

Regular Session, 2010

HOUSE BILL NO. 123

BY REPRESENTATIVE BALDONE

CRIME: Creates the crime of tampering with surveillance, accounting, inventory, or monitoring systems

1 AN ACT

2 To enact R.S. 14:110.3, relative to offenses affecting law enforcement; to create the crime
3 of tampering with surveillance, accounting, inventory, or monitoring systems; to
4 provide for definitions; to provide for penalties; to provide for increased penalties
5 if the monitoring system is located on the premises of a correctional facility; and to
6 provide for related matters.

7 Be it enacted by the Legislature of Louisiana:

8 Section 1. R.S. 14:110.3 is hereby enacted to read as follows:

9 §110.3. Tampering with surveillance, accounting, inventory, or monitoring systems;
10 definitions; penalties

11 A. No person shall intentionally defeat, degrade, tamper, damage, alter,
12 destroy, remove, disable, obstruct, or impair in any way the operation of any
13 surveillance, accounting, inventory, or monitoring system of any nature or purpose,
14 including but not limited to any of the following:

15 (1) Removing, damaging, altering, destroying, disabling, impairing,
16 obstructing, obscuring, covering, or infusing with any object, substance, or material
17 any component of any surveillance, accounting, inventory, or monitoring system.

18 (2) Disconnecting, interfering with, damaging, tampering with, or
19 temporarily or permanently delaying or interrupting the internal or external signal

1 or electronic wire or wireless analog or digital transmissions of any surveillance,
2 accounting, inventory, or monitoring system.

3 (3) Interrupting any source of power for or degrading the performance in any
4 manner of the whole or any part or component or operating software or hardware of
5 any surveillance, accounting, inventory, or monitoring system.

6 B. For the purposes of this Section, "surveillance, accounting, inventory, or
7 monitoring system" means any electronic, analog, digital, radio, or other system
8 which generates, detects, senses, or records any or all of the following: video, audio,
9 radio waves of any frequency, light in the visible light spectrum, ultraviolet light,
10 infrared radiation, laser light or impulses, microwaves, magnetism, ionization, heat,
11 smoke, water, motion, or fire.

12 C.(1) Whoever commits the crime of tampering with surveillance,
13 accounting, inventory, or monitoring systems in correctional institutions shall be
14 fined not more than one thousand dollars, imprisoned with or without hard labor for
15 not more than one year, or both.

16 (2) If the surveillance, accounting, inventory, or monitoring systems is
17 located on the premises of any jail, prison, correctional facility, juvenile detention
18 center, the offender shall be fined not more than two thousand dollars, imprisoned
19 with or without hard labor for not more than two years, or both. Such sentence shall
20 be consecutive to any other sentence imposed for violation of the provisions of any
21 state criminal law.

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)]

Baldone

HB No. 123

Abstract: Creates the crime of tampering with surveillance, accounting, inventory, or monitoring systems.

Proposed law creates the crime of tampering with surveillance, accounting, inventory, or monitoring systems.

Proposed law defines "surveillance, accounting, inventory, or monitoring system".

Proposed law provides for penalties of a fine of not more than \$1,000, imprisonment with or without hard labor for not more than one year, or both.

Proposed law provides for increased penalties of a fine of not more than \$2,000, imprisonment with or without hard labor for not more than two years, or both, if the system is located on the premises of a correctional facility.

(Adds R.S. 14:110.3)