

2023 Regular Session

HOUSE BILL NO. 16

BY REPRESENTATIVES SCHLEGEL AND VILLIO

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

CRIME: Provides relative to the crime of simple burglary

1 AN ACT

2 To amend and reenact R.S. 14:62(B)(1) and to enact R.S. 14:62(B)(3), (4), and (C), relative  
3 to simple burglary; to provide for additional penalties; to provide for definitions; and  
4 to provide for related matters.

5 Be it enacted by the Legislature of Louisiana:

6 Section 1. R.S. 14:62(B)(1) is hereby amended and reenacted and R.S. 14:62(B)(3),  
7 (4), and (C) are hereby enacted to read as follows:

8 §62. Simple burglary

9 B.(1) Except as provided in ~~Paragraph (2)~~ Paragraphs (2), (3), and (4) of this  
10 Subsection, whoever commits the crime of simple burglary shall be fined not more  
11 than two thousand dollars, imprisoned with or without hard labor for not more than  
12 twelve years, or both.

13 \* \* \*

14 (3) If the offender commits multiple simple burglaries as a part of a  
15 continuous sequence of events, the offender shall be imprisoned with or without hard  
16 labor for not less than one nor more than twelve years. At least one year of the  
17 sentence of imprisonment shall be imposed without benefit of probation or  
18 suspension of sentence.

19 (4) If the offender commits a simple burglary within one-half mile of any  
20 fair, festival, musical or theatrical production, parade, or sporting event, the offender

1 shall be imprisoned with or without hard labor for not less than one nor more than  
2 twelve years. At least one year of the sentence of imprisonment shall be imposed  
3 without benefit of probation or suspension of sentence.

4 C. For the purposes of this Section, the following terms shall have the  
5 following meanings:

6 (1) "Fair or festival" means any periodic celebration, program of events, or  
7 entertainment with a specified focus that is sponsored by either the state or a group  
8 who has obtained an approved permit as required by the local or parish governing  
9 authority.

10 (2) "Musical or theatrical production" means an event including but not  
11 limited to concerts, musical tours, ballet, dance, comedy revue, or live variety  
12 entertainment. The provisions of this Paragraph shall not apply to a musical or  
13 theatrical production located at a restaurant establishment as defined in R.S.  
14 26:73(C)(1).

15 (3) "Parade" shall have the same meaning as defined in R.S. 14:95.2.1.

16 (4) "Sporting event" means an athletic contest between groups or individuals  
17 that is approved or sponsored by a high school, collegiate, or professional  
18 association.

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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 16 Engrossed

2023 Regular Session

Schlegel

**Abstract:** Provides additional penalties for the crime of simple burglary under certain circumstances.

Present law (R.S. 14:62) provides for the crime of simple burglary along with penalties.

Proposed law amends present law to include a penalty of imprisonment with or without hard labor for not less than one nor more than 12 years for an offender who commits multiple simple burglaries as a part of a continuous sequence of events. Provides that at least one year of the sentence of imprisonment shall be imposed without benefit of probation or suspension of sentence.

Proposed law further provides for a penalty of imprisonment with or without hard labor for not less than one nor more than 12 years for an offender who commits a simple burglary

within one-half mile of any fair, festival, musical or theatrical production, parade, or sporting event. Provides that at least one year of the sentence of imprisonment shall be imposed without benefit of probation or suspension of sentence.

Proposed law provides definitions for the terms "fair or festival", "musical or theatrical production", "parade", and "sporting event".

(Amends R.S. 14:62(B)(1); Adds R.S. 14:62(B)(3), (4), and (C))

Summary of Amendments Adopted by House

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

1. Change the location provision in proposed law from "one square mile" to "one-half mile".