

SENATE BILL NO. 34

BY SENATORS HENSGENS, ABRAHAM, KLEINPETER AND MIGUEZ AND
REPRESENTATIVE THOMPSON

1 AN ACT

2 To amend and reenact R.S. 14:64.4 and 65(A), relative to robbery; to provide relative to
3 simple and second degree robbery; to provide relative to organized robbery from a
4 retail establishment; to provide relative to penalties; and to provide for related
5 matters.

6 Be it enacted by the Legislature of Louisiana:

7 Section 1. R.S. 14:64.4 and 65(A) are hereby amended and reenacted to read as
8 follows:

9 §64.4. Second degree robbery

10 A. **Second degree robbery is either of the following:**

11 (1) ~~Second degree robbery is the~~ **The** taking of anything of value belonging
12 to another from the person of another or that is in the immediate control of another
13 when the offender intentionally inflicts serious bodily injury.

14 (2) ~~Repealed by Acts 2019, No. 2, §3, eff. August 1, 2019~~ **The taking of, or**
15 **the recruiting of another person who takes, anything of value from a retail**
16 **establishment that is in the immediate control of a retail employee or employer**
17 **when a person acts in concert with three or more individuals for the purpose of**
18 **either overwhelming the response of an employer, an employee, or law**
19 **enforcement to carry out the offense, avoid detection or apprehension, or create**
20 **a reasonable belief that a reasonable person would not intercede because of fear.**

21 B.**(1)** Whoever commits the crime of second degree robbery shall be
22 imprisoned at hard labor for not less than three years and for not more than forty
23 years.

1 (2) Upon a second or subsequent conviction within ten years of a
2 previous conviction, the offender shall be imprisoned at hard labor for not less
3 than five years and not more than forty years.

4 (3) Any person who commits second degree robbery with a firearm shall
5 be imprisoned at hard labor for an additional period of five years without
6 benefit of parole, probation, or suspension of sentence. The additional penalty
7 imposed pursuant to this Paragraph shall be served consecutively to the
8 sentence imposed under this Subsection.

9 §65. Simple robbery

10 A. Simple robbery is either of the following:

11 (1) ~~The~~ **the** taking of anything of value belonging to another from the person
12 of another or that is in the immediate control of another, by use of force or
13 intimidation, but not armed with a dangerous weapon.

14 ~~(2) The taking of anything of value when a person is part of a group of three~~
15 ~~or more individuals and the person has the intent to take anything of value from a~~
16 ~~retail establishment that is in the immediate control of a retail employee or employer~~
17 ~~and there is a reasonable belief that a reasonable person would not intercede because~~
18 ~~of fear.~~

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PRESIDENT OF THE SENATE

SPEAKER OF THE HOUSE OF REPRESENTATIVES

GOVERNOR OF THE STATE OF LOUISIANA

APPROVED: _____