

of any state or of the United States.

- (4) Inducing or persuading or attempting to induce or persuade any person to do any of the following:
 - (a) Testify falsely or, without right or privilege to do so, to withhold any testimony.
 - (b) Without the right or privilege to do so, absent himself from such proceedings despite having received service of a subpoena.

Proposed law retains present law.

Present law provides the following penalties for the crime of obstruction of justice:

- (1) When the obstruction of justice involves a criminal proceeding in which a sentence of death or life imprisonment may be imposed, the offender is to be fined up to \$100,000, imprisoned for up to 40 years at hard labor, or both.
- (2) When the obstruction of justice involves a criminal proceeding in which a sentence of imprisonment necessarily at hard labor for any period less than a life sentence may be imposed, the offender may be fined up to \$50,000, or imprisoned for up to 20 years at hard labor, or both.
- (3) When the obstruction of justice involves any other criminal proceeding, the offender is to be fined up to \$10,000, or imprisoned up to five years, with or without hard labor, or both.

Present law provides that all grades of obstruction of justice are felonies.

Proposed law retains present law but provides that when the obstruction involves tampering with evidence but does not involve an intentional misdemeanor affecting the person, the offender is to be fined up to \$500, imprisoned for up to six months, or both, and therefore is a misdemeanor rather than a felony.

Effective August 1, 2020.

(Amends R.S. 14:130.1(B)(3); adds R.S. 14:130.1(B)(4))