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

SB 34 Engrossed

DIGEST
2024 Regular Session

Hensgens

Present law defines second degree robbery as the taking of anything of value belonging to another from the person of another or that is in the immediate control of another when the offender intentionally inflicts serious bodily injury.

Present law defines simple robbery as either:

- (1) The taking of anything of value belonging to another from the person of another or that is in the immediate control of another, by use of force or intimidation, but not armed with a dangerous weapon.
- (2) The taking of anything of value when a person is part of a group of three or more individuals and the person has the intent to take anything of value from a retail establishment that is in the immediate control of a retail employee or employer and there is a reasonable belief that a reasonable person would not intercede because of fear.

Proposed law deletes the taking of anything of value from a retail establishment under certain circumstances from the definition of simple robbery and adds it to the definition of second degree robbery.

Present law makes second degree robbery punishable by imprisonment at hard labor for between three and 40 years.

Proposed law applies second degree robbery penalties to persons who either take anything of retail value under certain circumstances or who recruit others who then take anything of retail value under certain circumstances.

Proposed law increases the minimum period of incarceration for second degree robbery from three years to five years if the defendant has a prior conviction for second degree robbery within the previous 10 years. Proposed law also provides for sentencing a defendant to an additional five consecutive years without benefit of parole, probation, or suspension of sentence if a firearm was used commit the crime.

Proposed law otherwise retains present law.

Effective August 1, 2024.

(Amends R.S. 14:64.4 and 14:65(A))

Summary of Amendments Adopted by Senate

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

1. Add a provision that makes the recruiting of another to take a thing of value second degree robbery once the crime has been completed.
2. Increase the minimum period of imprisonment for second degree robbery repeat offenders.
3. Require an additional five years be added to a sentence if the defendant used a firearm to commit second degree robbery.