

Regular Session, 2012  
HOUSE BILL NO. 790

# ACT No. 210

BY REPRESENTATIVE LOPINTO AND SENATOR THOMPSON

1 AN ACT

2 To amend and reenact R.S. 15:1404(A) and (B)(introductory paragraph) and to enact R.S.  
3 15:1404(B)(9) through (13), relative to criminal gang activity; to provide for the  
4 definition of "pattern of criminal gang activity"; and to provide for related matters.

5 Be it enacted by the Legislature of Louisiana:

6 Section 1. R.S. 15:1404(A) and (B)(introductory paragraph) are hereby amended and  
7 reenacted and R.S. 15:1404(B)(9) through (13) are hereby enacted to read as follows:

8 §1404. Definitions

9 A. As used in this Chapter, "criminal street gang" means any ongoing  
10 organization, association, or group of three or more persons, whether formal or  
11 informal, which has as one of its primary activities the commission of one or more  
12 of the criminal acts enumerated in Paragraphs (1) through ~~(8)~~ (13) of Subsection B  
13 of this Section or which has a common name or common identifying sign or symbol,  
14 whose members individually or collectively engage in or have engaged in a pattern  
15 of criminal gang activity.

16 B. As used in this Chapter, "pattern of criminal gang activity" means the  
17 commission or attempted commission of two or more of the following offenses,  
18 provided ~~at least one of those offenses occurred after September 7, 1990 and the last~~  
19 ~~of those offenses occurred within three years after a prior~~ that the offenses occurred  
20 within a three-year period, and the offenses are committed on separate occasions or  
21 by two or more persons:

22 \* \* \*

23 (9) Assault by drive-by shooting as defined in R.S. 14:37.1.

24 (10) Rioting or inciting to riot as defined in R.S. 14:329.1 and 329.2.

- 1                    (11) Aggravated criminal damage to property as defined in R.S. 14:55.
- 2                    (12) Simple burglary as defined in R.S. 14:62.
- 3                    (13) Looting as defined in R.S. 14:62.5.

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SPEAKER OF THE HOUSE OF REPRESENTATIVES

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PRESIDENT OF THE SENATE

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GOVERNOR OF THE STATE OF LOUISIANA

APPROVED: \_\_\_\_\_