
DIGEST

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Gaines

HB No. 189

Abstract: Amends the penalty provision for the attempt to commit theft by using the \$500 threshold which exists in the existing theft statutes.

Present law defines the crime of theft and provides that any offender who commits the crime of theft shall be punished as follows:

- (1) If the misappropriation or taking amounts to less than a value of \$500, the person shall be imprisoned for not more than six months, fined not more than \$1,000, or both.
- (2) If the misappropriation or taking amounts to a value of \$500 or more, but less than a value of \$1,500, the person shall be imprisoned, with or without hard labor, for not more than five years, fined not more than \$2,000, or both.
- (3) If the misappropriation or taking amounts to a value of \$1,500 or more, the person shall be imprisoned, with or without hard labor, for not more than 10 years, fined not more than \$3,000, or both.

Act No. 585 of the 2010 R.S. increased the lowest threshold amount of theft from a value of less than \$300 to less than \$500, but did not amend the present law attempt provisions.

Present law provides that any offender who attempts to commit the crime of theft of an amount not less than \$300 nor more than \$5,000 shall be imprisoned for not more than one year.

Proposed law amends present law penalty provision relative to those persons who attempt to commit the crime of theft by using the \$500 threshold in the present law theft statute. Provides that when the amount attempted to be taken or misappropriated is not less than \$500 nor more than \$5,000, the person shall be imprisoned for not more than one year, fined not more than \$500, or both.

(Amends R.S. 14:27(D)(2)(c)(i))