subsequent conviction or violation of the provisions
 5 of this Section, the offender shall be imprisoned, with or without hard labor, for not
 6 less than one year nor more than ten years and may, in addition, be fined not more
 7 than twenty thousand dollars.

8 D. In addition to the penalties provided in Subsection C of this Section, a
 9 person convicted under this Section shall be ordered to make full restitution to the
 10 victim and any other person who has suffered a financial loss as a result of the
 11 offense in accordance with Code of Criminal Procedure Article 883.2.

12 E. An offense committed under this Section may be prosecuted in any of the
 13 following parishes:

- 14 (1) The parish where the offense occurred.
- 15 (2) The parish of residence or place of business of the direct or indirect
 16 victim.

17 §67.7. Theft or unauthorized reproduction of a mail receptacle key or lock

18 A. As used in this Section, the following terms shall have the following
 19 meanings:

- 20 (1) "Mail" means any letter, postal card, parcel, envelope, package, bag, or
 21 any other sealed article addressed to another, along with its contents.
- 22 (2) "Postal service" means the United States Postal Service or its contractors,
 23 or any commercial courier that delivers mail.

24 B. Any of the following acts shall constitute theft or unauthorized
 25 reproduction of a mail receptacle key or lock:

- 26 (1) Stealing or obtaining by false pretense any key or lock adopted by a
 27 postal service for any box or other authorized receptacle for the deposit or delivery
 28 of mail.
- 29 (2) Knowingly and unlawfully making, forging, or counterfeiting any such
 30 key, or possessing any such key or lock adopted by a postal service that delivers mail

1 with the intent to unlawfully or improperly use, sell, or otherwise dispose of the key
2 or lock, or to cause the key or lock to be unlawfully or improperly used, sold, or
3 otherwise disposed.

4 C.(1) Whoever violates the provisions of this Section shall be imprisoned,
5 with or without hard labor, for not more than five years, or fined not more than five
6 thousand dollars, or both.

7 (2) Upon a second or subsequent conviction or violation of the provisions
8 of this Section, the offender shall be imprisoned, with or without hard labor, for not
9 less than one year nor more than ten years and may, in addition, be fined not more
10 than twenty thousand dollars.

11 D. In addition to the penalties provided in Subsection C of this Section, a
12 person convicted under this Section shall be ordered to make full restitution to the
13 victim and any other person who has suffered a financial loss as a result of the
14 offense in accordance with Code of Criminal Procedure Article 883.2.

SPEAKER OF THE HOUSE OF REPRESENTATIVES

PRESIDENT OF THE SENATE

GOVERNOR OF THE STATE OF LOUISIANA

APPROVED: _____

SENATE BILL NO. 34

BY SENATORS HENSGENS, ABRAHAM, KLEINPETER AND MIGUEZ AND
REPRESENTATIVE THOMPSON

1 AN ACT

2 To amend and reenact R.S. 14:64.4 and 65(A), relative to robbery; to provide relative to
3 simple and second degree robbery; to provide relative to organized robbery from a
4 retail establishment; to provide relative to penalties; and to provide for related
5 matters.

6 Be it enacted by the Legislature of Louisiana:

7 Section 1. R.S. 14:64.4 and 65(A) are hereby amended and reenacted to read as
8 follows:

9 §64.4. Second degree robbery

10 A. **Second degree robbery is either of the following:**

11 (1) ~~Second degree robbery is the~~ **The** taking of anything of value belonging
12 to another from the person of another or that is in the immediate control of another
13 when the offender intentionally inflicts serious bodily injury.

14 (2) ~~Repealed by Acts 2019, No. 2, §3, eff. August 1, 2019~~ **The taking of, or**
15 **the recruiting of another person who takes, anything of value from a retail**
16 **establishment that is in the immediate control of a retail employee or employer**
17 **when a person acts in concert with three or more individuals for the purpose of**
18 **either overwhelming the response of an employer, an employee, or law**
19 **enforcement to carry out the offense, avoid detection or apprehension, or create**
20 **a reasonable belief that a reasonable person would not intercede because of fear.**

21 B.**(1)** Whoever commits the crime of second degree robbery shall be
22 imprisoned at hard labor for not less than three years and for not more than forty
23 years.

1 (2) Upon a second or subsequent conviction within ten years of a
2 previous conviction, the offender shall be imprisoned at hard labor for not less
3 than five years and not more than forty years.

4 (3) Any person who commits second degree robbery with a firearm shall
5 be imprisoned at hard labor for an additional period of five years without
6 benefit of parole, probation, or suspension of sentence. The additional penalty
7 imposed pursuant to this Paragraph shall be served consecutively to the
8 sentence imposed under this Subsection.

9 §65. Simple robbery

10 A. Simple robbery is either of the following:

11 ~~(1) The~~ **the** taking of anything of value belonging to another from the person
12 of another or that is in the immediate control of another, by use of force or
13 intimidation, but not armed with a dangerous weapon.

14 ~~(2) The taking of anything of value when a person is part of a group of three~~
15 ~~or more individuals and the person has the intent to take anything of value from a~~
16 ~~retail establishment that is in the immediate control of a retail employee or employer~~
17 ~~and there is a reasonable belief that a reasonable person would not intercede because~~
18 ~~of fear.~~

19 * * *

PRESIDENT OF THE SENATE

SPEAKER OF THE HOUSE OF REPRESENTATIVES

GOVERNOR OF THE STATE OF LOUISIANA

APPROVED: _____

2024 Regular Session
HOUSE BILL NO. 175
BY REPRESENTATIVE MCMAKIN

ACT No. 130

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AN ACT

To amend and reenact R.S. 14:107.4(A) and (C) and to enact R.S. 14:107.4(F), relative to unlawful posting of criminal activity for notoriety and publicity; to provide relative to the elements of the offense; to provide for a definition; and to provide for related matters.

Be it enacted by the Legislature of Louisiana:

Section 1. R.S. 14:107.4(A) and (C) are hereby amended and reenacted and R.S. 14:107.4(F) is hereby enacted to read as follows:

§107.4. Unlawful posting of criminal activity for notoriety and publicity

A. It shall be unlawful for a person who is either a principal or accessory to a crime to obtain an image, live-stream, or video of the commission of the crime using any camera, videotape, photo-optical, photo-electric, or any other image recording device and to transfer that image, live-stream, or video obtained during the commission of the crime by the use of a computer online service, Internet service, or any other means of electronic communication, including but not limited to a local bulletin board service, Internet chat room, electronic mail, or online messaging service for the purpose of gaining notoriety, publicity, or the attention of the public.

* * *

C. The provisions of this Section shall not apply to any of the following:

(1) The obtaining, use, or transference of such images, live-streams, or videos by a telephone company, cable television company, or any of its affiliates, an Internet provider, or commercial online service provider, or to the carrying, broadcasting, or performing of related activities in providing telephone, cable

1 television, Internet, or commercial online services or in the production, exhibition,
2 or presentation of an audiovisual work in any medium, including but not limited to
3 a motion picture or television program.

4 (2) The obtaining, use, or transference of such images, live-streams, or
5 videos by a law enforcement officer pursuant to investigation of criminal activity.

6 (3) The obtaining, use, or transference of such images, live-stream, or video
7 by any bona fide member of the news media broadcasting a news report through
8 television, cable television, or other telecommunication.

9 (4) The obtaining, use, or transference of such images, live-streams, or
10 videos for use in a feature-length film, short subject film, video, television series,
11 television program, public service announcement, or commercial.

12 * * *

13 F. For the purposes of this Section, "live-stream" shall mean a video of an
14 event distributed on the Internet while the event is taking place.

SPEAKER OF THE HOUSE OF REPRESENTATIVES

PRESIDENT OF THE SENATE

GOVERNOR OF THE STATE OF LOUISIANA

APPROVED: _____

ACT No. 131

HOUSE BILL NO. 208

BY REPRESENTATIVES VILLIO, ADAMS, BACALA, BILLINGS, BOYD, BOYER, CARLSON, CHASSION, CHENEVERT, DAVIS, DEWITT, EMERSON, FISHER, HORTON, HUGHES, KNOX, LAFLEUR, MOORE, NEWELL, OWEN, SCHLEGEL, SELDERS, AND TAYLOR

1 AN ACT

2 To amend and reenact R.S. 14:34.9(L) and (N) and 35.3(L) and (N), relative to certain
3 domestic violence offenses; to provide for additional penalties when the offense
4 involves strangulation; and to provide for related matters.

5 Be it enacted by the Legislature of Louisiana:

6 Section 1. R.S. 14:34.9(L) and (N) and 35.3(L) and (N) are hereby amended and
7 reenacted to read as follows:

8 §34.9. Battery of a dating partner

9 * * *

10 L.(1) Notwithstanding any provision of law to the contrary, if the offense
11 involves strangulation, the offender, in addition to any other penalties imposed
12 pursuant to this Section, shall be imprisoned at hard labor for not more than three
13 years.

14 (2) If the strangulation results in serious bodily injury, the offender, in
15 addition to any other penalties imposed pursuant to this Section, shall be imprisoned
16 at hard labor for not less than five nor more than fifty years without benefit of
17 probation, parole, or suspension of sentence.

18 * * *

19 N. Except as provided in ~~Paragraph~~ Paragraphs (L)(2) and (M)(2) and
20 Subsection P of this Section, if the offender intentionally inflicts serious bodily

1 injury, the offender, in addition to any other penalties imposed pursuant to this
2 Section, shall be imprisoned at hard labor for not more than eight years.

3 * * *

4 §35.3. Domestic abuse battery

5 * * *

6 L.(1) Notwithstanding any provision of law to the contrary, if the domestic
7 abuse battery involves strangulation, the offender, in addition to any other penalties
8 imposed pursuant to this Section, shall be imprisoned at hard labor for not more than
9 three years.

10 (2) If the strangulation results in serious bodily injury, the offender, in
11 addition to any other penalties imposed pursuant to this Section, shall be imprisoned
12 at hard labor for not less than five nor more than fifty years without benefit of
13 probation, parole, or suspension of sentence.

14 * * *

15 N. Except as provided in ~~Paragraph~~ Paragraphs (L)(2) and (M)(2) and
16 Subsection P of this Section, if the offender intentionally inflicts serious bodily
17 injury, the offender, in addition to any other penalties imposed pursuant to this
18 Section, shall be imprisoned at hard labor for not more than eight years.

19 * * *

SPEAKER OF THE HOUSE OF REPRESENTATIVES

PRESIDENT OF THE SENATE

GOVERNOR OF THE STATE OF LOUISIANA

APPROVED: _____

SENATE BILL NO. 6

BY SENATOR CONNICK

1 AN ACT

2 To enact R.S. 14:73.14, relative to computer related crime; to create the crime of unlawful
3 dissemination or sale of images of another created by artificial intelligence; to
4 provide definitions; to provide penalties; and to provide for related matters.

5 Be it enacted by the Legislature of Louisiana:

6 Section 1. R.S. 14:73.14 is hereby enacted to read as follows:

7 **§73.14. Unlawful dissemination or sale of images of another created by artificial**
8 **intelligence**

9 **A. It shall be unlawful for any person, with the intent to coerce, harass,**
10 **intimidate, or maliciously disseminate or sell any video or still image created by**
11 **artificial intelligence that depicts another person who is totally nude or in a**
12 **state of undress so as to expose the genitals, pubic area, buttocks, or female**
13 **breast, when the person disseminating the video or still image knows or has**
14 **reason to know that he is not licensed or authorized to disseminate or sell such**
15 **video or still image.**

16 **B. The provisions of this Section shall not apply to an interactive**
17 **computer service, electronic mail service provider, or a provider of a**
18 **telecommunications service or any information service as defined in 47 U.S.C.**
19 **153, system, or access software provider that provides or enables computer**
20 **access by multiple users to a computer server that was used by a person to**
21 **commit any act prohibited by Subsection A of this Section.**

22 **C. For purposes of this Section:**

23 **(1) "Another person" includes a person whose image was used in**
24 **creating, adapting, or modifying a video or still image with the intent to depict**
25 **an actual person and who is recognizable as an actual person by the person's**
26 **face, likeness, or other distinguishing characteristic.**

1 (2) "Artificial intelligence" means an artificial system developed in
 2 computer software, physical hardware, or other context that solves tasks
 3 requiring human-like perception, cognition, planning, learning, communication,
 4 or physical action.

5 (3) "Electronic mail service provider" means any person or entity,
 6 including an internet service provider, that is an intermediary in sending or
 7 receiving electronic mail or that provides to end users of the electronic mail
 8 service the ability to send or receive electronic mail.

9 (4) "Interactive computer service" means any information service,
 10 system, or access software provider that provides or enables computer access
 11 by multiple users to a computer server, including specifically a service or system
 12 that provides access to the Internet and such systems operated or services
 13 offered by libraries or educational institutions.

14 D. Whoever violates the provisions of this Section shall be imprisoned for
 15 not more than six months, fined not more than seven hundred fifty dollars, or
 16 both.

17 E. In addition to any venue provided by the Code of Criminal Procedure,
 18 a violation of this Section may be prosecuted in the parish where the unlawful
 19 act occurred or where any video or still image was created, produced,
 20 reproduced, found, stored, received, or possessed in violation of this Section.

21 F. The provisions of this Section shall not preclude a civil action or
 22 criminal prosecution under any other applicable provision of law.

 PRESIDENT OF THE SENATE

 SPEAKER OF THE HOUSE OF REPRESENTATIVES

 GOVERNOR OF THE STATE OF LOUISIANA

APPROVED: _____

2024 Regular Session
HOUSE BILL NO. 734
BY REPRESENTATIVE VILLIO

ACT No. 157

1 AN ACT

2 To amend and reenact R.S. 14:130.1(B)(1) and (3) and to enact R.S. 14:130.1(A)(5), (B)(5),
3 and (C) and R.S. 46:1844(Y), relative to victim notification; to provide relative to
4 the elements of the crime of obstruction of justice; to provide relative to the penalties
5 for the crime of obstruction of justice; to provide for a definition; to provide relative
6 to the contacting of a victim's family in a case where the death penalty has been
7 imposed; to provide for notification procedures; and to provide for related matters.

8 Be it enacted by the Legislature of Louisiana:

9 Section 1. R.S. 14:130.1(B)(1) and (3) are hereby amended and reenacted and R.S.
10 14:130.1(A)(5), (B)(5), and (C) are hereby enacted to read as follows:

11 §130.1. Obstruction of justice

12 A. The crime of obstruction of justice is any of the following when
13 committed with the knowledge that such act has, reasonably may, or will affect an
14 actual or potential present, past, or future criminal proceeding as described in this
15 Section:

16 * * *

17 (5) Contacting a family member of the victim in a manner that knowingly
18 and intentionally violates the provisions of R.S. 46:1844(Y).

19 B. Whoever commits the crime of obstruction of justice shall be subject to
20 the following penalties:

21 (1) When the obstruction of justice involves a criminal proceeding in which
22 a sentence of death or life imprisonment may be imposed, except as provided in

1 Paragraph (5) of this Subsection, the offender shall be fined not more than one
 2 hundred thousand dollars, imprisoned for not more than forty years at hard labor, or
 3 both.

4 * * *

5 (3) When the obstruction of justice involves any other criminal proceeding,
 6 except as provided in ~~Paragraph (4)~~ Paragraphs (4) or (5) of this Subsection, the
 7 offender shall be fined not more than ten thousand dollars, imprisoned for not more
 8 than five years, with or without hard labor, or both.

9 * * *

10 (5) When the obstruction of justice is committed as described in Paragraph
 11 (A)(5) of this Section and involves a criminal proceeding in which the sentence
 12 imposed is a sentence of death, the offender shall be fined not more than five
 13 thousand dollars, imprisoned for not more than three years, with or without hard
 14 labor, or both.

15 C. For the purposes of this Section, "family member" shall have the same
 16 meaning and definition as in R.S. 46:2132.

17 Section 2. R.S. 46:1844(Y) is hereby enacted to read as follows:

18 §1844. Basic rights for victim and witness

19 * * *

20 Y. Capital Cases.

21 (1) In cases where the sentence is the death penalty and the clemency process
 22 has commenced, the victim's family shall have the right to not be contacted by any
 23 of the following unless an appointment with the family has been requested,
 24 approved, and arranged through a victim service coordinator appointed by either the
 25 prosecuting agency or the Department of Public Safety and Corrections through its
 26 Louisiana Victim Outreach Program:

- 27 (a) The offender.
- 28 (b) Any family member or friend of the offender.
- 29 (c) Any legal representative of the offender.

1 (d) Any person or group who actually or purports to represent the offender
2 or the interests of the offender.

3 (2) Upon conviction in cases where the sentence is the death penalty, the
4 victim's family shall be notified by the victim service coordinator of their right to not
5 be contacted by any person, group, or entity who actually or purports to represent the
6 offender or the interests of the offender in subsequent clemency procedures, unless
7 an appointment has been requested, approved, and arranged through the victim
8 service coordinator. The victim service coordinator shall provide a form to the
9 victim's family to request that the victim's family not be contacted in any manner by
10 any person, group, or entity who actually or purports to represent the offender or the
11 interests of the offender related to clemency procedures. The victim service
12 coordinator shall provide notice of this document by United States mail to each party
13 in the case.

14 (3) Whoever violates the provisions of this Subsection shall be punished in
15 accordance with R.S. 14:130.1(B)(5).

SPEAKER OF THE HOUSE OF REPRESENTATIVES

PRESIDENT OF THE SENATE

GOVERNOR OF THE STATE OF LOUISIANA

APPROVED: _____

ACT No. 188

HOUSE BILL NO. 58

BY REPRESENTATIVES BACALA, ADAMS, BAYHAM, BOYD, BOYER, BRASS, CARLSON, FISHER, FONTENOT, GLORIOSO, HORTON, JACKSON, TRAVIS JOHNSON, JORDAN, KNOX, LAFLEUR, MCMAKIN, SELDERS, VILLIO, WALTERS, WILEY, AND WRIGHT AND SENATORS CLOUD AND KLEINPETER

1 AN ACT

2 To amend and reenact R.S. 14:62(A) and to enact R.S. 14:62(C), relative to the offense of
3 simple burglary; to provide for elements of simple burglary; to provide for liability;
4 and to provide for related matters.

5 Be it enacted by the Legislature of Louisiana:

6 Section 1. R.S. 14:62(A) is hereby amended and reenacted and R.S. 14:62(C) is
7 hereby enacted to read as follows:

8 §62. Simple burglary

9 A. Simple burglary is either of the following:

10 (1) ~~the~~ The unauthorized entering of any dwelling, vehicle, watercraft, or
11 other structure, movable or immovable, or any cemetery, with the intent to commit
12 a felony or any theft therein, other than as set forth in R.S. 14:60.

13 (2) The unauthorized entering of any dwelling or other structure with the
14 intent to temporarily or permanently deprive the owner, lessee, or tenant of full use
15 of the dwelling or structure, or to temporarily or permanently assert any right of
16 ownership or use of such property.

17 * * *

1 C. In addition to the penalties provided in Subsection B of this Section, an
2 offender shall be liable for any damage that has resulted from a violation of
3 Paragraph (A)(2) of this Section.

4 Section 2. The provisions of this Act shall be cited and referred to as "The Louisiana
5 Squatter Prevention Act.

SPEAKER OF THE HOUSE OF REPRESENTATIVES

PRESIDENT OF THE SENATE

GOVERNOR OF THE STATE OF LOUISIANA

APPROVED: _____

2024 Regular Session

ACT No. 189

HOUSE BILL NO. 67

BY REPRESENTATIVE DOMANGUE

1 AN ACT

2 To amend and reenact R.S. 14:95(H)(1) and (K), relative to the crime of illegal carrying of
3 weapons; to provide an exception to illegal carrying of weapons for certain persons;
4 and to provide for related matters.

