

2023 Regular Session

HOUSE BILL NO. 65

BY REPRESENTATIVE VILLIO

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

CRIME: Designates the crime of burglary of an inhabited dwelling as a crime of violence

1 AN ACT

2 To enact R.S. 14:2(B)(60), relative to crimes of violence; to designate the crime of simple
3 burglary of an inhabited dwelling as a crime of violence when a person is present in
4 the dwelling, house, apartment, or other structure; and to provide for related matters.

5 Be it enacted by the Legislature of Louisiana:

6 Section 1. R.S. 14:2(B)(60) is hereby enacted to read as follows:

7 §2. Definitions

8 * * *

9 B. In this Code, "crime of violence" means an offense that has, as an
10 element, the use, attempted use, or threatened use of physical force against the
11 person or property of another, and that, by its very nature, involves a substantial risk
12 that physical force against the person or property of another may be used in the
13 course of committing the offense or an offense that involves the possession or use
14 of a dangerous weapon. The following enumerated offenses and attempts to commit
15 any of them are included as "crimes of violence":

16 * * *

17 (60) Simple burglary of an inhabited dwelling when a person is present in
18 the dwelling, house, apartment, or other structure.

19 * * *

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 65 Engrossed

2023 Regular Session

Villio

Abstract: Designates the crime of "simple burglary of an inhabited dwelling" as a crime of violence when committed when a person is present in the dwelling, house, apartment, or other structure.

Present law (R.S. 14:2(B)) provides for a list of offenses designated as crimes of violence.

Proposed law retains present law and adds the offense of simple burglary of an inhabited dwelling when a person is present in the dwelling, house, apartment, or other structure.

(Adds R.S. 14:2(B)(60))

Summary of Amendments Adopted by House

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

1. Specify that simple burglary of an inhabited dwelling is a crime of violence when a person is present in the dwelling, house, apartment, or other structure during the commission of the offense.