
DIGEST

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HB 577 Reengrossed

2019 Regular Session

Norton

Abstract: Expands application of the crime of threatening a public official to law enforcement officers and threats made through social media, and provides that the crime is committed when done to influence or in retaliation for the officer's or official's conduct.

Present law defines the crime of threatening a public official as any verbal or written communication which threatens serious bodily injury or death to a public official.

Proposed law retains present law, but amends the crime to do all of the following:

- (1) Expands its application to threats made to law enforcement.
- (2) Expand its application to threats made through social media.
- (3) Provide that the crime is committed when done with the intent to influence or in retaliation for the officer's or official's conduct in relation to his position, employment, or official duty.

Present law provides that whoever commits the crime of threatening a public official shall be fined not more than \$500, or imprisoned for not more than six months, or both.

Present law further provides that these penalties shall apply when the person commits the crime of threatening a public official with the intent to influence his conduct in relation to his position, employment, or official duty, or in retaliation as reprisal for his previous action in relation to his position, employment, or official duty.

Proposed law retains the present law penalties, but applies them generally to persons who commit the offense as defined by proposed law and removes the provision providing specific penalties when the person commits the crime of threatening a public official with the intent to influence or in retaliation for his conduct in relation to his position, employment, or official duty.

Present law defines "public official" as any executive, ministerial, administrative, judicial, or legislative officer of the state of La.

Proposed law retains present law and further defines "law enforcement".

(Amends R.S. 14:122.2)

Summary of Amendments Adopted by House

The Committee Amendments Proposed by House Committee on Administration of Criminal Justice to the original bill:

1. Specify that the crime is committed when the threat is made in retaliation for the legal performance of the legal duties of the public official or law enforcement officer.

The House Floor Amendments to the engrossed bill:

1. Amend the elements of the offense to provide that the crime is committed when done with the intent to influence his conduct in relation to his position, employment, or official duty, or in retaliation for his previous action in relation to his position, employment, or official duty.
2. Remove provision of present law providing specific penalties when the person commits the crime of threatening a public official with the intent to influence or in retaliation for his conduct in relation to his position, employment, or official duty.