

# ACT No. 368

2017 Regular Session

HOUSE BILL NO. 304

BY REPRESENTATIVE HILFERTY

1 AN ACT

2 To amend and reenact R.S. 15:1356(A)(3)(introductory paragraph) and to enact R.S.  
3 15:1352(A)(64) and (65), relative to racketeering activity; to add offenses relative  
4 to armed robbery to the definition of "racketeering activity"; to provide relative to  
5 distribution of proceeds from forfeited property; and to provide for related matters.

6 Be it enacted by the Legislature of Louisiana:

7 Section 1. R.S. 15:1356(A)(3)(introductory paragraph) is hereby amended and  
8 reenacted and R.S. 15:1352(A)(64) and (65) are hereby enacted to read as follows:

9 §1352. Definitions

10 A. As used in this Chapter, "racketeering activity" means committing,  
11 attempting to commit, conspiring to commit, or soliciting, coercing, or intimidating  
12 another person to commit any crime that is punishable under the following  
13 provisions of Title 14 of the Louisiana Revised Statutes of 1950, the Uniform  
14 Controlled Dangerous Substances Law, or the Louisiana Securities Law:

15 \* \* \*

16 (64) R.S. 14:64 (Armed robbery)

17 (65) R.S. 14:64.3 (Armed robbery; attempted armed robbery; use of firearm;  
18 additional penalty)

19 \* \* \*

20 §1356. Civil remedies

21 A.(1)

22 \* \* \*

1 (3) The allocation of proceeds from such forfeiture and disposition shall be  
2 determined by the court in accordance with each law enforcement entity's  
3 participation in the investigation, seizure, and forfeiture process. Prior to such  
4 allocation, the costs of investigation shall be paid to the law enforcement agency  
5 conducting the investigation, ~~and~~ and twenty-five percent of the proceeds, including the  
6 costs of prosecution shall be paid to the district attorney's six percent fund, or in  
7 parishes where no such fund exists, to the district attorney's office, and twenty-five  
8 percent shall be paid to the judicial district indigent defender fund. The court shall  
9 make an allocation of the remaining ~~seventy-five~~ fifty percent of the proceeds based  
10 on the following determination:

11 \* \* \*

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SPEAKER OF THE HOUSE OF REPRESENTATIVES

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PRESIDENT OF THE SENATE

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GOVERNOR OF THE STATE OF LOUISIANA

APPROVED: \_\_\_\_\_