

Regular Session, 2008

HOUSE BILL NO. 331

BY REPRESENTATIVES PERRY, ARMES, AUBERT, BOBBY BADON, BARROW, BURRELL, DIXON, FANNIN, FRANKLIN, HARDY, HONEY, HOWARD, MICHAEL JACKSON, ROSALIND JONES, LAFONTA, MARCHAND, NORTON, PETERSON, RICHARD, RICHMOND, PATRICIA SMITH, ST. GERMAIN, WILLIAMS, AND WOOTON

CRIME: Creates the crime of communicating false information to an officer

1 AN ACT

2 To enact R.S. 14:108.2, relative to offenses affecting law enforcement; to create the crime  
3 of communicating false information to an officer; to provide for the elements of the  
4 crime; to provide for a definition of "officer"; to provide for criminal penalties; and  
5 to provide for related matters.

6 Be it enacted by the Legislature of Louisiana:

7 Section 1. R.S. 14:108.2 is hereby enacted to read as follows:

8 §108.2. Communicating false information to an officer

9 A. Communicating false information to an officer is making a false or  
10 misleading statement under oath when the statement is transcribed and made to a  
11 person whom the offender has reasonable grounds to believe is an officer acting in  
12 the performance of his duties when the offender:

13 (1) Knows that the statement is false or misleading; and

14 (2) Has the intent to conceal the existence of criminal activity, to mislead the  
15 officer as to the identity of the perpetrator of the criminal activity, or to otherwise  
16 thwart the investigation.

1           B. For purposes of this Section, "officer" means any peace officer, as defined  
 2           in R.S. 40:2402, and includes deputy sheriffs, municipal police officers, probation  
 3           and parole officers, city marshals and deputies, and wildlife enforcement agents.

4           C. Whoever violates the provisions of this Section may be fined not more  
 5           than five hundred dollars, imprisoned for not more than six months, or both.

#### 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)]

Perry

HB No. 331

**Abstract:** Creates the crime of communicating false information to an officer and provides for criminal penalties which include a maximum fine of \$500, imprisonment for not more than six months, or both.

Proposed law creates the crime of communicating false information to an officer. Defines it as the making of a false or misleading statement under oath when the statement is transcribed and made to a person whom the offender has reasonable grounds to believe is an officer acting in the performance of his duties when the offender:

- (1) Knows that the statement is false or misleading; and
- (2) Has the intent to conceal the existence of criminal activity, to mislead the officer as to the identity of the perpetrator of the criminal activity, or to otherwise thwart the investigation.

Proposed law defines "officer". Provides for criminal penalties, including a fine of not more than \$500, imprisonment for not more than six months, or both.

(Adds R.S. 14:108.2)

#### Summary of Amendments Adopted by House

##### House Floor Amendments to the engrossed bill.

1. Provides that proposed law applies to statements made under oath.
2. Provides that proposed law applies to statements which are transcribed.
3. Provides that proposed law applies to statements made to persons whom the offender has reasonable grounds to believe is an officer acting in the performance of his duties.