

2021 Regular Session

HOUSE BILL NO. 127

BY REPRESENTATIVE THOMAS

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

CRIME: Creates the crime of submitting false statements and false or altered documents in unclaimed property claims

1 AN ACT

2 To enact R.S. 14:67.5, relative to misappropriation without violence; to create the crime of
3 false statements and false or altered documents in unclaimed property claims; to
4 provide for elements of the offense; to provide for criminal penalties; to provide
5 relative to restitution; and to provide for related matters.

6 Be it enacted by the Legislature of Louisiana:

7 Section 1. R.S. 14:67.5 is hereby enacted to read as follows:

8 §67.5. False statements and false or altered documents; unclaimed property claim

9 A. Any person who intentionally makes a material false statement, submits
10 false or altered documentation, or both in any claim submitted pursuant to the
11 Uniform Unclaimed Property Act of 1997 commits a violation of the provisions of
12 this Section.

13 B. Whoever violates Subsection A shall be imprisoned with or without hard
14 labor for not more than five years, or fined not more than ten thousand dollars, or
15 both.

16 C. In addition to the penalty provided by Subsection B of this Section, a
17 person convicted for a violation of this Section shall be ordered to make full
18 restitution to the Department of Treasury to be deposited in the Louisiana Unclaimed
19 Property Permanent Trust Fund in the amount of funds obtained as a result of the
20 offense. If the person ordered to make restitution pursuant to this Section is found

1 to be indigent and therefore unable to make restitution in full at the time of
2 conviction, the court shall order a periodic payment plan consistent with the person's
3 financial ability.

DIGEST

The digest printed below was prepared by House Legislative Services. It constitutes no part of the legislative instrument. The keyword, one-liner, abstract, and digest do not constitute part of the law or proof or indicia of legislative intent. [R.S. 1:13(B) and 24:177(E)]

HB 127 Reengrossed

2021 Regular Session

Thomas

Abstract: Creates the crime of submitting false statements and false or altered documents in unclaimed property claims, and provides elements and criminal penalties for the offense.

Proposed law creates the crime of submitting false statements and false or altered documents in unclaimed property claims and defines the crime as being committed by any person who intentionally makes a material false statement, submits false or altered documentation, or both in any claim submitted pursuant to the Uniform Unclaimed Property Act of 1997.

Proposed law provides that any person who commits the proposed law crime shall be imprisoned with or without hard labor for not more than five years, or fined no more than \$10,000, or both.

Proposed law further provides that the person who commits the proposed law crime shall be ordered to make full restitution to the Department of Treasury in the amount of funds obtained as a result of the offense.

Proposed law requires the court to order a periodic payment plan consistent with the person's financial ability when the person is found to be indigent and unable to make restitution in full at the time of conviction.

(Adds R.S. 14:67.5)

Summary of Amendments Adopted by House

The Committee Amendments Proposed by House Committee on Administration of Criminal Justice to the original bill:

1. Specify that the term of imprisonment is with or without hard labor.
2. Make technical change.