

RÉSUMÉ DIGEST

ACT 399 (SB 15)

2025 Regular Session

Morris

Existing law defines the crime of obstruction of justice and provides penalties for violations.

New law retains existing law and adds obstruction of civil immigration proceedings and obstruction of official acts of an agent or employee of a governmental entity to the definition of obstruction of justice.

New law retains existing law and adds knowingly committing any act intended to hinder, delay, prevent, or otherwise interfere with or thwart federal immigration enforcement efforts.

New law provides that a person who knowingly commits obstruction of justice regarding a civil immigration proceeding will be fined not more than \$5,000, imprisoned with or without hard labor for not more than one year, or both.

New law provides that a person who commits obstruction of justice regarding an official act of an agent or employee of a governmental entity will be fined not more than \$1,000, imprisoned for not more than six months, or both.

Existing law defines the crime of malfeasance in office.

New law retains existing law and adds the following to the definition of malfeasance in office:

- (1) Knowingly releasing a person, following arrest or booking, from state, parish, or local law enforcement custody without providing advance notice to U.S. Immigration and Customs Enforcement that the law enforcement agency effecting release is aware that the person either illegally entered or unlawfully remained in the U.S.
- (2) Taking any official action, failing to perform an official duty, or refusing a lawful request for cooperation submitted by either U.S. Immigration and Customs Enforcement, U.S. Customs and Border Protection, or U.S. Citizenship and Immigration Services with the intent to hinder, delay, prevent, or otherwise interfere, ignore, or thwart federal immigration enforcement efforts.

New law provides that a lawful written request or detainer submitted by either U.S. Immigration and Customs Enforcement, U.S. Customs and Border Protection, or U.S. Citizenship and Immigration Services to release an individual into federal custody must be complied with if the request or detainer alleges that the person to be released either illegally entered or unlawfully remained in the U.S.

New law cannot be construed to limit, impede, or otherwise interfere with the duty of a sheriff, chief of police, or other executive law enforcement official in Louisiana to exercise the powers of his office.

Effective August 1, 2025.

(Amends R.S. 14:130.1(A)(intro para) and 134(A)(intro para); adds R.S. 14:130.1(A)(6) and (B)(6) and (7))