
DIGEST

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HB 307 Engrossed

2019 Regular Session

Mike Johnson

Abstract: Amends the crimes of public intimidation and retaliation to include extortionate threats and true threats, and provides for definitions of those terms.

Present law provides for the crime of public intimidation which is the use of violence, force, or threats upon certain public persons with the intent to influence his conduct in relation to his position, employment, or duty.

Present law further provides for the crime of public retaliation which is defined as the use of violence, force, or threats upon an elected official when such violence, force, or threat is related to the duties of the elected official or is in retaliation or retribution for actions taken by the elected official as part of his official duties.

Present law provides for penalties of a fine of not more than \$1,000, or imprisonment, with or without hard labor, for not more than five years, or both.

Proposed law amends the present law crimes to include extortionate threats and true threats.

Proposed law provides that "extortionate threats" occur when a person communicates an unlawful threat to harm another person with the intention to obtain anything of value or any acquittance, advantage, or immunity of any description and the person would not otherwise be able to lawfully secure such advantage willingly from the victim.

Proposed law provides that "true threats" occur when a person communicates a serious expression of an intent to commit an unlawful act of violence upon a person or group of persons with the intent to place such persons in fear of bodily harm or death. The person need not actually intend to carry out the threat.

Proposed law retains present law penalties.

(Amends R.S. 14:122(A)(intro. para.), (B)(intro. para.), and (C); Adds R.S. 14:122(D))