The original instrument and the following digest, which constitutes no part of the legislative instrument, were prepared by Senate Legislative Services. The keyword, summary, and digest do not constitute part of the law or proof or indicia of legislative intent. [R.S. 1:13(B) and 24:177(E)]

DIGEST

SB 38 Original | 2025 Regular Session | Hensgens

Proposed law creates the crime of theft of gift cards or gift card redemption information and makes it a crime to:

(1) Intentionally acquire or retain possession of a gift card or gift card redemption information without the consent of either the card holder, card issuer, or card seller.

(2) Alter, tamper with, or duplicate a gift card, gift card redemption information, or gift card packaging with the intent to defraud.

(3) Devise or participate in a scheme to obtain a gift card or gift card redemption information from a cardholder, card issuer, or card seller by means of false or fraudulent pretenses, representations, or promises.

Proposed law provides definitions relative to proposed law.

Proposed law provides that a person who intentionally acquires or retains possession of a gift card or gift card redemption information without consent of either the card holder, card issuer, or card seller will be sentenced according to the provisions of present law relative to theft.

Proposed law provides that a person who alters, tampers with, or duplicates, a gift card, gift card redemption information, or gift card packaging with the intent to defraud will be sentenced according to the provisions of present law relative to theft, and will be imprisoned for an additional period of one year, with or without hard labor, to be served consecutively with any period of incarceration imposed pursuant to proposed law, and may be fined up to an additional $5,000.

Proposed law provides that a person who devises or participates in a scheme to obtain a gift card or gift card redemption information from a cardholder, card issuer, or card seller by means of false or fraudulent pretenses, representations, or promises will be sentenced according to the provisions of present law relative to theft, and will be imprisoned for an additional period of two years, with or without hard labor, to be served consecutively with any period of incarceration imposed pursuant to proposed law, and may be fined up to an additional $10,000.

Effective August 1, 2025.

(Adds R.S. 14:67.23)