

2019 Regular Session

HOUSE BILL NO. 185

BY REPRESENTATIVE HILFERTY

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

CRIME: Provides relative to the registration of persons convicted of terrorism offenses and offenses against peace officers

1 AN ACT

2 To amend and reenact R.S. 15:642(2)(c) and (d), 643(A), and 645(A) and to enact R.S.
3 15:642(4), relative to a registry of certain offenses; to provide relative to the registry
4 of persons convicted of offenses committed against peace officers; to expand the
5 registry to include persons convicted of terrorism offenses; to expand the registry to
6 include persons convicted of the conspiracy to commit terrorism offenses or offenses
7 against a peace officer; to provide for the availability of certain registration
8 information to law enforcement; and to provide for related matters.

9 Be it enacted by the Legislature of Louisiana:

10 Section 1. R.S. 15:642(2)(c) and (d), 643(A), and 645(A) are hereby amended and
11 reenacted and R.S. 15:642(4) is hereby enacted to read as follows:

12 CHAPTER 6-B. REGISTRY OF VIOLENT OFFENSES

13 AGAINST PEACE OFFICERS AND TERRORISM OFFENSES

14 * * *

15 §642. Definitions

16 For the purposes of this Chapter, the following words have the following
17 meanings ascribed to them:

18 * * *

1 (2) "Offense against a peace officer" means any of the following:

2 * * *

3 (c) Any of the following criminal offenses when the peace officer is engaged
4 in the performance of his lawful duties, or when the specific intent to commit the
5 offense is directly related to the victim's status as a peace officer:

6 (i) Solicitation for murder;₂

7 (ii) First degree murder;₂

8 (iii) Second degree murder;₂

9 (iv) Manslaughter;₂

10 (v) Aggravated battery;₂

11 (vi) Second degree battery;₂

12 (vii) Aggravated second degree battery;₂

13 (viii) Second degree kidnapping;₂

14 (ix) Simple kidnapping;₂

15 (x) Extortion;₂

16 (xi) Assault by drive-by shooting;₂

17 (xii) Illegal use of weapons or dangerous instrumentalities;₂

18 (xiii) Terrorism;₂

19 (xiv) Aggravated assault with a firearm.

20 (d) ~~A conviction for the~~ Any offense under the laws of another state, or
21 under any military, territorial, foreign, tribal, or federal law, which that is equivalent
22 to an offense provided for in this ~~Section~~ Paragraph.

23 * * *

24 (4) "Terrorism offense" includes the crime of terrorism as defined by R.S.
25 14:128.1, the crime of aiding others in terrorism as defined by R.S. 14:128.2, and any
26 offense under the laws of another state, or under any military, territorial, foreign,
27 tribal, or federal law, that is equivalent to the crime of terrorism as defined by R.S.
28 14:128.1 or the crime of aiding others in terrorism as defined by R.S. 14:128.2.

1 §643. Registration of offenders who commit certain violent offenses ~~against peace~~
2 ~~officers~~

3 A. Any adult residing in this state who has pled guilty to, has been convicted
4 of, or where adjudication has been deferred or withheld for the perpetration or
5 attempted perpetration of, or for the conspiracy to commit any offense against a
6 peace officer or any terrorism offense, as those terms are defined in R.S. 15:642,
7 shall register within ten days of establishing residence in Louisiana, or if a current
8 resident, within ten days after release from confinement with the sheriff of the parish
9 of the person's residence and with the chief of police if the address of the residence
10 is located in an incorporated area which has a police department. If the adult resides
11 in a municipality with a population in excess of three hundred thousand persons, he
12 shall register with the police department of his municipality of residence.

13 * * *

14 §645. Central registry

15 A. The bureau shall establish and maintain a central registry to collect and
16 disseminate information regarding those offenders who are required to register in
17 accordance with this Chapter. The bureau shall provide the information to all law
18 enforcement agencies in this state who request such information in an effort to assist
19 in the prevention of violence and protection of peace officers. The bureau shall
20 establish an alert flag on the criminal history record information of each person who
21 is required to register pursuant to this Chapter that would be visible and accessible
22 to law enforcement agencies and peace officers while in the performance of their
23 duties.

24 * * *

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 185 Original

2019 Regular Session

Hilferty

Abstract: Expands the registry of offenders who commit certain offenses against peace officers to include offenders who commit the crime of terrorism or aiding others in terrorism, and provides for the availability of such information to law enforcement.

Present law requires any adult residing in this state who has been convicted for the perpetration or attempted perpetration of the crime of disarming of a peace officer, the crime of aggravated assault upon a peace officer, or certain other enumerated crimes, when committed against a peace officer, to register with the sheriff of the parish of the person's residence and with the chief of police if the address of the residence is located in an incorporated area which has a police department.

Present law requires the La. Bureau of Criminal Identification and Information to establish and maintain a central registry to collect and disseminate information regarding those offenders who are required to register in accordance with present law. Present law further requires the bureau to provide the information to all law enforcement agencies in this state who request such information in an effort to assist in the prevention of violence and protection of peace officers.

Proposed law expands present law to require registration of persons who commit terrorism offenses which include the crime of terrorism as defined by present law (R.S. 14:128.1), the crime of aiding others in terrorism as defined by present law (R.S. 14:128.2), and any offense under the laws of another state, or under any military, territorial, foreign, tribal, or federal law, that is equivalent to the present law crime of terrorism or aiding others in terrorism.

Proposed law also expands the application of present law to require registration of any person convicted for the conspiracy to commit any of the offenses provided in present law and proposed law.

Proposed law further requires the bureau to establish an alert flag on the criminal history record information of each person who is required to register pursuant to present law and proposed law that would be visible and accessible to law enforcement agencies and peace officers while in the performance of their duties.

(Amends R.S. 15:642(2)(c) and (d), 643(A), and 645(A); Adds R.S. 15:642(4))