

Regular Session, 2008

# ACT No. 97

HOUSE BILL NO. 1352 (Substitute for House Bill No. 44 by Representative Mickey Guillory)

BY REPRESENTATIVE MICKEY GUILLORY AND SENATOR LAFLEUR

1 AN ACT

2 To amend and reenact R.S. 14:56(A) and to enact R.S. 14:56(B)(4), relative to criminal  
3 damage to property; to provide that the crime of simple criminal damage to property  
4 shall include the intentional damaging to rental property; to authorize the court to  
5 order restitution in cases of simple criminal damage to property; and to provide for  
6 related matters.

7 Be it enacted by the Legislature of Louisiana:

8 Section 1. R.S. 14:56(A) is hereby amended and reenacted and R.S. 14:56(B)(4) is  
9 hereby enacted to read as follows:

10 §56. Simple criminal damage to property

11 A.(1) Simple criminal damage to property is the intentional damaging of any  
12 property of another, without the consent of the owner, and except as provided in R.S.  
13 14:55, by any means other than fire or explosion.

14 (2) The provisions of this Section shall include the intentional damaging of  
15 a dwelling, house, apartment, or other structure used in whole or in part as a home,  
16 residence, or place of abode by a person who leased or rented the property.

17 B.(1) Whoever commits the crime of simple criminal damage to property  
18 where the damage is less than five hundred dollars shall be fined not more than one  
19 thousand dollars or imprisoned for not more than six months, or both.

20 (2) Where the damage amounts to five hundred dollars but less than fifty  
21 thousand dollars, the offender shall be fined not more than one thousand dollars or  
22 imprisoned with or without hard labor for not more than two years, or both.

1                   (3) Where the damage amounts to fifty thousand dollars or more, the  
2 offender shall be fined not more than ten thousand dollars or imprisoned with or  
3 without hard labor for not less than one nor more than ten years, or both.

4                   (4) In addition to the foregoing penalties, a person convicted under the  
5 provisions of this Section may be ordered to make full restitution to the owner of the  
6 property. If a person ordered to make restitution is found to be indigent and  
7 therefore unable to make restitution in full at the time of conviction, the court shall  
8 order a periodic payment plan consistent with the person's ability to pay.

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SPEAKER OF THE HOUSE OF REPRESENTATIVES

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PRESIDENT OF THE SENATE

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GOVERNOR OF THE STATE OF LOUISIANA

APPROVED: \_\_\_\_\_