

2021 Regular Session

HOUSE BILL NO. 395

BY REPRESENTATIVE ROMERO

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

CRIME: Provides relative to the unlawful posting of criminal activity

1 AN ACT

2 To amend and reenact R.S. 14:107.4(B), relative to the crime of unlawful posting of criminal
3 activity for notoriety and publicity; to provide enhanced penalties when the criminal
4 activity results in serious bodily injury or death; and to provide for related matters.

5 Be it enacted by the Legislature of Louisiana:

6 Section 1. R.S. 14:107.4(B) is hereby amended and reenacted to read as follows:

7 §107.4. Unlawful posting of criminal activity for notoriety and publicity

8 * * *

9 B.(1) Whoever violates the provisions of this Section shall be fined not more
10 than five hundred dollars or imprisoned for not more than six months, or both.

11 (2) Whoever violates the provisions of this Section and the criminal activity
12 results in the serious bodily injury or death of the victim shall be fined not more than
13 two thousand dollars, imprisoned with or without hard labor for not more than eight
14 years, or both.

15 * * *

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 395 Original

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Romero

Abstract: Adds a fine of not more than \$2,000, imprisonment with or without hard labor for not more than eight years, or both to the penalties for the crime of unlawful posting of criminal activity for notoriety and publicity when the criminal activity results in serious bodily injury or death.

Present law provides that it is unlawful for a person who is either a principal or accessory to a crime to obtain an image of the commission of the crime using any camera or other image recording device and to transfer that image by the use of a computer online service or other means of electronic communication for the purpose of gaining notoriety, publicity, or the attention of the public, subject to certain present law exceptions.

Present law provides for a fine of not more than \$500, imprisonment for not more than six months, or both.

Proposed law retains present law and provides that whenever the criminal activity results in serious bodily injury or death, the person who commits the crime of unlawful posting of criminal activity for notoriety and publicity shall be fined not more than \$2,000, imprisoned with or without hard labor for not more than eight years, or both

(Amends R.S. 14:107.4(B))