

RÉSUMÉ DIGEST

ACT 119 (SB 34)

2024 Regular Session

Hensgens

Existing law defines second degree robbery as the taking of anything of value belonging to another from the person of another or that is in the immediate control of another when the offender intentionally inflicts serious bodily injury.

Existing law defines simple robbery as either:

- (1) The taking of anything of value belonging to another from the person of another or that is in the immediate control of another, by use of force or intimidation, but not armed with a dangerous weapon.
- (2) The taking of anything of value when a person is part of a group of three or more individuals and the person has the intent to take anything of value from a retail establishment that is in the immediate control of a retail employee or employer and there is a reasonable belief that a reasonable person would not intercede because of fear.

New law deletes the taking of anything of value from a retail establishment under certain circumstances from the definition of simple robbery and adds it to the definition of second degree robbery.

Prior law makes second degree robbery punishable by imprisonment at hard labor for between three and 40 years.

New law applies second degree robbery penalties to persons who either take anything of retail value under certain circumstances or who recruit others who then take anything of retail value under certain circumstances.

New law increases the minimum period of incarceration for second degree robbery from three years to five years if the defendant has a prior conviction for second degree robbery within the previous 10 years. New law also provides for sentencing a defendant to an additional five consecutive years without benefit of parole, probation, or suspension of sentence if a firearm was used commit the crime.

New law otherwise retains prior law.

Effective August 1, 2024.

(Amends R.S. 14:64.4 and 14:65(A))