

Regular Session, 2012

HOUSE BILL NO. 65

BY REPRESENTATIVE BROSSETT

CRIME: Increases penalties for the crime of home invasion

1 AN ACT

2 To amend and reenact R.S. 14:62.8(B), relative to the crime of home invasion; to provide
3 for increased penalties when the offender is armed with a dangerous weapon; and to
4 provide for related matters.

5 Be it enacted by the Legislature of Louisiana:

6 Section 1. R.S. 14:62.8(B) is hereby amended and reenacted to read as follows:

7 §62.8. Home invasion

8 * * *

9 B.(1) Except as provided in ~~Paragraph (2)~~ Paragraphs (2) and (3) of this
10 Subsection, whoever commits the crime of home invasion shall be fined not more
11 than five thousand dollars and shall be imprisoned at hard labor for not less than five
12 nor more than twenty years; ~~at.~~ At least five years of the sentence imposed shall be
13 served without benefit of parole, probation, or suspension of sentence.

14 (2) Whoever commits the crime of home invasion while armed with a
15 dangerous weapon shall be fined not more than seven thousand dollars and shall be
16 imprisoned at hard labor for not less than seven nor more than twenty years. At least
17 seven years of the sentence imposed shall be served without benefit of parole,
18 probation, or suspension of sentence.

19 ~~(2)~~ (3) Whoever commits the crime of home invasion when, at the time of
20 the unauthorized entering, there is present in the dwelling or structure any person

1 who is under the age of twelve years, is sixty-five years of age or older, or who has
2 a developmental disability as defined in R.S. 28:451.2, shall be fined not more than
3 ten thousand dollars and shall be imprisoned at hard labor for not less than ten nor
4 more than twenty-five years. At least ten years of the sentence imposed shall be
5 served without benefit of parole, probation, or suspension of sentence.

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)]

Brossett

HB No. 65

Abstract: Increases criminal penalties for home invasion when a person committing the home invasion is armed with a dangerous weapon.

Present law provides for the crime of home invasion and provides penalties for the offense as follows:

- (1) A fine of not more than \$5,000 and imprisonment at hard labor for not less than five nor more than 20 years. At least five years of the sentence imposed shall be served without benefit of parole, probation, or suspension of sentence.
- (2) When the home invasion is committed in the presence of a child under 12, a person 65 years or older, or a developmentally disabled person, the penalties shall be a fine of not more than \$10,000 and imprisonment for not less than 10 nor more than 25 years, with at least 10 served without benefit of parole, probation, or suspension of sentence.

Proposed law retains present law and further provides that whoever commits the crime of home invasion while armed with a dangerous weapon shall be fined not more than \$7,000 and shall be imprisoned at hard labor for not less than seven nor more than 20 years, with at least seven years of the sentence served without benefit of parole, probation, or suspension of sentence.

(Amends R.S. 14:62.8(B))