5 Be it enacted by the Legislature of Louisiana:

6 Section 1. R.S. 14:95(H)(1) and (K) are hereby amended and reenacted to read as
7 follows:

8 §95. Illegal carrying of weapons

9 * * *

10 H.(1) Except as provided in Paragraph (A)(4) of this Section and in
11 Paragraph (2) of this Subsection, the provisions of this Section shall not prohibit
12 active justices or judges of the supreme court, courts of appeal, district courts, parish
13 courts, juvenile courts, family courts, city courts, federal courts domiciled in the state
14 of Louisiana, and traffic courts; members of either house of the legislature; officers
15 of either house of the legislature; the legislative auditor; designated investigative
16 auditors; constables; coroners; designated coroner investigators; district attorneys
17 and designated assistant district attorneys; United States attorneys and assistant
18 United States attorneys and investigators; the governor; the lieutenant governor; the
19 secretary of state; the treasurer; the commissioner of agriculture; the commissioner
20 of insurance; the attorney general; designated assistant attorneys general; city
21 prosecutors; designated assistant city prosecutors; a United States representative
22 from Louisiana and his designated, employed congressional staffer; a United States
23 senator from Louisiana and his designated, employed congressional staffer; ~~and~~
24 justices of the peace; parish presidents; and mayor-presidents from possessing and

1 concealing a handgun on their person when such persons are qualified annually in
 2 the use of firearms by the Council on Peace Officer Standards and Training.

3 * * *

4 K.(1) The provisions of this Section shall not prohibit a retired or former
 5 justice or judge of the supreme court, courts of appeal, district courts, parish courts,
 6 juvenile courts, family courts, city courts, federal courts; former governor; former
 7 lieutenant governor; former secretary of state; former treasurer; former commissioner
 8 of agriculture; former commissioner of insurance; retired or former attorney general;
 9 retired or former assistant attorneys general; retired or former district attorneys;
 10 retired or former assistant district attorneys; retired or former United States
 11 attorneys, retired or former assistant United States attorneys, or retired or former
 12 federal investigators; retired or former justices of the peace; retired or former
 13 members of the United States Congress; and former members of either house of the
 14 legislature from possessing and concealing a handgun on their person provided that
 15 such retired person or former member of the legislature is qualified annually, at their
 16 expense, in the use of firearms by the Council on Peace Officer Standards and
 17 Training and has on their person valid identification showing proof of their status as
 18 a former member of the legislature or as a retired or former justice, judge, governor,
 19 lieutenant governor, secretary of state, treasurer, commissioner of agriculture,
 20 commissioner of insurance, attorney general, assistant attorney general, district
 21 attorney, assistant district attorney, United States attorney, or assistant United States
 22 attorney or federal investigator, or retired justice of the peace. For a former member
 23 of the legislature, the valid identification showing proof of status as a former
 24 legislator required by the provisions of this Paragraph shall be a legislative badge
 25 issued by the Louisiana Legislature that shall include the former member's name, the
 26 number of the district that the former member was elected to represent, the years that
 27 the former member served in the legislature, and words that indicate the person's
 28 status as a former member of the legislature.

29 (2) The retired or former justice, judge, governor, lieutenant governor,
 30 secretary of state, treasurer, commissioner of agriculture, commissioner of insurance,

CODING: Words in ~~struck through~~ type are deletions from existing law; words underscored are additions.

1 attorney general, assistant attorney general, district attorney, assistant district
2 attorney, justice of the peace, or former member of the United States Congress or
3 either house of the legislature shall be qualified annually in the use of firearms by the
4 Council on Peace Officer Standards and Training and have proof of qualification.

5 ~~However, this~~

6 (3) This Subsection shall not apply to a retired or former justice, judge,
7 governor, lieutenant governor, secretary of state, treasurer, commissioner of
8 agriculture, commissioner of insurance, attorney general, assistant attorney general,
9 district attorney, assistant district attorney, United States attorney, assistant United
10 States attorney or federal investigator, retired justice of the peace, or to a former
11 member of the legislature or the United States Congress who is medically retired
12 based upon any mental impairment, or who has entered a plea of guilty or nolo
13 contendere to or been found guilty of a felony offense.

14 ~~(3)~~ (4) For the purposes of this Subsection:

15 (a) "Retired assistant United States attorney" or "retired federal investigator"
16 means an assistant United States attorney or investigator receiving retirement
17 benefits from the Federal Employees Retirement System.

18 (b) "Retired district attorney" or "retired assistant district attorney" means
19 a district attorney or an assistant district attorney receiving retirement benefits from
20 the District Attorneys' Retirement System.

21 (c) "Retired United States attorney" means a presidentially appointed United
22 States attorney who separated from service in good standing.

23 * * *

SPEAKER OF THE HOUSE OF REPRESENTATIVES

PRESIDENT OF THE SENATE

GOVERNOR OF THE STATE OF LOUISIANA

APPROVED: _____

SENATE BILL NO. 276

BY SENATORS PRESSLY, ABRAHAM, ALLAIN, BARROW, BASS, CATHEY, CLOUD, CONNICK, EDMONDS, FESI, HENRY, HODGES, KLEINPETER, LAMBERT, MCMATH, MIGUEZ, MILLER, MIZELL, MORRIS, REESE, SEABAUGH, STINE, TALBOT AND WOMACK AND REPRESENTATIVES AMEDEE, BAMBURG, BAYHAM, BERAULT, BUTLER, CHENEVERT, CREWS, DICKERSON, EGAN, EMERSON, FIRMENT, GLORIOSO, HORTON, MACK, OWEN, SCHAMERHORN, THOMPSON AND WYBLE

1 AN ACT

2 To amend and reenact R.S. 14:87.1(1)(a) and R.S. 40:969(C) and to enact R.S. 14:87.6.1,
3 R.S. 15:1352(A)(71), and R.S. 40:964(Schedule IV)(F), relative to abortion; to create
4 the crime of coerced criminal abortion by means of fraud; to provide relative to the
5 crime of criminal abortion by means of abortion-inducing drugs; to provide
6 penalties; to provide relative to the definition of crime racketeering activity; to add
7 certain substances to Schedule IV of the Uniform Controlled Dangerous Substances
8 Law; and to provide for related matters.

9 Be it enacted by the Legislature of Louisiana:

10 Section 1. R.S. 14:87.1(1)(a) is hereby amended and reenacted and R.S. 14:87.6.1
11 is hereby enacted to read as follows:

12 §87.1. Definitions

13 Wherever used in this Subpart, unless a different meaning clearly appears in
14 the context, the following terms, whether used in the singular or plural, shall have
15 the following meanings:

16 (1)(a) "Abortion" or "induced abortion" means the performance of any act
17 with the intent to terminate a clinically diagnosable pregnancy with knowledge that
18 the termination by those means will, with reasonable likelihood, cause the death of
19 the unborn child, **whether or not the child survives**, by one or more of the
20 following means:

21 * * *

22 **§87.6.1. Coerced criminal abortion by means of fraud**

23 **A. Coerced criminal abortion by means of fraud is committed when a**

1 person knowingly and intentionally engages in the use of an abortion-inducing
2 drug on a pregnant woman, without her knowledge or consent, with the intent
3 to cause an abortion.

4 B.(1) Except as provided in Paragraph (2) of this Subsection, whoever
5 commits the crime of coerced criminal abortion by means of fraud shall be
6 imprisoned at hard labor for not less than five nor more than ten years, fined
7 not less than ten thousand nor more than seventy-five thousand dollars, or both.

8 (2) Whoever commits the crime of coerced criminal abortion by means
9 of fraud when the unborn child is more than three months of gestational age
10 shall be imprisoned at hard labor for not less than ten nor more than twenty
11 years, fined not less than fifty thousand nor more than one hundred thousand
12 dollars, or both.

13 C. The prosecution of a person pursuant to this Section shall not be a
14 defense against the prosecution under any other provision of law, including
15 murder or attempted murder, should the person commit the crime of coerced
16 criminal abortion by means of fraud and the use of an abortion-inducing drug
17 results in the death or serious bodily injury of the pregnant woman.

18 Section 2. R.S. 15:1352(A)(71) is hereby enacted to read as follows:

19 §1352. Definitions

20 A. As used in this Chapter, "racketeering activity" means committing,
21 attempting to commit, conspiring to commit, or soliciting, coercing, or intimidating
22 another person to commit any crime that is punishable under the following
23 provisions of Title 14 of the Louisiana Revised Statutes of 1950, the Uniform
24 Controlled Dangerous Substances Law, or the Louisiana Securities Law:

25 * * *

26 (71) R.S. 14:87.9 (Criminal abortion by means of abortion-inducing
27 drug)

28 * * *

29 Section 3. R.S.40:969(C) is hereby amended and reenacted and R.S. 40:964(Schedule
30 IV)(F) is hereby enacted to read as follows:

1 §964. Composition of schedules

2 Schedules I, II, III, IV, and V shall, unless and until added pursuant to R.S.
3 40:962, consist of the following drugs or other substances, by whatever official
4 name, common or usual name, chemical name, or brand name designated:

5 * * *

6 SCHEDULE IV

7 * * *

8 **F. Mifepristone, Misoprostol. Unless listed in another schedule, any**
9 **material, compound, mixture, or preparation containing any detectable**
10 **quantity of mifepristone or misoprostol.**

11 * * *

12 §969. Prohibited acts--Schedule IV; penalties

13 * * *

14 C.(1) Possession. It is unlawful for any person knowingly or intentionally to
15 possess a controlled dangerous substance classified in Schedule IV unless such
16 substance was obtained directly or pursuant to a valid prescription or order from a
17 practitioner, or as provided in R.S. 40:978, while acting in the course of his
18 professional practice or except as otherwise authorized by this Part. Any person who
19 violates this Subsection with respect to:

20 ~~(1)~~(a) Flunitrazepam shall be imprisoned, with or without hard labor, for not
21 less than one year nor more than ten years, and may, in addition, be required to pay
22 a fine of not more than five thousand dollars.

23 ~~(2)~~(b) Any other controlled dangerous substance shall be imprisoned with or
24 without hard labor for not less than one year nor more than five years and, in
25 addition, may be required to pay a fine of not more than five thousand dollars.

26 **(2) It shall not be a violation of this Subsection for a pregnant woman to**
27 **possess mifepristone or misoprostol for her own consumption.**

28 * * *

29 Section 4. This Act shall become effective on October 1, 2024.

30 Section 5. This Act shall be cited and referred to as "The Catherine and Josephine

1 Herring Act".

2 Section 6. The Board of Pharmacy is directed to notify all pharmacists in Louisiana
3 about the provisions of this law and that lawful prescriptions for mifepristone and
4 misoprostol may be filled in accordance with R.S. 14:87.9(C)(6).

5 Section 7. The Louisiana Department of Health is directed to notify all healthcare
6 practitioners and providers in Louisiana about the provisions of this law and that
7 mifepristone and misoprostol may be prescribed and administered in accordance with R.S.
8 14:87.9(C)(6).

9 Section 8. If any provision of this Act or the application thereof is held invalid, such
10 invalidity shall not affect other provisions or applications of this Act which can be given
11 effect without the invalid provisions or applications, and to this end the provisions of this
12 Act are hereby declared severable.

PRESIDENT OF THE SENATE

SPEAKER OF THE HOUSE OF REPRESENTATIVES

GOVERNOR OF THE STATE OF LOUISIANA

APPROVED: _____

2024 Regular Session

ACT No. 256

HOUSE BILL NO. 60

BY REPRESENTATIVES EDMONSTON, AMEDEE, WILFORD CARTER, COX, CREWS, DAVIS, EGAN, LAFLEUR, MCCORMICK, MELERINE, MOORE, NEWELL, SELDERS, THOMPSON, AND WALTERS

1 AN ACT

2 To amend and reenact R.S. 14:101.2(D), relative to the unauthorized use of sperm, ovum,
3 or embryo; to provide for an exception; to provide for an effective date; and to
4 provide for related matters.

5 Be it enacted by the Legislature of Louisiana:

6 Section 1. R.S. 14:101.2(D) is hereby amended and reenacted to read as follows:

7 §101.2. Unauthorized use of sperm, ovum, or embryo

8 * * *

9 D. This Section shall not apply to ~~the~~ any of the following:

10 (1) The use by a surviving spouse of the human ova or sperm of the deceased
11 spouse in order to conceive a child; ~~provided that prior to his death the deceased~~
12 ~~spouse signed a consent form authorizing such a donation.~~

13 (2) The use by a spouse of the human ova or sperm of the other spouse in
14 order to conceive a child.

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

1 vetoed by the governor and subsequently approved by the legislature, this Act shall become
2 effective on the day following such approval.

SPEAKER OF THE HOUSE OF REPRESENTATIVES

PRESIDENT OF THE SENATE

GOVERNOR OF THE STATE OF LOUISIANA

APPROVED: _____

2024 Regular Session
HOUSE BILL NO. 173
BY REPRESENTATIVES FONTENOT, MIKE JOHNSON, AND WILDER

ACT No. 259

1 AN ACT

2 To enact R.S. 14:109, relative to offenses affecting law enforcement; to create the crime of
3 approaching a peace officer lawfully engaged in law enforcement duties; to provide
4 for a definition; to provide for an affirmative defense; to provide for penalties; and
5 to provide for related matters.

6 Be it enacted by the Legislature of Louisiana:

7 Section 1. R.S. 14:109 is hereby enacted to read as follows:

8 §109. Approaching a peace officer lawfully engaged in law enforcement duties

9 A. No person shall knowingly or intentionally approach within twenty-five
10 feet of a peace officer who is lawfully engaged in the execution of his official duties
11 after the peace officer has ordered the person to stop approaching or to retreat.

12 B. For the purposes of this Section, "peace officer" shall include all
13 individuals as defined in R.S. 14:112.4(B)(2) and R.S. 40:2402(3).

14 C. It shall be an affirmative defense to this crime if the defendant can
15 establish that the lawful order or command was neither received nor understood by
16 the defendant nor capable of being received or understood under the conditions and
17 circumstances that existed at the time of the issuance of the order.

1 D. Whoever violates the provisions of this Section shall be fined not more
2 than five hundred dollars, imprisoned for not more than sixty days, or both.

SPEAKER OF THE HOUSE OF REPRESENTATIVES

PRESIDENT OF THE SENATE

GOVERNOR OF THE STATE OF LOUISIANA

APPROVED: _____

2024 Regular Session
HOUSE BILL NO. 213
BY REPRESENTATIVE HILFERTY

ACT No. 261

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~~ ten years, fined not more than five thousand dollars, or
14 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~~ ten 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

2024 Regular Session
HOUSE BILL NO. 269
BY REPRESENTATIVE MUSCARELLO

ACT No. 263

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AN ACT

To amend and reenact Code of Criminal Procedure Article 611(C) and R.S. 14:110(A)(2), (B)(3), and (E) and to enact Code of Criminal Procedure Article 611(E) and R.S. 14:110(A)(4), relative to the crime of simple escape; to provide relative to venue; to provide for an alternative element of the offense; to provide for a violation of this offense; to provide relative to a penalty; and to provide for related matters.

Be it enacted by the Legislature of Louisiana:

Section 1. Code of Criminal Procedure Article 611(C) is hereby amended and reenacted and Code of Criminal Procedure Article 611(E) is hereby enacted to read as follows:

Art. 611. Venue; trial where offense committed

* * *

C. If the offender is charged with any of the following offenses, the offense is deemed to have been committed either in the parish where the offense occurred or where the victim resides:

~~(1) R.S. 14:67.3, unauthorized use of an access card.~~

~~(2)~~ R.S. 14:67.16, identity theft.

~~(3)~~ (2) R.S. 14:70.4, access device fraud.

~~(4)~~ (3) R.S. 14:70.8, illegal transmission of monetary funds.

~~(5)~~ (4) R.S. 14:71.1, bank fraud.

~~(6)~~ (5) R.S. 14:72, forgery.

~~(7)~~ (6) R.S. 14:72.2, monetary instrument abuse.

* * *

1 confined under the jurisdiction and control of the ~~sheriffs~~ law enforcement of the
2 respective parishes.

SPEAKER OF THE HOUSE OF REPRESENTATIVES

PRESIDENT OF THE SENATE

GOVERNOR OF THE STATE OF LOUISIANA

APPROVED: _____

2024 Regular Session
HOUSE BILL NO. 451
BY REPRESENTATIVE SCHLEGEL

ACT No. 267

1 AN ACT

2 To amend and reenact R.S. 14:67(B)(4), (C) and (D) and to enact R.S. 14:67(E), relative to
3 the crime of theft; provides for theft of a package delivered to an inhabited dwelling;
4 provides for assault on a store employee during the commission or attempted
5 commission of theft; and to provide for related matters.

6 Be it enacted by the Legislature of Louisiana:

7 Section 1. R.S. 14:67(B)(4), (C) and (D) are hereby amended and reenacted and R.S.
8 14:67(E) is hereby enacted to read as follows:

9 §67. Theft

10 * * *

11 B.

12 * * *

13 (4) When the misappropriation or taking amounts to less than a value of one
14 thousand dollars, the offender shall be imprisoned for not more than six months, or
15 may be fined not more than one thousand dollars, or both.

16 (a) If the offender in such cases has been convicted of theft two or more
17 times previously, upon any subsequent conviction he shall be imprisoned, with or
18 without hard labor, for not more than two years, or may be fined not more than two
19 thousand dollars, or both.

20 (b) If the offender in such cases commits the crime of theft of a package that
21 has been delivered to an inhabited dwelling owned by another, he shall be
22 imprisoned, with or without hard labor, for not more than two years, or may be fined
23 not more than two thousand dollars, or both.

1 C. If the offender commits an assault upon a store or merchant's employee
 2 who is acting in the course and scope of his employment duties, during the
 3 commission or attempted commission of theft, at least fifteen days of the sentence
 4 imposed under this Section shall be served without benefit of probation or
 5 suspension of sentence.

6 ~~C.~~ D. When there has been a misappropriation or taking by a number of
 7 distinct acts of the offender, the aggregate of the amount of the misappropriations or
 8 taking shall determine the grade of the offense.

9 ~~D.~~ E. In a prosecution under this Section where the property allegedly
 10 misappropriated or taken was held for sale by a merchant, an intent to permanently
 11 deprive the merchant of the property held for sale may be inferred when the
 12 defendant:

- 13 (1) Intentionally conceals, on his person or otherwise, goods held for sale.
- 14 (2) Alters or transfers any price marking reflecting the actual retail price of
 15 the goods.
- 16 (3) Transfers goods from one container or package to another or places
 17 goods in any container, package, or wrapping in a manner to avoid detection.
- 18 (4) Willfully causes the cash register or other sales recording device to
 19 reflect less than the actual retail price of the goods.
- 20 (5) Removes any price marking with the intent to deceive the merchant as
 21 to the actual retail price of the goods.

SPEAKER OF THE HOUSE OF REPRESENTATIVES

PRESIDENT OF THE SENATE

GOVERNOR OF THE STATE OF LOUISIANA

APPROVED: _____

2024 Regular Session
HOUSE BILL NO. 639
BY REPRESENTATIVE FONTENOT

ACT No. 276

1 AN ACT

2 To enact R.S. 14:108(B)(1)(f), relative to the crime of resisting an officer; to provide relative
3 to the definition of "obstruction of" an officer; and to provide for related matters.

