
DIGEST

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HB 227 Original

2016 Regular Session

Pylant

Abstract: Adds to the crime of obstruction of justice additional elements including giving false testimony, withholding testimony, being absent despite being served with a subpoena, avoiding service of a subpoena, or withholding relevant information.

Present law defines the crime of obstruction of justice which includes elements of tampering with evidence, using or threatening force to influence testimony, or retaliating against witnesses, victims, jurors, officers of the court, and other parties. Provides for criminal penalties as follows:

- (1) A fine up to \$100,000, imprisonment for not more than 40 years at hard labor, or both, when the obstruction of justice involves a criminal proceeding in which a sentence of death or life imprisonment may be imposed.
- (2) A fine up to \$50,000, imprisonment for not more than 20 years at hard labor, or both when the obstruction of justice involves a criminal proceeding in which a sentence of imprisonment necessarily at hard labor for any period less than a life sentence may be imposed.
- (3) A fine up to \$10,000, imprisonment for not more than five years, with or without hard labor, or both, when the obstruction of justice involves any other criminal proceeding.

Proposed law retains present law and adds elements including giving false testimony, withholding testimony, being absent despite being served with a subpoena, avoiding service of a subpoena, or withholding information that is relevant to a criminal investigation.

(Adds R.S. 14:130.1(A)(4))