
DIGEST

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HB 197 Original

2020 Regular Session

Zeringue

Abstract: Relative to the crime of unauthorized entry of a critical infrastructure, amends the definition of "critical infrastructure" to add water control structures, including floodgates or pump stations, and provides for an increased penalty when the crime is committed during the existence of a state of emergency.

Present law provides for the crimes of unauthorized entry of a critical infrastructure and criminal damage to a critical infrastructure.

Present law defines "critical infrastructure" as any and all structures, equipment, or other immovable or movable property located within or upon 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, liquified natural gas terminals and storage facilities, natural gas and hydrocarbon storage facilities, transportation facilities, such as ports, railroad switching yards, pipelines, and trucking terminals, or any site where the construction or improvement of any facility or structure is occurring.

Proposed law amends the present law definition of "critical infrastructure" to add water control structures including floodgates or pump stations.

Present law provides that whoever commits the crime of unauthorized entry of a critical infrastructure shall be imprisoned with or without hard labor for not more than five years, fined not more than \$1,000, or both.

Proposed law retains the present law penalties and provides for a fine of not less than \$5,000 nor more \$10,000 and imprisonment at hard labor for not less than three years nor more than 15 years without benefit of probation, parole, or suspension of sentence when the crime is committed during the existence of a state of emergency, which has been declared pursuant to law by the governor or the chief executive officer of any parish.

(Amends R.S. 14:61(B)(1) and (C))