

HOUSE SUMMARY OF SENATE AMENDMENTS

HB 577

2019 Regular Session

Norton

CRIME: Amends the crime of threatening a public official to apply to law enforcement officers and threats made through social media

Synopsis of Senate Amendments

1. Amends the elements of the offense to provide that the crime is committed when a person engages in any verbal or written communication that is a true threat to a public official or law enforcement officer.
2. Provides that a "true threat" occurs 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; however, the person need not intend to carry out the threat.

Digest of Bill as Finally Passed by Senate

Present law defines the crime of threatening a public official as any verbal or written communication which threatens serious bodily injury or death to a public official.

Proposed law amends present law to do all of the following:

- (1) Expands its application to threats made to law enforcement and threats made through social media.
- (2) Amends the elements of the offense to provide that the crime is committed when a person engages in any verbal or written communication that is a true threat to a public official or law enforcement officer. Further provides that a "true threat" occurs 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; however, the person need not intend to carry out the threat.

Present law provides that whoever commits the crime of threatening a public official shall be fined not more than \$500, or imprisoned for not more than six months, or both.

Present law further provides that these penalties shall apply when the person commits the crime of threatening a public official with the intent to influence his conduct in relation to his position, employment, or official duty, or in retaliation as reprisal for his previous action in relation to his position, employment, or official duty.

Proposed law retains the present law penalties, but applies them generally to persons who commit the offense as defined by proposed law and removes the provision providing specific penalties when the person commits the crime of threatening a public official with the intent to influence or in retaliation for his conduct in relation to his position, employment, or official duty.

Present law defines "public official" as any executive, ministerial, administrative, judicial, or legislative officer of the state of La.

Proposed law retains present law and further defines "law enforcement".

(Amends R.S. 14:122.2)