4 Be it enacted by the Legislature of Louisiana:

5 Section 1. R.S. 14:108(B)(1)(f) is hereby enacted to read as follows:

6 §108. Resisting an officer

7 * * *

8 B.(1) The phrase "obstruction of" as used herein shall, in addition to its
9 common meaning, signification, and connotation mean the following:

10 * * *

11 (f) Failure to provide or display the person's state issued driver's license or
12 identification on the officer's request when the person is an operator of a motor
13 vehicle, the person has been lawfully detained for an alleged violation of a law, and
14 the officer has exhausted all resources at his disposal to verify the identity of the
15 person.

16 * * *

SPEAKER OF THE HOUSE OF REPRESENTATIVES

PRESIDENT OF THE SENATE

GOVERNOR OF THE STATE OF LOUISIANA

APPROVED: _____

SENATE BILL NO. 50

BY SENATOR REESE

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AN ACT

To enact R.S. 14:90.8, relative to sports wagering; to prohibit certain persons from wagering on sports events; to provide for definitions; to provide for penalties; to provide for exceptions; and to provide for related matters.

Be it enacted by the Legislature of Louisiana:

Section 1. R.S. 14:90.8 is hereby enacted to read as follows:

§90.8. Unlawful wagering; prohibited player

A.(1) It is unlawful for a prohibited player to wager on a sports event, personally or through another individual or proxy.

(2) It is unlawful for a person or entity to facilitate or place a sports wager on behalf of a prohibited player.

B. For purposes of this Section, "prohibited player" means a person who is prohibited from placing a wager on a sports event by any of the following:

(1) Chapter 10 of Title 27 of the Louisiana Revised Statutes of 1950, particularly R.S. 27:608, or Louisiana Administrative Code Title 42, Part VI.

(2) Participation in a self-restriction or self-exclusion program in accordance with R.S. 27:27.1 or Louisiana Administrative Code Title 42, Part III, Chapter 3.

(3) Any other law, administrative rule, or policy of any jurisdiction, the sports wagering operator, the sports book, or a sports governing body.

C. Whoever violates the provisions of this Section shall be fined not more than five hundred dollars, or imprisoned for not more than six months, or both. Upon a second or subsequent conviction for a violation of this Section, the penalty shall be a fine of one thousand dollars, or imprisonment with or without hard labor for not more than one year, or both.

1 **D. Whoever conducts, finances, manages, supervises, directs, leases, or**
 2 **owns all or part of a business when the person knowingly allows a prohibited**
 3 **player to wager on a sports event shall be fined not more than twenty thousand**
 4 **dollars, or imprisoned, with or without hard labor, for not more than five years,**
 5 **or both.**

6 **E.(1) A person, business, or entity licensed or sports wagering operator**
 7 **permitted pursuant to the provisions of Chapter 10 of Title 27 of the Louisiana**
 8 **Revised Statutes of 1950 shall not be subject to the penalty contained in**
 9 **Subsection D of this Section if the licensee or permittee has taken commercially**
 10 **reasonable methods to prevent a prohibited player from placing a wager on a**
 11 **sports event in person, on a sports wagering mechanism, or through a mobile**
 12 **application.**

13 **(2) A sports wagering platform provider permitted pursuant to the**
 14 **provisions of Chapter 10 of Subtitle XI of Title 47 of the Louisiana Revised**
 15 **Statutes of 1950 shall not be subject to the penalty contained in Subsection D of**
 16 **this Section if the permittee has taken commercially reasonable methods to**
 17 **prevent a prohibited player from placing a wager on a sports event on a sports**
 18 **wagering mechanism or through a mobile application.**

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

 PRESIDENT OF THE SENATE

 SPEAKER OF THE HOUSE OF REPRESENTATIVES

 GOVERNOR OF THE STATE OF LOUISIANA

APPROVED: _____

SENATE BILL NO. 184

BY SENATOR KLEINPETER

1 AN ACT

2 To amend and reenact R.S. 14:108.1(E), relative to offenses affecting law enforcement; to
3 provide relative to the crime of aggravated flight from an officer; to increase the
4 penalties for aggravated flight from an officer; and to provide for related matters.

5 Be it enacted by the Legislature of Louisiana:

6 Section 1. R.S. 14:108.1(E) is hereby amended and reenacted to read as follows:

7 §108.1. Flight from an officer; aggravated flight from an officer

8 * * *

9 E.(1) ~~Whoever~~ **Except as provided in Paragraph (2) of this Subsection,**
10 **whoever** commits aggravated flight from an officer shall be imprisoned at hard labor
11 for not more than ~~five~~ **ten** years and may be fined not more than two thousand
12 dollars.

13 (2)~~(a)~~ Whoever commits the crime of aggravated flight from an officer that
14 results in serious bodily injury shall be imprisoned at hard labor for not more than
15 ~~ten~~ **fifteen** years and may be fined not more than two thousand dollars.

16 * * *

PRESIDENT OF THE SENATE

SPEAKER OF THE HOUSE OF REPRESENTATIVES

GOVERNOR OF THE STATE OF LOUISIANA

APPROVED: _____

SENATE BILL NO. 358

BY SENATOR MIZELL

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AN ACT

To amend and reenact R.S. 17:416(C)(2)(a),(b),(c), and (d)(i), relative to mandatory expulsion; to provide with respect to grounds for expulsions for students in grades six through twelve; to prohibit tobacco, alcohol, vaping products, certain knives, and illegal narcotics on school property and buses and at school-sponsored events; to provide for conditions for which a student may be expelled; to provide for the duties of public school superintendents; and to provide for related matters.

Be it enacted by the Legislature of Louisiana:

Section 1. R.S. 17:416(C)(2)(a),(b),(c), and (d)(i) are hereby amended and reenacted to read as follows:

§416. Discipline of students; suspension; expulsion

* * *

C. * * *

(2)(a)(~~i~~) Notwithstanding the provisions of Subsection B of this Section, any student ~~sixteen years of age or older~~ **in grades six through twelve who is** found guilty of being in possession of a firearm, **a knife with a blade equal to or in excess of two and one-half inches in length, or any illegal narcotic, drug, or other controlled substance** on school property, on a school bus, or ~~in actual possession~~ at a school-sponsored event, pursuant to a hearing as provided for by Paragraph (1) of this Subsection, shall be expelled from school for a minimum period of four complete school semesters and shall be referred to the district attorney for appropriate action. However, the superintendent may modify the length of such

1 minimum expulsion requirement on a case-by-case basis, provided such modification
2 is in writing.

3 ~~(ii) Notwithstanding the provisions of Subsection B of this Section, any~~
4 ~~student sixteen years of age or older found guilty of possession of, or knowledge of~~
5 ~~and intentional distribution of, or possession with intent to distribute any illegal~~
6 ~~narcotic, drug, or other controlled substance on school property, on a school bus, or~~
7 ~~at a school-sponsored event pursuant to a hearing as provided for by Paragraph (1)~~
8 ~~of this Subsection shall be expelled from school for a minimum period of four~~
9 ~~complete school semesters.~~

10 (b)(i) ~~Any student who is under sixteen years of age and in grades six through~~
11 ~~twelve and who is found guilty of being in possession of a firearm on school~~
12 ~~property, on a school bus, or in actual possession at a school-sponsored event,~~
13 ~~pursuant to a hearing as provided for by Paragraph (1) of this Subsection, shall be~~
14 ~~expelled from school for a minimum period of four complete school semesters, and~~
15 ~~shall be referred to the district attorney for appropriate action. However, the~~
16 ~~superintendent of a city, parish, or other local public school system may modify the~~
17 ~~length of such minimum expulsion requirement on a case-by-case basis, provided~~
18 ~~such modification is in writing.~~ **Notwithstanding the provisions of Subsection B**
19 **of this Section, any student in grades six through twelve found guilty of being**
20 **in possession of tobacco, alcohol, or vaping product on school property, on a**
21 **school bus, or at a school-sponsored event, may be recommended for expulsion.**

22 ~~(ii) Any student who is under sixteen years of age and in grades six through~~
23 ~~twelve and who is found guilty of possession of, or knowledge of and intentional~~
24 ~~distribution of, or possession with intent to distribute any illegal narcotic, drug, or~~
25 ~~other controlled substance on school property, on a school bus, or at a school-~~
26 ~~sponsored event pursuant to a hearing as provided for by Paragraph (1) of this~~
27 ~~Subsection shall be expelled from school for a minimum period of two complete~~
28 ~~school semesters.~~

29 (c)(i) ~~Any case involving a student in kindergarten through grade five found~~
30 ~~guilty of being in possession of a firearm on school property, on a school bus, or in~~

1 actual possession at a school-sponsored event, pursuant to a hearing as provided for
2 by Paragraph (1) of this Subsection, shall be expelled from school for a minimum
3 period of two complete school semesters and shall be referred to the district attorney
4 for appropriate action. However, the superintendent may modify the length of such
5 minimum expulsion requirement on a case-by-case basis, provided such modification
6 is in writing. **Notwithstanding any public school state or local policies, a public**
7 **school student in grades six through twelve who is suspended a third time within**
8 **the same school year for any offense, excluding those related to dress codes or**
9 **tardiness, shall be recommended for expulsion.**

10 (ii) Any case involving a student in kindergarten through grade five found
11 guilty of possession of, or knowledge of and intentional distribution of, or possession
12 with intent to distribute any illegal narcotic, drug, or other controlled substance on
13 school property, on a school bus, or at a school-sponsored event pursuant to a
14 hearing as provided for by Paragraph (1) of this Subsection shall be referred to the
15 city, parish, or other local public school board where the student attends school
16 through a recommendation for action from the superintendent.

17 (d)(i) Any student expelled from school may be readmitted on a probationary
18 basis to school at any time during the specified period of expulsion on such terms
19 and conditions as may be stipulated by the city, parish, or other local public school
20 **board superintendent** and agreed to in writing by the student and by the student's
21 parent or other person responsible for the student's school attendance. However, any
22 such written agreement shall include a provision that upon the school principal or
23 superintendent of schools making a determination that the student has violated any
24 term or condition agreed to, the student shall be immediately removed from the
25 school premises without the benefit of any hearing or other procedure applicable to
26 student out-of-school suspensions and expulsions and returned to the school system's
27 alternative school setting. As soon thereafter as possible, the principal or his
28 designee shall provide verbal notice to the superintendent of schools of any such
29 determination and also shall attempt to provide such verbal notice to the student's
30 parent or other person responsible for the student's school attendance. The principal

1 or his designee also shall provide written notice of the determination and the reasons
2 therefor to the superintendent and to the student's parent or other responsible person.

3 * * *

PRESIDENT OF THE SENATE

SPEAKER OF THE HOUSE OF REPRESENTATIVES

GOVERNOR OF THE STATE OF LOUISIANA

APPROVED: _____

SENATE BILL NO. 367

BY SENATORS BASS AND MILLER

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AN ACT

To amend and reenact R.S. 14:98(F)(4)(c), the heading of Part IV of Chapter 11 of Title 22 of the Louisiana Revised Statutes of 1950, and R.S. 22:2161 and 2242(A) and (B), R.S. 36:694.1(C), and R.S. 40:1428(A)(4)(a) and (C) and to repeal Part II of Chapter 11 of Title 22 of the Louisiana Revised Statutes of 1950 comprised of R.S. 22:2131 through 2135, and Part V of Chapter 11 of Title 22 of the Louisiana Revised Statutes of 1950, comprised of R.S. 22:2171, and R.S. 36:686(C)(1), (3), and (4), and R.S. 40:1421(12), relative to the boards and commissions; to authorize the commissioner to create boards and commissions; to provide for duties; to provide for membership; to provide for reporting; to repeal certain boards and commissions; and to provide for related matters.

Be it enacted by the Legislature of Louisiana:

Section 1. R.S. 14:98(F)(4)(c) is hereby amended and reenacted to read as follows:

§98. Operating a vehicle while intoxicated

* * *

F.(1)

* * *

(4) The proceeds of the sale shall first be used to pay court costs and towing and storage costs, and the remainder shall be allocated as follows:

* * *

(c) Twenty percent of the funds shall go to the ~~Louisiana Property and Casualty Insurance Commission~~ **department** for its use in studying ways to reduce

1 drunk driving and insurance rates.

2 * * *

3 Section 2. The heading of Part IV of Chapter 11 of Title 22 of the Louisiana Revised
4 Statutes of 1950, and R.S. 22:2161 and 2242(A) and (B) are hereby amended and reenacted
5 to read as follows:

6 PART IV. LOUISIANA HEALTH CARE COMMISSION

7 DEPARTMENT ADVISORY BOARDS

8 §2161. Louisiana Health Care Commission; creation Powers of the commissioner;
9 creation of advisory boards

10 A. There is hereby created the Louisiana Health Care Commission within the
11 Department of Insurance. The commission shall be domiciled in Baton Rouge, and
12 its members shall serve for terms of two years. The functions, duties, and
13 responsibilities of the commission shall be to review and study the availability,
14 affordability, and delivery of quality health care in the state. The commission shall
15 specifically examine the rising costs of health care in the state, including but not
16 limited to the cost of administrative duplication, the costs associated with excess
17 capacity and duplication of medical services, and the costs of medical malpractice
18 and liability and shall examine the adequacy of consumer protections, as well as the
19 formation and implementation of insurance pools that better assure citizens the
20 ability to obtain health insurance at affordable costs and encourage employers to
21 obtain health care benefits for their employees by increased bargaining power and
22 economies of scale for better coverage and benefit options at reduced costs. Further,
23 the commission shall examine the implementation issues related to national health
24 care reform initiatives. Of the members of the commission, three members shall be
25 appointed from a list of nominees submitted by the governing boards of state
26 colleges and universities and by a dean from the business schools represented by the
27 Louisiana Association of Independent Colleges and Universities. One member of the
28 Senate Committee on Insurance shall be appointed by the president of the Senate and
29 one member of the House Committee on Insurance shall be appointed by the speaker
30 of the House of Representatives to the commission to act as ex officio, nonvoting

1 members. One member of the commission shall be appointed by the secretary of the
 2 Louisiana Department of Health. The commissioner of insurance shall appoint five
 3 at-large members to the commission. The remainder of the members shall be
 4 appointed by the commissioner of insurance from a list of nominees, one nominee
 5 to be submitted by each of the following:

- 6 (1) ~~The Louisiana Insurers' Conference.~~
- 7 (2) ~~Louisiana Association of Health Plans.~~
- 8 (3) ~~America's Health Insurance Plans.~~
- 9 (4) ~~A domestic mutual, nonprofit health service and indemnity company.~~
- 10 (5) ~~Louisiana State Medical Society.~~
- 11 (6) ~~Louisiana Association for Justice.~~
- 12 (7) ~~Health Agents for America.~~
- 13 (8) ~~Agenda for Children.~~
- 14 (9) ~~Independent Insurance Agents & Brokers of Louisiana.~~
- 15 (10) ~~AARP Louisiana.~~
- 16 (11) ~~The National Federation of Independent Businesses.~~
- 17 (12) ~~Repealed by Acts 2012, No. 271, §2, eff. August 1, 2012.~~
- 18 (13) ~~Louisiana Independent Pharmacies Association.~~
- 19 (14) ~~AARP, the nominee of which shall be a volunteer representative.~~
- 20 (15) ~~Louisiana Association of Business and Industry.~~
- 21 (16) ~~Louisiana Health Plan.~~
- 22 (17) ~~NAIFA Louisiana.~~
- 23 (18) ~~League of Women Voters.~~
- 24 (19) ~~Louisiana Hospital Association.~~
- 25 (20) ~~Louisiana Primary Care Association.~~
- 26 (21) ~~Repealed by Acts 2014, No. 90, §2, eff. August 1, 2014.~~
- 27 (22) ~~A domestic commercial health insurance issuer.~~
- 28 (23) ~~Chiropractic Association of Louisiana.~~
- 29 (24) ~~Louisiana AFL-CIO.~~
- 30 (25) ~~Louisiana Physical Therapy Association.~~

- 1 ~~(26) Louisiana State Nurses Association.~~
- 2 ~~(27) Louisiana Dental Association.~~
- 3 ~~(28) Louisiana Nursing Home Association.~~
- 4 ~~(29) Louisiana's Medicare Peer Review Organization as designated by the~~
5 ~~Health Care Financing Administration.~~
- 6 ~~(30) Louisiana Business Group on Health.~~
- 7 ~~(31) Louisiana Association of Health Underwriters.~~
- 8 ~~(32) Louisiana Psychological Association.~~
- 9 ~~(33) Optometry Association of Louisiana.~~
- 10 ~~(34) Repealed by Acts 2012, No. 271, §2, eff. August 1, 2012.~~
- 11 ~~(35) National Medical Association.~~
- 12 ~~(36) National Association for the Advancement of Colored People.~~
- 13 ~~(37) Repealed by Acts 2012, No. 271, §2, eff. August 1, 2012.~~
- 14 ~~(38) Louisiana Council on Human Relations.~~
- 15 ~~(39) National Dental Association.~~ **The commissioner may create one or**
16 **more advisory boards consisting of representatives of insurers, insurance**
17 **producers, consumers of insurance products not otherwise connected with the**
18 **insurance industry, and other appropriate persons.**
- 19 ~~B. The commissioner of insurance, or his designee, shall serve ex officio on~~
20 ~~the commission and the commissioner shall appoint a chairman and vice chairman~~
21 ~~to serve terms of two years.~~ **The commissioner shall appoint the members of any**
22 **advisory board created pursuant to this Section. The commissioner shall ensure**
23 **that his appointments demonstrate race, gender, ethnic, and geographical**
24 **diversity. The commissioner shall promulgate rules and regulations in**
25 **accordance with the Administrative Procedure Act providing for the creation,**
26 **governance, duties, and termination of any advisory board created pursuant to**
27 **this Section.**
- 28 ~~C. Each appointment by the commissioner shall be confirmed by the Senate.~~
29 **Advisory boards created pursuant to this Section shall advise the commissioner**
30 **with respect to the availability and affordability of insurance and other matters**

1 as the commissioner may submit to the advisory board or commission.

2 D. ~~The members of the commission shall serve without compensation.~~ The
3 commissioner shall report on the activities of advisory boards created pursuant
4 to this Section as part of the annual report of the department. The
5 commissioner may submit special reports and recommendations to the
6 legislature on behalf of an advisory board created pursuant to this Section.

7 E. ~~Vacancies in the offices of the members shall be filled in the same manner~~
8 ~~as the original appointments for the unexpired portion of the term of the office~~
9 ~~vacated.~~

10 F. ~~A quorum for the transaction of business by the commission shall be forty~~
11 ~~percent of the membership of the commission. All official actions of the commission~~
12 ~~shall require the affirmative vote of a majority of a quorum of the commission~~
13 ~~present and voting during meetings of the commission.~~

14 G. ~~The commission shall meet twice in any one calendar year and may meet~~
15 ~~on the call of the chairman or upon the request of any three members.~~

16 H. ~~The commission shall serve as an advisory body to the commissioner and~~
17 ~~shall submit to the commissioner its recommendations on all matters which it is~~
18 ~~charged to examine pursuant to Subsection A of this Section. The commission may~~
19 ~~conduct public hearings to receive testimony about the availability and affordability~~
20 ~~of health care in the state. The commission shall also be permitted to receive further~~
21 ~~information and testimony from regional and national experts on health care access~~
22 ~~issues.~~

23 I. ~~The commissioner shall submit a yearly report on health care and health~~
24 ~~insurance, which takes into consideration the recommendations, actions, and studies~~
25 ~~of the commission, to the legislature prior to each annual regular session.~~

26 J. ~~The commissioner shall conduct the daily affairs of the commission as~~
27 ~~specified in this Section.~~

28 * * *

29 §2242. Authorization to develop pilot programs

30 A. The ~~Department of Insurance~~ **department** is authorized to **may** establish

1 pilot health insurance programs to increase access to affordable health insurance for
 2 small employers and for individuals. In conjunction with the Louisiana Department
 3 of Health ~~and after consultation with the Louisiana Health Care Commission~~, the
 4 department ~~is authorized to~~ may develop private health insurance coverage for small
 5 employers and individuals, as further provided in R.S. 22:2243 and 2244.

