

2021 Regular Session

HOUSE BILL NO. 15

BY REPRESENTATIVE MACK

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

CRIME: Provides for the crime of staging of a motor vehicle collision

1 AN ACT

2 To enact R.S. 14:68.4.1 and 68.4.2, relative to motor vehicles; to create the crimes of staging
3 of a motor vehicle collision and aggravated staging of a motor vehicle collision; to
4 provide for definitions; to provide for criminal penalties; and to provide for related
5 matters.

6 Be it enacted by the Legislature of Louisiana:

7 Section 1. R.S. 14:68.4.1 and 14:68.4.2 are hereby enacted to read as follows:

8 §68.4.1. Staging of a motor vehicle collision

9 A. Staging of a motor vehicle collision is any of the following:

10 (1) The causing of a motor vehicle collision for the purpose of obtaining
11 anything of value.

12 (2) The participation in a scheme to create documentation of a motor vehicle
13 collision that did not occur for the purpose of obtaining anything of value.

14 (3) The participation with an intent to defraud by engaging in any of the
15 following:

16 (a) Making or assisting in making a claim for insurance benefits or monetary
17 damages.

18 (b) Attempting or assisting in attempting to obtain any benefit to which the
19 claimant is not legally entitled.

20 B. Whoever commits the crime of staging of a motor vehicle collision shall
21 be imprisoned, with or without hard labor, for not more than five years, fined not
22 more than five thousand dollars, or both.

- 1 §68.4.2. Aggravated staging of a motor vehicle collision
- 2 A. Aggravated staging of a motor vehicle collision is the staging of a motor
- 3 vehicle collision, as defined in R.S. 14:68.4.1, which causes death or serious bodily
- 4 injury to another person.
- 5 B. Whoever commits the crime of aggravated staging of a motor vehicle
- 6 collision shall be imprisoned, with or without hard labor, for not less than five years
- 7 nor more than thirty years, fined not more than fifteen thousand dollars, or both.

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 15 Original

2021 Regular Session

Mack

Abstract: Creates the crimes of staging of a motor vehicle collision and aggravated staging of a motor vehicle collision and provides for elements of the offenses and criminal penalties.

Proposed law creates the crime of staging of a motor vehicle collision and defines the elements as any of the following:

- (1) Causing a motor vehicle collision for the purpose of obtaining anything of value.
- (2) Participating in a scheme to create documentation of a motor vehicle collision that did not occur for the purpose of obtaining anything of value.
- (3) Participating with an intent to defraud by any of the following manners:
 - (a) Making or assisting in making a claim for insurance benefits or monetary damages.
 - (b) Attempting or assisting in attempting to obtain any benefit to which the person is not legally entitled.

Proposed law provides for a term of imprisonment, with or without hard labor, not to exceed five years, a fine not to exceed \$5,000, or both.

Proposed law creates the crime of aggravated staging of a motor vehicle collision and defines it as the staging of a motor vehicle collision which causes death or serious bodily injury to another person.

Proposed law provides for a term of imprisonment, with or without hard labor, for not less than five years nor more than 30 years, a fine not to exceed \$15,000, or both.

(Adds R.S. 14:68.4.1 and 68.4.2)