

2018 Regular Session

HOUSE BILL NO. 242

BY REPRESENTATIVES STEFANSKI AND MARINO

CRIME/THEFT: Provides relative to theft of goods from a merchant

1 AN ACT

2 To enact R.S. 14:67(D), relative to theft; to provide for elements of the crime of theft; to  
3 provide relative to property held for sale by a merchant; and to provide for related  
4 matters.

5 Be it enacted by the Legislature of Louisiana:

6 Section 1. R.S. 14:67(D) is hereby enacted to read as follows:

7 §67. Theft

8 \* \* \*

9 D.(1) In a prosecution under this Section where the property allegedly  
10 misappropriated or taken was held for sale by a merchant, an intent to permanently  
11 deprive the merchant of the property held for sale may be inferred when the  
12 defendant:

13 (2) Alters or transfers any price marking reflecting the actual retail price of  
14 the goods.

15 (3) Transfers goods from one container or package to another or places  
16 goods in any container, package, or wrapping in a manner to avoid detection.

17 (4) Willfully causes the cash register or other sales recording device to  
18 reflect less than the actual retail price of the goods.

19 (5) Removes any price marking with the intent to deceive the merchant as  
20 to the actual retail price of the goods.

1                    (6) Damages or consumes goods or property so as to render it  
2                    unmerchantable.

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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)]

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HB 242 Original

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Stefanski

**Abstract:** Provides for elements of the crime of theft when the property misappropriated or taken was held for sale by a merchant.

Present law prohibits the misappropriation or taking of anything of value which belongs to another, either without consent or by fraudulent conduct, practices, or representations.

Proposed law provides that certain conduct may be inferred as intending to deprive a merchant of property.

(Adds R.S. 14:67(D))