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## DIGEST

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HB 91 Original

2024 Regular Session

Bacala

**Abstract:** Provides for an affirmative defense to the crime of criminal trespass if a person was authorized to operate his watercraft on running waters of the state.

Present law (R.S. 14:63) prohibits any person from entering upon, or remaining in or upon, immovable or movable property owned by another without express, legal, or implied authorization.

Proposed law retains present law.

Present law (R.S. 14:63(D)) provides for an affirmative defense to a prosecution for a violation of present law if the accused had express, legal, or implied authority to be in the movable or on the immovable property.

Proposed law retains present law and further provides that the affirmative defense contained in present law shall also apply if the accused was authorized to operate his watercraft on running waters of the state in accordance with present law (Civil Code Article 450, 452, 455, or 456).

(Amends R.S. 14:63(D))