

2022 Regular Session

HOUSE BILL NO. 134

BY REPRESENTATIVE MARINO

CRIME: Provides relative to the crime of false statements and false or altered documents

1 AN ACT

2 To amend and reenact R.S. 14:67.3(C), relative to the crime of false statements and false or
3 altered documents; to provide relative to the payment of restitution for the crime; and
4 to provide for related matters.

5 Be it enacted by the Legislature of Louisiana:

6 Section 1. R.S. 14:67.3(C) is hereby amended and reenacted to read as follows:

7 §67.3. False statements and false or altered documents; unclaimed property claim

8 * * *

9 C. ~~In addition to the penalty provided by Subsection B of this Section, a~~
10 ~~person convicted for a violation of this Section shall be ordered to make full~~
11 ~~restitution to the Department of the Treasury to be deposited in the Louisiana~~
12 ~~Unclaimed Property Permanent Trust Fund in the amount of funds obtained as a~~
13 ~~result of the offense. If the person ordered to make restitution pursuant to this~~
14 ~~Section is found to be indigent and therefore unable to make restitution in full at the~~
15 ~~time of conviction, the court shall order a periodic payment plan consistent with the~~
16 ~~person's financial ability. Restitution shall be ordered pursuant to Code of Criminal~~
17 ~~Procedure Article 883.2 and shall be made payable to the Louisiana Unclaimed~~
18 ~~Property Permanent Trust Fund.~~

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 134 Engrossed

2022 Regular Session

Marino

Abstract: Provides relative to the restitution requirement for the crime of false statements and false or altered documents.

Present law provides for the crime of false statements and false or altered documents. Provides that any person who commits the present law crime shall be imprisoned with or without hard labor for not more than five years, or fined not more than \$10,000, or both.

Proposed law retains present law.

Present law further requires any person convicted of the crime of false statements and false or altered documents to make full restitution to the Dept. of Treasury to be deposited in the La. Unclaimed Property Permanent Trust Fund. If the person ordered to make restitution is found to be indigent and unable to make restitution in full at the time of conviction, the court is required to order a period payment plan consistent with the person's financial ability.

Proposed law amends present law to provide that restitution shall be ordered according to present law (C.Cr.P. Art. 883.2) and shall be made payable to the La. Unclaimed Property Permanent Trust Fund.

(Amends R.S. 14:67.3(C))

Summary of Amendments Adopted by House

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

1. Require the payment of restitution to be made payable to the La. Unclaimed Property Permanent Trust Fund.