

Regular Session, 2010
HOUSE BILL NO. 123

ACT No. 351

BY REPRESENTATIVE BALDONE

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

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

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

7 C.(1) Whoever commits the crime of tampering with surveillance,
 8 accounting, inventory, or monitoring systems shall be fined not more than one
 9 thousand dollars, imprisoned with or without hard labor for not more than one year,
 10 or both.

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

SPEAKER OF THE HOUSE OF REPRESENTATIVES

PRESIDENT OF THE SENATE

GOVERNOR OF THE STATE OF LOUISIANA

APPROVED: _____