HLS 21RS-210 ENGROSSED

2021 Regular Session

HOUSE BILL NO. 15

1

BY REPRESENTATIVE MACK

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

AN ACT

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

2	To enact R.S. 14:68.4.1 and 68.4.2 and R.S. 15:1352(A)(67) and (68), relative to motor
3	vehicles; to create the crimes of staging of a motor vehicle collision and aggravated
4	staging of a motor vehicle collision; to provide for definitions; to provide for
5	criminal penalties; to provide for additional crimes that are elements of racketeering
6	activity; and to provide for related matters.
7	Be it enacted by the Legislature of Louisiana:
8	Section 1. R.S. 14:68.4.1 and 14:68.4.2 are hereby enacted to read as follows:
9	§68.4.1. Staging of a motor vehicle collision
10	A. Staging of a motor vehicle collision is any of the following with an intent
11	to defraud:
12	(1) Causing a motor vehicle collision for the purpose of obtaining anything
13	of value.
14	(2) Providing information in connection with a motor vehicle collision,
15	knowing that the collision was intentionally caused, for the purpose of obtaining
16	anything of value.
17	(3) Providing false information in connection with a motor vehicle collision
18	that did not occur for the purpose of obtaining anything of value.
19	B. Whoever commits the crime of staging of a motor vehicle collision shall
20	be imprisoned, with or without hard labor, for not more than five years, fined not
21	more than five thousand dollars, or both.

CODING: Words in struck through type are deletions from existing law; words <u>underscored</u> are additions.

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 vehicle collision, as defined in R.S. 14:68.4.1, which causes death or serious bodily 3 4 injury to another person. B. Whoever commits the crime of aggravated staging of a motor vehicle 5 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. 8 Section 2. R.S. 15:1352(A)(67) and (68) are hereby enacted to read as follows: 9 §1352. Definitions 10 A. As used in this Chapter, "racketeering activity" means committing, 11 attempting to commit, conspiring to commit, or soliciting, coercing, or intimidating 12 another person to commit any crime that is punishable under the following 13 provisions of Title 14 of the Louisiana Revised Statutes of 1950, the Uniform 14 Controlled Dangerous Substances Law, or the Louisiana Securities Law: 15 16 (67) R.S. 14:68.4.1 (Staging of a motor vehicle collision) 17 (68) R.S. 14:68.4.2 (Aggravated staging of a motor vehicle collision) 18

## 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)]

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**Abstract:** Creates the crimes of staging of a motor vehicle collision and aggravated staging of a motor vehicle collision, provides for the elements of the offenses and criminal penalties, and adds the new crimes as elements of the crime of racketeering activity.

<u>Proposed law</u> creates the crime of staging of a motor vehicle collision and defines the elements as any of the following with an intent to defraud:

- (1) Causing a motor vehicle collision for the purpose of obtaining anything of value.
- (2) Providing information in connection with a motor vehicle collision, knowing that the collision was intentionally caused, for the purpose of obtaining anything of value.

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(3) Providing false information in connection with a motor vehicle collision that did not occur for the purpose of obtaining anything of value.

<u>Proposed law</u> 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.

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

<u>Proposed law</u> 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.

<u>Proposed law</u> adds the crimes of staging a motor vehicle collision and aggravated staging of a motor vehicle collision as elements of the crime of racketeering activity.

(Adds R.S. 14:68.4.1 and 68.4.2 and R.S. 15:1352(A)(67) and (68))

## Summary of Amendments Adopted by House

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

- 1. Redefine the elements of staging a motor vehicle collision.
- 2. Add staging a motor vehicle collision and aggravated staging of a motor vehicle collision as elements of the crime of racketeering activity.
- 3. Make technical changes.