
DIGEST

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HB No. 791

Abstract: Amends the crime of theft and repeals certain theft statutes relative to livestock, animals, crawfish, timber, alligators, rental motor vehicles, motor vehicle fuel, used building components, and copper taken from a religious building, cemetery, or graveyard.

Present law provides for the crime of theft (R.S. 14:67) and provides penalties for the offense as follows:

- (1) When the taking amounts to a value of \$1,500 or more - imprisonment, with or without hard labor, for up to 10 years, a fine of up to \$3,000, or both.
- (2) When the taking amounts to a value of \$500 or more, but less than \$1,500 - imprisonment, with or without hard labor, for up to five years, a fine of up to \$2,000, or both.
- (3) When the taking amounts to a value of less than \$500 - imprisonment for up to six months, fined not more than \$1,000, or both.

Proposed law amends the penalties for this offense as follows:

- (1) When the taking amounts to a value of \$25,000 or more - imprisonment, with or without hard labor, for 5 - 20 years, a fine up to \$50,000, or both.
- (2) When the taking amounts to a value of \$5,000 or more, but less than \$25,000 - imprisonment, with or without hard labor, for up to ten years, a fine of up to \$10,000, or both.
- (3) When the taking amounts to a value of \$750 or more, but less than a value of \$5,000 - imprisonment, with or without hard labor, for not more than five years, a fine of not more than \$3,000, or both.
- (4) When the taking amounts to a value of less than \$750 - imprisonment for not more than six months, a fine of not more than \$1,000, or both.

In addition to the crime of theft, present law provides for theft of certain things including livestock (R.S. 14:67.1), animals (R.S. 14:67.2), crawfish (R.S. 14:67.5), alligators (R.S. 14:67.13), timber (R.S. 14:67.12), rental motor vehicles (R.S. 14:67.14), motor vehicle fuel (R.S.

14:67.17), used building components (R.S. 14:67.23), and copper (R.S. 14:67.27 and 67.28).

Proposed law retains the present law crime of theft, and repeals certain theft statutes relative to livestock (R.S. 14:67.1), animals (R.S. 14:67.2), crawfish (R.S. 14:67.5), timber (R.S. 14:67.12), alligators (R.S. 14:67.13), rental motor vehicles (R.S. 14:67.14), motor vehicle fuel (R.S. 14:67.17), used building components (R.S. 14:67.23), and copper from a religious building, cemetery, or graveyard (R.S. 14:67.27).

Present law provides for certain penalties when any person who, having a specific intent to commit a crime, does or omits an act for the purpose of and tending directly toward the accomplishing of his object is guilty of an attempt to commit the offense intended. When the offense attempted is the crime of theft, present law provides for the following penalties:

- (1) Attempted theft of an amount not less than \$500 nor more than \$5,000 - a fine of up to \$500, imprisonment for not more than one year, or both.
- (2) Attempted theft of an amount over \$5,000 - a fine of up to \$2,000, imprisonment for not more than five years, or both.

Proposed law amends the present law threshold amounts for the penalties for the attempt to commit the crime of theft as follows:

- (1) Attempted theft of an amount not less than \$750 nor more than \$25,000 - a fine not more than \$500, imprisonment for not more than one year, or both.
- (2) Attempted theft of an amount over \$25,000 - a fine of up to \$2,000, imprisonment for not more than five years, or both.

Present law provides responsive verdicts for crime of theft and for theft and attempted theft of cattle, horses, mules, sheep, hogs, or goats.

Proposed law amends responsive verdicts relative to the crime of theft to reflect the changes made to that crime in proposed law, and repeals the responsive verdict provisions relative to the theft and attempted theft of cattle, horses, mules, sheep, hogs, or goats.

(Amends R.S. 14:27(D)(2)(c) and 67(B) and C.Cr.P. Art. 814(A)(26) and (27); Repeals R.S. 14:67.1, 67.2, 67.5, 67.12, 67.13, 67.14, 67.17, 67.23, and 67.27 and C.Cr.P. Art. 814(A)(28) and (29))

Summary of Amendments Adopted by House

Committee Amendments Proposed by House Committee on Administration of Criminal Justice to the original bill.

1. Amended the proposed law changes to the threshold amounts and penalty provisions for the crime of theft.
2. Added a provision which amends the threshold amounts and penalty provisions for the attempt to commit the crime of theft.
3. Deleted provision which repeals theft of utility property (R.S. 14:67.24).
4. Added theft of timber (R.S. 14:67.12) to the specific theft statutes repealed by

proposed law.

5. Adjusted the responsive verdict provisions in proposed law to reflect these changes.

House Floor Amendments to the engrossed bill.

1. Deleted provision which repeals theft of copper or other metals (R.S. 14:67.28).