

2024 Regular Session

HOUSE BILL NO. 127

BY REPRESENTATIVE BAYHAM

CRIMINAL/PENALTIES: Provides relative to the penalties for the crime of simple obstruction of a highway of commerce

1 AN ACT

2 To amend and reenact R.S. 14:97, relative to the crime of simple obstruction of a highway
3 of commerce; to provide relative to the elements of the offense; to provide relative
4 to penalties; and to provide for related matters.

5 Be it enacted by the Legislature of Louisiana:

6 Section 1. R.S. 14:97 is hereby amended and reenacted to read as follows:

7 §97. Simple obstruction of a highway of commerce

8 A. Simple obstruction of a highway of commerce is either of the following:

9 (1) ~~the~~ The intentional or criminally negligent placing of anything or the
10 intentional or criminally negligent performance of any act on any railway, railroad,
11 navigable waterway, road, highway, thoroughfare, or runway of an airport, which
12 will render movement thereon more difficult.

13 (2) The coordination, organization, or planning of either the intentional or
14 criminally negligent placing of anything or the intentional or criminally negligent
15 performance of any act on any railway, railroad, navigable waterway, road, highway,
16 thoroughfare, or runway of an airport, which will render movement thereon more
17 difficult.

18 B. Whoever commits the crime of simple obstruction of a highway of
19 commerce in a manner that violates the provisions of this Section shall be fined not

1 more than ~~two~~ seven hundred fifty dollars, or imprisoned for not more than six
2 months, or both.

3 C. The provisions of this Section shall not apply to an employee or
4 contractor of any public utility or a provider of electric utility services,
5 communications, telecommunications, video, or information services, to the extent
6 that the employee or contractor is acting on behalf of such entity in a road, highway,
7 or thoroughfare.

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 127 Reengrossed

2024 Regular Session

Bayham

Abstract: Provides relative to the elements and penalties for the crime of simple obstruction of a highway of commerce.

Present law provides that the crime of simple obstruction of a highway of commerce is the intentional or criminally negligent placing of anything or performance of any act on any railway, railroad, navigable waterway, road, highway, thoroughfare, or runway of an airport, which will render movement thereon more difficult.

Present law further provides for penalties consisting of a fine of not more than \$200, imprisonment for not more than six months, or both.

Proposed law amends present law to define the crime of simple obstruction of a highway of commerce as either of the following when done in an intentional or criminally negligent manner:

- (1) The placing of anything or the performance of any act on any railway, railroad, navigable waterway, road, highway, thoroughfare, or runway of an airport, which will render movement thereon more difficult.
- (2) The coordination, organization, or planning of either the placing of anything or the performance of any act on any railway, railroad, navigable waterway, road, highway, thoroughfare, or runway of an airport, which will render movement thereon more difficult.

Proposed law amends present law to change the penalty to a fine of \$750, imprisonment for not more than six months, or both, for either of the following:

- (1) Any person who places anything or performs any act on any railway, railroad, navigable waterway, road, highway, thoroughfare, or runway of an airport, which will render movement thereon more difficult.
- (2) Any person who plans the placement of anything or performance of any act on any railway, railroad, navigable waterway, road, highway, thoroughfare, or runway of an airport, which will render movement thereon more difficult.

Proposed law shall not apply to an employee or contractor of any public utility or a provider of electric utility services, communications, telecommunications, video, or information services, to the extent that the employee or contractor is acting on behalf of such entity in a road, highway, or thoroughfare.

(Amends R.S. 14:97)

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 maximum penalty from nine months to six months for any person who places anything or performs any act that constitutes the crime of simple obstruction of a highway of commerce.
2. Clarify that the term of imprisonment is with or without hard labor for any person who coordinates, organizes, or plans the placement of anything or performance of any act that constitutes the crime of simple obstruction of a highway of commerce.
3. Provide that the crime of simple obstruction of a highway of commerce shall not apply to an employee or contractor of any public utility or a provider of electric utility services, communications, telecommunications, video, or information services, to the extent that the employee or contractor is acting on behalf of such entity in a road, highway, or thoroughfare.

The House Floor Amendments to the engrossed bill:

1. Make technical changes.
2. Provide for misdemeanor, rather than felony, penalties for a person who coordinates, organizes, or plans the placement of anything or performance of any act on any railway, railroad, navigable waterway, road, highway, thoroughfare, or runway of an airport, which will render movement thereon more difficult.