

Regular Session, 2014

HOUSE BILL NO. 791

BY REPRESENTATIVE KATRINA JACKSON

1 AN ACT

2 To amend and reenact R.S. 14:27(D)(2)(c) and 67(B) and Code of Criminal Procedure
3 Article 814(A)(26) and (27) and to repeal R.S. 14:67.1, 67.2, 67.5, 67.12, 67.13,
4 67.14, 67.17, 67.23, and 67.27 and Code of Criminal Procedure Article 814(A)(28)
5 and (29), relative to crimes of theft; to provide for the threshold amounts for the
6 attempt to commit the crime of theft; to amend the penalty provisions in the crime
7 of theft; to repeal certain theft statutes relative to livestock, animals, crawfish,
8 timber, alligators, rental motor vehicles, motor vehicle fuel, used building
9 components, and copper; to amend the responsive verdicts relative to these offenses;
10 and to provide for related matters.

11 Be it enacted by the Legislature of Louisiana:

12 Section 1. R.S. 14:27(D)(2)(c) and 67(B) are hereby amended and reenacted to read
13 as follows:

14 §27. Attempt; penalties; attempt on peace officer; enhanced penalties

15 * * *

16 D. Whoever attempts to commit any crime shall be punished as follows:

17 * * *

18 (2)

19 * * *

20 (c)(i) If the offense so attempted is theft of an amount not less than ~~five~~
21 ~~hundred~~ seven hundred fifty dollars nor more than ~~five~~ twenty-five thousand dollars,
22 he shall be fined not more than five hundred dollars, imprisoned for not more than
23 one year, or both.

1 (ii) If the offense so attempted is theft of an amount over ~~five thousand~~
2 twenty-five thousand dollars, he shall be fined not more than two thousand dollars,
3 imprisoned, with or without hard labor, for not more than five years, or both.

4 * * *

5 §67. Theft

6 * * *

7 B.(1) Whoever commits the crime of theft when the misappropriation or
8 taking amounts to a value of ~~one~~ twenty-five thousand ~~five hundred~~ dollars or more
9 shall be imprisoned, with or without hard labor, for not less than five years nor more
10 ~~than ten~~ twenty years, or may be fined not more than ~~three~~ fifty thousand dollars, or
11 both.

12 (2) When the misappropriation or taking amounts to a value of five ~~hundred~~
13 thousand dollars or more, but less than a value of ~~one~~ twenty-five thousand ~~five~~
14 ~~hundred~~ dollars, the offender shall be imprisoned, with or without hard labor, for not
15 more than ~~five~~ ten years, or may be fined not more than ~~two~~ ten thousand dollars, or
16 both.

17 (3) When the misappropriation or taking amounts to a value of seven
18 hundred fifty dollars or more, but less than a value of five thousand dollars, the
19 offender shall be imprisoned, with or without hard labor, for not more than five
20 years, or may be fined not more than three thousand dollars, or both.

21 ~~(3)~~(4) When the misappropriation or taking amounts to less than a value of
22 ~~five~~ seven hundred fifty dollars, the offender shall be imprisoned for not more than
23 six months, or may be fined not more than one thousand dollars, or both. If the
24 offender in such cases has been convicted of theft two or more times previously,
25 upon any subsequent conviction he shall be imprisoned, with or without hard labor,
26 for not more than two years, or may be fined not more than two thousand dollars, or
27 both.

28 * * *

29 Section 2. Code of Criminal Procedure Article 814(A)(26) and (27) are hereby
30 amended and reenacted to read as follows:

1 Art. 814. Responsive verdicts; in particular

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

4 * * *

5 26. Theft:

6 Guilty of theft of property having a value of ~~five hundred~~ twenty-five
7 thousand dollars or more.

8 Guilty of theft of property having a value of ~~three hundred~~ five thousand
9 dollars or more, but less than ~~five hundred~~ twenty-five thousand dollars.

10 Guilty of theft of property having a value of seven hundred fifty dollars or
11 more, but less than five thousand dollars.

12 Guilty of theft of property having a value of less than ~~three hundred~~ seven
13 hundred fifty dollars.

14 Guilty of attempted theft of property having a value of ~~five hundred~~ twenty-
15 five thousand dollars or more.

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

18 Guilty of attempted theft of property having a value of seven hundred fifty
19 dollars or more, but less than five thousand dollars.

20 Guilty of attempted theft of property having a value of less than ~~three~~
21 ~~hundred~~ seven hundred fifty dollars.

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

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

26 Not guilty.

27 27. Attempted Theft:

28 Guilty of attempted theft of property having a value of ~~five hundred~~ twenty-
29 five thousand dollars or more.

1 Guilty of attempted theft of property having a value of ~~three hundred seven~~
2 hundred fifty dollars or more, but less than ~~five hundred~~ twenty-five thousand
3 dollars.

4 Guilty of attempted theft of property having a value of less than ~~three~~
5 hundred seven hundred fifty dollars.

6 Guilty of attempted unauthorized use of movables having a value of less than
7 one hundred dollars.

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

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

12 Not guilty.

13 * * *

14 Section 3. R.S. 14:67.1, 67.2, 67.5, 67.12, 67.13, 67.14, 67.17, 67.23, and 67.27 are
15 hereby repealed in their entirety.

16 Section 4. Code of Criminal Procedure Article 814(A)(28) and (29) are hereby
17 repealed in their entirety.

18 Section 5. The Louisiana State Law Institute is directed to redesignate the provisions
19 of Code of Criminal Procedure Article 814(A)(30) through (59) as Code of Criminal
20 Procedure Article 814(A)(28) through (57) in accordance with the repeal of Code of
21 Criminal Procedure Article 814(A)(28) and (29) pursuant to Section 4 of this Act.

SPEAKER OF THE HOUSE OF REPRESENTATIVES

PRESIDENT OF THE SENATE

GOVERNOR OF THE STATE OF LOUISIANA

APPROVED: _____