

CONFERENCE COMMITTEE REPORT

HB 7

2015 Regular Session

Thibaut

June 8, 2015

To the Honorable Speaker and Members of the House of Representatives and the Honorable President and Members of the Senate.

Ladies and Gentlemen:

We, the conferees appointed to confer over the disagreement between the two houses concerning House Bill No. 7 by Representative Thibaut, recommend the following concerning the Engrossed bill:

- 1. That Senate Committee Amendment No. 1 proposed by the Senate Committee on Judiciary C and adopted by the Senate on May 13, 2015, be adopted.
- 2. That the set of Senate Floor Amendments proposed by Senator Gary Smith and adopted by the Senate on May 26, 2015, be rejected.
- 3. That the Engrossed bill be amended as follows:

AMENDMENT NO. 1

On page 2, line 6, after "The" and before "entry" insert "intentional"

AMENDMENT NO. 2

On page 2, line 7, after "area" and before "when" insert "that is completely enclosed by any type of physical barrier"

AMENDMENT NO. 3

On page 2, line 14, after "facilities," and before "and" insert "natural gas and hydrocarbon storage facilities,"

Respectfully submitted,

Representative Major Thibaut, Jr.

Senator Gary L. Smith, Jr.

Representative Eddie J. Lambert

Senator Robert W. "Bob" Kostelka

Representative Joseph P. Lopinto

Senator Rick Ward, III

 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)]

CONFERENCE COMMITTEE REPORT DIGEST
HB 7**2015 Regular Session****Thibaut**
Keyword and oneliner of the instrument as it left the House

CRIME: Amends provisions of law regarding unauthorized entry of a critical infrastructure

Report adopts Senate amendments to:

1. Add electrical transmission substations and distribution substations to the definition of "critical infrastructure" for purposes of proposed law.

Report rejects Senate amendments which would have:

1. Amended the element of the offense, providing that the entry be intentional into a known and clearly marked restricted area.

Report amends the bill to:

1. Add natural gas and hydrocarbon storage facilities to the definition of "critical infrastructure" for purposes of proposed law.
2. Amend the elements of the offense to provide that the entry be intentional into a marked restricted area.
3. Require that the restricted or limited access area be completely enclosed by any type of physical barrier.

Digest of the bill as proposed by the Conference Committee

Present law provides for the crime of unauthorized entry of a critical infrastructure and defines the crime as unauthorized entry into a critical infrastructure by a person without authority to do so.

Proposed law retains present law and adds three additional elements to the crime:

- (1) The use or attempted use of fraudulent documents to enter a critical infrastructure.
- (2) Remaining upon or in the premises of a critical infrastructure after having been forbidden to do so.
- (3) The intentional entry into a restricted area of the critical infrastructure which is marked as a restricted or limited access area that is completely enclosed by any type of physical barrier when the person is not authorized to enter that area.

Proposed law defines "critical infrastructure" as including 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, natural gas and hydrocarbon storage facilities, liquified

natural gas (LNG) terminals and storage facilities, and transportation facilities, such as ports, railroad switching yards, and trucking terminals.

Proposed law defines "fraudulent documents for identification purposes" as documents that are presented as being bona fide documents that provide personal identification information but that are, in fact, false, forged, altered, or counterfeit.

(Amends R.S. 14:61)