

2023 Regular Session

HOUSE BILL NO. 317

BY REPRESENTATIVE RISER

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

CRIME: Creates the crime of criminal access of an automated teller machine

1 AN ACT

2 To enact R.S. 14:67.6, relative to misappropriation without violence; to create the crime of  
3 criminal access of an automated teller machine; to provide for a definition; to  
4 provide for criminal penalties; and to provide for related matters.

5 Be it enacted by the Legislature of Louisiana:

6 Section 1. R.S. 14:67.6 is hereby enacted to read as follows:

7 §67.6. Criminal access of an automated teller machine

8 A. Criminal access of an automated teller machine is the intentional  
9 destroying, damaging, impairing, tampering with, or otherwise rendering inoperable  
10 of an automated teller machine belonging to another with the intent to steal currency  
11 or personal financial information of another, regardless of the pecuniary loss.

12 B. For purposes of this Section, "automated teller machine" means an  
13 electronic information processing device located in this state which accepts or  
14 dispenses cash in connection with an account or credit card.

15 C. Whoever commits the crime of criminal access of an automated teller  
16 machine shall be imprisoned with or without hard labor for not less than five years  
17 nor more than ten years and may, in addition, be required to pay a fine equal to the  
18 amount of money contained in the automated teller machine at the time of the  
19 commission of the offense and any damages that result from the offense.

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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)]

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HB 317 Original

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Riser

**Abstract:** Creates the crime of criminal access of an automated teller machine and provides for penalties.

Proposed law creates the crime of criminal access of an automated teller machine and defines such crime as the intentional destroying, damaging, impairing, tampering with, or otherwise rendering inoperable of an automated teller machine belonging to another with the intent to steal currency or personal financial information of another, regardless of the pecuniary loss.

Proposed law defines "automated teller machine" as an electronic information processing device located in this state which accepts or dispenses cash in connection with an account or credit card.

Proposed law provides that whoever commits the proposed law crime shall be imprisoned with or without hard labor for not less than five years nor more than 10 years and may, in addition, be required to pay a fine equal to the amount of money contained in the automated teller machine at the time of the commission of the offense and any damages that result from the offense.

(Adds R.S. 14:67.6)