Regular Session, 2014

HOUSE BILL NO. 461

BY REPRESENTATIVE BADON

CONTROLLED SUBSTANCES: Repeals drug traffic loitering statute

AN ACT

To repeal R.S. 40:981.4, relative to drug-traffic loitering; to repeal provision of law creating the crime of drug-traffic loitering.

Be it enacted by the Legislature of Louisiana:

Section 1. R.S. 40:981.4 is hereby repealed in its entirety.

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)]

Badon HB No. 461

Abstract: Repeals the drug-traffic loitering statute which was declared unconstitutional.

Prior law provided for the crime of drug-traffic loitering which provided that drug-traffic loitering is the remaining in a public place in a manner and under circumstances manifesting the purpose to engage in unlawful conduct in violation of the Uniform Controlled Dangerous Substances Law.

The Louisiana Supreme Court declared this statute unconstitutionally vague in *State v. Muschkat*, 96-2922 (La. 3/4/98), 706 So.2d 429.

Proposed law repeals this statute.

(Repeals R.S. 40:981.4)