

2021 Regular Session

SENATE BILL NO. 140

BY SENATOR HARRIS

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

CRIME/PUNISHMENT. Provides relative to the crime of obstruction of justice penalties.
(8/1/21)

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AN ACT

To amend and reenact R.S. 14:130.1(B)(3) and to enact 14:130.1(B)(4), relative to the crime of obstruction of justice; to provide for an exception; to provide for penalties; and to provide for related matters.

Be it enacted by the Legislature of Louisiana:

Section 1. R.S. 14:130.1(B)(3) is hereby amended and reenacted and R.S. 14:130.1(B)(4) is hereby enacted to read as follows:

§130.1. Obstruction of justice

* * *

B. Whoever commits the crime of obstruction of justice shall be subject to the following penalties:

* * *

(3) When the obstruction of justice involves any other criminal proceeding, except as provided in Paragraph (4) of this Subsection, the offender shall be fined not more than ten thousand dollars, imprisoned for not more than five years, with or without hard labor, or both.

(4) When the obstruction of justice is committed as described in

1 **Paragraph (A)(1) of this Section and involves any misdemeanor criminal**
2 **proceeding that does not involve an intentional misdemeanor directly affecting**
3 **the person, the offender shall be fined not more than five hundred dollars,**
4 **imprisoned for not more than six months, or both.**

The original instrument and the following digest, which constitutes no part of the legislative instrument, were prepared by Michael Bell.

SB 140 Original DIGEST 2021 Regular Session Harris

Present law provides for the following penalties for the criminal offense 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 shall be fined not more than \$100,000, imprisoned for not more than 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 not more than \$50,000, or imprisoned for not more than 20 years at hard labor, or both.
- (3) When the obstruction of justice involves any other criminal proceeding, the offender shall be fined not more than \$10,000, imprisoned for not more than five years, with or without hard labor, or both.

Proposed law retains present law and adds to the penalties that when the obstruction of justice is committed as described in statute and involves any misdemeanor criminal proceeding that does not involve an intentional misdemeanor directly affecting the person, the offender shall be fined not more than \$500, imprisoned for not more than six months, or both.

Effective August 1, 2021.

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