

Regular Session, 2014

HOUSE BILL NO. 414

BY REPRESENTATIVE HAZEL

CRIMINAL/PROCEDURE: Amends responsive verdicts for theft and attempted theft

1 AN ACT

2 To amend and reenact Code of Criminal Procedure Article 814(A)(26) and (27), relative to
3 responsive verdicts; to provide changes in responsive verdicts for theft and attempted
4 theft; and to provide for related matters.

5 Be it enacted by the Legislature of Louisiana:

6 Section 1. Code of Criminal Procedure Article 814(A)(26) and (27) are hereby
7 amended and reenacted to read as follows:

8 Art. 814. Responsive verdicts; in particular

9 A. The only responsive verdicts which may be rendered when the indictment
10 charges the following offenses are:

11 * * *

12 26. Theft:

13 Guilty of theft of property having a value of one thousand five hundred
14 dollars or more.

15 Guilty of theft of property having a value of five hundred dollars or more, but
16 less than one thousand five hundred dollars.

17 ~~Guilty of theft of property having a value of three hundred dollars or more,~~
18 ~~but less than five hundred dollars.~~

19 Guilty of theft of property having a value of less than ~~three~~ five hundred
20 dollars.

1 Guilty of attempted theft of property having a value of one thousand five
2 hundred dollars or more.

3 Guilty of attempted theft of property having a value of ~~three~~ five hundred
4 dollars or more, but less than one thousand five hundred dollars.

5 Guilty of attempted theft of property having a value of less than ~~three~~ five
6 hundred dollars.

7 Guilty of unauthorized use of movables having a value in excess of five
8 hundred dollars.

9 Guilty of unauthorized use of movables having a value of five hundred
10 dollars or less.

11 Not guilty.

12 27. Attempted Theft:

13 Guilty of attempted theft of property having a value of one thousand five
14 hundred dollars or more.

15 Guilty of attempted theft of property having a value of ~~three~~ five hundred
16 dollars or more, but less than one thousand five hundred dollars.

17 Guilty of attempted theft of property having a value of less than ~~three~~ five
18 hundred dollars.

19 Guilty of attempted unauthorized use of movables having a value of less than
20 one hundred dollars.

21 Guilty of attempted unauthorized use of movables having a value in excess
22 of five hundred dollars.

23 Guilty of attempted unauthorized use of movables having a value of five
24 hundred dollars or less.

25 Not guilty.

26 * * *

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)]

Hazel

HB No. 414

Abstract: Changes the property value amounts for responsive verdicts for theft and attempted theft to be consistent with the gradations of theft.

Present law provides that the following are responsive verdicts for theft and attempted theft: guilty of theft or attempted theft of property having a value in excess of \$500, property having a value of less than \$500 but more than \$300, and property having a value of less than \$300.

Proposed law changes present law amounts to be consistent with the crime of theft (R.S. 14:67) as follows: guilty of theft or attempted theft of property in excess of \$1,500, property having a value of less than \$1,500 and more than \$500, and property having a value of less than \$500.

(Amends C.Cr.P. Art. 814(A)(26) and (27))