

2023 Regular Session

HOUSE BILL NO. 94

BY REPRESENTATIVES BACALA, CARRIER, COUSSAN, DUBUISSON, ECHOLS, EDMONDS, EDMONSTON, FIRMENT, FONTENOT, GLOVER, HARRIS, HILFERTY, HORTON, ILLG, MIKE JOHNSON, MCMAHEN, MIGUEZ, ORGERON, CHARLES OWEN, PRESSLY, RISER, SCHLEGEL, STAGNI, THOMPSON, VILLIO, WHEAT, AND WHITE

1 AN ACT

2 To enact R.S. 14:67.13, relative to theft; to create the crime of theft or criminal access of an
3 automated teller machine; to provide for a definition; to provide for criminal
4 penalties; to provide relative to the payment of restitution for the crime; and to
5 provide for related matters.

6 Be it enacted by the Legislature of Louisiana:

7 Section 1. R.S. 14:67.13 is hereby enacted to read as follows:

8 §67.13. Theft or criminal access of an automated teller machine

9 A.(1) Theft of an automated teller machine is the misappropriation or taking
10 of an automated teller machine which belongs to another without the consent of the
11 other to the misappropriation or taking with the intent to deprive the owner
12 permanently of the automated teller machine or its contents.

13 (2) Criminal access of an automated teller machine is the intentional
14 destroying, damaging, impairing, tampering with, or otherwise rendering inoperable
15 of an automated teller machine belonging to another with the intent to steal currency
16 or personal financial information of another, regardless of the pecuniary loss.

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

1 C. Whoever violates the provisions of this Section shall be imprisoned with
2 or without hard labor for not less than five years nor more than ten years, and may,
3 in addition, be required to pay a fine of not more than ten thousand dollars.
4 Restitution shall be ordered pursuant to Code of Criminal Procedure Article 883.2.

SPEAKER OF THE HOUSE OF REPRESENTATIVES

PRESIDENT OF THE SENATE

GOVERNOR OF THE STATE OF LOUISIANA

APPROVED: _____