

2024 Regular Session

HOUSE BILL NO. 451

BY REPRESENTATIVE SCHLEGEL

CRIME/THEFT: Provides relative to the crime of theft

1 AN ACT

2 To amend and reenact R.S. 14:67(B)(4), (C) and (D) and to enact R.S. 14:67(E), relative to  
3 the crime of theft; provides for theft of a package delivered to an inhabited dwelling;  
4 provides for assault on a store employee during the commission or attempted  
5 commission of theft; and to provide for related matters.

6 Be it enacted by the Legislature of Louisiana:

7 Section 1. R.S. 14:67(B)(4), (C) and (D) are hereby amended and reenacted and R.S.  
8 14:67(E) is hereby enacted to read as follows:

9 §67. Theft

10 \* \* \*

11 B.

12 \* \* \*

13 (4) When the misappropriation or taking amounts to less than a value of one  
14 thousand dollars, the offender shall be imprisoned for not more than six months, or  
15 may be fined not more than one thousand dollars, or both.

16 (a) If the offender in such cases has been convicted of theft two or more  
17 times previously, upon any subsequent conviction he shall be imprisoned, with or  
18 without hard labor, for not more than two years, or may be fined not more than two  
19 thousand dollars, or both.

1           (b) If the offender in such cases commits the crime of theft of a package that  
2           has been delivered to an inhabited dwelling owned by another, he shall be  
3           imprisoned, with or without hard labor, for not more than two years, or may be fined  
4           not more than two thousand dollars, or both.

5           C. If the offender commits an assault upon a store or merchant's employee  
6           who is acting in the course and scope of his employment duties, during the  
7           commission or attempted commission of theft, at least fifteen days of the sentence  
8           imposed under this Section shall be served without benefit of probation or  
9           suspension of sentence.

10           ~~C.D.~~ When there has been a misappropriation or taking by a number of  
11           distinct acts of the offender, the aggregate of the amount of the misappropriations or  
12           taking shall determine the grade of the offense.

13           ~~D.E.~~ In a prosecution under this Section where the property allegedly  
14           misappropriated or taken was held for sale by a merchant, an intent to permanently  
15           deprive the merchant of the property held for sale may be inferred when the  
16           defendant:

17           (1) Intentionally conceals, on his person or otherwise, goods held for sale.

18           (2) Alters or transfers any price marking reflecting the actual retail price of  
19           the goods.

20           (3) Transfers goods from one container or package to another or places  
21           goods in any container, package, or wrapping in a manner to avoid detection.

22           (4) Willfully causes the cash register or other sales recording device to  
23           reflect less than the actual retail price of the goods.

24           (5) Removes any price marking with the intent to deceive the merchant as  
25           to the actual retail price of the goods.

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**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)]

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HB 451 Original

2024 Regular Session

Schlegel

**Abstract:** Provides relative to the crime of theft.

Present law provides that if the offender who misappropriates less than a value of \$1,000, the offender shall be imprisoned for not more than six months, or may be fined not more than \$1,000, or both.

Proposed law retains present law but provides that if the offender in such cases commits the crime of theft of a package that has been delivered to an inhabited dwelling owned by another, he shall be imprisoned , with or without hard labor, for not more than two years, or may be fined not more than \$2,000, or both.

Proposed law provides that if the offender commits an assault upon a store or merchant's employee who is acting in the course and scope of his employment duties, during the commission or attempted commission of theft, at least 15 days of the sentence imposed under proposed law shall be served without benefit of probation or suspension of sentence.

(Amends R.S. 14:67(B)(4), (C) and (D); Adds R.S. 14:67(E))