

2021 Regular Session

HOUSE BILL NO. 583

BY REPRESENTATIVES FONTENOT AND BACALA AND SENATORS BARROW,
BERNARD, BOUDREAUX, CLOUD, JACKSON, AND ROBERT MILLS

1 AN ACT

2 To amend and reenact R.S. 14:44.1(A) and (B) and to enact R.S. 14:2(B)(25), relative to
3 crimes of violence; to add false imprisonment while armed with a dangerous weapon
4 to the list of crimes of violence; to provide relative to the crime of second degree
5 kidnapping; to provide relative to definitions; and to provide for related matters.

6 Be it enacted by the Legislature of Louisiana:

7 Section 1. R.S. 14:44.1(A) and (B) are hereby amended and reenacted and R.S.
8 14:2(B)(25) is hereby enacted to read as follows:

9 §2. Definitions

10 * * *

11 B. In this Code, "crime of violence" means an offense that has, as an
12 element, the use, attempted use, or threatened use of physical force against the
13 person or property of another, and that, by its very nature, involves a substantial risk
14 that physical force against the person or property of another may be used in the
15 course of committing the offense or an offense that involves the possession or use

1 of a dangerous weapon. The following enumerated offenses and attempts to commit
2 any of them are included as "crimes of violence":

3 * * *

4 (25) False imprisonment; offender armed with dangerous weapon.

5 * * *

6 §44.1. Second degree kidnapping

7 A. Second degree kidnapping is the doing of any of the acts listed in
8 Subsection B of this Section wherein the victim is any of the following:

9 * * *

10 (1) Used as a shield or hostage;~~;~~

11 (2) Used to facilitate the commission of a felony or the flight after an attempt
12 to commit or the commission of a felony;~~;~~

13 (3) Physically injured or sexually abused;~~;~~

14 (4) Imprisoned or kidnapped for seventy-two or more hours, except as
15 provided in R.S. 14:45(A)(4) or (5);~~or.~~

16 (5) Imprisoned or kidnapped when the offender is armed with a dangerous
17 weapon or leads the victim to reasonably believe he is armed with a dangerous
18 weapon.

19 (6) Used to facilitate the commission of a simple escape or an aggravated
20 escape, including a simple escape or aggravated escape from either an adult or
21 juvenile correctional or detention facility, in violation of R.S. 14:110.

22 B. For purposes of this Section, kidnapping is any of the following:

23 (1) The forcible seizing and carrying of any person from one place to
24 another;~~or.~~

25 (2) The enticing or persuading of any person to go from one place to another;
26 ~~or.~~

27 (3) The imprisoning or forcible secreting of any person.

