

2022 Regular Session

SENATE BILL NO. 70

BY SENATOR TALBOT

THEFT. Creates the crime of theft of a catalytic converter and provides for dealer registration. (8/1/22)

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AN ACT

To enact R.S. 14:67.12 and R.S. 37:1864(A)(3), relative to misappropriation without violence; to create the crime of theft of a catalytic converter; to provide penalties; to provide relative to entities engaged in the sale of catalytic converters; to provide relative to registration with law enforcement; and to provide for related matters.

Be it enacted by the Legislature of Louisiana:

Section 1. R.S. 14:67.12 is hereby enacted to read as follows:

§67.12. **Theft of a catalytic converter**

~~Repealed by Acts 2014, No. 255, §3~~

**A. Theft of a catalytic converter is the misappropriation or taking of a catalytic converter which belongs to another, either without the consent of the owner to the misappropriation or taking, or by means of fraudulent conduct, practices, or representations. An intent to deprive the owner permanently of the catalytic converter is essential.**

**B.(1) Whoever commits the crime of theft of a catalytic converter when the misappropriation or taking amounts to a value of twenty-five thousand dollars or more shall be imprisoned at hard labor for not less than ten years nor**

1 more than twenty years, or may be fined not more than fifty thousand dollars,  
2 or both.

3 (2) When the misappropriation or taking amounts to a value of five  
4 thousand dollars or more, but less than a value of twenty-five thousand dollars,  
5 the offender shall be imprisoned, with or without hard labor, for not less than  
6 five years nor more than ten years, or may be fined not more than ten thousand  
7 dollars, or both.

8 (3) When the misappropriation or taking amounts to a value of one  
9 thousand dollars or more, but less than a value of five thousand dollars, the  
10 offender shall be imprisoned, with or without hard labor, for not less than two  
11 years nor more than five years, or may be fined not more than three thousand  
12 dollars, or both.

13 (4) When the misappropriation or taking amounts to a value of less than  
14 one thousand dollars, the offender shall be imprisoned for not less than ninety  
15 days nor more than six months, or may be fined not more than one thousand  
16 dollars, or both.

17 C. If the offender has been convicted under this Section two or more  
18 times previously, upon any subsequent conviction he shall be imprisoned, with  
19 or without hard labor, for an additional year to be served consecutively to the  
20 sentence imposed under Subsection B of this Section, or may be fined an  
21 additional one thousand dollars, or both.

22 D. When there has been a misappropriation or taking by a number of  
23 distinct acts of the offender, the aggregate of the amount of the  
24 misappropriations or taking shall determine the grade of the offense.

25 Section 2: R.S. 37:1864(A)(3) is hereby enacted to read as follows:

26 §1864. Record of secondhand goods or objects purchased required; exceptions;  
27 retention period; inspections by law enforcement; violations; penalty

28 A. \* \* \*

29 (3) In addition to the other requirements of this Subsection, any person,

1        **firm, corporation, or entity engaged in the business of buying or selling**  
 2        **unattached catalytic converters as a single item and not as part of a scrapped**  
 3        **motor vehicle shall register with the chief of police and sheriff of each city and**  
 4        **parish in which the business is conducted.**

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

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## DIGEST

SB 70 Engrossed

2022 Regular Session

Talbot

Proposed law creates the crime of "theft of a catalytic converter", which is misappropriation or taking of a catalytic converter which belongs to another, either without the consent of the owner to the misappropriation or taking, or by means of fraudulent conduct, practices, or representations. Proposed law further provides that an intent to deprive the owner permanently of the catalytic converter is essential.

Proposed law provides for the following penalties:

- (1) When the misappropriation or taking amounts to a value of \$25,000 or more, the offender is to be imprisoned, at hard labor, for not less than 10 years nor more than 20 years, or fined not more than \$50,000, or both.
- (2) When the misappropriation or taking amounts to a value of \$5,000 or more, but less than \$25,000, the offender is to be imprisoned, with or without hard labor, for not less than five years nor more than 10 years, or fined not more than \$10,000, or both.
- (3) When the misappropriation or taking amounts to a value of \$1,000 or more, but less than \$5,000, the offender is to be imprisoned, with or without hard labor, for not less than two years nor more than five years, or fined not more than \$3,000, or both.
- (4) When the misappropriation or taking amounts to a value of less than \$1,000, the offender is to be imprisoned for not less than 90 days nor more than six months, or fined not more than \$1,000, or both.

Proposed law further provides that if the offender has been convicted two or more times of theft of catalytic converter, upon any subsequent conviction, he is to be imprisoned, with or without hard labor, for an additional year to be served consecutively, or may be fined not more than an additional \$2,000, or both.

Effective August 1, 2022.

(Adds R.S. 14:67.12 and 37:1864(A)(3))

Summary of Amendments Adopted by Senate

Committee Amendments Proposed by Senate Committee on Judiciary C to the original bill

1. Requires entity engaged in the business of buying or selling unattached catalytic converters to register with the chief of police and sheriff of each city and parish in which the business is conducted.