

2024 Regular Session

HOUSE BILL NO. 451

BY REPRESENTATIVE SCHLEGEL

1 AN ACT

2 To amend and reenact R.S. 14:67(B)(4), (C) and (D) and to enact R.S. 14:67(E), relative to
3 the crime of theft; provides for theft of a package delivered to an inhabited dwelling;
4 provides for assault on a store employee during the commission or attempted
5 commission of theft; and to provide for related matters.

6 Be it enacted by the Legislature of Louisiana:

7 Section 1. R.S. 14:67(B)(4), (C) and (D) are hereby amended and reenacted and R.S.
8 14:67(E) is hereby enacted to read as follows:

9 §67. Theft

10 * * *

11 B.

12 * * *

13 (4) When the misappropriation or taking amounts to less than a value of one
14 thousand dollars, the offender shall be imprisoned for not more than six months, or
15 may be fined not more than one thousand dollars, or both.

16 (a) If the offender in such cases has been convicted of theft two or more
17 times previously, upon any subsequent conviction he shall be imprisoned, with or
18 without hard labor, for not more than two years, or may be fined not more than two
19 thousand dollars, or both.

20 (b) If the offender in such cases commits the crime of theft of a package that
21 has been delivered to an inhabited dwelling owned by another, he shall be
22 imprisoned, with or without hard labor, for not more than two years, or may be fined
23 not more than two thousand dollars, or both.

1 C. If the offender commits an assault upon a store or merchant's employee
 2 who is acting in the course and scope of his employment duties, during the
 3 commission or attempted commission of theft, at least fifteen days of the sentence
 4 imposed under this Section shall be served without benefit of probation or
 5 suspension of sentence.

6 ~~C.~~ D. When there has been a misappropriation or taking by a number of
 7 distinct acts of the offender, the aggregate of the amount of the misappropriations or
 8 taking shall determine the grade of the offense.

9 ~~D.~~ E. In a prosecution under this Section where the property allegedly
 10 misappropriated or taken was held for sale by a merchant, an intent to permanently
 11 deprive the merchant of the property held for sale may be inferred when the
 12 defendant:

- 13 (1) Intentionally conceals, on his person or otherwise, goods held for sale.
- 14 (2) Alters or transfers any price marking reflecting the actual retail price of
 15 the goods.
- 16 (3) Transfers goods from one container or package to another or places
 17 goods in any container, package, or wrapping in a manner to avoid detection.
- 18 (4) Willfully causes the cash register or other sales recording device to
 19 reflect less than the actual retail price of the goods.
- 20 (5) Removes any price marking with the intent to deceive the merchant as
 21 to the actual retail price of the goods.

SPEAKER OF THE HOUSE OF REPRESENTATIVES

PRESIDENT OF THE SENATE

GOVERNOR OF THE STATE OF LOUISIANA

APPROVED: _____