AN ACT

To amend and reenact R.S. 14:61(B)(1) and (C), relative to unauthorized entry of a critical infrastructure; to amend the definition of critical infrastructure to include water control structures, floodgates, and pump stations; to provide relative to criminal penalties; to provide for penalties when the crime is committed during the existence of a state of emergency; and to provide for related matters.

Be it enacted by the Legislature of Louisiana:

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

§61. Unauthorized entry of a critical infrastructure

* * *

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

(1) "Critical infrastructure" means any and all structures, equipment, or other immovable or movable property located within or upon 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 (LNG) terminals and storage facilities, natural gas and hydrocarbon storage facilities, transportation facilities, such as ports, railroad switching yards, pipelines, and
trucking terminals, water control structures, including floodgates or pump stations,
or any site where the construction or improvement of any facility or structure
referenced in this Section is occurring.

C.(1) Whoever commits the crime of unauthorized entry of a critical
infrastructure shall be imprisoned with or without hard labor for not more than five
years, fined not more than one thousand dollars, or both.

(2) Whoever commits the crime of unauthorized entry of a critical
infrastructure during the existence of a state of emergency, which has been declared
pursuant to law by the governor or the chief executive officer of any parish, may be
fined not less than five thousand dollars nor more than ten thousand dollars and shall
be imprisoned at hard labor for not less than three years nor more than fifteen years
without benefit of probation, parole, 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)]

HB 197 Original 2020 Regular Session Zeringue

Abstract: Relative to the crime of unauthorized entry of a critical infrastructure, amends
the definition of "critical infrastructure" to add water control structures, including
floodgates or pump stations, and provides for an increased penalty when the crime
is committed during the existence of a state of emergency.

Present law provides for the crimes of unauthorized entry of a critical infrastructure and
criminal damage to a critical infrastructure.

Present law defines "critical infrastructure" as any and all structures, equipment, or other
immovable or movable property located within or upon 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, transportation facilities, such as ports, railroad
switching yards, pipelines, and trucking terminals, or any site where the construction or
improvement of any facility or structure is occurring.

Proposed law amends the present law definition of "critical infrastructure" to add water
control structures including floodgates or pump stations.
Present law provides that whoever commits the crime of unauthorized entry of a critical infrastructure shall be imprisoned with or without hard labor for not more than five years, fined not more than $1,000, or both.

Proposed law retains the present law penalties and provides for a fine of not less than $5,000 nor more $10,000 and imprisonment at hard labor for not less than three years nor more than 15 years without benefit of probation, parole, or suspension of sentence when the crime is committed during the existence of a state of emergency, which has been declared pursuant to law by the governor or the chief executive officer of any parish.

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