2024 Regular Session

HOUSE BILL NO. 269

## BY REPRESENTATIVE MUSCARELLO

1	AN ACT
2	To amend and reenact Code of Criminal Procedure Article 611(C) and R.S. 14:110(A)(2),
3	(B)(3), and (E) and to enact Code of Criminal Procedure Article 611(E) and R.S.
4	14:110(A)(4), relative to the crime of simple escape; to provide relative to venue; to
5	provide for an alternative element of the offense; to provide for a violation of this
6	offense; to provide relative to a penalty; and to provide for related matters.
7	Be it enacted by the Legislature of Louisiana:
8	Section 1. Code of Criminal Procedure Article 611(C) is hereby amended and
9	reenacted and Code of Criminal Procedure Article 611(E) is hereby enacted to read as
10	follows:
1	Art. 611. Venue; trial where offense committed
12	* * *
13	C. If the offender is charged with any of the following offenses, the offense
14	is deemed to have been committed either in the parish where the offense occurred or
15	where the victim resides:
16	(1) R.S. 14:67.3, unauthorized use of an access card.
17	(2) R.S. 14:67.16, identity theft.
18	(3) (2) R.S. 14:70.4, access device fraud.
19	(4) (3) R.S. 14:70.8, illegal transmission of monetary funds.
20	(5) (4) R.S. 14:71.1, bank fraud.
21	(6) (5) R.S. 14:72, forgery.
22	(7) (6) R.S. 14:72.2, monetary instrument abuse.
23	* * *

Page 1 of 3

CODING: Words in struck through type are deletions from existing law; words <u>underscored</u> are additions.

HB NO. 269 ENROLLED

1	E. If the offender is charged with a violation of R.S. 14:110, the offense is
2	deemed to have been committed in either of the following:
3	(1) The parish of the court that ordered or sentenced home incarceration,
4	confinement, or any other legal restraint.
5	(2) The parish where any act or element occurs in violation of R.S. 14:110.
6	Section 2. R.S. 14:110(A)(2), (B)(3), and (E) are hereby amended and reenacted and
7	R.S. 14:110(A)(4) is hereby enacted to read as follows:
8	§110. Simple escape; aggravated escape
9	A. Simple escape shall mean any of the following:
10	* * *
11	(2) The failure of a <u>criminal person</u> serving a sentence and participating in
12	a work release program authorized by law to report or return from his planned
13	employment or other activity under the program at the appointed time.
14	* * *
15	(4) The intentional alteration, destruction, removal, or disabling of electronic
16	monitoring equipment while participating in a home incarceration program.
17	B.
18	* * *
19	(3) A person participating in a home incarceration program under the
20	jurisdiction and control of the sheriffs of the respective parishes who commits the
21	crime of simple escape violates the provisions of Paragraph (A)(4) of this Section
22	shall be imprisoned with or without hard labor for not less than six months nor more
23	than five years, and such sentence shall not run concurrently with any other sentence.
24	* * *
25	E. The provisions of this Section shall be applicable to all penal,
26	correctional, rehabilitational, and work release centers and any and all prison
27	facilities under the control of the sheriffs law enforcement of the respective parishes
28	of the state of Louisiana. The prison facilities shall include but are not limited to
29	parish jails, correctional centers, home incarceration, work release centers, and
30	rehabilitation centers, hospitals, clinics, and any and all facilities where inmates are

1	confined under the jurisdiction and control of the sheriffs <u>law enforcement</u> of the
2	respective parishes.
	SPEAKER OF THE HOUSE OF REPRESENTATIVES
	DDECIDENT OF THE CENTATE
	PRESIDENT OF THE SENATE
	GOVERNOR OF THE STATE OF LOUISIANA

**ENROLLED** 

HB NO. 269

APPROVED: \_\_\_\_\_