

2024 Regular Session

SENATE BILL NO. 33

BY SENATORS HENSGENS, ABRAHAM AND KLEINPETER

THEFT. Provides relative to theft from a porch or other unenclosed portion of a residence or inhabited dwelling. (8/1/24)

1 AN ACT

2 To amend and reenact R.S. 14:67(C) and to enact R.S. 14:67(E), relative to the crime of
3 theft; to provide relative to theft from a porch or other unenclosed portion of a
4 residence or inhabited dwelling; to provide relative to theft from multiple victims;
5 to provide relative to intent to permanently deprive a victim of property; to provide
6 relative to penalties; and to provide for related matters.

7 Be it enacted by the Legislature of Louisiana:

8 Section 1. R.S. 14:67(C) is hereby amended and reenacted and R.S. 14:67(E) is
9 hereby enacted to read as follows:

10 §67. Theft

11 * * *

12 C. When there has been a misappropriation or taking by a number of distinct
13 acts of the offender, whether committed against a single or multiple victims, the
14 aggregate of the amount of the misappropriations or takings shall determine the
15 grade of the offense.

16 * * *

17 E.(1) In a prosecution under this Section, where the property allegedly

1 misappropriated or taken was removed from a porch or other unenclosed
2 portion of a residence or inhabited dwelling, an intent to permanently deprive
3 the owner of the property may be inferred when the property taken was an item
4 delivered by the United States Postal Service or other commercial package,
5 freight, or merchant delivery service.

6 (2) When the intent to permanently deprive multiple victims of property
7 is inferred under Paragraph (1) of this Subsection, the offender shall be
8 imprisoned, with or without hard labor, for an additional term of not less than
9 sixty days nor more than two years, to be served consecutively to the sentence
10 imposed under Subsection B of this Section.

The original instrument and the following digest, which constitutes no part of the legislative instrument, were prepared by Jonathon Wagner.

DIGEST

SB 33 Engrossed

2024 Regular Session

Hensgens

Present law provides relative to the crime of theft and provides penalties.

Present law provides that when there has been a misappropriation or taking by a number of distinct acts of the offender, the aggregate of the amount of the misappropriations or taking determines the grade of the offense.

Proposed law retains present law and adds that multiple distinct acts of the offender may be aggregated to determine the grade of the offense in cases where there is more than one victim.

Proposed law provides that the intent to permanently deprive the owner of property may be inferred where the property allegedly misappropriated or taken was removed from a porch or other unenclosed portion of a residence or inhabited dwelling and was delivered by the U.S. Postal Service or other commercial package, freight, or merchant delivery service.

Proposed law creates an additional penalty for offenders who misappropriate or take items from a porch or other unenclosed portion of a residence or inhabited dwelling that were delivered by the U.S. Postal Service or other commercial package, freight, or merchant delivery service.

Effective August 1, 2024.

(Amends R.S. 14:67(C); adds R.S. 14:67(E))