6 B. ~~In conjunction with the Louisiana Business Group on Health and the~~
 7 ~~Louisiana Health Care Commission~~, the The department is hereby authorized to may
 8 establish employer purchasing cooperatives and other pilot programs that increase
 9 access to affordable group and individual health insurance coverage that meets the
 10 minimum requirements of R.S. 22:984 and 1061 through ~~1079~~ 1080, as further
 11 provided in R.S. 22:2245.

12 * * *

13 Section 3. R.S. 36:694.1(C) is hereby amended and reenacted to read as follows:

14 §694.1. Office of policy, innovation, and research; functions

15 * * *

16 C. In addition to the deputy commissioner of policy, innovation, and
 17 research, the commissioner of insurance may also employ such persons, including
 18 four unclassified employees, as necessary to carry out the provisions of this Section,
 19 ~~and to provide necessary staff support for the following entities:~~

20 ~~(1) The Louisiana Health Care Commission.~~

21 ~~(2) The Louisiana Automobile Theft and Insurance Fraud Prevention~~
 22 ~~Authority.~~

23 ~~(3) The Louisiana Property and Casualty Insurance Commission.~~

24 Section 4. R.S. 40:1428(A)(4)(a) and (C) are hereby amended and reenacted to read
 25 as follows:

26 §1428. Special assessment; creation of dedicated fund account

27 A.(1) * * *

28 (4)(a) Prior to making the allocations specified in Subparagraph (b) of this
 29 Paragraph, the commissioner of insurance ~~is authorized to~~ may withhold the sum of
 30 thirty thousand dollars per year from the fees collected pursuant to this Section to

1 defray the expense of collection of the fees, enforcement of this Subpart, and
2 operation of the Department of Insurance ~~and shall withhold one hundred eighty-~~
3 ~~seven thousand dollars to fund the Louisiana Automobile Theft and Insurance Fraud~~
4 ~~Prevention Authority pursuant to R.S. 22:2134.~~

5 * * *

6 C. After compliance with the requirements of Article VII, Section 9(B) of the
7 Constitution of Louisiana relative to the Bond Security and Redemption Fund, an
8 amount equal to that deposited as required by Subsection B of this Section shall be
9 credited to a special statutorily dedicated fund account ~~hereby~~ created in the state
10 treasury to be known as the Insurance Fraud Investigation Dedicated Fund Account,
11 hereafter referred to in this Subsection as the "account". The monies shall be
12 irrevocably dedicated and deposited in the account and shall be used solely as
13 provided in Subsection A of this Section and only in the amounts appropriated by the
14 legislature. Monies in the account shall be appropriated, administered, and used
15 solely and exclusively for purposes of the fraud unit, fraud support unit, insurance
16 fraud section, ~~LATHFA~~, and as further provided in this Section. All unexpended and
17 unencumbered monies in the account at the end of the fiscal year shall be refunded
18 to each insurer licensed by the Department of Insurance to conduct business in this
19 state assessed a fee pursuant to this Section on a pro-rata basis based on each
20 insurer's proportionate share of the total fees collected pursuant to this Section.
21 Monies deposited into the account shall be categorized as fees and self-generated
22 revenue for the sole purpose of reporting related to the executive budget, supporting
23 documents, and general appropriation bills and shall be available for annual
24 appropriation by the legislature.

25 * * *

26 Section 5. Part II of Chapter 11 of Title 22 of the Louisiana Revised Statutes of 1950,
27 comprised of R.S. 22:2131 through 2135, and Part V of Chapter 11 of Title 22 of the
28 Louisiana Revised Statutes of 1950, comprised of R.S. 22:2171, R.S. 36:686(C)(1), (3), and
29 (4) and R.S. 40:1421(12) are hereby repealed in their entirety.

30 Section 6. Upon the effective date of this Act, any remaining funds in the Automobile

1 Theft and Insurance Fraud Prevention Authority Dedicated Fund Account repealed herein
2 shall be transferred to the Department of Insurance for the purpose of fraud prevention,
3 detection, and education.

PRESIDENT OF THE SENATE

SPEAKER OF THE HOUSE OF REPRESENTATIVES

GOVERNOR OF THE STATE OF LOUISIANA

APPROVED: _____

SENATE BILL NO. 387

BY SENATOR KLEINPETER AND REPRESENTATIVE KNOX

1 AN ACT

2 To enact R.S. 14:57.1, relative to criminal damage to property; to create the crime of
3 vandalizing, tampering with, or destroying a crime camera system; to provide for
4 definitions; to provide for penalties; and to provide for related matters.

5 Be it enacted by the Legislature of Louisiana:

6 Section 1. R.S. 14:57.1 is hereby enacted to read as follows:

7 **§57.1. Vandalizing, tampering with, or destroying a crime camera system**

8 **A. It shall be unlawful for any person to intentionally vandalize, tamper**
9 **with, or destroy a crime camera system by any of the following:**

10 **(1) Causing functional or cosmetic damage to the system.**

11 **(2) Adjusting or modifying the location, position, aim, focus or**
12 **functionality of the system.**

13 **(3) Tampering with the performance, functions, or features of the**
14 **system.**

15 **(4) Rendering the system temporarily or permanently inoperable.**

16 **B. For the purposes of this Section, a "crime camera system" includes**
17 **any camera or license plate reader erected or installed for the purpose of**
18 **observing or deterring illegal activity as well as any lights, mounting poles or**
19 **brackets, actuator motors, computer control boards, connection interfaces,**
20 **signage, software, protective housing, lenses, power supply systems, recording**
21 **or battery backups, microphones, data connectivity hardware, or other**
22 **component parts or ancillary equipment necessary for proper functionality and**
23 **operation.**

1 **C. Whoever violates the provisions of Subsection A of this Section shall**
2 **be imprisoned, with or without hard labor, for not more than two years, or may**
3 **be fined not more than two thousand dollars, or both.**

PRESIDENT OF THE SENATE

SPEAKER OF THE HOUSE OF REPRESENTATIVES

GOVERNOR OF THE STATE OF LOUISIANA

APPROVED: _____

SENATE BILL NO. 420

BY SENATORS HODGES, CLOUD AND KLEINPETER AND REPRESENTATIVE WILDER

1 AN ACT

2 To amend and reenact R.S. 18:1461.2(B) and to enact R.S. 14:133.1.1, relative to election
3 offenses affecting registration and election fraud; to create the crime of election
4 fraud or forgery; to provide penalties; and to provide for related matters.

5 Be it enacted by the Legislature of Louisiana:

6 Section 1. R.S. 14:133.1.1 is hereby enacted to read as follows:

7 **§133.1.1. Election fraud or forgery**

8 **A. No person shall knowingly, willfully, or intentionally:**

9 **(1) Vote or attempt to vote more than once in an election.**

10 **(2) Vote or attempt to vote, knowing that he is not qualified, or influence**
11 **or attempt to influence another to vote, knowing that voter to be unqualified or**
12 **the vote to be fraudulent.**

13 **(3) Register, vote, or attempt to register or vote in the name of another**
14 **or in an assumed or fictitious name, or in any manner other than as provided**
15 **in the Louisiana Election Code.**

16 **(4) Forge the name of another or use a fictitious name on an affidavit or**
17 **document required by the Louisiana Election Code.**

18 **(5) Procure or submit voter registration applications that are known by**
19 **the person to be materially false, fictitious, or fraudulent.**

20 **(6) Forge, alter, add to, deface, take, destroy, or remove from proper**
21 **custodial care any book, card, record, voter registration application, election**
22 **return, nomination papers, withdrawals of candidacy, election supplies, election**
23 **paraphernalia, or any affidavit or other document required or provided for**
24 **under the provisions of the Louisiana Election Code, unless required to be**
25 **removed by a court of competent jurisdiction for inspection and photostatic**
26 **copying for the court record.**

1 (7) Have in his possession an official ballot in violation of any provision
2 of the Louisiana Election Code.

3 (8) Have in his possession the registration certificate of another with
4 intent to violate any provision of the Louisiana Election Code.

5 (9) For purposes other than fulfilling the person's duties relative to
6 registration of voters as provided by law, copy or reproduce a voter registration
7 application that has been submitted by an applicant.

8 B. Whoever violates any provision of this Section shall be fined not more
9 than two thousand dollars or be imprisoned, with or without hard labor, for not
10 more than two years, or both, for the first offense. On a second offense, or any
11 subsequent offense, the penalty shall be a fine of not more than five thousand
12 dollars or imprisonment at hard labor for not more than five years, or both.

13 Section 2. R.S. 18:1461.2(B) is hereby amended and reenacted to read as follows:

14 §1461.2. Election offenses affecting registration and election fraud or forgery;
15 penalties

16 * * *

17 ~~B. Whoever violates any provision of this Section shall be fined not more~~
18 ~~than two thousand dollars or be imprisoned, with or without hard labor, for not more~~
19 ~~than two years, or both, for the first offense. On a second offense, or any subsequent~~
20 ~~offense, the penalty shall be a fine of not more than five thousand dollars or~~
21 ~~imprisonment at hard labor for not more than five years, or both~~ **Whoever violates**
22 **any provision of this Section shall be subject to the penalty provisions of R.S.**
23 **14:133.1.1.**

PRESIDENT OF THE SENATE

SPEAKER OF THE HOUSE OF REPRESENTATIVES

GOVERNOR OF THE STATE OF LOUISIANA

APPROVED: _____

SENATE BILL NO. 476

BY SENATOR OWEN

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AN ACT

To amend and reenact R.S. 14:102.5(B) and (C) and to enact R.S. 14:102.5(A)(7)(b)(iv) and (D)(5), relative to the crime of dogfighting and training dogs for dogfighting; to provide that the possession or use of a bait dog is admissible as evidence of dogfighting; to provide an increase in the minimum fine for dogfighting; and to provide for related matters.

Be it enacted by the Legislature of Louisiana:

Section 1. RS. 14:102.5(B) and (C) are hereby amended and reenacted and R.S. 14:102.5(A)(7)(b)(iv) and (D)(5) are hereby enacted to read as follows:

§102.5. Dogfighting; training and possession of dogs for fighting

A. * * *

(7) * * *

(b) The following activities shall be admissible as evidence of a violation of this Paragraph:

* * *

(iv) Possession or use of a bait dog to train another dog for dogfighting.

B.(1) "Bait dog" means a dog that is used as bait to train another dog to be more aggressive and accustomed to attacking other dogs for the purpose of dogfighting.

(2) "Dogfighting" means an organized event wherein there is a display of combat between two or more dogs in which the fighting, killing, maiming, or injuring of a dog is the significant feature, or main purpose, of the event.

2024 Regular Session
HOUSE BILL NO. 125
BY REPRESENTATIVE BAYHAM

ACT No. 367

1 AN ACT

2 To amend and reenact R.S. 14:34.5.1(B) and (C), relative to battery of a bus operator; to
3 provide for penalties; and to provide for related matters.

4 Be it enacted by the Legislature of Louisiana:

5 Section 1. R.S. 14:34.5.1(B) and (C) are hereby amended and reenacted to read as
6 follows:

7 §34.5.1. Battery of a bus operator

8 * * *

9 B. For the purposes of this Section, a "bus operator" means any person
10 employed by a public transit system who operates a bus, as defined in R.S. 32:1(5),
11 or who operates an electronically operated cable car while that person is on duty in
12 the course and scope of his or her employment, regardless of whether the bus is in
13 motion at the time of the offense. "Bus operator" shall not include any person who
14 operates a school bus.

15 C. Whoever commits the crime of battery on a bus operator while the
16 operator is operating a bus shall be fined not more than ~~five hundred~~ one thousand
17 dollars and imprisoned for not less than ~~forty-eight~~ seventy-two hours nor more than
18 ~~six months~~ one year, with or without hard labor, without benefit of probation, parole,
19 or suspension of sentence.

SPEAKER OF THE HOUSE OF REPRESENTATIVES

PRESIDENT OF THE SENATE

GOVERNOR OF THE STATE OF LOUISIANA

APPROVED: _____

2024 Regular Session
HOUSE BILL NO. 226
BY REPRESENTATIVE MANDIE LANDRY

ACT No. 370

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AN ACT

To amend and reenact R.S. 14:118(C)(1), relative to offenses against organized government;
to provide relative to the penalties for public bribery; and to provide for related
matters.

Be it enacted by the Legislature of Louisiana:

Section 1. R.S. 14:118(C)(1) is hereby amended and reenacted to read as follows:

§118. Public bribery

* * *

C.(1) Whoever commits the crime of public bribery shall be fined not more
than ~~one~~ two thousand dollars, or imprisoned, with or without hard labor, for not
more than ~~five~~ ten years, or both.

* * *

SPEAKER OF THE HOUSE OF REPRESENTATIVES

PRESIDENT OF THE SENATE

GOVERNOR OF THE STATE OF LOUISIANA

APPROVED: _____

2024 Regular Session
HOUSE BILL NO. 128

ACT No. 413

BY REPRESENTATIVE FONTENOT

1 AN ACT

2 To amend and reenact R.S. 14:95.1(B), relative to possession of a firearm or carrying of a
3 concealed weapon by a felon; to provide for penalties; and to provide for related
4 matters.

5 Be it enacted by the Legislature of Louisiana:

6 Section 1. R.S. 14:95.1(B) is hereby amended and reenacted to read as follows:

7 §95.1. Possession of firearm or carrying concealed weapon by a person convicted
8 of certain felonies

9 * * *

10 B.(1) Whoever is found guilty of violating the provisions of this Section
11 shall be imprisoned at hard labor for not less than five nor more than twenty years
12 without the benefit of probation, parole, or suspension of sentence and be fined not
13 less than one thousand dollars nor more than five thousand dollars.

14 (2) Notwithstanding the provisions of R.S. 14:27, whoever is found guilty
15 of attempting to violate the provisions of this Section shall be imprisoned at hard
16 labor for not more than seven and one-half years and fined not less than five hundred
17 dollars nor more than two thousand five hundred dollars.

18 (3) If the offender is found guilty of violating the provisions of this Section
19 while on probation or parole, the sentence imposed pursuant to this Subsection shall

2024 Regular Session

ACT No. 431

HOUSE BILL NO. 541

BY REPRESENTATIVES LYONS, BILLINGS, BOYD, FISHER, FREEMAN, GREEN,
JACKSON, LAFLEUR, NEWELL, AND WALTERS

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AN ACT

To amend and reenact R.S. 14:283.2(A)(2) and to enact R.S. 14:283.2(C)(5), relative to the nonconsensual disclosure of a private image; to provide relative to the elements of the offense of nonconsensual disclosure of a private image; to provide for a definition; and to provide for related matters.

Be it enacted by the Legislature of Louisiana:

Section 1. R.S. 14:283.2(A)(2) is hereby amended and reenacted and R.S. 14:283.2(C)(5) is hereby enacted to read as follows:

§283.2. Nonconsensual disclosure of a private image

A. A person commits the offense of nonconsensual disclosure of a private image when all of the following occur:

* * *

(2) The person who discloses the image obtained it through unauthorized access or under circumstances in which a reasonable person would know or understand that the image was to remain private.

* * *

C. For purposes of this Section:

* * *

2024 Regular Session
HOUSE BILL NO. 823
BY REPRESENTATIVE BACALA

ACT No. 451

1 AN ACT

2 To enact R.S. 14:95(A)(5), relative to unlawful carrying of firearms; to provide relative to
3 the unlawful carrying of weapons; and to provide for related matters.

4 Be it enacted by the Legislature of Louisiana:

5 Section 1. R.S. 14:95(A)(5) is hereby enacted to read as follows:

6 §95. Illegal carrying of weapons

7 A. Illegal carrying of weapons is any of the following:

8 * * *

9 (5)(a) The intentional possession or use of a dangerous weapon by any
10 person in any of the following locations:

11 (i) A law enforcement office, station, or building.

12 (ii) A detention facility, prison, or jail.

13 (iii) A courthouse or courtroom, provided that a judge may carry such a
14 weapon in his own courtroom.

15 (iv) The state capitol building.

16 (b) The provisions of this Paragraph shall not apply to a peace officer as
17 defined by R.S. 40:2402(3) in the performance of his official duties.

* * *

SPEAKER OF THE HOUSE OF REPRESENTATIVES

PRESIDENT OF THE SENATE

GOVERNOR OF THE STATE OF LOUISIANA

APPROVED: _____

2024 Regular Session
HOUSE BILL NO. 852
BY REPRESENTATIVE MANDIE LANDRY

ACT No. 456

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AN ACT

To amend and reenact R.S. 14:134(C)(1), relative to the crime of malfeasance in office; to provide relative to the penalties for malfeasance in office; and to provide for related matters.

Be it enacted by the Legislature of Louisiana:

Section 1. R.S. 14:134(C)(1) is hereby amended and reenacted to read as follows:

§134. Malfeasance in office

* * *

C.(1) Whoever commits the crime of malfeasance in office shall be imprisoned for not more than five ten years, with or without hard labor, or ~~shall be~~ fined not more than five thousand dollars, or both.

* * *

SPEAKER OF THE HOUSE OF REPRESENTATIVES

PRESIDENT OF THE SENATE

GOVERNOR OF THE STATE OF LOUISIANA

APPROVED: _____

ACT No. 476

HOUSE BILL NO. 824

BY REPRESENTATIVES MARCELLE, ADAMS, BACALA, BOYD, BOYER, WILFORD CARTER, COX, FISHER, HORTON, JACKSON, KNOX, LAFLEUR, LARVADAIN, LYONS, MOORE, NEWELL, SELDERS, VENTRELLA, VILLIO, AND WILEY AND SENATORS BARROW, BOUDREAUX, CARTER, CLOUD, DUPLESSIS, FIELDS, JACKSON-ANDREWS, AND PRICE

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AN ACT

To amend and reenact R.S. 14:40.6(C), relative to the unlawful disruption of the operation of a school; to provide for penalties; to provide for participation in conflict resolution classes; and to provide for related matters.

Be it enacted by the Legislature of Louisiana:

Section 1. R.S. 14:40.6(C) is hereby amended and reenacted to read as follows:

§40.6. Unlawful disruption of the operation of a school; penalties

* * *

C.(1) Whoever commits the offense of unlawful disruption of the operation of a school shall be fined not more than one thousand dollars or imprisoned ~~with or without hard labor for not less than one year nor more than five years~~ for not more than six months, or both.

(2) For a second or subsequent offense, the offender shall be fined not more than one thousand dollars or imprisoned with or without hard labor for not less than one year nor more than five years, or both.

SENATE BILL NO. 107

BY SENATORS MIZELL, ABRAHAM, BARROW, HODGES, KLEINPETER, MIGUEZ AND MORRIS AND REPRESENTATIVES ADAMS, BERAULT, BILLINGS, CHENEVERT, COATES, COX, DICKERSON, DOMANGUE, EDMONSTON, FONTENOT, HORTON, KERNER, KNOX, LAFLEUR, MACK, OWEN, SCHLEGEL, THOMPSON, VILLIO, WALTERS, WILEY AND WYBLE

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AN ACT

To enact R.S. 14:81.6, relative to offenses affecting the public morals; to create the crime of possessing, trafficking, or importing a child sex doll; to provide definitions; to provide penalties; to provide relative to reporting; and to provide for related matters.

