

2016 Regular Session

SENATE BILL NO. 73

BY SENATORS WHITE AND CARTER

CRIME/PUNISHMENT. Provides relative to the crime of resisting an officer. (8/1/16)

1 AN ACT

2 To enact R.S. 14:108(B)(1)(e), relative to the crime of resisting an officer; to add intentional  
3 crossing of a police cordon to the definition of "obstruction of" an officer; to provide  
4 additional definitions; and to provide for related matters.

5 Be it enacted by the Legislature of Louisiana:

6 Section 1. R.S. 14:108(B)(1)(e) is hereby enacted to read as follows:

7 §108. Resisting an officer

8 \* \* \*

9 B.(1) The phrase "obstruction of" as used herein shall, in addition to its  
10 common meaning, signification, and connotation mean the following:

11 \* \* \*

12 **(e) The intentional crossing or traversing of a police cordon by an**  
13 **unauthorized person or an unmanned aircraft system (UAS). The cordoned**  
14 **area includes the airspace above the cordoned area.**

15 **(i) For purposes of this Subparagraph, "police cordon" means any**  
16 **impediment or structure erected or established by an officer for crowd or traffic**  
17 **control, or to prevent or obstruct the passage of a person at the scene of a crime**



by an officer for crowd or traffic control, or to prevent or obstruct the passage of a person at the scene of a crime or investigation.

Proposed law defines "impediment or structure" to include crime scene tape, rope, cable, wire or metal barricades, or the posting of uniformed officers or other personnel otherwise identifiable as law enforcement officers.

Proposed law defines "unmanned aircraft system" by reference to the definitions contained in present law relative to the crime of unlawful use of an unmanned aircraft system, which defines "unmanned aircraft system" as an unmanned, powered aircraft that does not carry a human operator, can be autonomous or remotely piloted or operated, and can be expendable or recoverable. However, "unmanned aircraft system" does not include any of the following:

- (1) A satellite orbiting the earth.
- (2) An unmanned aircraft system used by the federal government or a person who is acting pursuant to contract with the federal government to conduct surveillance of specific activities.
- (3) An unmanned aircraft system used by the state government or a person who is acting pursuant to a contract with the state government to conduct surveillance of specific activities.
- (4) An unmanned aircraft system used by a local government law enforcement agency or fire department.

Proposed law provides that if the flight of a UAS into the cordoned area endangers the public or an officer's safety, law enforcement personnel or fire department personnel are authorized to disable the UAS.

Effective August 1, 2016.

(Adds R.S. 14:108(B)(1)(e))

#### Summary of Amendments Adopted by Senate

##### Committee Amendments Proposed by Senate Committee on Judiciary C to the original bill

1. Change proposed law references from "unmanned ariel vehicle" to "unmanned aircraft system."
2. Provides relative to definition of "unmanned aircraft system" for purposes of proposed law.
3. Delete parade area and demonstration from definition of "police cordon."