

Regular Session, 2011

HOUSE BILL NO. 497

BY REPRESENTATIVE WOOTON

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

CRIME: Provides with respect to the crime of extortion

1 AN ACT

2 To amend and reenact R.S. 14:66, relative to the crime of extortion; to provide additional  
3 types of threats sufficient to constitute extortion; and to provide for related matters.

4 Be it enacted by the Legislature of Louisiana:

5 Section 1. R.S. 14:66 is hereby amended and reenacted to read as follows:

6 §66. Extortion

7 A. Extortion is the communication of threats to another with the intention  
8 thereby to obtain anything of value or any acquittance, advantage, or immunity of  
9 any description. ~~The~~ Any one of the following kinds of threats shall be sufficient to  
10 constitute extortion:

11 (1) A threat to do any unlawful injury to the person or property of the  
12 individual threatened or of any member of his family or of any other person held  
13 dear to him;

14 (2) A threat to accuse the individual threatened or any member of his family  
15 or any other person held dear to him of any crime;

16 (3) A threat to expose or impute any deformity or disgrace to the individual  
17 threatened or to any member of his family or to any other person held dear to him;

18 (4) A threat to expose any secret affecting the individual threatened or any  
19 member of his family or any other person held dear to him;

1           (5) A threat to take or withhold action as a public official or cause a public  
2           official to take or withhold action.

3           (6) A threat to testify or provide information or withhold testimony or  
4           information with respect to another's legal claim or defense.

5           (7) A threat to perform any act which would not, standing alone,  
6           substantially benefit the actor but which is calculated to substantially harm another  
7           person with respect to his health, safety, business, vocation, career, financial  
8           condition, reputation, or personal relationships.

9           (8) A threat to do any other harm.

10          B. Whoever commits the crime of extortion shall be imprisoned at hard labor  
11          for not less than one nor more than fifteen years.

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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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Wooton

HB No. 497

**Abstract:** Adds three types of threats which can constitute criminal extortion.

Present law establishes the crime of extortion and defines it as the communication of threats to another with the intention to obtain anything of value or any acquittance, advantage, or immunity of any description. Proposed law retains present law.

Present law lists five types of threats sufficient to constitute extortion:

- (1) A threat to do any unlawful injury to the person or property of the individual threatened or of any member of his family or of any other person held dear to him.
- (2) A threat to accuse the individual threatened or any member of his family or any other person held dear to him of any crime.
- (3) A threat to expose or impute any deformity or disgrace to the individual threatened or to any member of his family or to any other person held dear to him.
- (4) A threat to expose any secret affecting the individual threatened or any member of his family or any other person held dear to him.
- (5) A threat to do any other harm.

Proposed law retains present law and adds three additional types of threats:

- (1) A threat to take or withhold action as a public official or cause a public official to take or withhold action.

- (2) A threat to testify or provide information or withhold testimony or information with respect to another's legal claim or defense.
- (3) A threat to perform any act which would not, standing alone, substantially benefit the actor but which is calculated to substantially harm another person with respect to his health, safety, business, vocation, career, financial condition, reputation, or personal relationships.

(Amends R.S. 14:66)