

2019 Regular Session

HOUSE BILL NO. 577

BY REPRESENTATIVES NORTON, ADAMS, BAGNERIS, BRASS, JEFFERSON,
JENKINS, AND MOORE

1 AN ACT

2 To amend and reenact R.S. 14:122.2, relative to threatening a public official or law
3 enforcement officer; to provide relative to the crime of threatening a public official;
4 to add law enforcement officers as a victim of the crime; to define "true threats"; to
5 define "law enforcement officer"; to define "verbal or written communication" for
6 purposes of the crime; to provide that the crime applies to threats made through
7 social media; and to provide for related matters.

8 Be it enacted by the Legislature of Louisiana:

9 Section 1. R.S. 14:122.2 is hereby amended and reenacted to read as follows:

10 §122.2. Threatening a public official or law enforcement officer; penalties;
11 definitions

12 A.(1) Threatening a public official or law enforcement officer is engaging
13 in any verbal or written communication ~~which threatens serious bodily injury or~~
14 ~~death~~ that is a true threat to a public official or law enforcement officer.

15 (2) ~~Except as provided in Subsection B, whoever~~ Whoever commits the
16 crime of threatening a public official or law enforcement officer shall be fined not
17 more than five hundred dollars, or imprisoned for not more than six months, or both.

18 ~~B. Whoever commits the crime of threatening a public official with the intent~~
19 ~~to influence his conduct in relation to his position, employment, or official duty, or~~
20 ~~in retaliation as reprisal for his previous action in relation to his position,~~
21 ~~employment, or official duty, shall be fined not more than five hundred dollars, or~~
22 ~~imprisoned for not more than six months, or both.~~

1 ~~C.B.~~ For the purpose purposes of this Section, "public":

2 (1) "Public official" ~~is defined as~~ means any executive, ministerial,
3 administrative, judicial, or legislative officer of the state of Louisiana.

4 (2) "Law enforcement officer" means any employee of the state, a
5 municipality, a sheriff, or other public agency, whose permanent duties include the
6 making of arrests, the performing of searches and seizures, or the execution of
7 criminal warrants, and who is responsible for the prevention or detection of crime
8 or for the enforcement of the penal, traffic, or highway laws of this state.

9 (3) "True threats" occur when a person communicates a serious expression
10 of an intent to commit an unlawful act of violence upon a person or group of persons
11 with the intent to place such persons in fear of bodily harm or death. The person
12 need not intend to carry out the threat.

13 (4) "Verbal or written communication" means any textual, visual, written,
14 or oral communication, including communications made through social media.

SPEAKER OF THE HOUSE OF REPRESENTATIVES

PRESIDENT OF THE SENATE

GOVERNOR OF THE STATE OF LOUISIANA

APPROVED: _____