

2025 Regular Session

SENATE BILL NO. 157

BY SENATOR CATHEY

Prefiled pursuant to Article III, Section 2(A)(4)(b)(i) of the Constitution of Louisiana.

CRIME/PUNISHMENT. Creates the crime of unauthorized use of rental service equipment.  
(8/1/25)

AN ACT

To enact R.S. 14:68.1.1, relative to misappropriation without violence; to create the crime of unauthorized use of rental service equipment; to provide the elements of the offense; to provide definitions; to provide penalties; to provide defenses; to provide relative to civil liability; and to provide for related matters.

Be it enacted by the Legislature of Louisiana:

Section 1. R.S. 14:68.1.1 is hereby enacted to read as follows:

**§68.1.1. Unauthorized use of rental service equipment**

**A. As used in this Section:**

**(1) "Equipment" means a movable, other than a vehicle as defined by R.S. 22:1762, passenger aircraft or watercraft provided by a rental service to renters according to the terms of a rental agreement.**

**(2) "Rental agreement" means any written agreement setting forth the terms and conditions governing the use of equipment provided by a rental service for rent or lease.**

**(3) "Rental service" means a person or entity in the business of providing equipment for rent or lease.**

1           (4) "Renter" means any person obtaining the use of equipment from a  
2           rental service under the terms of a rental agreement for a period of time not to  
3           exceed thirty days.

4           (5) "Return date" means the date expressly stated in a rental agreement  
5           by which a renter must return equipment to a rental service in order to avoid  
6           any additional charges, fees, or rental payments.

7           (6) "Equipment value" means the replacement cost for the overdue  
8           equipment.

9           B. Unauthorized use of rental service equipment is the intentional taking  
10          or use of equipment by a renter without tendering payment in accordance with  
11          the provisions of a rental agreement or the continued possession or use of  
12          equipment beyond the return date without timely providing all additional  
13          payments as set forth in the rental agreement.

14          C. Whoever commits the crime of unauthorized use of rental service  
15          equipment:

16          (1) When the equipment value is less than one thousand dollars, shall be  
17          imprisoned for not more than six months, or fined not more than one thousand  
18          dollars, or both.

19          (2) When the equipment value is one thousand dollars or more, but less  
20          than a value of five thousand dollars, shall be imprisoned, with or without hard  
21          labor, for not more than five years, or fined not more than three thousand  
22          dollars, or both.

23          (3) When the equipment value is five thousand dollars or more, but less  
24          than a value of twenty-five thousand dollars, shall be imprisoned, with or  
25          without hard labor, for not more than ten years, or fined not more than ten  
26          thousand dollars, or both.

27          (4) When the equipment value is twenty-five thousand dollars or more,  
28          shall be imprisoned at hard labor for not more than twenty years, or fined not  
29          more than fifty thousand dollars, or both.

1                    **D. In addition to any sentence imposed pursuant to Subsection C of this**  
2                    **Section, the court shall order a person convicted of unauthorized use of rental**  
3                    **service equipment to pay restitution to the rental service in the amount of one**  
4                    **day's rental cost of the equipment for each day after the contractual return date**  
5                    **until possession of the equipment is regained by the rental service.**

6                    **E. It shall be a complete defense to prosecution for a violation of this**  
7                    **Section if a defendant shows, by a preponderance of the evidence, any of the**  
8                    **following:**

9                    **(1) He returned the overdue equipment within seventy-two hours of the**  
10                   **return date.**

11                   **(2) He attempted to return the overdue equipment, but was refused by**  
12                   **the rental service.**

13                   **(3) It is impossible to return the overdue equipment due to its**  
14                   **destruction.**

15                   **(4) He is unable to return the overdue equipment due to it either being**  
16                   **stolen or seized by legal action.**

17                   **F. A renter who successfully asserts one of the defenses enumerated in**  
18                   **Subsection E of this Section shall not be immune from civil liability for damages**  
19                   **related to the failure to return overdue equipment.**

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The original instrument and the following digest, which constitutes no part of the legislative instrument, were prepared by Senate Legislative Services. The keyword, summary, 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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	DIGEST	
SB 157 Original	2025 Regular Session	Cathey

Proposed law creates the crime of unauthorized use of rental service equipment and makes it a crime for a renter to either:

- (1) Intentionally take or use equipment without tendering payment in accordance with the provisions of a rental agreement.
- (2) Continue to possess or use equipment beyond the return date without timely providing all additional payments as set forth in the rental agreement.

Proposed law provides that a person convicted of unauthorized use of rental service equipment will be:

- (1) Imprisoned for not more than six months or fined not more than \$1,000, or both, when the equipment is valued less than \$1,000.
- (2) Imprisoned, with or without hard labor, for not more than five years, or fined not more than \$3,000, or both, when the equipment is valued \$1,000 or more, but less than \$5,000.
- (3) Imprisoned, with or without hard labor, for not more than 10 years, or fined not more than \$10,000, or both, when the equipment is valued \$5,000 or more, but less than \$25,000.
- (4) Imprisoned at hard labor for not more than 20 years, or may be fined not more than \$50,000, or both, when the equipment value is \$25,000 or more.
- (5) Ordered to pay restitution to the rental service in the amount of one day's rental cost of the equipment for each day after the contractual return date until possession of the equipment is regained by the rental service.

Proposed law provides definitions relative to proposed law.

Proposed law provides a complete defense to prosecution for a violation of proposed law if the renter shows by a preponderance of the evidence any of the following:

- (1) He returned the overdue equipment within 72 hours of the return date.
- (2) He attempted to return the overdue equipment but was refused by the rental service.
- (3) It is impossible to return the overdue equipment due to its destruction.
- (4) He is unable to return the overdue equipment due to it either being stolen or seized by legal action.

Proposed law provides that a renter who successfully asserts one of the enumerated affirmative defenses is not immune from civil liability related to a failure to return rental service equipment.

Effective August 1, 2025.

(Adds R.S. 14:68.1.1)