

2019 Regular Session

HOUSE BILL NO. 180

BY REPRESENTATIVE BAGLEY

Prefiled pursuant to Article III, Section 2(A)(4)(b)(i) of the Constitution of Louisiana.

CRIME: Creates the crime of interfering with emergency communication

1 AN ACT

2 To enact R.S. 14:338, relative to offenses affecting the public generally; to create the crime
3 of interfering with emergency communication; to provide for elements of the
4 offense; to provide for definitions; to provide criminal penalties; and to provide for
5 related matters.

6 Be it enacted by the Legislature of Louisiana:

7 Section 1. R.S. 14:338 is hereby enacted to read as follows:

8 §338. Interfering with emergency communication

9 A. The crime of interfering with emergency communication is committed
10 when a person disconnects, damages, disables, removes, or uses physical force or
11 intimidation to block access to any telephone or telecommunications device with the
12 specific intent to interfere or prevent an individual from doing any of the following:

13 (1) Using a 911 emergency telephone number.

14 (2) Obtaining medical assistance.

15 (3) Making a report to any law enforcement officer.

16 B. Whoever commits the crime of interfering with emergency
17 communication as defined by this Section shall be either fined not more than five
18 hundred dollars, imprisoned for not more than six months, or both.

1 C. For the purposes of this Section:

2 (1) "Law enforcement officer" shall include commissioned police officers,
3 state police officers, sheriffs, deputy sheriffs, marshals, deputy marshals, correctional
4 officers, constables, wildlife enforcement agents, and probation and parole officers.

5 (2) "Telecommunications device" shall mean any type of instrument, device,
6 or machine that is capable of transmitting or receiving telephonic, electronic, radio,
7 text, or data communications, including but not limited to a cellular telephone, a
8 text-messaging device, a personal digital assistant, a computer, or any other similar
9 wireless device that is designed to engage in a call or communicate text or data.

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)]

HB 180 Original

2019 Regular Session

Bagley

Abstract: Creates a crime which prohibits the intentional interference or prevention of any person from making an emergency communication and provides criminal penalties.

Proposed law creates the crime of interfering with emergency communication and provides that the crime is committed when a person disconnects, damages, disables, removes, or uses physical force or intimidation to block access to any telephone or telecommunications device with the specific intent to interfere or prevent an individual from doing any of the following:

- (1) Using a 911 emergency telephone number.
- (2) Obtaining medical assistance.
- (3) Making a report to any law enforcement officer.

Proposed law provides that persons who commit this proposed law crime shall be either fined not more than \$500, imprisoned for not more than six months, or both.

Proposed law defines "law enforcement officer" and "telecommunications device".

(Adds R.S. 14:338)