Proposed law amends and reenacts present law pertaining to critical infrastructure by adding water control structures, including floodgates or pumps stations. Proposed law provides for specific criminal penalties for 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.

Proposed law may result in an indeterminable increase in SGF expenditures in the Department of Public Safety and Corrections – Corrections Services (DPSC - CS) if a person is convicted of the crime unauthorized entry of a critical infrastructure when it involves water control structures, including floodgates or pumps stations. Proposed law provides a maximum imprisonment term of not less than three years nor more than fifteen years at hard labor if this crime occurs 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. The number of individuals that may be convicted of this crime is indeterminable.

SGF expenditures will increase by $67.44 per offender per day if an offender is housed in a state facility or $26.39 for a state offender housed in a local facility. An offender sentenced to the custody of the DPSC - CS for one year would increase SGF expenditures by $24,615.60 ($67.44 per day x 365 days) if housed in a state facility and $9,632.35 ($26.39 per day x 365 days) if housed in a local facility. Approximately 50% of state offenders are housed in state facilities and approximately 50% are housed in local facilities.

NOTE: DPSC - CS reports that there are currently two (2) offenders in its custody serving time for unauthorized entry of a critical structure. In 2019 there was one admission and one release. There is no information stating if these offenses occurred during a declared state of emergency.

Proposed law may result in an indeterminable increase in Local Funds revenues as a result of potential fines for the crime unauthorized entry of a critical infrastructure when it involves water control structures, including floodgates or pump stations. The maximum fine for this crime is $1,000.

Proposed law may result in an indeterminable increase in Local Funds revenues as a result of potential fines for this crime if it occurs 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. The maximum fine for this crime is $5,000.

The number of individuals that may be convicted of this crime is indeterminable.