Be it enacted by the Legislature of Louisiana:

Section 1. R.S. 14:81.6 is hereby enacted to read as follows:

§81.6. Possessing, trafficking, or importing a child sex doll; reporting

A.(1) A person commits the crime of possessing a child sex doll by intentionally or knowingly possessing a child sex doll.

(2) A person commits the crime of trafficking a child sex doll by knowingly manufacturing, distributing, selling, transferring, offering to sell, advertising, providing, shipping, delivering for shipment, offering to deliver for shipment, or possessing with the intent to manufacture, distribute, sell, ship, or transfer a child sex doll.

(3) A person commits the crime of importing a child sex doll by knowingly transporting, or causing to be transported, a child sex doll into this state by any means with the intent to distribute, sell, or transfer the child sex doll to another, whether or not the person has taken actual possession of the child sex doll.

B. For purposes of this Section, "child sex doll" means an anatomically correct doll, mannequin, or robot that both:

(1) Has the features of or features that resemble those of an infant or a child under eighteen years of age.

(2) Is intended to be used for sexual stimulation or gratification.

1 C. In a prosecution for a violation of Paragraph (A)(2) of this Section, the
2 possession of two or more child sex dolls creates a rebuttable presumption that
3 a person intends to commit trafficking of a child sex doll.

4 D. This Section shall not apply to a common carrier transporting a
5 container with a child sex doll if the common carrier does not have actual
6 knowledge of the container's contents.

7 E.(1) Whoever violates the provisions of Paragraph (A)(1) of this Section
8 upon conviction shall be imprisoned at hard labor for not more than one year,
9 fined not more than five thousand dollars, or both.

10 (2) Whoever violates the provisions of Paragraph (A)(2) of this Section
11 upon conviction shall be imprisoned at hard labor for not less than six months
12 nor more than one year, fined not more than ten thousand dollars, or both.

13 (3) Whoever violates the provisions of Paragraph (A)(3) of this Section
14 upon conviction shall be imprisoned at hard labor for not less than one year nor
15 more than two years, fined not more than twenty thousand dollars, or both.

16 F. No later than December 31, 2024, and no later than the thirty-first of
17 December of each year thereafter, the court of conviction shall report each
18 conviction pursuant to this Section to the judicial administrator's office of the
19 Louisiana Supreme Court, which shall no later than January 31, 2025, and no
20 later than the thirty-first of January of each year thereafter, submit a report to
21 the governor, the president of the Senate, and the speaker of the House of
22 Representatives that lists, by parish, the total number of persons who have been
23 convicted of a violation of this Section in the preceding year.

PRESIDENT OF THE SENATE

SPEAKER OF THE HOUSE OF REPRESENTATIVES

GOVERNOR OF THE STATE OF LOUISIANA

APPROVED: _____

SENATE BILL NO. 401

BY SENATOR REESE

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AN ACT

To amend and reenact R.S. 14:39.1(C) and 39.2(D) and to enact R.S. 14:2(B)(62), relative to the crimes of vehicular negligent injuring and first degree vehicular negligent injuring; to increase the penalties for vehicular negligent injuring and first degree vehicular negligent injuring under certain circumstances; to provide that first degree vehicular negligent injuring is a crime of violence under certain circumstances; and to provide for related matters.

Be it enacted by the Legislature of Louisiana:

Section 1. R.S. 14:39.1(C) and 39.2(D) are hereby amended and reenacted and R.S. 14:2(B)(62) is hereby enacted to read as follows:

§2. Definitions

* * *

B. In this Code, "crime of violence" means an offense that has, as an element, the use, attempted use, or threatened use of physical force against the person or property of another, and that, by its very nature, involves a substantial risk that physical force against the person or property of another may be used in the course of committing the offense or an offense that involves the possession or use of a dangerous weapon. The following enumerated offenses and attempts to commit any of them are included as "crimes of violence":

* * *

(62) First degree vehicular negligent injuring, when the operator's blood alcohol concentration exceeds 0.20 percent by weight based on grams of alcohol per one hundred cubic centimeters of blood.

* * *

§39.1. Vehicular negligent injuring

* * *

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2 C.(1) Whoever commits the crime of vehicular negligent injuring shall be
3 fined not more than one thousand dollars or imprisoned for not more than six
4 months, or both.

5 (2) Whoever commits the crime of vehicular negligent injuring and who
6 had a blood alcohol concentration, at the time of the commission of the offense,
7 of at least 0.15 percent but less than 0.20 percent by weight based on grams of
8 alcohol per one hundred cubic centimeters of blood, shall be fined not more
9 than one thousand dollars and imprisoned for not less than seven days nor more
10 than six months. At least seven days of the sentence imposed by this Paragraph
11 shall be served without the benefit of probation or suspension of sentence.

12 (3) Whoever commits the crime of vehicular negligent injuring and who
13 had a blood alcohol concentration, at the time of the commission of the offense,
14 of at least 0.20 percent by weight based on grams of alcohol per one hundred
15 cubic centimeters of blood, shall be fined not more than one thousand dollars
16 and imprisoned for not less than thirty days nor more than six months. At least
17 thirty days of the sentence imposed by this Paragraph shall be served without
18 the benefit of probation or suspension of sentence.

19 §39.2. First degree vehicular negligent injuring

* * *

20
21 D.(1)Whoever commits the crime of first degree vehicular negligent injuring
22 shall be fined not more than ~~two~~ **five** thousand dollars or imprisoned with or without
23 hard labor for not more than ~~five~~ **ten** years, or both.

24 (2) Whoever commits the crime of first degree vehicular negligent
25 injuring and who had either a blood alcohol concentration, at the time of the
26 commission of the offense, of at least 0.15 percent by weight based on grams of
27 alcohol per one hundred cubic centimeters of blood, or has a prior conviction
28 for operating a vehicle while intoxicated, shall be fined not more than five
29 thousand dollars and imprisoned with or without hard labor for not less than
30 two years nor more than ten years. At least two years of the sentence imposed

1 shall be served without the benefit of probation, parole, or suspension of
2 sentence. During any period of probation, the court shall order the offender to
3 participate in a court-approved substance abuse treatment program and may
4 require successful completion of a court-approved driver improvement
5 program.

PRESIDENT OF THE SENATE

SPEAKER OF THE HOUSE OF REPRESENTATIVES

GOVERNOR OF THE STATE OF LOUISIANA

APPROVED: _____

2024 Regular Session
HOUSE BILL NO. 127
BY REPRESENTATIVE BAYHAM

ACT No. 542

1 AN ACT

2 To amend and reenact R.S. 14:97, relative to the crime of simple obstruction of a highway
3 of commerce; to provide relative to the elements of the offense; to provide relative
4 to penalties; and to provide for related matters.

5 Be it enacted by the Legislature of Louisiana:

6 Section 1. R.S. 14:97 is hereby amended and reenacted to read as follows:

7 §97. Simple obstruction of a highway of commerce

8 A. Simple obstruction of a highway of commerce is either of the following:

9 (1) ~~the~~ The intentional or criminally negligent placing of anything or the
10 intentional or criminally negligent performance of any act on any railway, railroad,
11 navigable waterway, road, highway, thoroughfare, or runway of an airport, which
12 will render movement thereon more difficult.

13 (2) The conspiracy or aiding and abetting of other individuals to commit
14 either the intentional or criminally negligent placing of anything or the intentional
15 or criminally negligent performance of any act on any railway, railroad, navigable
16 waterway, road, highway, thoroughfare, or runway of an airport, which will render
17 movement thereon more difficult.

18 B. Whoever commits the crime of simple obstruction of a highway of
19 commerce in a manner that violates the provisions of this Section shall be fined not
20 more than ~~two~~ seven hundred fifty dollars, or imprisoned for not more than six
21 months, or both.

1 C. The provisions of this Section shall not apply to an employee or
2 contractor of any public utility or a provider of electric utility services,
3 communications, telecommunications, video, or information services, to the extent
4 that the employee or contractor is acting on behalf of such entity in a road, highway,
5 or thoroughfare.

SPEAKER OF THE HOUSE OF REPRESENTATIVES

PRESIDENT OF THE SENATE

GOVERNOR OF THE STATE OF LOUISIANA

APPROVED: _____

2024 Regular Session
HOUSE BILL NO. 224
BY REPRESENTATIVES KERNER AND THOMPSON

ACT No. 551

1 AN ACT

2 To amend and reenact R.S. 14:102.1(A)(2)(a) and (b) and (B)(5), relative to the crime of
3 cruelty to animals; to provide for prohibition of owning or keeping an animal after
4 committing the offense of simple cruelty to animals or aggravated cruelty to animals;
5 to provide for penalties; and to provide for related matters.

6 Be it enacted by the Legislature of Louisiana:

7 Section 1. R.S. 14:102.1(A)(2)(a) and (b) and (B)(5) are hereby amended and
8 reenacted to read as follows:

9 §102.1. Cruelty to animals; simple and aggravated

10 A.

11 * * *

12 (2)(a) Whoever commits the crime of simple cruelty to animals shall be fined
13 not more than one thousand dollars, or imprisoned for not more than six months, or
14 both. ~~In addition, the~~ The court may also order the offender to pay for any expenses
15 incurred for the housing of the animal and for medical treatment of the animal,
16 pursuant to Code of Criminal Procedure Article 883.2. In addition, the court may
17 issue an order prohibiting the defendant from owning or keeping animals for a period
18 of not more than one year.

19 (b) Whoever commits a second or subsequent offense of simple cruelty to
20 animals shall be fined not less than five thousand dollars nor more than twenty-five
21 thousand dollars or imprisoned, with or without hard labor, for not less than one year
22 nor more than ten years, or both. In addition, the court ~~shall~~ may issue an order

1 prohibiting the defendant from owning or keeping animals for a period of ~~time~~
2 ~~deemed appropriate by the court~~ not more than five years.

3 * * *

4 B.

5 * * *

6 (5) In addition to any other penalty imposed for a violation of this
7 Subsection, the offender shall be ordered to undergo a psychological evaluation and
8 subsequently recommended psychological treatment and ~~shall~~ may be banned by
9 court order from owning or keeping animals for a period of ~~time deemed appropriate~~
10 ~~by the court~~ not more than ten years. Any costs associated with any evaluation or
11 treatment ordered by the court shall be borne by the defendant.

12 * * *

SPEAKER OF THE HOUSE OF REPRESENTATIVES

PRESIDENT OF THE SENATE

GOVERNOR OF THE STATE OF LOUISIANA

APPROVED: _____

2024 Regular Session
HOUSE BILL NO. 507
BY REPRESENTATIVE ZERINGUE

ACT No. 565

1 AN ACT

2 To amend and reenact R.S. 14:61(B)(1), (C), and (D) and to enact R.S. 14:61(E), relative to
3 the unlawful entry of a critical infrastructure; to provide relative to the definition of
4 a critical infrastructure; to provide for enhanced sentencing upon subsequent
5 offenses; and to provide for related matters.

6 Be it enacted by the Legislature of Louisiana:

7 Section 1. R.S. 14:61(B)(1), (C), and (D) are hereby amended and reenacted and
8 R.S. 14:61(E) is hereby enacted to read as follows:

9 §61. Unauthorized entry of a critical infrastructure

10 * * *

11 B. For the purposes of this Section, the following words shall have the
12 following meanings:

13 (1) "Critical infrastructure" means any and all structures, equipment, or other
14 immovable or movable property located within or upon chemical manufacturing
15 facilities, refineries, electrical power generating facilities, electrical transmission
16 substations and distribution substations, water intake structures and water treatment
17 facilities, natural gas transmission compressor stations, ~~liquified~~ liquefied natural gas
18 (LNG) terminals and storage facilities, natural gas and hydrocarbon storage facilities,
19 transportation facilities, such as ports, railroad switching yards, pipelines, and

1 trucking terminals, water control structures including floodgates or pump stations,
 2 wireline and wireless communications and data network facilities, or any site where
 3 the construction or improvement of any facility or structure referenced in this
 4 Section is occurring.

5 * * *

6 C.(1) ~~Whoever~~ Except as provided in Paragraph (2) of this Subsection,
 7 whoever commits the crime of unauthorized entry of a critical infrastructure shall be
 8 imprisoned with or without hard labor for not more than five years, fined not more
 9 than one thousand dollars, or both.

10 (2) On a conviction for a second or subsequent violation of Subsection A of
 11 this Section, the offender shall be imprisoned with or without hard labor for not less
 12 than six months nor more than ten years, fined not less than five hundred dollars nor
 13 more than four thousand dollars, or both.

14 D. Whoever commits the crime of unauthorized entry of a critical
 15 infrastructure during the existence of a state of emergency, which has been declared
 16 by the governor or the chief executive officer of any parish, shall be fined not more
 17 than five thousand dollars and shall be imprisoned at hard labor for not less than
 18 three years nor more than fifteen years.

19 ~~D.~~ E. Nothing in this Section shall be construed to apply to or prevent the
 20 following:

21 (1) Lawful assembly and peaceful and orderly petition, picketing, or
 22 demonstration for the redress of grievances or to express ideas or views regarding
 23 legitimate matters of public interest, including but not limited to any labor dispute
 24 between any employer and its employee or position protected by the United States
 25 Constitution or the Constitution of Louisiana.

26 (2) Lawful commercial or recreational activities conducted in the open or
 27 unconfined areas around a pipeline, including but not limited to fishing, hunting,
 28 boating, and birdwatching.

1 (3) Nothing in this Section shall be construed to prevent the owner of an
2 immovable from exercising right of ownership, including use, enjoyment, and
3 disposition within the limits and under the conditions established by law.

SPEAKER OF THE HOUSE OF REPRESENTATIVES

PRESIDENT OF THE SENATE

GOVERNOR OF THE STATE OF LOUISIANA

APPROVED: _____

2024 Regular Session

ACT No. 570

HOUSE BILL NO. 779

BY REPRESENTATIVES BOYD, BRYANT, CARPENTER, CHASSION, COX, GREEN,
HUGHES, KNOX, LAFLEUR, LYONS, MARCELLE, MENA, MOORE,
NEWELL, SELDERS, TAYLOR, AND WALTERS

1 AN ACT

2 To amend and reenact R.S. 14:46.3(B), relative to the crime of trafficking of children for
3 sexual purposes; to provide for a definition; and to provide for related matters.

4 Be it enacted by the Legislature of Louisiana:

5 Section 1. R.S. 14:46.3(B) is hereby amended and reenacted to read as follows:

6 §46.3. Trafficking of children for sexual purposes

7 * * *

8 B. For purposes of this Section, "commercial sexual activity" means any
9 ~~sexual act performed or conducted~~ lewd or lascivious act upon the person or in the
10 presence of any child when any thing of value has been given, promised, or received
11 by any person.

12 * * *

SPEAKER OF THE HOUSE OF REPRESENTATIVES

PRESIDENT OF THE SENATE

GOVERNOR OF THE STATE OF LOUISIANA

APPROVED: _____

SENATE BILL NO. 306

BY SENATORS CATHEY, ABRAHAM, BARROW, HODGES, KLEINPETER, MIGUEZ
AND MORRIS

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AN ACT

To amend and reenact R.S. 14:46.2(A)(1)(a), (B)(2), and (F)(1), and 46.3(D), relative to the penalties for human trafficking; to increase the penalties for human trafficking committed against certain victims; and to provide for related matters.

Be it enacted by the Legislature of Louisiana:

Section 1. R.S. 14:46.2(A)(1)(a), (B)(2), and (F)(1) and 46.3(D) are hereby amended and reenacted to read as follows:

§46.2. Human trafficking

A. It shall be unlawful:

(1)(a) For any person to knowingly recruit, harbor, transport, provide, solicit, **sell**, receive, isolate, entice, obtain, patronize, procure, purchase, hold, restrain, induce, threaten, subject, or maintain the use of another person through fraud, force, or coercion to provide services or labor.

* * *

B.

* * *

(2)(a) Whoever commits the crime of human trafficking when the services include commercial sexual activity or ~~any sexual conduct constituting a crime under the laws of this state~~ **a sex offense as defined in R.S. 15:541** shall be fined not more than fifteen thousand dollars and shall be imprisoned at hard labor for not more than twenty years.

(b)Whoever commits the crime of human trafficking in violation of the provisions of Subparagraph (A)(1)(b) of this Section **involving a person under the age of twenty-one years but eighteen years or older** shall be fined not more than fifty thousand dollars, imprisoned at hard labor for not less than fifteen years, nor more than fifty years, or both.

(c) Whoever commits the crime of human trafficking in violation of the

provisions of Subparagraph (A)(1)(b) of this Section when the trafficking involves a person under the age of eighteen years shall be punished by life imprisonment at hard labor without benefit of probation, parole, or suspension of sentence and fined not more than seventy-five thousand dollars.

* * *

F.(1) A victim of trafficking involving services that include commercial sexual activity or ~~any sexual contact which constitutes a crime pursuant to the laws of this state~~ **a sex offense as defined in R.S. 15:541** shall have an affirmative defense to prosecution for any of the following offenses which were committed as a direct result of being trafficked:

- (a) R.S. 14:82 (Prostitution).
- (b) R.S. 14:83.3 (Prostitution by massage).
- (c) R.S. 14:83.4 (Massage; sexual conduct prohibited).
- (d) R.S. 14:89 (Crime against nature).
- (e) R.S. 14:89.2 (Crime against nature by solicitation).

* * *

§46.3. Trafficking of children for sexual purposes

* * *

D.(1)~~(a)~~ Whoever violates the provisions of Paragraph (A)(1), (2), (4), (5), or (6) of this Section shall be **punished by life imprisonment at hard labor without benefit of probation, parole, or suspension of sentence and** fined not more than ~~fifty~~ **seventy-five** thousand dollars, ~~imprisoned at hard labor for not less than fifteen, nor more than fifty years, or both.~~

~~(b) Whoever violates the provisions of Paragraph (A)(1), (2), (4), (5), or (6) of this Section when the victim is under the age of fourteen years shall be fined not more than seventy-five thousand dollars and imprisoned at hard labor for not less than twenty-five years nor more than fifty years. At least twenty-five years of the sentence imposed shall be served without benefit of probation, parole, or suspension of sentence.~~

~~(c) Any person who violates the provisions of Paragraph (A)(1), (2), (4), (5),~~

SB NO. 306

1 or (6) of this Section, who was previously convicted of a sex offense as defined in
2 R.S. 15:541 when the victim of the sex offense was under the age of eighteen years,
3 shall be fined not more than one hundred thousand dollars and shall be imprisoned
4 at hard labor for not less than fifty years or for life. At least fifty years of the
5 sentence imposed shall be served without benefit of parole, probation, or suspension
6 of sentence.

7 (2) Whoever violates the provisions of Paragraph (A)(3) of this Section shall
8 be **fined not more than fifty thousand dollars, imprisoned at hard labor for not**
9 **less than fifteen nor more than fifty years or both with** shall be required to serve
10 at least five years **being served** of the sentence provided for in Subparagraph
11 (D)(1)(a) of this Section without benefit of probation, parole, or suspension of
12 sentence. Whoever violates the provisions of Paragraph (A)(3) when the victim is
13 under the age of fourteen years shall be **fined not more than seventy-five thousand**
14 **dollars and imprisoned at hard labor for not less than twenty-five nor more**
15 **than fifty years, with** required to serve at least ten years **being served** of the
16 sentence provided for in Subparagraph (D)(1)(b) of this Section without benefit of
17 probation, parole, or suspension of sentence.

