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

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SB 220 Engrossed

DIGEST  
2017 Regular Session

Alario

Present law provides elements, definitions, and penalties for the following offenses: simple arson, communicating of false information of planned arson, simple criminal damage to property, aggravated burglary, simple burglary of an inhabited dwelling, theft, theft of a firearm, organized retail theft, theft of a motor vehicle, unauthorized use of a movable, unauthorized use of a motor vehicle, unlawful acts relative to receipts and universal product code labels, illegal possession of stolen things, refund or access device application fraud, access device fraud, issuing worthless checks, prostitution, possession of firearm or carrying concealed weapon by a person convicted of certain felonies, residential contractor fraud, and money laundering.

Proposed law increases, reduces, or otherwise modifies the penalty provisions for these present law offenses in accordance with the report and recommendations of the Justice Reinvestment Task Force.

Proposed law otherwise retains present law.

Present law provides elements, definitions, and penalties relative to offenses under the Uniform Controlled Dangerous Substances Law.

Proposed law increases, reduces, or otherwise modifies the penalty provisions for these present law offenses in accordance with certain recommendations of the Justice Reinvestment Task Force.

Proposed law otherwise retains present law.

Present law designates certain offenses as "crimes of violence" for purposes of present law and proposed law.

Proposed law deletes the following offenses from present law: mingling harmful substances, extortion, and illegal use of weapons or dangerous instrumentalities.

Proposed law otherwise retains present law.

Present law provides elements, definitions, and penalties for the following offenses: theft of animals, failure to remit payment for sale of forest products, criminal damage to coin-operated devices, criminal damage to a pipeline facility, criminal damage to genetically engineered crops, genetically engineered crop facilities, or genetically engineered crop information, theft of livestock, theft of goods, cheating and swindling, theft of timber, theft of a business record, theft of the assets of a person who is aged or a person with a disability, theft of utility service, theft of petroleum products, theft of oilfield geological survey, theft of oil and gas equipment, theft of utility property, home

invasion, and theft of copper or other metals.

Proposed law deletes these provisions of present law in order to consolidate certain present law offenses and to otherwise conform to certain recommendations of the Justice Reinvestment Task Force.

Proposed law creates the La. Felony Class System Task Force to study, evaluate, and develop a recommendation for a felony class system before the 2018 Regular Session of the legislature. Proposed law further provides relative to the membership and organization of the task force.

Proposed law provides that the names of the persons who are to serve on the task force are to be submitted to the chief justice of the La. Supreme Court on or before 7/1/17. Proposed law further provides that the chief justice is to call the first meeting of the task force, which meeting is to be held on or before 7/15/17.

Proposed law provides that the task force is to meet a minimum of six times between 7/15/17 and 2/1/18.

Proposed law provides that the task force is to prepare and submit a final report of its findings and recommendations, including any specific and complete draft legislation, to the governor, the speaker of the House of Representatives, the president of the Senate, the chairman of the House Committee on Administration of Criminal Justice, the chairman of the Senate Committee on Judiciary C, and the chief justice of the La. Supreme Court, no later than 2/1/18. Proposed law further provides that the report is to be made available to the public and the task force is abolished upon submission of the report.

Proposed law provides that the task force may apply for, contract for, receive, and expend for purposes of proposed law any appropriation or grant from the state, its political subdivisions, the federal government, or any other public or private source. Proposed law further provides that the books and records of the task force are subject to audit by the legislative auditor pursuant to present law.

Proposed law relative to the task force becomes null and of no effect on 2/2/18.

Effective August 1, 2017.

(Amends R.S. 14:52(B), 54.1(B), 56(B)(1) and (2), 62.2(B), 62.8(B), 67(B), 67.25(D), 67.26(C), 68(B), 68.4(B), 68.7(B), 69(B) and (C), 70.2(C), 70.4(E), 71(C), (D), (E), (F), and (G), 82(C)(3), 95.1(B), 202.1(C), and 230(E)(4) and R.S. 40:966(B), (C), (D), (E), and (F), 967(B) and (C), 968(B), 969(B) and (C), and 970(B) and (C); adds R.S. 14:69(D) and 601 and R.S. 40:967(D); repeals R.S. 14:2(B)(8), (14), (25) and (29), 56.1, 56.2, 56.3, 67.1, 67.2, 67.3, 67.6, 67.7, 67.8, 67.9, 67.10, 67.18, 67.20, 67.21, 67.24, 67.25(E), 67.28, 67.30, 68.5, 71(H) and (I), 94(E) and (F), 95(J) and (K), and 211 and R.S. 40:966(G), (H) and (I) and 967(F) and (G))

## Summary of Amendments Adopted by Senate

### Committee Amendments Proposed by Senate Committee on Judiciary C to the original bill

1. Delete all references to a felony class system.
2. Delete certain present law offenses in order to consolidate offenses and to otherwise conform to recommendations of the Justice Reinvestment Task Force.
3. Delete certain offenses from the list of "crimes of violence".
4. Increase, reduce, or otherwise modify penalty provisions for certain present law offenses in accordance with the recommendations of the Justice Reinvestment Task Force.
5. Create and provide relative to the La. Felony Class System Task Force.