
DIGEST

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HB 450 Reengrossed

2020 Regular Session

Hilferty

Abstract: Amends the crime of simple burglary to provide specific penalties that apply when the crime is committed with a firearm under certain circumstances.

Present law defines the crime of simple burglary as the unauthorized entering of any dwelling, vehicle, watercraft, or other structure, movable or immovable, or any cemetery, with the intent to commit a felony or any theft therein.

Present law provides that whoever commits the crime of simple burglary shall be fined not more than \$2,000, imprisoned with or without hard labor for not more than 12 years, or both.

Proposed law retains present law and adds that if the offender, while committing the present law crime of simple burglary, is armed with a firearm or, after entering, arms himself with or possesses a firearm, the offender shall be imprisoned with or without hard labor for not less than three nor more than 12 years.

(Amends R.S. 14:62(B))

Summary of Amendments Adopted by House

The Committee Amendments Proposed by House Committee on Administration of Criminal Justice to the original bill:

1. Remove proposed law provisions creating the crime of first degree burglary and providing criminal penalties for violations of the proposed law crime.
2. Amend present law crime of simple burglary to provide specific penalties that apply when the crime is committed with a firearm under certain circumstances.

The House Floor Amendments to the engrossed bill:

1. Remove the requirement that one year of the sentence imposed be served without benefit of parole, probation, or suspension of sentence.