

SENATE BILL NO. 388

BY SENATOR THOMPSON

1 AN ACT

2 To amend and reenact R.S. 15:562.2, 562.3(B)(2), the introductory paragraph of 562.4(A),
3 562.5(A) and (B)(2), and 562.6 and to enact R.S. 15:562.1(3)(i), relative to the
4 registration of arson offenders; to provide relative to definitions; to authorize the
5 state fire marshal to promulgate rules; to increase the duration of registration for
6 certain offenders; to provide relative to the penalties for failure to register; and to
7 provide for related matters.

8 Be it enacted by the Legislature of Louisiana:

9 Section 1. R.S. 15:562.2, 562.3(B)(2), the introductory paragraph of 562.4(A),
10 562.5(A) and (B)(2), and 562.6 are hereby amended and reenacted and R.S. 15:562.1(3)(i)
11 is hereby enacted to read as follows:

12 §562.1. Definitions

13 For the purposes of this Chapter, the following shall apply:

14 * * *

15 (3) "Offense involving arson" includes the following:

16 * * *

17 **(i) Injury by arson (R.S. 14:51.1).**

18 * * *

19 §562.2. Powers and duties of state fire marshal

20 **A.** In addition to any other powers and duties conferred in this Chapter, the
21 state fire marshal shall:

22 (1) Be responsible for the policy management and administration of the
23 registration of persons who commit offenses involving arson to support
24 investigations, enforcement and prevention of activities involving arson.

25 (2) Have the authority to enforce the provisions of this Chapter.

26 **B. The state fire marshal may promulgate rules and regulations in**
27 **accordance with the Administrative Procedure Act to implement the provisions**

of this Chapter.

§562.3. Registration of arson offenders

* * *

B. * * *

(2) Every offender required to register in accordance with this Chapter shall appear in person and provide the information required by Paragraph (1) of this Subsection to the state fire marshal **or his designee** within thirty business days of establishing residence in Louisiana, or if a current resident, within thirty business days after conviction or adjudication if not immediately incarcerated or taken into custody after conviction or adjudication. If incarcerated, once released from confinement, every offender shall appear in person within thirty business days to register with the state fire marshal **or his designee** pursuant to the provisions of this Section.

* * *

§562.4. Duty of offenders to notify law enforcement of change of address,
residence, or other registration information

A. Those persons required to register pursuant to the provisions of this Chapter shall appear in person at the fire marshal's office **or his designee's office** within thirty business days of establishing a new or additional physical residential address or of changes in information previously provided when any of the following occur:

* * *

§562.5. Failure to register; penalties

A.(1) A person who fails to register, periodically renew and update registration, provide proof of residence or notification of change of address or other registration information, as required by the provisions of this Chapter, and a person who knowingly provides false information to the state fire marshal as provided in R.S. 15:562.3(B)(3), shall, ~~upon first conviction,~~ be fined not more than ~~five hundred~~ **one thousand** dollars, **imprisoned for not more than six months, or both.**

~~(2) Upon second or subsequent convictions, the offender shall be fined one thousand dollars.~~

~~(3) An offender who fails to pay the annual registration fee in accordance with the provisions of R.S. 15:562.3 shall be fined not more than five hundred dollars. Upon a second or subsequent conviction for the failure to pay the annual registration fee, the offender shall be fined not more than one thousand dollars.~~

B.

* * *

(2) Any person who fails to provide the notice required by this Subsection shall be fined not more than five hundred dollars, **imprisoned for not more than six months, or both.**

* * *

§562.6. Duration of registration and notification period

A person required to register pursuant to the provisions of this Chapter shall comply with the requirement for five **ten** years **from the date of initial registration** for a first offense and for the duration of the lifetime of the offender for a second or subsequent offense, unless the underlying conviction is reversed, set aside, or vacated.

PRESIDENT OF THE SENATE

SPEAKER OF THE HOUSE OF REPRESENTATIVES

GOVERNOR OF THE STATE OF LOUISIANA

APPROVED: