

SENATE BILL NO. 22

BY SENATOR HODGES AND REPRESENTATIVES ADAMS, AMEDEE, ECHOLS,
EDMONSTON, FISHER, ILLG, JACKSON, OWEN,
SCHAMERHORN, STAGNI, VILLIO AND WYBLE

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

1 AN ACT

2 To amend and reenact R.S. 14:61(B)(1) and to enact R.S. 14:67.24, relative to theft; to
3 create the crime of theft of critical infrastructure; to provide definitions and
4 penalties; and to provide for related matters.

5 Be it enacted by the Legislature of Louisiana:

6 Section 1. R.S. 14:61(B)(1) is hereby amended and reenacted and R.S. 14:67.24 is
7 hereby enacted to read as follows:

8 §61. Unauthorized entry of a critical infrastructure

9 * * *

10 B. For the purposes of this Section, the following words shall have the
11 following meanings:

12 (1)(~~a~~) "Critical infrastructure" means any and all structures, sites, equipment,
13 or other immovable or movable property located within or upon any of the
14 following:

15 (i) ~~chemical~~ Chemical plants or facilities, manufacturing facilities, or
16 refineries;

17 (ii) ~~electrical~~ Electrical power generating facilities, electrical transmission
18 substations and distribution substations;

19 (iii) ~~water~~ Water intake structures and water treatment facilities;

20 (iv) ~~natural~~ Natural gas transmission compressor stations, liquefied natural
21 gas (LNG) terminals and storage facilities, natural gas and hydrocarbon storage
22 facilities;

23 (v) ~~transportation~~ Transportation facilities, such as ports, railroad switching
24 yards, pipelines, and trucking terminals;

(vi) water **Water** control structures including floodgates or pump stations;

(vii) ~~wireline~~ Wireline and wireless communications and data network

internet facilities; and any equipment or communication wires that are connected or appurtenant to the facilities, including but not limited to broadcast television equipment, video equipment, fiber optics, and any lines or wires that are used for transmission from the facilities.

(b) or "Critical infrastructure" shall include any site where the construction or improvement of any facility or structure referenced in this Section is occurring.

* * *

§67.24. Theft of critical infrastructure

A. Theft of critical infrastructure is the misappropriation, taking, or illegal possession, as defined in R.S. 14:69(A), of critical infrastructure. The intent to deprive the owner permanently of the critical infrastructure is essential.

B. As used in this Section, "critical infrastructure" shall have the same meaning as provided in R.S. 14:61.

C.(1) Whoever commits the crime of theft of critical infrastructure when the misappropriation, taking, or illegal possession amounts to a value of less than twenty-five thousand dollars shall be fined not more than ten thousand dollars, or imprisoned, with or without hard labor, for not more than fifteen years, or both.

(2) Whoever commits the crime of theft of critical infrastructure when the misappropriation, taking, or illegal possession amounts to a value of twenty-five thousand dollars or more shall be fined not more than fifty thousand dollars, or imprisoned at hard labor for not more than twenty years, or both.

(3) Whoever commits the crime of theft of critical infrastructure wherein it is foreseeable that human life will be threatened as a result of the theft shall be fined not more than fifty thousand dollars, or imprisoned at hard labor for not more than twenty years, or both.

1 **D. In addition to the penalties provided in Subsection C of this Section,**
2 **the offender shall be ordered to make full restitution to the victim. If the**
3 **offender is found to be indigent and therefore unable to make restitution in full**
4 **at the time of conviction, the court shall order a periodic payment plan**
5 **consistent with the offender's financial ability.**

PRESIDENT OF THE SENATE

SPEAKER OF THE HOUSE OF REPRESENTATIVES

GOVERNOR OF THE STATE OF LOUISIANA

APPROVED: _____