

RÉSUMÉ DIGEST

ACT 218 (HB 94)

2023 Regular Session

Bacala

New law creates the crime of theft or criminal access of an automated teller machine.

New law provides that theft of an automated teller machine is the misappropriation or taking of an automated teller machine which belongs to another without the consent of the other to the misappropriation or taking with the intent to deprive the owner permanently of the automated teller machine or its contents.

New law provides that criminal access of an automated teller machine is the intentional destroying, damaging, impairing, tampering with, or otherwise rendering inoperable of an automated teller machine belonging to another with the intent to steal currency or personal financial information of another, regardless of the pecuniary loss.

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

Provides that whoever commits the new 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 of not more than \$10,000. Requires restitution to be ordered pursuant to existing law (C.Cr.P. Art. 883.2).

Effective August 1, 2023.

(Adds R.S. 14:67.13)