

2019 Regular Session

HOUSE BILL NO. 359

BY REPRESENTATIVES MIKE JOHNSON AND ABRAMSON

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

CRIME: Provides relative to the crime of looting

1 AN ACT

2 To amend and reenact R.S. 14:62.5(A), relative to the crime of looting; to provide for the
3 crime of looting; to provide relative to the elements of the offense; and to provide for
4 related matters.

5 Be it enacted by the Legislature of Louisiana:

6 Section 1. R.S. 14:62.5(A) is hereby amended and reenacted to read as follows:

7 §62.5. Looting

8 A. Looting is the intentional entry by a person without authorization of any
9 of the following when ~~into any dwelling or other structure belonging to another and~~
10 ~~used in whole or in part as a home or place of abode by a person, or any structure~~
11 ~~belonging to another and used in whole or in part as a place of business, or any~~
12 ~~vehicle, watercraft, building, plant, establishment, or other structure, movable or~~
13 ~~immovable, in which~~ normal security of property is not present by virtue of a
14 hurricane, flood, fire, act of God, or force majeure of any kind, or by virtue of a riot,
15 mob, or other human agency, and the person ~~obtaining or obtains, exerting exerts~~
16 control over, ~~or damaging damages, or removing removes the~~ property of ~~the owner~~
17 another without authorization:

18 (1) Any dwelling or other structure belonging to another and used in whole
19 or in part as a home or place of abode by a person.

1 (2) Any structure belonging to another and used in whole or in part as a place
2 of business.

3 (3) Any vehicle, watercraft, building, plant, establishment, or other structure,
4 movable or immovable.

5 * * *

6 Section 2. This Act shall become effective on July 1, 2019.

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 359 Reengrossed 2019 Regular Session Mike Johnson

Abstract: Provides relative to the elements of the crime of looting.

Present law provides that looting is the unauthorized entry into certain structures or property belonging to another without authorization under certain circumstances and the obtaining, exerting control, damaging, or removing of the property of the owner when normal security is not present due to certain events.

Present law provides that a person who commits the crime of looting shall be fined not more than \$10,000, imprisoned at hard labor for not more than 15 years, or both.

Present law further provides that a person who commits the crime of looting during a state of emergency as declared by the governor or chief executive officer of any parish shall be fined not less than \$5,000 nor more than \$10,000 and imprisoned at hard labor for not less than three years nor more than 15 years without benefit of probation, parole, or suspension of sentence.

Proposed law retains present law but provides that for the crime of looting to apply, the removal of the property belonging to another must be without authorization.

Effective July 1, 2019.

(Amends R.S. 14:62.5(A))

The House Floor Amendments to the engrossed bill:

1. Restore present law penalties.