

Regular Session, 2014

SENATE BILL NO. 140

BY SENATOR MURRAY

CRIME/PUNISHMENT. Provides that failure to provide law enforcement with affidavit of theft of vehicle shall not create civil presumption of insured's participation in vehicle theft. (gov sig)

1 AN ACT

2 To enact R.S. 14:67.26(B)(3), relative to theft of a motor vehicle; to provide with respect to
3 failure to provide law enforcement with an affidavit; to provide that such failure shall
4 not create a presumption for certain purposes; and to provide for related matters.

5 Be it enacted by the Legislature of Louisiana:

6 Section 1. R.S. 14:67.26(B)(3) is hereby enacted to read as follows:

7 §67.26. Theft of a motor vehicle

8 * * *

9 B. * * *

10 **(3) The failure to provide an affidavit as required by this Subsection**
11 **shall not, of itself, create any presumption for civil purposes of participation by**
12 **the insured in the theft of the motor vehicle.**

13 * * *

14 Section 2. This Act shall become effective upon signature by the governor or, if not
15 signed by the governor, upon expiration of the time for bills to become law without signature
16 by the governor, as provided by Article III, Section 18 of the Constitution of Louisiana. If
17 vetoed by the governor and subsequently approved by the legislature, this Act shall become

1 effective on the day following such approval.

The original instrument and the following digest, which constitutes no part of the legislative instrument, were prepared by Angela L. De Jean.

DIGEST

Murray (SB 140)

Present law provides that a person who alleges that there has been a theft of a motor vehicle shall attest to that fact by signing an affidavit provided by the law enforcement officer or agency which shall indicate that a person who falsely reports a theft of a motor vehicle may be subject to criminal penalties under present law.

Present law provides that if the affidavit is not taken in person by a law enforcement officer or agency, the person who alleges that the theft of a motor vehicle has occurred shall mail or deliver a signed and notarized affidavit to the appropriate law enforcement agency within seven days.

Proposed law retains present law and adds that the failure to provide an affidavit shall not of itself, create any presumption for civil purposes of participation by the insured in the theft of the motor vehicle.

Effective upon signature of the governor or lapse of time for gubernatorial action.

(Adds R.S. 14:67.26(B)(3))