18 * * *

PRESIDENT OF THE SENATE

SPEAKER OF THE HOUSE OF REPRESENTATIVES

GOVERNOR OF THE STATE OF LOUISIANA

APPROVED: _____

2024 Regular Session
HOUSE BILL NO. 130

ACT No. 597

BY REPRESENTATIVES BAYHAM AND KNOX

1 AN ACT

2 To amend and reenact R.S. 14:81.2(B)(2) and (3)(a), relative to the crime of molestation of
3 a juvenile; to provide for penalties for molestation of a juvenile in certain
4 circumstances; and to provide for related matters.

5 Be it enacted by the Legislature of Louisiana:

6 Section 1. R.S. 14:81.2(B)(2) and (3)(a) are hereby amended and reenacted to read
7 as follows:

8 §81.2. Molestation of a juvenile or a person with a physical or mental disability

9 * * *

10 B.

11 * * *

12 (2) Whoever commits the crime of molestation of a juvenile, when the victim
13 is thirteen years of age or older but has not yet attained the age of seventeen, and
14 when the offender has control or supervision over the juvenile, shall be fined not
15 more than ten thousand dollars, or imprisoned, with or without hard labor, for not
16 less than ~~five~~ ten years nor more than twenty years, or both. The defendant shall not
17 be eligible to have his conviction set aside or his prosecution dismissed in
18 accordance with Code of Criminal Procedure Article 893.

19 (3)(a) Whoever commits the crime of molestation of a juvenile, when the
20 victim is thirteen years of age or older but has not yet attained the age of seventeen,
21 and when the offender is in a position of supervision or entrusted with a supervisory
22 role of the juvenile that includes but is not limited to a religious, charitable,

SENATE BILL NO. 371

BY SENATOR BARROW AND REPRESENTATIVE BOYD

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AN ACT

To amend and reenact the introductory paragraph of R.S. 14:91.2(B) and to enact R.S. 14:43.7, relative to sentencing for certain sex offenses; to provide relative to the administration of surgical castration for sex offenses when the victim is under the age of thirteen at the time of the offense; to provide for medical evaluations of the offender conducted prior to treatment; to provide an exception; to provide relative to the crime of unlawful presence of a sex offender; to raise the maximum age of the victim of the underlying offense under certain circumstances; and to provide for related matters.

Be it enacted by the Legislature of Louisiana:

Section 1. The introductory paragraph of R.S. 14:91.2(B) is hereby amended and reenacted and R.S. 14:43.7 is hereby enacted to read as follows:

§43.7. Administration of surgical castration for certain sex offenders; failure to comply with court order
A. Notwithstanding any other provision of law to the contrary, upon conviction of any sex offense as defined in R.S. 15:541 that is also an aggravated offense as defined in R.S. 15:541, except sexual battery prosecuted under R.S.

1 14:43.1(C)(2) and second degree sexual battery, occurring on or after August
 2 1, 2024, when the victim is under the age of thirteen at the time of the offense,
 3 in addition to any other sentence imposed for the offense, the court may
 4 sentence the offender to be surgically castrated, to be administered by the
 5 Department of Public Safety and Corrections by a licensed physician. The
 6 department shall provide the services necessary to perform the castration.

7 B.(1) An order of the court sentencing an offender to surgical castration
 8 under this Section shall be contingent upon a determination by a court
 9 appointed medical expert that the offender is an appropriate candidate for
 10 surgery. Notwithstanding Paragraph (2) of this Subsection, this determination
 11 shall be made not later than sixty days from the imposition of sentence.

12 (2) In all cases involving an offender sentenced to a period of
 13 incarceration or confinement in an institution, the procedure shall be
 14 performed not later than one week prior to the offender's release from the
 15 institution.

16 (3) If an offender fails to appear as required by court order for purposes
 17 of the procedure, or refuses to allow the procedure, then the offender shall be
 18 charged with a violation of the provisions of this Section. Upon conviction, the
 19 offender shall be imprisoned, with or without hard labor, for not less than three
 20 years nor more than five years without benefit of probation, parole, or
 21 suspension of sentence.

22 C. Nothing in this Section shall be construed to require the surgical
 23 castration when it is not medically appropriate.

24 D. The provisions of this Section shall not apply to an offender who is
 25 under the age of seventeen years.

26 * * *

27 §91.2. Unlawful presence of a sex offender

28 * * *

29 B. The following acts, when committed by a person convicted of either an
 30 aggravated offense as defined in R.S. 15:541 when the victim is under the age of

SENATE BILL NO. 466

BY SENATORS EDMONDS, ABRAHAM, CLOUD, CONNICK, FESI, HENRY, KLEINPETER, MIGUEZ, MORRIS, SEABAUGH, STINE, TALBOT AND WOMACK AND REPRESENTATIVES BAYHAM, KNOX, LAFLEUR, ROMERO AND WILDER

1 AN ACT

2 To amend and reenact R.S. 14:63(C)(2) and Code of Civil Procedure Art. 3601(E) and to
3 enact Code of Civil Procedure Art. 3601(F) and 3603(D), relative to criminal
4 trespass; to provide that occupants who fail to obey an order to vacate within five
5 days commit criminal trespass; to provide that a squatter commits criminal trespass
6 if he fails to vacate after being directed to do so by a lawful possessor; to provide for
7 injunctive relief; and to provide for related matters.

8 Be it enacted by the Legislature of Louisiana:

9 Section 1. R.S. 14:63(C)(2) is hereby amended and reenacted to read as follows:

10 §63. Criminal trespass; squatters

11 * * *

12 C. * * *

13 (2) For purposes of this Subsection, ~~the phrase:~~

14 (a)"remain **Remain** in or upon property" ~~as used in this Subsection,~~ in
15 addition to its common meaning, signification, and connotation, ~~shall include~~
16 includes:

17 (i) The continued presence of an occupant, as defined by Code of Civil
18 Procedure Article 4704, for longer than five days after being served with written
19 notice to vacate in accordance with Code of Civil Procedure Articles 4702 or
20 4703.

21 (ii) The continued presence of a squatter who has been directed to vacate
22 by a lawful possessor either verbally, by written notice, or by posting of
23 conspicuous signage advising that the property is privately owned and unlawful
24 trespass is prohibited.

25 (iii) The continued presence of a person in violation of a temporary

1 **restraining order, preliminary injunction, or a permanent injunction.**

2 ~~(iv) the~~ **The** operation of an unmanned aircraft system as defined by R.S.
 3 14:337 in the air space over immovable property owned by another with the intent
 4 to conduct surveillance of the property or of any individual lawfully on the property.

5 ~~(3) The provisions of This Subparagraph Item (1) of this Subsection shall not~~
 6 apply to any person operating an unmanned aircraft system in compliance with
 7 federal law or Federal Aviation Administration regulations or authorization.

8 **(b) "Squatter" means any person who remains in or upon property to**
 9 **which he lacks a right of possession, ownership, occupancy, or a lease interest.**

10 * * *

11 Section 2. Code of Civil Procedure Art. 3601(E) is hereby amended and
 12 reenacted and Code of Civil Procedure Art. 3601(F) and 3603(D) are hereby enacted
 13 to read as follows:

14 Art. 3601. Injunction, grounds for issuance; preliminary injunction; temporary
 15 restraining order

16 * * *

17 E. The irreparable injury, loss, or damage enumerated in Paragraph A of this
 18 Article may result from:

19 ~~(1) the~~ **The** isolation of an individual over the age of eighteen years by any
 20 other individual, curator, or mandatary, including but not limited to violations of
 21 Civil Code Article 2995 or Code of Civil Procedure Article 4566(J).

22 **(2) A person being denied the use or enjoyment of immovable property**
 23 **in which he has an ownership, possessory, or lease interest by a person who does**
 24 **not have a legal interest in the property.**

25 **F.(1) Notwithstanding the provisions of Code of Civil Procedure Article**
 26 **3610, security shall not be required for a temporary restraining order or**
 27 **preliminary injunction seeking removal of a person from immovable property**
 28 **in which he does not have a legal interest.**

29 **(2) Nothing in this Section shall prohibit a petitioner from pursuing any**
 30 **other remedy provided by law.**

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Art. 3603. Temporary restraining order; affidavit or affirmation of irreparable injury
and notification efforts

**D. The plaintiff's assertion by affidavit that he is being denied the use or
enjoyment of immovable property in which he has an ownership, possessory, or
lease interest by a person without a legal interest in the property shall be
sufficient to justify the issuance of a temporary restraining order without notice.**

PRESIDENT OF THE SENATE

SPEAKER OF THE HOUSE OF REPRESENTATIVES

GOVERNOR OF THE STATE OF LOUISIANA

APPROVED: _____

BY REPRESENTATIVES DICKERSON, BACALA, BAYHAM, BILLINGS, BOYD, BRASS, CARRIER, CHENEVERT, COATES, DEWITT, EDMONSTON, EGAN, EMERSON, FISHER, HORTON, JACKSON, LAFLEUR, MACK, OWEN, ROMERO, SELDERS, THOMPSON, AND WILDER

1 AN ACT

2 To enact R.S. 14:103.3, relative to offenses affecting general peace and order; to prohibit the
3 petitioning, picketing, or assembling with other persons near an individual's
4 residence for certain purposes; to provide for penalties; to provide for a definition;
5 and to provide for related matters.

6 Be it enacted by the Legislature of Louisiana:

7 Section 1. R.S. 14:103.3 is hereby enacted to read as follows:

8 §103.3. Disturbing the peace; residences

9 A. No person shall petition, picket, demonstrate, or assemble with other
10 persons within fifty feet of an individual's residence in a manner which interferes,
11 disrupts, threatens to disrupt, or harasses the individual's right to control or use his
12 residence.

13 B. Whoever violates the provisions of this Section shall be fined not more
14 than five hundred dollars. Each day on which a violation occurs shall constitute a
15 separate offense.

1 C. For purpose of this Section, "residence" shall mean the dwelling, house,
2 apartment, or other structure used in whole or in part as a home or place of abode of
 any individual.

SPEAKER OF THE HOUSE OF REPRESENTATIVES

PRESIDENT OF THE SENATE

GOVERNOR OF THE STATE OF LOUISIANA

APPROVED: _____

ACT No. 662

HOUSE BILL NO. 776

BY REPRESENTATIVES BRYANT, BACALA, BOYER, COX, HORTON, KNOX,
LAFLEUR, MOORE, VENTRELLA, VILLIO, AND WALTERS

1 AN ACT

2 To amend and reenact R.S. 14:32.1(A)(1) and (3) through (5), 32.8(A)(2)(a) and (c) through
3 (e), 39.1(A)(1) and (3), 39.2(A)(1) and (3), 98(A)(1)(introductory paragraph), (a),
4 and (c) and (2), (C)(1)(e) and (3), (E), and (F)(1) and (2), 98.1(Section heading),
5 98.2(Section heading), 98.3(Section heading), 98.4(Section heading), 98.5(B)(4),
6 98.6(A), and 98.7(A) and R.S. 32:661(A)(1) and (2), 661.1(A), 661.2(A), 664(A),
7 666(A)(1)(a)(i) and (2)(c) and (B), 667.1(C)(2) and (3), 668(A)(1),
8 681(A)(introductory paragraph) and (B), (C), and (D), to enact R.S. 14:98(A)(3) and
9 R.S. 32:661(E) and 681(H), and to repeal R.S. 14:32.1(A)(6) and (7), 32.8(A)(2)(f)
10 and (g), 39.1(A)(4) and (5), 39.2(A)(4) and (5), and 98(A)(1)(d) and (e), relative to
11 operating a vehicle while intoxicated; to provide relative to changes in terminology;
12 to provide for a definition; to provide relative to elements of certain offenses
13 involving a motor vehicle and the operator of a motor vehicle; and to provide for
14 related matters.

15 Be it enacted by the Legislature of Louisiana:

16 Section 1. R.S. 14:32.1(A)(1) and (3) through (5), 32.8(A)(2)(a) and (c) through (e),
17 39.1(A)(1) and (3), 39.2(A)(1) and (3), 98(A)(1)(introductory paragraph), (a), and (c) and
18 (2), (C)(1)(e) and (3), (E), and (F)(1) and (2), 98.1(Section heading), 98.2(Section heading),
19 98.3(Section heading), 98.4(Section heading), 98.5(B)(4), 98.6(A), and 98.7(A) are hereby
20 amended and reenacted and R.S. 14:98(A)(3) is hereby enacted to read as follows:

21 §32.1. Vehicular homicide

22 A. Vehicular homicide is the killing of a human being caused proximately
23 or caused directly by an offender engaged in the operation of, or in actual physical
24 control of, any motor vehicle, aircraft, watercraft, or other means of conveyance,

1 whether or not the offender had the intent to cause death or great bodily harm,
2 whenever any of the following conditions exists and such condition was a
3 contributing factor to the killing:

4 (1) The operator is ~~under the influence of~~ impaired by alcoholic beverages
5 as determined by chemical tests administered under the provisions of R.S. 32:662.

6 * * *

7 (3)(a) The operator is ~~under the influence of any controlled dangerous~~
8 ~~substance listed in Schedule I, II, III, IV, or V as set forth in R.S. 40:964~~ impaired
9 by any other drug, combination of drugs, or combination of alcohol and drugs.

10 (b) As used in this Section, the term "drug" means any substance or
11 combination of substances that, when taken into the human body, can impair the
12 ability of the person to operate a vehicle safely.

13 (4) The operator is ~~under the influence of~~ impaired by alcoholic beverages.

14 (5)(a) ~~The operator is under the influence of a combination of alcohol and~~
15 ~~one or more drugs which are not controlled dangerous substances and which are~~
16 ~~legally obtainable with or without a prescription.~~

17 (b) ~~It shall be an affirmative defense to any charge under this Paragraph~~
18 ~~pursuant to this Section that the label on the container of the prescription drug or the~~
19 ~~manufacturer's package of the drug does not contain a warning against combining~~
20 ~~the medication with alcohol.~~

21 (6) ~~The operator is under the influence of one or more drugs which are not~~
22 ~~controlled dangerous substances and which are legally obtainable with or without a~~
23 ~~prescription and the influence is caused by the operator knowingly consuming~~
24 ~~quantities of the drug or drugs which substantially exceed the dosage prescribed by~~
25 ~~the physician or the dosage recommended by the manufacturer of the drug.~~

26 (7) The operator's blood has any detectable amount of any controlled
27 dangerous substance listed in Schedule I, II, III, or IV as set forth in R.S. 40:964, or
28 a metabolite of such controlled dangerous substance, that has not been medically
29 ordered or prescribed for the individual.

30 * * *

1 §32.8. Third degree feticide

2 A. Third degree feticide is:

3 * * *

4 (2) The killing of an unborn child caused proximately or caused directly by
5 an offender engaged in the operation of, or in actual physical control of, any motor
6 vehicle, aircraft, vessel, or other means of conveyance whether or not the offender
7 had the intent to cause death or great bodily harm whenever any of the following
8 conditions exist and such condition was a contributing factor to the killing:

9 (a) The offender is ~~under the influence of~~ impaired by alcoholic beverages
10 as determined by chemical tests administered under the provisions of R.S. 32:662.

11 * * *

12 (c)(i) The offender is ~~under the influence of any controlled dangerous~~
13 ~~substance listed in Schedule I, II, III, IV, or V as set forth in R.S. 40:964~~ impaired
14 by any other drug, combination of drugs, or combination of alcohol and drugs.

15 (ii) As used in this Section, the term "drug" means any substance or
16 combination of substances that, when taken into the human body, can impair the
17 ability of the person to operate a vehicle safely.

18 (d) The offender is ~~under the influence of~~ impaired by alcoholic beverages.

19 (e)(i) ~~The offender is under the influence of a combination of alcohol and~~
20 ~~one or more drugs which are not controlled dangerous substances and which are~~
21 ~~legally obtainable with or without a prescription.~~

22 (ii) ~~It shall be an affirmative defense to any charge under this Subparagraph~~
23 ~~that the label on the container of the prescription drug or the manufacturer's package~~
24 ~~of the drug does not contain a warning against combining the medication with~~
25 ~~alcohol.~~

26 (f) ~~The offender is under the influence of one or more drugs which are not~~
27 ~~controlled dangerous substances and which are legally obtainable with or without a~~
28 ~~prescription and the influence is caused by the offender's knowingly consuming~~
29 ~~quantities of the drug or drugs which substantially exceed the dosage prescribed by~~
30 ~~the physician or the dosage recommended by the manufacturer of the drug.~~

1 quantities of the drug or drugs which substantially exceed the dosage prescribed by
2 the physician or the dosage recommended by the manufacturer of the drug.

3 * * *

4 §39.2. First degree vehicular negligent injuring

5 A. First degree vehicular negligent injuring is the inflicting of serious bodily
6 injury upon the person of a human being when caused proximately or caused directly
7 by an offender engaged in the operation of, or in actual physical control of, any
8 motor vehicle, aircraft, watercraft, or other means of conveyance whenever any of
9 the following conditions exists:

10 (1) The offender is ~~under the influence of~~ impaired by alcoholic beverages.

11 * * *

12 (3)(a) The offender is ~~under the influence of any controlled dangerous~~
13 ~~substance listed in Schedule I, II, III, IV, or V as set forth in R.S. 40:964, or any~~
14 ~~abused substance~~ impaired by any other drug, combination of drugs, or combination
15 of alcohol and drugs.

16 (b) As used in this Section, the term "drug" means any substance or
17 combination of substances that, when taken into the human body, can impair the
18 ability of the person to operate a vehicle safely.

19 (4)(a) ~~The operator is under the influence of a combination of alcohol and~~
20 ~~one or more drugs which are not controlled dangerous substances and which are~~
21 ~~legally obtainable with or without a prescription.~~

22 (b) ~~It shall be an affirmative defense to any charge under this Paragraph~~
23 ~~pursuant to this Section that the label on the container of the prescription drug or the~~
24 ~~manufacturer's package of the drug does not contain a warning against combining~~
25 ~~the medication with alcohol.~~

26 (5) ~~The operator is under the influence of one or more drugs which are not~~
27 ~~controlled dangerous substances and which are legally obtainable with or without a~~
28 ~~prescription and the influence is caused by the operator knowingly consuming~~

1 quantities of the drug or drugs which substantially exceed the dosage prescribed by
2 the physician or the dosage recommended by the manufacturer of the drug.

3 * * *

4 §98. Operating a vehicle while ~~intoxicated~~ impaired

5 A.(1) The crime of operating a vehicle while ~~intoxicated~~ impaired is the
6 operating of any motor vehicle, aircraft, watercraft, vessel, or other means of
7 conveyance when any of the following conditions exist:

8 (a) The operator is ~~under the influence of~~ impaired by alcoholic beverages.

9 * * *

10 (c) The operator is ~~under the influence of any controlled dangerous substance~~
11 ~~listed in Schedule I, II, III, IV, or V as set forth in R.S. 40:964~~ impaired by any other
12 drug, combination of drugs, or combination of alcohol and drugs.

