

Regular Session, 2013

HOUSE BILL NO. 279

BY REPRESENTATIVE HENRY

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

CRIME: Amends the definition of the crime of racketeering

1 AN ACT

2 To amend and reenact R.S. 15:1352(A), relative to the definition of racketeering activity;
3 to add enumerated crimes to the definition of "racketeering activity"; and to provide
4 for related matters.

5 Be it enacted by the Legislature of Louisiana:

6 Section 1. R.S. 15:1352(A) is hereby amended and reenacted to read as follows:

7 §1352. Definitions

8 As used in this Chapter:

9 A. "Racketeering activity" means committing, attempting to commit,
10 conspiring to commit, or soliciting, coercing, or intimidating another person to
11 commit any crime ~~which~~ that is punishable under the following provisions of Title
12 14 of the Louisiana Revised Statutes of 1950, the Uniform Controlled Dangerous
13 Substances Law, or the Louisiana Securities Law:

- 14 (1) R.S. 14:28.1 (Solicitation for murder)
- 15 (2) R.S. 14:30 (First degree murder)
- 16 (3) R.S. 14:30.1 (Second degree murder)
- 17 (4) R.S. 14:37.1 (Assault by drive-by shooting)
- 18 (5) R.S. 14:44 (Aggravated kidnapping)
- 19 (6) R.S. 14:44.1 (Second degree kidnapping)
- 20 (7) R.S. 14:51 (Aggravated arson)

- 1 (8) R.S. 14:64.2 (Carjacking)
- 2 (9) R.S. 14:66 (Extortion)
- 3 (10) R.S. 14:67 (Theft)
- 4 (11) R.S. 40:966(A) (Manufacture; distribution of Schedule I controlled
- 5 dangerous substances)
- 6 (12) R.S. 40:966(F)(1), (2), and (3) (Possession of large quantities of
- 7 marijuana or synthetic cannabinoids)
- 8 (13) R.S. 40:967(A) (Manufacture; distribution of Schedule II controlled
- 9 dangerous substances)
- 10 (14) R.S. 40:968(A) (Manufacture; distribution of Schedule III controlled
- 11 dangerous substances)
- 12 (15) R.S. 40:969(A) (Manufacture; distribution of Schedule IV controlled
- 13 dangerous substances)
- 14 (16) R.S. 14:84 (Pandering)
- 15 (17) R.S. 14:230 (Money laundering)
- 16 (18) R.S. 14:67.16 (Identity theft)
- 17 (19) R.S. 51:712 (Unlawful practices regarding securities)
- 18 (20) R.S. 14:45 (Simple kidnapping)
- 19 (21) R.S. 14:52 (Simple arson)
- 20 (22) R.S. 14:60 (Aggravated burglary)
- 21 (23) R.S. 14:62 (Simple burglary)
- 22 (24) R.S. 14:62.1 (Simple burglary of a pharmacy)
- 23 (25) R.S. 14:62.2 (Simple burglary of an inhabited dwelling)
- 24 (26) R.S. 14:62.3 (Unauthorized entry of an inhabited dwelling)
- 25 (27) R.S. 14:64.1 (First degree robbery)
- 26 (28) R.S. 14:64.4 (Second degree robbery)
- 27 (29) R.S. 14:65 (Simple robbery)
- 28 (30) R.S. 14:118 (Public bribery)
- 29 (31) R.S. 14:120 (Corrupt influencing)

- 1 (32) R.S. 14:122 (Public intimidation and retaliation)
- 2 (33) R.S. 14:122.2 (Threatening a public official)
- 3 (34) R.S. 14:128.1 (Terrorism)
- 4 (35) R.S. 14:128.2 (Aiding others in terrorism)
- 5 (36) R.S. 14:129.1 (Intimidating, impeding, or injuring witnesses; injuring
- 6 officers)
- 7 (37) R.S. 14:132 (Injuring public records)
- 8 (38) R.S. 14:133 (Failing or maintaining false public records)
- 9 (39) R.S. 14:134.3 (Abuse of office)
- 10 (40) R.S. 14:135 (Public salary deduction)
- 11 (41) R.S. 14:136 (Public salary extortion)
- 12 (42) R.S. 14:138 (Public payroll fraud)
- 13 (43) R.S. 14:140 (Public contract fraud)
- 14 (44) R.S. 14:141 (Prohibited splitting of profits, fees, or commissions)
- 15 (45) R.S. 14:43.4 (Female genital mutilation)
- 16 (46) R.S. 14:44.2 (Aggravated kidnapping of a child)
- 17 (47) R.S. 14:46.2 (Human trafficking)
- 18 (48) R.S. 14:46.3 (Trafficking of children for sexual purposes)
- 19 (49) R.S. 14:76 (Bigamy)
- 20 (50) R.S. 14:77 (Abetting in bigamy)
- 21 (51) R.S. 14:286 (Sale of minor children)

22 * * *

DIGEST

The digest printed below was prepared by House Legislative Services. It constitutes no part of the legislative instrument. The keyword, one-liner, abstract, and digest do not constitute part of the law or proof or indicia of legislative intent. [R.S. 1:13(B) and 24:177(E)]

Henry

HB No. 279

Abstract: Adds enumerated crimes to the list of offenses which constitute "racketeering activity".

Present law defines "racketeering activity" by enumerating various crimes which can be prosecuted as a pattern of racketeering activity if at least two incidents of the crimes occur.

Present law provides for increased criminal penalties for convictions of racketeering and also provides for the seizure of property used in or derived from the racketeering activity.

Proposed law retains present law and adds the following to the definition of racketeering activity: female genital mutilation, aggravated kidnapping of a child, human trafficking, trafficking of children for sexual purposes, bigamy, abetting in bigamy, and the sale of minor children.

(Amends R.S. 15:1352(A))