

2015 Regular Session

HOUSE BILL NO. 7

BY REPRESENTATIVE THIBAUT

Prefiled pursuant to Article III, Section 2(A)(4)(b)(i) of the Constitution of Louisiana.

CRIME: Amends provisions of law regarding unauthorized entry of a critical infrastructure

1 AN ACT

2 To amend and reenact R.S. 14:61, relative to the crime of unauthorized entry of a critical
3 infrastructure; to expand the crime to include the use of fraudulent documents, entry
4 into restricted areas, and failure to leave when forbidden to be on the premises; to
5 provide for definitions; and to provide for related matters.

6 Be it enacted by the Legislature of Louisiana:

7 Section 1. R.S. 14:61 is hereby amended and reenacted to read as follows:

8 §61. Unauthorized entry of a critical infrastructure

9 A. Unauthorized entry of a critical infrastructure is any of the following:

10 (1) the The intentional entry by a person without authority into any structure
11 or onto any premises, belonging to another, that constitutes in whole or in part a
12 critical infrastructure that is completely enclosed by any type of physical barrier;
13 ~~including but not limited to: (1) chemical manufacturing facilities; (2) refineries; (3)~~
14 ~~electrical power generating facilities; (4) water intake structures and water treatment~~
15 ~~facilities; (5) natural gas transmission compressor stations; (6) LNG terminals and~~
16 ~~storage facilities; and (7) transportation facilities, such as ports, railroad switching~~
17 ~~yards, and trucking terminals.~~

1 (2) The use or attempted use of fraudulent documents for identification
2 purposes to enter a critical infrastructure.

3 (3) Remaining upon or in the premises of a critical infrastructure after having
4 been forbidden to do so, either orally or in writing, by any owner, lessee, or
5 custodian of the property or by any other authorized person.

6 (4) The entry into a restricted area of a critical infrastructure which is
7 marked as a restricted or limited access area when the person is not authorized to
8 enter that restricted or limited access area.

9 B. For the purposes of this Section, the following words shall have the
10 following meanings:

11 (1) "Critical infrastructure" shall include but not be limited to chemical
12 manufacturing facilities, refineries, electrical power generating facilities, water
13 intake structures and water treatment facilities, natural gas transmission compressor
14 stations, liquified natural gas (LNG) terminals and storage facilities, and
15 transportation facilities, such as ports, railroad switching yards, and trucking
16 terminals.

17 (2) "Fraudulent documents for identification purposes" means documents
18 which are presented as being bona fide documents which provide personal
19 identification information but which are, in fact, false, forged, altered, or counterfeit.

20 ~~B. C.~~ Whoever commits the crime of unauthorized entry of a critical
21 infrastructure shall be fined not more than one thousand dollars or imprisoned with
22 or without hard labor for not more than six years, or both.

23 ~~C. D.~~ Nothing in this Section shall be construed to prevent lawful assembly
24 and peaceful and orderly petition for the redress of grievances, including but not
25 limited to any labor dispute between any employer and its employee.

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)]

HB 7 Engrossed

2015 Regular Session

Thibaut

Abstract: Expands the crime of unauthorized entry of a critical infrastructure.

Present law provides for the crime of unauthorized entry of a critical infrastructure and defines the crime as unauthorized entry into a critical infrastructure by a person without authority to do so.

Proposed law retains present law and adds three additional elements to the crime:

- (1) The use or attempted use of fraudulent documents to enter a critical infrastructure.
- (2) Remaining upon or in the premises of a critical infrastructure after having been forbidden to do so.
- (3) The entry into a restricted area of the critical infrastructure which is marked as a restricted or limited access area when the person is not authorized to enter that area.

(Amends R.S. 14:61)