13 ~~(d)(i) The operator is under the influence of a combination of alcohol and~~
14 ~~one or more drugs that are not controlled dangerous substances and that are legally~~
15 ~~obtainable with or without a prescription.~~

16 ~~(ii) It shall be an affirmative defense to any charge under this Subparagraph~~
17 ~~that the label on the container of the prescription drug or the manufacturer's package~~
18 ~~of the drug does not contain a warning against combining the medication with~~
19 ~~alcohol.~~

20 ~~(e)(i) The operator is under the influence of one or more drugs that are not~~
21 ~~controlled dangerous substances and that are legally obtainable with or without a~~
22 ~~prescription.~~

23 ~~(ii) It shall be an affirmative defense to any charge under this Subparagraph~~
24 ~~that the operator did not knowingly consume quantities of the drug or drugs that~~
25 ~~substantially exceed the dosage prescribed by the physician or the dosage~~
26 ~~recommended by the manufacturer of the drug.~~

27 (2) A valid driver's license shall not be an element of the offense, and the
28 lack thereof shall not be a defense to a prosecution for operating a vehicle while
29 ~~intoxicated~~ impaired.

1 (3) As used in this Section, the term "drug" means any substance or
2 combination of substances that, when taken into the human body, can impair the
3 ability of the person to operate a vehicle safely.

4 * * *

5 C.(1) For purposes of determining whether a defendant has a prior
6 conviction for a violation of this Section, a conviction under any of the following
7 shall constitute a prior conviction:

8 * * *

9 (e) A law of any state or an ordinance of a municipality, town, or similar
10 political subdivision of another state that prohibits the operation of any motor
11 vehicle, aircraft, watercraft, vessel, or other means of conveyance ~~while intoxicated,~~
12 while impaired, or while under the influence of alcohol, drugs, or any controlled
13 dangerous substance, or as otherwise provided by R.S. 13:1894.1.

14 * * *

15 (3) For purposes of this Section, a prior conviction shall not include a
16 conviction for an offense under this Section, a conviction for an offense under R.S.
17 14:39.1, or a conviction under the laws of any state or an ordinance of a
18 municipality, town, or similar political subdivision of another state which prohibits
19 the operation of any motor vehicle, aircraft, watercraft, vessel, or other means of
20 conveyance ~~while intoxicated,~~ while impaired, or while under the influence of
21 alcohol, drugs, or any controlled dangerous substance, or as otherwise provided by
22 R.S. 13:1894.1, if committed more than ten years prior to the commission of the
23 crime for which the defendant is being tried, and such conviction shall not be
24 considered in the assessment of penalties in this Section. However, periods of time
25 during which the offender was awaiting trial, under an order of attachment for failure
26 to appear, or on probation or parole for an offense described in this Paragraph, or
27 periods of time during which an offender was incarcerated in a penal institution in
28 this or any other state for any offense, including an offense described in Paragraph
29 (1) of this Subsection, shall be excluded in computing the ten-year period.

30 * * *

1 B.

2 * * *

3 (4) An offender who has been convicted of any second violation of any state
4 or local law or ordinance prohibiting operating a vehicle while ~~intoxicated~~ impaired,
5 committed within five years of the commission of any prior operating while
6 ~~intoxicated~~ impaired violation, shall not be eligible for home incarceration until the
7 offender has first served a minimum of forty-eight consecutive hours of
8 imprisonment.

9 * * *

10 §98.6. Underage operating while ~~intoxicated~~ impaired

11 A. The crime of underage operating a vehicle while ~~intoxicated~~ impaired is
12 the operating of any motor vehicle, aircraft, watercraft, vessel, or other means of
13 conveyance when the operator's blood alcohol concentration is 0.02 percent or more
14 by weight based on grams of alcohol per one hundred cubic centimeters of blood, if
15 the operator is under the age of twenty-one.

16 * * *

17 §98.7. Unlawful refusal to submit to chemical tests; arrests for driving while
18 ~~intoxicated~~ impaired

19 A. No person under arrest for a violation of R.S. 14:98, ~~98.4~~ 98.6, or any
20 other law or ordinance that prohibits operating a vehicle while ~~intoxicated~~ impaired,
21 may refuse to submit to a chemical test when requested to do so by a law
22 enforcement officer if he has refused to submit to such test on two previous and
23 separate occasions of any such violation.

24 * * *

25 Section 2. R.S. 32:661(A)(1) and (2), 661.1(A), 661.2(A), 664(A), 666(A)(1)(a)(i)
26 and (2)(c) and (B), 667.1(C)(2) and (3), 668(A)(1), 681(A)(introductory paragraph) and (B),
27 (C), and (D) are hereby amended and reenacted and R.S. 32:661(E) and 681(H) are hereby
28 enacted to read as follows:

1 §661. Operating a vehicle under the influence of alcoholic beverages or illegal
 2 substance or controlled dangerous substances; implied consent to chemical
 3 tests; administering of test and presumptions

4 A.(1) Any person, regardless of age, who operates a motor vehicle upon the
 5 public highways of this state shall be deemed to have given consent, subject to the
 6 provisions of R.S. 32:662, to a chemical test or tests of his blood, breath, urine, or
 7 other bodily substance for the purpose of determining the alcoholic content of his
 8 blood, and the presence of any ~~abused substance or controlled dangerous substance~~
 9 ~~as set forth in R.S. 40:964~~ drug in his blood if arrested for any offense arising out of
 10 acts alleged to have been committed while the person was driving or in actual
 11 physical control of a motor vehicle while believed to be under the influence of
 12 alcoholic beverages, ~~or any abused substance or controlled dangerous substance as~~
 13 ~~set forth in R.S. 40:964~~ any drug, combination of drugs, or combination of alcohol
 14 and drugs.

15 (2)(a) The test or tests shall be administered at the direction of a law
 16 enforcement officer having reasonable grounds to believe the person, regardless of
 17 age, to have been driving or in actual physical control of a motor vehicle upon the
 18 public highways of this state while under the influence of either alcoholic beverages,
 19 ~~or any abused substance or controlled dangerous substance as set forth in R.S.~~
 20 ~~40:964~~ any drug, combination of drugs, or combination of alcohol and drugs. The
 21 law enforcement agency by which such officer is employed shall designate in writing
 22 and under what conditions which of the aforesaid tests shall be administered.

23 (b) In the case of all traffic fatalities, the coroner, or his designee, shall
 24 perform or cause to be performed a toxicology screen on the victim or victims of all
 25 traffic fatalities for determining evidence of any alcoholic content of the blood and
 26 the presence of any ~~abused substance or controlled dangerous substance as set forth~~
 27 ~~in R.S. 40:964~~ drug, or combination of drugs, which shall include the extracting of
 28 all bodily substance samples necessary for such toxicology screen. The coroner, or
 29 his designee, shall be responsible for ensuring the body is not removed from his
 30 custody until such time as the bodily substance samples are extracted. The coroner's

1 report shall be made available to the investigating law enforcement agency and may
 2 be admissible in any court of competent jurisdiction as evidence of the alcoholic
 3 content of the blood and the presence of any ~~abused substance or controlled~~
 4 ~~dangerous substance as set forth in R.S. 40:964~~ drug, or combination of drugs, at the
 5 time of the fatality. The coroner, or his designee, shall determine, by the most
 6 current and accepted scientific method available, whether the presence of alcoholic
 7 content in the blood of the deceased is the result of pre-death ingestion of alcoholic
 8 beverages or the postmortem synthesis of ethanol. Nothing herein shall be construed
 9 to limit the authority of the investigating law enforcement agency from conducting
 10 an investigation of the accident scene concurrently with the coroner or his designee.

* * *

12 E. As used in this Chapter, the term "drug" means any substance or
 13 combination of substances that, when taken into the human body, may impair the
 14 ability of the person to operate a vehicle safely.

15 §661.1. Operating a watercraft under the influence of alcoholic beverages or
 16 controlled dangerous substances; implied consent to chemical tests;
 17 administering of test and presumptions

18 A.(1) Any person, regardless of age, who operates a motor powered
 19 watercraft upon the public navigable waterways of this state shall be deemed to have
 20 given consent, subject to the provisions of R.S. 32:662, to a chemical test or tests of
 21 his blood, breath, urine, or other bodily substance for the purpose of determining the
 22 alcoholic content of his blood and the presence of any ~~abused substance or controlled~~
 23 ~~dangerous substance as set forth in R.S. 40:964~~ drug in his blood if arrested for any
 24 offense arising out of acts alleged to have been committed while the person was
 25 driving or in actual physical control of a motor powered watercraft, while believed
 26 to be under the influence of alcoholic beverages, ~~or any abused substance or~~
 27 ~~controlled dangerous substance as set forth in R.S. 40:964~~ any drug, combination of
 28 drugs, or combination of alcohol and drugs.

29 (2) The test or tests shall be administered at the direction of a law
 30 enforcement officer having reasonable grounds to believe the person, regardless of

1 §664. Persons authorized to administer test

2 A. When a person submits to a blood test at the request of a law enforcement
3 officer under the provisions of this Part, only a physician, physician assistant,
4 registered nurse, licensed practical nurse, emergency medical technician, chemist,
5 nurse practitioner, or other qualified technician may withdraw blood for the purpose
6 of determining the alcoholic content or presence of any ~~abused or illegal controlled~~
7 ~~dangerous substances~~ drug, or combination of drugs, therein. No law enforcement
8 officer who is not otherwise qualified as a physician, physician assistant, registered
9 nurse, licensed practical nurse, emergency medical technician, chemist, nurse
10 practitioner, or other qualified technician may withdraw blood for the purpose of
11 determining, or of having determined, the alcoholic content or presence of any
12 ~~abused or illegal controlled dangerous substances~~ drug, or combination of drugs,
13 therein. This limitation shall not apply to the taking of breath specimens. Only
14 procedures approved and promulgated by the Department of Public Safety and
15 Corrections may be used in the analysis of blood, urine, breath, or other bodily
16 substance.

17 * * *

18 §666. Refusal to submit to chemical test; submission to chemical tests; exception;
19 effects of

20 A.(1)(a)(i) When a law enforcement officer has probable cause to believe
21 that a person has violated R.S. 14:98, 98.6, or any other law or ordinance that
22 prohibits operating a vehicle while intoxicated, that person may not refuse to submit
23 to a chemical test or tests if he has refused to submit to such test or tests on two
24 previous and separate occasions of any previous such violation or in any case
25 wherein a fatality has occurred or a person has sustained serious bodily injury in a
26 crash involving a motor vehicle, aircraft, watercraft, vessel, or other means of
27 conveyance. Serious bodily injury means bodily injury which involves
28 unconsciousness, protracted and obvious disfigurement, or protracted loss or
29 impairment of the function of a bodily member, organ, or mental faculty, or a
30 substantial risk of death. The law enforcement officer shall direct that a chemical test

1 or tests be conducted of a person's blood, urine, or other bodily substance, or perform
 2 a chemical test of such person's breath, for the purpose of determining the alcoholic
 3 content of his blood and the presence of any ~~abused substance or controlled~~
 4 ~~substance as set forth in R.S. 40:964~~ drug, or combination of drugs, in his blood in
 5 such circumstances. The officer may direct a person to submit to a breath test, and
 6 if indicated, an additional blood test for the purpose of testing for the presence of
 7 alcohol, ~~abused substances, and controlled dangerous substances~~ any drug, or
 8 combination of drugs. A refusal of any such test or tests shall result in the suspension
 9 of driving privileges as provided by the provisions of this Part. A physician,
 10 physician assistant, registered nurse, licensed practical nurse, emergency medical
 11 technician, chemist, nurse practitioner, or other qualified technician shall perform a
 12 chemical test in accordance with the provisions of R.S. 32:664 when directed to do
 13 so by a law enforcement officer.

14 * * *

15 (2) In all cases other than those in Paragraph (1) of this Subsection, a person
 16 under arrest for a violation of R.S. 14:98, 98.1, or other law or ordinance that
 17 prohibits operating a vehicle while intoxicated may refuse to submit to such
 18 chemical test or tests, after being advised of the consequences of such refusal as
 19 provided for in R.S. 32:661(C), subject to the following:

20 * * *

21 (c) Evidence of his refusal shall be admissible in any criminal action or
 22 proceeding arising out of acts alleged to have been committed while the person,
 23 regardless of age, was driving or in actual physical control of a motor vehicle upon
 24 the public highways of this state while under the influence of alcoholic beverages or
 25 any ~~abused substance or controlled dangerous substance as set forth in R.S. 40:964~~
 26 drug, or combination of drugs. Additionally, evidence of his refusal shall be
 27 admissible in any criminal action or proceeding arising out of acts alleged to have
 28 been committed while the person under twenty-one years of age was driving or in
 29 actual physical control of a motor vehicle upon the public highways of this state after
 30 having consumed alcoholic beverages. However, such evidence shall not be

1 ~~dangerous substance or any other substance which causes impairment~~ any drug, or
2 any combination of drugs, then the court shall suspend the driver's license of any
3 person arrested for a violation of R.S. 14:32.1 (vehicular homicide) for one year,
4 without benefit of a hardship license.

5 * * *

6 §668. Procedure following revocation or denial of license; hearing; court review;
7 review of final order; restricted licenses

8 A. Upon suspending the license or permit to drive or nonresident operating
9 privilege of any person or upon determining that the issuance of a license or permit
10 shall be denied to the person, the Department of Public Safety and Corrections shall
11 immediately notify the person in writing and upon his request shall afford him an
12 opportunity for a hearing based upon the department's records or other evidence
13 admitted at the hearing, and in the same manner and under the same conditions as is
14 provided in R.S. 32:414 for notification and hearings in the case of suspension of
15 licenses, except that no law enforcement officer shall be compelled by such person
16 to appear or testify at such hearing and there shall be a rebuttable presumption that
17 any inconsistencies in evidence submitted by the department and admitted at the
18 hearing shall be strictly construed in favor of the person regarding the revocation,
19 suspension, or denial of license. The scope of such a hearing for the purposes of this
20 Part shall be limited to the following issues:

21 (1) Whether a law enforcement officer had reasonable grounds to believe the
22 person, regardless of age, had been driving or was in actual physical control of a
23 motor vehicle upon the public highways of this state, or had been driving or was in
24 actual physical control of a motor-powered watercraft upon the public navigable
25 waterways of this state, while under the influence of either alcoholic beverages or
26 ~~any abused substance or controlled dangerous substance as set forth in R.S. 40:964~~
27 drug, combination of drugs, or combination of alcohol and drugs.

28 * * *

1 §681. Postaccident drug testing; accidents involving fatalities, required

2 A. The operator of any motor vehicle or watercraft which is involved in a
3 collision or crash on the public highways, including waterways, shall be deemed to
4 have given consent to, and shall be administered, a chemical test or tests of his blood,
5 urine, or other bodily substances for the purpose of determining the presence of any
6 ~~abused substance or controlled dangerous substance as set forth in R.S. 40:964 or~~
7 ~~other applicable provision of law~~ drug, combination of drugs, or any other impairing
8 substance, under any of the following circumstances:

9 * * *

10 B. The test or tests required pursuant to Subsection A of this Section shall
11 be administered at the direction of a law enforcement officer having reasonable
12 grounds to believe the person to have been operating or in actual physical control of
13 a motor vehicle upon the public highways of this state which is involved in a
14 collision or crash or to have been operating or in physical control of a watercraft on
15 the waterways of this state involved in a collision, crash, or other casualty in which
16 a suspected serious injury or a fatality occurs, in order to determine the presence of
17 ~~any abused substance or controlled dangerous substance as set forth in R.S. 40:964~~
18 ~~or any other applicable provision of law~~, drug, combination of drugs, or any other
19 impairing substance. The law enforcement agency by which such officer is
20 employed shall designate in writing under what conditions the test or tests shall be
21 administered.

22 C. In the case of all traffic or boating fatalities, the coroner, or his designee,
23 shall perform or cause to be performed a toxicology screen on the deceased victim
24 or victims for determining evidence of the presence of any ~~abused substance or~~
25 ~~controlled dangerous substance as set forth in R.S. 40:964 or other applicable~~
26 ~~provision of law~~ drug, combination of drugs, or any other impairing substance which
27 shall include the extracting of all bodily substance samples necessary for such
28 toxicology screen. The coroner, or his designee, shall be responsible for ensuring the
29 body is not removed from his custody until such time as the bodily substance
30 samples are extracted. The coroner's report shall be made available to the

1 investigating law enforcement agency and may be admissible in any court of
 2 competent jurisdiction as evidence of the presence of any ~~abused substance or~~
 3 ~~controlled dangerous substance as set forth in R.S. 40:964 or other applicable~~
 4 ~~provision of law~~ drug, combination of drugs, or any other impairing substance at the
 5 time of the fatality. Nothing ~~herein~~ in this Subsection shall be construed to limit the
 6 authority of the investigating law enforcement agency from conducting an
 7 investigation of the accident scene concurrently with the coroner or his designee.

8 D. Any chemical test or tests of a person's blood, urine, or other bodily
 9 substance for the purpose of determining the presence of any ~~abused substance or~~
 10 ~~controlled dangerous substance as set forth in R.S. 40:964 or other applicable~~
 11 ~~provision of law~~ drug, combination of drugs, or any other impairing substance shall
 12 be administered in the same manner and subject to the provisions of Part XIV of this
 13 Chapter.

14 * * *

15 H. As used in this Section, the term "drug" means any substance or
 16 combination of substances that, when taken into the human body, may impair the
 17 ability of the person to operate a vehicle safely.

18 Section 3. R.S. 14:32.1(A)(6) and (7), 32.8(A)(2)(f) and (g), 39.1(A)(4) and (5),
 19 39.2(A)(4) and (5), and 98(A)(1)(d) and (e) are hereby repealed in their entirety.

 SPEAKER OF THE HOUSE OF REPRESENTATIVES

 PRESIDENT OF THE SENATE

 GOVERNOR OF THE STATE OF LOUISIANA

APPROVED: _____

SENATE BILL NO. 388

BY SENATORS HODGES, ABRAHAM, BASS, CLOUD, COUSSAN, EDMONDS, FESI, HENRY, KLEINPETER, MIGUEZ, MORRIS, PRESSLY, SEABAUGH, STINE AND TALBOT AND REPRESENTATIVES AMEDEE, BAYHAM, BILLINGS, CARRIER, COX, DICKERSON, EDMONSTON, HORTON, MIKE JOHNSON, JACOB LANDRY, OWEN, SCHAMERHORN, THOMPSON, WILDER AND WYBLE

1 AN ACT

2 To enact Subpart E of Part VI of Chapter 1 of Title 14 of the Louisiana Revised Statutes of
3 1950, to be comprised of R.S. 14:112.21 through 112.23, and R.S. 49:216, relative
4 to offenses affecting the public; to deter unlawful entry into this state by certain
5 persons; to create the crime of unlawful entry or reentry by an alien; to prohibit
6 abatement or termination of prosecutions under certain circumstances; to provide
7 definitions; to provide penalties; to authorize the governor to develop and negotiate
8 an interstate compact to deter unlawful entry or reentry into this state with the
9 assistance of the attorney general; to provide for severability; to provide for effective
10 dates; and to provide for related matters.

11 Be it enacted by the Legislature of Louisiana:

12 Section 1. Subpart E of Part VI of Chapter 1 of Title 14 of the Louisiana Revised
13 Statutes of 1950, comprised of R.S. 14:112.21 through 112.23, is hereby enacted to read as
14 follows:

15 **SUBPART E. UNLAWFUL ENTRY INTO THIS STATE BY AN ALIEN**

16 **§112.21. Definitions**

17 **For purposes of this Subpart:**

18 **(1) "Alien" shall have the same meaning as "alien" as defined by 8**

19 **U.S.C. 1101.**

20 **(2) "Lawfully present in this state" or "lawful presence in this state"**

1 refers to a person within the borders of this state who is either:

2 (a) A natural person who is a United States citizen, regardless of whether
3 the United States citizenship was acquired by birth or granted because the
4 person has met the requirements for asylum established by the United States
5 Congress in the Immigration and Nationality Act, in particular 8 U.S.C. 1158.

