SENATE BILL NO. 70

BY SENATOR TALBOT AND REPRESENTATIVE GAROFALO

1	AN ACT
2	To enact R.S. 14:67.12 and R.S. 37:1864(A)(3), relative to misappropriation without
3	violence; to create the crime of theft of a catalytic converter or engine control
4	module; to provide penalties; to provide relative to entities engaged in the sale of
5	catalytic converters or engine control modules; to provide relative to registration
6	with law enforcement; and to provide for related matters.
7	Be it enacted by the Legislature of Louisiana:
8	Section 1. R.S. 14:67.12 is hereby enacted to read as follows:
9	§67.12. Theft of a catalytic converter or engine control module
10	A. Theft of a catalytic converter or engine control module is the
11	misappropriation or taking of a catalytic converter or engine control module
12	which belongs to another, either without the consent of the owner to the
13	misappropriation or taking, or by means of fraudulent conduct, practices, or
14	representations. An intent to deprive the owner permanently of the catalytic
15	converter or engine control module is essential.
16	B.(1) Whoever commits the crime of theft of a catalytic converter or
17	engine control module when the misappropriation or taking and any related
18	damage amounts to a value of twenty-five thousand dollars or more shall be
19	imprisoned at hard labor for not less than ten years nor more than twenty
20	years, or may be fined not more than fifty thousand dollars, or both.
21	(2) When the misappropriation or taking and any related damage

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1	amounts to a value of five thousand dollars or more, but less than a value of
2	twenty-five thousand dollars, the offender shall be imprisoned, with or without
3	<u>hard labor, for not less than five years nor more than ten years, or may be fined</u>
4	not more than ten thousand dollars, or both.
5	(3) When the misappropriation or taking and any related damage
6	<u>amounts to a value of one thousand dollars or more, but less than a value of five</u>
7	thousand dollars, the offender shall be imprisoned, with or without hard labor,
8	for not less than two years nor more than five years, or may be fined not more
9	than three thousand dollars, or both.
10	(4) When the misappropriation or taking and any related damage
11	amounts to a value of less than one thousand dollars, the offender shall be
12	imprisoned for not less than ninety days nor more than six months, or may be
13	fined not more than one thousand dollars, or both.
14	C. If the offender has been convicted under this Section two or more
15	times previously, upon any subsequent conviction he shall be imprisoned, with
16	or without hard labor, for an additional year to be served consecutively to the
17	sentence imposed under Subsection B of this Section, or may be fined an
18	additional one thousand dollars, or both.
19	D. When there has been a misappropriation or taking by a number of
20	distinct acts of the offender, the aggregate of the amount of the
21	misappropriations or taking and any related damage shall determine the grade
22	of the offense.
23	E. For the purposes of this Section, "engine control module" means the
24	electronic control unit of the vehicle that controls a series of actuators which
25	ensures that the vehicle operates at optimal performance by monitoring all
26	sensors in the engine bay.
27	Section 2: R.S. 37:1864(A)(3) is hereby enacted to read as follows:
28	§1864. Record of secondhand goods or objects purchased required; exceptions;
29	retention period; inspections by law enforcement; violations; penalty
30	A. * * *

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1	(3) In addition to the other requirements of this Subsection, any person,
2	firm, corporation, or entity engaged in the business of buying or selling
3	unattached catalytic converters or engine control modules as a single item and
4	not as part of a scrapped motor vehicle shall register with the chief of police and
5	sheriff of each city and parish in which the business is conducted.
6	* * *

PRESIDENT OF THE SENATE

SPEAKER OF THE HOUSE OF REPRESENTATIVES

GOVERNOR OF THE STATE OF LOUISIANA

APPROVED: