

2023 Regular Session

HOUSE BILL NO. 94

BY REPRESENTATIVE BACALA

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

CRIME/THEFT: Provides relative to theft of automated teller machines

1 AN ACT

2 To enact R.S. 14:67.13, relative to theft; to create the crime of theft of an automated teller
3 machine; to provide for a definition; to provide for criminal penalties; and to provide
4 for related matters.

5 Be it enacted by the Legislature of Louisiana:

6 Section 1. R.S. 14:67.13 is hereby enacted to read as follows:

7 §67.13. Theft of an automated teller machine

8 A. Theft of an automated teller machine is the misappropriation or taking of
9 an automated teller machine which belongs to another, either without the consent of
10 the other to the misappropriation or taking, or by means of fraudulent conduct,
11 practices, or representations with the intent to deprive the owner permanently of the
12 automated teller machine.

13 B. For purposes of this Section, "automated teller machine" means an
14 electronic information processing device located in this state which accepts or
15 dispenses cash in connection with an account or credit card.

16 C. Whoever commits the crime of theft of an automated teller machine shall
17 be imprisoned with or without hard labor for not less than five years nor more than
18 ten years, and may, in addition, be required to pay a fine equal to the total amount
19 of money contained in the automated teller machine at the time of the commission
20 of the offense and any damages that result from the offense.

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 94 Original

2023 Regular Session

Bacala

Abstract: Creates the crime of theft of an automated teller machine and provides for criminal penalties.

Proposed law creates the crime of theft of an automated teller machine and defines the crime as the misappropriation or taking of an automated teller machine which belongs to another, either without the consent of the other to the misappropriation or taking, or by means of fraudulent conduct, practices, or representations with the intent to deprive the owner permanently of the machine.

Proposed law defines "automated teller machine" as an electronic information processing device which accepts or dispenses cash in connection with an account or credit card.

Proposed law provides that whoever commits the proposed law crime shall be imprisoned with or without hard labor for not less than five years nor more than 10 years and may, in addition, be required to pay a fine equal to the total amount of money contained in the automated teller machine at the time of the commission of the offense and any damages that result from the offense.

(Adds R.S. 14:67.13)