6 (b) Legally present in this state by virtue of authorization by the United
7 States Department of Homeland Security on the basis of any one of the
8 following:

9 (i) The person is a permanent legal resident.

10 (ii) The person holds an unexpired student visa.

11 (iii) The person holds an unexpired work permit.

12 (c) Legally present or entitled to be present in the United States pursuant
13 to an unexpired visitor or tourist visa, or pursuant to any other provision of
14 federal law.

15 (3) "Unlawful entry" refers to an alien who is found entering or has
16 entered into this state by automobile, watercraft, airplane, or any other method
17 of entry or means of conveyance, whether or not entry is made directly from a
18 foreign nation or indirectly from another state, without lawful presence in this
19 state.

20 (4) "Unlawful reentry" refers to an alien who has entered, attempted to
21 enter, or at any time is found in this state after the alien has been found to have
22 been subject to any of the following:

23 (a) Denied admission, excluded, deported, or otherwise removed from
24 the United States.

25 (b) Departed from the United States while an order of exclusion,
26 deportation, or removal is outstanding.

27 (5) "Unlawfully present in this state" or "unlawful presence in this state"
28 refers to an alien who is not lawfully present in this state because the alien does
29 not meet the definition in this Section of "lawfully present in this state" or
30 "lawful presence in this state".

1 **§112.22. Unlawful entry or reentry into the state of Louisiana by an alien**

2 **A. The crime of unlawful entry or unlawful reentry is committed when**
3 **an alien enters or reenters into this state and is unlawfully present in this state.**

4 **B.(1) Whoever commits the crime of unlawful entry or unlawful reentry**
5 **into this state by an alien upon a first offense shall be imprisoned for not more**
6 **than six months, fined not more than one thousand dollars, or both.**

7 **(2) Whoever commits the crime of unlawful entry or unlawful reentry**
8 **into this state by an alien upon a second or subsequent offense shall be**
9 **imprisoned, with or without hard labor, for not less than one year nor more**
10 **than two years, fined not more than ten thousand dollars, or both.**

11 **C. It shall be an affirmative defense to a prosecution to the crime of**
12 **unlawful entry or unlawful reentry into this state by an alien that either:**

13 **(1) The defendant is lawfully present in this state because the federal**
14 **government has granted the defendant lawful presence in the United States or**
15 **asylum pursuant to 8 U.S.C. Section 1158.**

16 **(2) The defendant's conduct does not constitute a violation of 8 U.S.C.**
17 **Section 1325(a), relative to illegal entry into the United States.**

18 **D. This Section shall not apply to an alien unlawfully present in the**
19 **United States if he has been a necessary witness to or victim of a crime of**
20 **domestic violence, rape, sexual exploitation, sexual assault, murder,**
21 **manslaughter, assault, battery, human trafficking, kidnapping, false**
22 **imprisonment, involuntary servitude, fraud in foreign labor contracting,**
23 **blackmail, extortion, or witness tampering.**

24 **§112.23. Abatement or termination of prosecution on basis of an immigration**
25 **status determination**

26 **No court shall abate or terminate the prosecution of an offense pursuant**
27 **to this Subpart on the basis that a federal determination regarding the**
28 **immigration status of the defendant has not been determined or may possibly**
29 **be initiated at a future date.**

30 Section 2. R.S. 49:216 is hereby enacted to read as follows:

1 §216. Interstate compact for border security; deterrence of unlawful entry into
2 this state; procedures; assistance; approval; purposes; legislative
3 findings

4 A. This Section shall be known and may be cited as the "Interstate
5 Compact for Border Security Act".

6 B. The purpose of this compact is to deter unlawful entry and unlawful
7 reentry into this state by an alien, as defined by R.S. 14:112.21, and to join with
8 other states in mutual assistance in order for border states to control the influx
9 with respect to illegal immigration that consequentially threatens the safety and
10 security of Louisiana citizens.

11 C. The legislature finds all of the following:

12 (1) In 2024, an executive order was issued by Governor Jeff Landry,
13 JML 24-05, entitled "Identifying, Qualifying, and Mitigating the Adverse
14 Effects of Illegal Immigration on Louisiana" and provided findings, as follows:

15 (a) "[I]llegal entry and reentry to the United States, as well as the
16 encouragement and inducement of illegal entry and transportation of illegal
17 aliens within the United States, are criminal offenses under federal law, and
18 those who aid and abet these offenses also commit a criminal act."

19 (b) "[T]he United States Supreme Court has recognized States 'bear[]
20 many of the consequences of unlawful immigration.' *Arizona v. United States,*
21 567 U.S. 387, 397 (2012)."

22 (c) As a result of the federal government's "non-enforcement policies,
23 large numbers of aliens who commit subsequent crimes are [being] released into
24 communities across the United States," including Louisiana, "rather than being
25 detained or removed, allowing these criminal aliens to commit additional crimes
26 and increase the number of victims".

27 (d) "[S]tates are financially burdened by the cost of incarcerating illegal
28 aliens in their prison systems. Although the U.S. Department of Justice provides
29 limited funding to the states to offset some of these costs...reimbursements are
30 usually less than one percent of the total cost of incarcerating aliens, leaving the

1 states," including Louisiana, "to pay the balance".

2 (e) "Article I, Section 1 of the Louisiana Constitution declares that
3 government is instituted by the people 'to protect the rights of the individual
4 and for the good of the whole. Its only legitimate ends are to secure justice for
5 all, preserve peace, protect the rights, and promote the happiness and general
6 welfare of the people.'"

7 (2) In his executive order, the governor directed the head of every
8 executive branch agency, department, office, commission, board, or entity of the
9 State of Louisiana shall . . .review the expenditures of public funds directly or
10 indirectly to, or for the benefit of illegal aliens.

11 (3) In the 2024 Second Extraordinary Session of the Louisiana
12 Legislature, the legislature appropriated funds and the governor issued an
13 executive order to deploy the Louisiana National Guard to assist the state of
14 Texas in securing the southern border of the United States of America to curb
15 the invasion by illegal immigrants at the international border in South Texas.

16 (4) The economic and human costs borne by the taxpayers and citizens
17 of Louisiana include all of the following:

18 (a) Increased violent crimes are being committed against Louisiana
19 citizens by illegal immigrants. Each murder committed by an illegal alien is one
20 hundred percent preventable if that illegal alien had been barred from entering
21 the state by the federal government, which has been derelict in its duty to
22 enforce immigration laws.

23 (b) Schools and school teachers have been overburdened by the
24 unfunded mandates forced on Louisiana schools by the federal government. The
25 letter grades for certain school districts have been substantially lowered due to
26 school overcrowding, the lack of certified teachers who are bilingual, and the
27 lack of a local tax base needed to pay the bilingual teachers even if they were
28 available.

29 D. The governor, with the legal assistance of the attorney general, is
30 hereby authorized to negotiate and assist the state of Texas in an interstate

1 compact for border security among interested states with the governor of the
2 state of Texas in securing the southern border of the United States of America.

3 E. Any interstate compact that may be developed and executed under the
4 authority of this Section shall, in order to take effect, represent a voluntary
5 association of sovereign states of this United States of America, with the
6 understanding that any such interstate compact shall not in any way increase
7 the political authority of the compacting states in relation to the federal
8 government or in any other manner that violates the Constitution of the United
9 States of America.

10 F. The interstate compact authorized by this Section shall provide for
11 joint action among the states that participate in the compact to pursue all
12 security priorities, as follows:

13 (1) Sharing of law enforcement intelligence on illegal activity occurring
14 at or in proximity to the United States-Mexico border.

15 (2) Sharing of state resources in order to build physical barriers,
16 comprehensive technological surveillance systems, or combinations of barriers
17 and surveillance systems on state property for the purposes of deterring and
18 detecting illegal activity at or in proximity to the United States-Mexico border.

19 (3) Sharing of other law enforcement resources to ensure the protection
20 of personnel and property of citizens of the states participating in the compact.

21 G. Once the governor, with the assistance of the attorney general,
22 negotiates and assists the governor of the state of Texas with preparation and
23 finalization of the compact to secure the United States-Mexico border, the
24 governor shall promptly submit the Interstate Compact for Border Security to
25 the legislature for approval and the appropriation of necessary funds to fulfill
26 the purposes provided for in Subsection F of this Section.

27 Section 3. If any provision or item of this Act, or the application thereof, is held
28 invalid, such invalidity shall not affect other provisions, items, or applications of the Act
29 which can be given effect without the invalid provision, item, or application and to this end
30 the provisions of this Act are hereby declared severable.

1 Section 4. The provisions of this Section and Section 1 shall take effect on and
2 become effective immediately upon, and to the extent permitted, by the occurrence of any
3 of the following circumstances:

4 (A) Any decision of the Supreme Court of the United States in the case of *United*
5 *States v. Texas*, Docket No. 23A814, which affirms the Act which originated as Texas
6 Senate Bill No. 4 of the 2023 88th Legislature Fourth Called Legislative Session of the
7 Texas Legislature, which enacted Texas Penal Code Section 51.01 et seq, entitled "Illegal
8 Entry Into the State", that recognizes the right of states to protect their citizens of their
9 respective states when "actually invaded, or in such imminent Danger as will not admit
10 delay", pursuant to Article 1, Section 10 of the Constitution of the United States of America.

11 (B) Adoption of an amendment to the Constitution of the United States of America
12 that, in whole or in part, restores or increases the authority of the state of Louisiana to
13 prohibit or limit the unlawful entry or reentry by an alien without lawful presence in this
14 state should the Supreme Court of the United States fail to affirm the provisions of
15 Subsection A of this Section.

16 Section 5. The provisions of this Section and Section 2 of this Act shall become
17 effective upon any executive order or other such executive action by the governor of the
18 state of Texas in furtherance of the Act which originated as Texas Senate Bill No. 1403 of
19 the 2023 Regular Session of the 88th Texas Legislature, which enacted Texas Government
20 Code Section 794 et seq, entitled "Interstate Compact for Border Security" which authorizes
21 the governor of the state of Texas to develop and execute an interstate compact for border
22 security for among interested states.

PRESIDENT OF THE SENATE

SPEAKER OF THE HOUSE OF REPRESENTATIVES

GOVERNOR OF THE STATE OF LOUISIANA

APPROVED: _____

2024 Regular Session

ACT No. 678

HOUSE BILL NO. 97

BY REPRESENTATIVE MCMAKIN

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AN ACT

To amend and reenact R.S. 14:97.1(A) and to enact R.S. 14:97.1(C), relative to solicitation on certain highways and streets; to provide relative to the elements of the offense; to provide for a definition; to provide for a statement of legislative intent; and to provide for related matters.

Be it enacted by the Legislature of Louisiana:

Section 1. The legislature finds that the practices of solicitation and offering or donating to persons on public roadways or rights-of-way and interstate highways creates an unsafe situation for the well-being of both pedestrians and motorists within this state and all will be well served by implementation of this Act.

Section 2. R.S. 14:97.1(A) is hereby amended and reenacted and R.S. 14:97.1(C) is hereby enacted to read as follows:

§97.1. Solicitation on an interstate highway or in a public right-of-way

A. Solicitation on an interstate highway or in a public right-of-way is the intentional act of soliciting, begging, panhandling, or otherwise requesting anything of value on any interstate highway, public right-of-way, or any entrance or exit ramp of an interstate highway.

* * *

1 C. For the purposes of this Section, "anything of value" means cash,
2 currency, coin, or any other financial instrument given to a person not exempted by
3 R.S. 32:218.

SPEAKER OF THE HOUSE OF REPRESENTATIVES

PRESIDENT OF THE SENATE

GOVERNOR OF THE STATE OF LOUISIANA

APPROVED: _____

2024 Regular Session

ACT No. 728

HOUSE BILL NO. 816

BY REPRESENTATIVES WILFORD CARTER, DOMANGUE, FISHER, JACKSON,
LARVADAIN, AND ROMERO AND SENATORS ABRAHAM AND BARROW

1 AN ACT

2 To amend and reenact R.S. 14:202.1(D) and to enact R.S. 14:202.1(E), relative to
3 residential contractor fraud; to provide for penalties; to provide for a definition; and
4 to provide for related matters.

5 Be it enacted by the Legislature of Louisiana:

6 Section 1. R.S. 14:202.1(D) is hereby amended and reenacted and R.S. 14:202.1(E)
7 is hereby enacted to read as follows:

8 §202.1. Residential contractor fraud; penalties

9 * * *

10 D.(1) In addition to the penalties provided ~~by the provisions of this Section~~
11 in Subsection C of this Section, a person convicted of residential contractor fraud
12 shall be ordered to make full restitution to the victim and any other person who has
13 suffered a financial loss as a result of the offense. For the purposes of this
14 Subsection, restitution to the victim shall include the cost of repairing work
15 fraudulently performed by the contractor and the cost of completing work for which
16 the contractor was paid but did not complete.

17 (2) A person sentenced under the provisions of Paragraph (C)(2), (3), or (4)
18 of this Section when the victim is sixty-five years of age or older, in addition to any
19 other penalties imposed pursuant to this Section, shall be imprisoned, with or without
20 hard labor, for not more than five years to be served concurrently with the sentence
21 imposed.

1 E. Nothing in this Section shall preclude a victim from pursuing civil
2 remedies pursuant to R.S. 9:4856 or any other applicable provision of law.

SPEAKER OF THE HOUSE OF REPRESENTATIVES

PRESIDENT OF THE SENATE

GOVERNOR OF THE STATE OF LOUISIANA

APPROVED: _____

2024 Regular Session
HOUSE BILL NO. 851
BY REPRESENTATIVE PHELPS

ACT No. 738

1 AN ACT

2 To enact R.S. 14:71.3.1 and 71.3.2 and to repeal R.S. 14:71.3.1, relative to misappropriation
3 without violence; to create the crime of tax sale and tax lien property fraud; to
4 provide for elements; to provide for penalties; to provide for definitions; to provide
5 for legislative intent; to provide for contingent effective dates; and to provide for
6 related matters.

7 Be it enacted by the Legislature of Louisiana:

8 Section 1. R.S. 14:71.3.1 is hereby enacted to read as follows:

9 §71.3.1. Tax sale property fraud

10 A. It is unlawful for any person, in connection with the issuance of a tax sale
11 certificate or tax sale title to the property pursuant to R.S. 47:2155 or 2161 or in
12 violation of R.S. 47:2158.1 or 2231.1, to knowingly do any of the following:

13 (1) Employ a device, scheme, or artifice with intent to defraud the tax debtor.

14 (2) Make an untrue statement of material fact with intent to defraud the tax
15 debtor.

16 (3) Receive any portion of the monies, funds, credits, assets, securities, or
17 other property of the tax debtor in connection with the purchase of tax sale property
18 when the recipient knows that the proceeds or other funds were paid as a result of a
19 violation of this Section.

20 B.(1) A person who violates the provisions of this Section shall be
21 imprisoned, with or without hard labor, for not more than two years, or may be fined
22 not more than five thousand dollars, or both.

23 (2) In addition to the penalties provided in Paragraph (1) of this Subsection,
24 a person convicted under the provisions of this Section shall forfeit all rights and

1 claims to possession of the tax sale certificate and tax sale title to the property and
2 shall be ordered to make full restitution to the victim and any other person who has
3 suffered a financial loss as a result of the offense. If a person ordered to make
4 restitution pursuant to this Section is found to be indigent and therefore unable to
5 make restitution in full at the time of conviction, the court shall order a periodic
6 payment plan consistent with the person's financial ability.

7 C. For the purposes of this Section:

8 (1) "Person" means a natural or juridical person, including but not limited
9 to a sole proprietorship, corporation, company, limited liability company,
10 partnership, limited liability partnership, trust, incorporated or unincorporated
11 association, or any other individual or entity.

12 (2) "Tax debtor", "tax sale property", and "tax sale title" shall have the same
13 meanings as in R.S. 47:2122.

14 D. It is the intent of the legislature to encourage tax debtors to seek legal
15 counsel in order to protect any ownership rights adversely affected by a violation of
16 this Section.

17 Section 2. R.S. 14:71.3.2 is hereby enacted to read as follows:

18 §71.3.2. Tax lien property fraud

19 A. It is unlawful for any person, in connection with the issuance of a tax sale
20 certificate, tax lien certificate, or tax sale title to the property pursuant to R.S.
21 47:2132, 2155, or 2161, or in violation of R.S. 47:2158.1 or 2231.1, to knowingly
22 do any of the following:

23 (1) Employ a device, scheme, or artifice with intent to defraud the tax debtor.

24 (2) Make an untrue statement of material fact with intent to defraud the tax
25 debtor.

26 (3) Receive any portion of the monies, funds, credits, assets, securities, or
27 other property of the tax debtor in connection with the purchase of either tax sale
28 property or a delinquent obligation evidenced by a tax lien certificate.

1 B.(1) A person who violates the provisions of this Section shall be
2 imprisoned, with or without hard labor, for not more than two years, or may be fined
3 not more than five thousand dollars, or both.

4 (2) In addition to the penalties provided in Paragraph (1) of this Subsection,
5 a person convicted under the provisions of this Section shall forfeit all rights and
6 claims to possession of the delinquent obligation, tax lien certificate, or tax sale title
7 to the property and shall be ordered to make full restitution to the victim and any
8 other person who has suffered a financial loss as a result of the offense. If a person
9 ordered to make restitution pursuant to this Section is found to be indigent and
10 therefore unable to make restitution in full at the time of conviction, the court shall
11 order a periodic payment plan consistent with the person's financial ability.

12 C. For the purposes of this Section:

13 (1) "Delinquent obligation" means statutory impositions included in the tax
14 bill that are not paid by the due date, plus interest and costs that may accrue in
15 accordance with law.

16 (2) "Person" means a natural or juridical person, including but not limited
17 to a sole proprietorship, corporation, company, limited liability company,
18 partnership, limited liability partnership, trust, incorporated or unincorporated
19 association, or any other individual or entity.

20 (3) "Tax debtor", tax sale certificate, "tax sale property", and "tax sale title"
21 shall have the same meanings as in R.S. 47:2122.

22 D. It is the intent of the legislature to encourage tax debtors to seek legal
23 counsel in order to protect any ownership rights adversely affected by a violation of
24 this Section.

25 Section 3. R.S. 14:71.3.1 is hereby repealed in its entirety.

26 Section 4. This Section and Sections 1 and 5 of this Act shall become effective upon
27 signature by the governor, if not signed by the governor, upon expiration of the time for bills
28 to become law without signature by the governor, as provided by Article III, Section 18 of
29 the Constitution of Louisiana. If vetoed by the governor and subsequently approved by the

1 legislature, this Section and Sections 1 and 5 of this Act shall become effective on the day
2 following such approval.

3 Section 5. Sections 2 and 3 of this Act shall become effective if the proposed
4 amendment to Article VII, Section 25 of the Constitution of Louisiana contained in the Act
5 which originated as Senate Bill No. 119 of the 2024 Regular Session of the Legislature is
6 adopted at a statewide election held on December 7, 2024, or if any proposed amendment
7 to Article VII, Section 25 of the Constitution of Louisiana is adopted prior to January 1,
8 2026. If an amendment to Article VII, Section 25 of the Constitution of Louisiana is
9 adopted, Sections 2 and 3 of this Act shall become effective on January 1, 2026.

SPEAKER OF THE HOUSE OF REPRESENTATIVES

PRESIDENT OF THE SENATE

GOVERNOR OF THE STATE OF LOUISIANA

APPROVED: _____