

Regular Session, 2013

SENATE BILL NO. 6

BY SENATOR ALLAIN

Prefiled pursuant to Article III, Section 2(A)(4)(b)(i) of the Constitution of Louisiana.

CRIME/PUNISHMENT. Provides relative to the crime of unauthorized entry of a place of business. (gov sig)

1 AN ACT

2 To amend and reenact R.S. 14:62.4(A), relative to the crime of unauthorized entry of a place
3 of business; to provide relative to the definition of the crime of unauthorized entry
4 of a place of business; and to provide for related matters.

5 Be it enacted by the Legislature of Louisiana:

6 Section 1. R.S. 14:62.4(A) is hereby amended and reenacted to read as follows:

7 §62.4. Unauthorized entry of a place of business

8 A. Unauthorized entry of a place of business is the intentional entry by a
9 person without authority into any structure or onto any premises, belonging to
10 another, that is completely enclosed by any type of physical barrier that is at least six
11 feet in height, **or by a combination of any type of physical barrier that is at least**
12 **six feet in height and a lake, river, bayou, or other body of water,** and **that is**
13 used in whole or in part as a place of business. **Nothing in this Section shall**
14 **prohibit the ability of a person to dock a boat, vessel, or other water craft on the**
15 **bank of a navigable waterway for a reasonable period of time under any of the**
16 **following circumstances:**

17 **(1) The water craft is experiencing a mechanical or operating problem.**

1 **(2) Any person aboard the water craft is experiencing a medical**
2 **emergency.**

3 **(3) Any other condition exists that prevents the water craft from**
4 **proceeding on the waterway.**

5 * * *

6 Section 2. This Act shall become effective upon signature by the governor or, if not
7 signed by the governor, upon expiration of the time for bills to become law without signature
8 by the governor, as provided by Article III, Section 18 of the Constitution of Louisiana. If
9 vetoed by the governor and subsequently approved by the legislature, this Act shall become
10 effective on the day following such approval.

The original instrument was prepared by Alden A. Clement, Jr. The following digest, which does not constitute a part of the legislative instrument, was prepared by Danielle Doiron.

DIGEST

Allain (SB 6)

Present law defines the crime of unauthorized entry of a place of business as the intentional entry by a person, without authority, into any structure or onto any premises, belonging to another and used in whole or in part as a place of business, that is completely enclosed by any type of physical barrier that is at least six feet in height.

Proposed law retains present law and adds that the crime of unauthorized entry of a place of business also includes the intentional entry by a person, without authority, into any structure or onto any premises belonging to another and used in whole or in part as a place of business, that is completely enclosed by a combination of any type of physical barrier that is at least six feet in height and a lake, river, bayou, or other body of water.

Proposed law further provides that it shall not prohibit the ability of a person to dock a boat, vessel, or other water craft on the bank of a navigable waterway for a reasonable period of time if:

- (1) The water craft is experiencing a mechanical or operating problem.
- (2) Any person aboard the water craft is experiencing a medical emergency.
- (3) Any other condition exists that prevents the water craft from proceeding on the waterway.

Effective upon signature of the governor or lapse of time for gubernatorial action.

(Amends R.S. 14:62.4(A))

Summary of Amendments Adopted by Senate

Senate Floor Amendments to engrossed bill

1. Authorizes a person to dock a water craft on the bank of a navigable waterway under certain circumstances.