

2018 Regular Session

SENATE BILL NO. 271

BY SENATOR CORTEZ

CRIME/PUNISHMENT. Provides relative to the crime of unauthorized entry of a critical infrastructure. (gov sig)

1 AN ACT  
2 To amend and reenact R.S. 14:61(B)(1), relative to the crime of unauthorized entry of a  
3 critical infrastructure; to add certain construction sites and associated equipment to  
4 the definition of "critical infrastructure"; and to provide for related matters.

5 Be it enacted by the Legislature of Louisiana:

6 Section 1. R.S. 14:61(B)(1) is hereby amended and reenacted to read as follows:

7 §61. Unauthorized entry of a critical infrastructure

8 \* \* \*

9 B. For the purposes of this Section, the following words shall have the  
10 following meanings:

11 (1) "Critical infrastructure" shall include but not be limited to chemical  
12 manufacturing facilities, refineries, electrical power generating facilities, electrical  
13 transmission substations and distribution substations, water intake structures and  
14 water treatment facilities, natural gas transmission compressor stations, liquified  
15 natural gas (LNG) terminals and storage facilities, natural gas and hydrocarbon  
16 storage facilities, and transportation facilities, such as ports, railroad switching yards,  
17 and trucking terminals, and includes a construction site that is not open to the

1           **public and equipment used for any purpose by a person constructing an**  
 2           **improvement on any real property referenced in this Section.**

3   \*       \*       \*

4           Section 2. This Act shall become effective upon signature by the governor or, if not  
 5           signed by the governor, upon expiration of the time for bills to become law without signature  
 6           by the governor, as provided by Article III, Section 18 of the Constitution of Louisiana. If  
 7           vetoed by the governor and subsequently approved by the legislature, this Act shall become  
 8           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 Alden A. Clement Jr.

	DIGEST	
SB 271 Original	2018 Regular Session	Cortez

Present law provides that the crime of unauthorized entry of a critical infrastructure is any of the following:

- (1) The intentional entry by a person without authority into any structure or onto any premises, belonging to another, that constitutes in whole or in part a critical infrastructure that is completely enclosed by any type of physical barrier.
- (2) The use or attempted use of fraudulent documents for identification purposes to enter a critical infrastructure.
- (3) Remaining upon or in the premises of a critical infrastructure after having been forbidden to do so, either orally or in writing, by any owner, lessee, or custodian of the property or by any other authorized person.
- (4) The intentional entry into a restricted area of a critical infrastructure that is marked as a restricted or limited access area and that is completely enclosed by any type of physical barrier, when the person is not authorized to enter that restricted or limited access area.

Proposed law retains present law.

Present law provides that "critical infrastructure" includes chemical manufacturing facilities, refineries, electrical power generating facilities, electrical transmission substations and distribution substations, water intake structures and water treatment facilities, natural gas transmission compressor stations, liquified natural gas terminals and storage facilities, natural gas and hydrocarbon storage facilities, and transportation facilities, such as ports, railroad switching yards, and trucking terminals.

Proposed law retains present law and adds a construction site that is not open to the public and equipment used for any purpose by a person constructing an improvement on any real property referenced in present law to the definition of "critical infrastructure".

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

(Amends R.S. 14:61(B)(1))