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## DIGEST

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HB 127 Reengrossed

2024 Regular Session

Bayham

**Abstract:** Provides relative to the elements and penalties for the crime of simple obstruction of a highway of commerce.

Present law provides that the crime of simple obstruction of a highway of commerce is the intentional or criminally negligent placing of anything or performance of any act on any railway, railroad, navigable waterway, road, highway, thoroughfare, or runway of an airport, which will render movement thereon more difficult.

Present law further provides for penalties consisting of a fine of not more than \$200, imprisonment for not more than six months, or both.

Proposed law amends present law to define the crime of simple obstruction of a highway of commerce as either of the following when done in an intentional or criminally negligent manner:

- (1) The placing of anything or the performance of any act on any railway, railroad, navigable waterway, road, highway, thoroughfare, or runway of an airport, which will render movement thereon more difficult.
- (2) The coordination, organization, or planning of either the placing of anything or the performance of any act on any railway, railroad, navigable waterway, road, highway, thoroughfare, or runway of an airport, which will render movement thereon more difficult.

Proposed law amends present law to change the penalty to a fine of \$750, imprisonment for not more than six months, or both, for either of the following:

- (1) Any person who places anything or performs any act on any railway, railroad, navigable waterway, road, highway, thoroughfare, or runway of an airport, which will render movement thereon more difficult.
- (2) Any person who plans the placement of anything or performance of any act on any railway, railroad, navigable waterway, road, highway, thoroughfare, or runway of an airport, which will render movement thereon more difficult.

Proposed law shall not apply to an employee or contractor of any public utility or a provider of electric utility services, communications, telecommunications, video, or information services, to the extent that the employee or contractor is acting on behalf of such entity in a road, highway, or

thoroughfare.

(Amends R.S. 14:97)

Summary of Amendments Adopted by House

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

1. Change the maximum penalty from nine months to six months for any person who places anything or performs any act that constitutes the crime of simple obstruction of a highway of commerce.
2. Clarify that the term of imprisonment is with or without hard labor for any person who coordinates, organizes, or plans the placement of anything or performance of any act that constitutes the crime of simple obstruction of a highway of commerce.
3. Provide that the crime of simple obstruction of a highway of commerce shall not apply to an employee or contractor of any public utility or a provider of electric utility services, communications, telecommunications, video, or information services, to the extent that the employee or contractor is acting on behalf of such entity in a road, highway, or thoroughfare.

The House Floor Amendments to the engrossed bill:

1. Make technical changes.
2. Provide for misdemeanor, rather than felony, penalties for a person who coordinates, organizes, or plans the placement of anything or performance of any act on any railway, railroad, navigable waterway, road, highway, thoroughfare, or runway of an airport, which will render movement thereon more difficult.