

2016 Regular Session

SENATE BILL NO. 60

BY SENATOR MARTINY

CRIME/PUNISHMENT. Provides relative to the crime of organized retail theft. (gov sig)

1 AN ACT

2 To amend and reenact R.S. 14:67.25(A)(1) and (4), relative to the crime of organized retail
3 theft; to add merchandise credit that is the product of a theft to the definition of
4 "stolen retail property"; and to provide for related matters.

5 Be it enacted by the Legislature of Louisiana:

6 Section 1. R.S. 14:67.25(A)(1) and (4) are hereby amended and reenacted to read
7 as follows:

8 §67.25. Organized retail theft

9 A. As used in this Section the following terms have the following meanings:

10 (1) "Retail establishment" means any business, whether a sole proprietorship,
11 corporation, partnership, or otherwise, ~~which~~ **that** holds or stores articles, products,
12 commodities, items, or components for sale to the public or to other retail
13 establishments.

14 * * *

15 (4) "Stolen retail property" means either:

16 **(a) retail Retail property which or merchandise credit, including but not**
17 **limited to a gift card, that** has been the subject of a theft **or the product of a theft**

1 from a retail establishment, ~~or~~

2 **(b) retail Retail** property ~~which~~ **or merchandise credit, including but not**
 3 **limited to a gift card, that** the offender, procuring, receiving, or concealing that
 4 property knows or reasonably believes to be the subject of a theft **or the product of**
 5 **a theft.**

6 * * *

7 Section 2. This Act shall become effective upon signature by the governor or, if not
 8 signed by the governor, upon expiration of the time for bills to become law without signature
 9 by the governor, as provided by Article III, Section 18 of the Constitution of Louisiana. If
 10 vetoed by the governor and subsequently approved by the legislature, this Act shall become
 11 effective on the day following such approval.

The original instrument and the following digest, which constitutes no part
 of the legislative instrument, were prepared by Alden A. Clement, Jr.

DIGEST

SB 60 Original 2016 Regular Session Martiny

Present law provides relative to the crime of organized retail theft.

Present law defines a "retail establishment" as any business, whether a sole proprietorship, corporation, partnership, or otherwise, that holds or stores articles, products, commodities, items, or components for sale to the public or to other retail establishments.

Proposed law retains present law.

Present law defines "stolen retail property" as either (1) retail property that has been the subject of a theft from a retail establishment or (2) retail property that the offender procuring, receiving, or concealing that property knows or reasonably believes to be the subject of a theft.

Proposed law retains present law and adds that "stolen retail property" also includes merchandise credit, including but not limited to a gift card, that is the product of a theft from a retail establishment, e.g. when an offender returns stolen retail property to a retail establishment without a receipt and receives a merchandise credit or gift card.

Effective upon signature of the governor or lapse of time for gubernatorial action.

(Amends R.S. 14:67.25(A)(1) and (4))