

Regular Session, 2008

HOUSE BILL NO. 1012

BY REPRESENTATIVE HINES

CRIME: Adds residential restrictions for persons convicted of felony crimes of violence and felony violations of controlled dangerous substances law

1 AN ACT

2 To enact R.S. 14:91.3, relative to offenses affecting the health and morals of minors; to
3 create the crime of unlawful presence of felons; to provide for the elements of such
4 crime; to provide for criminal penalties; and to provide for related matters.

5 Be it enacted by the Legislature of Louisiana:

6 Section 1. R.S. 14:91.3 is hereby enacted to read as follows:

7 §91.3. Unlawful presence of a felon

8 A. It shall be unlawful for a person convicted of a felony crime of violence
9 as defined in R.S. 14:2 or a felony violation of the Uniform Controlled Dangerous
10 Substances Law to establish a residence within one thousand feet of any public or
11 private elementary or secondary school, day care facility, public park or recreational
12 facility, public or private youth center, public swimming pool, or free-standing video
13 arcade.

14 B. For purposes of this Section, "public park or recreational facility" means
15 any building or area owned by the state or by a political subdivision which is open
16 to the public and used or operated as a park or recreational facility and shall include
17 all parks and recreational areas administered by the office of state parks in the
18 Department of Culture, Recreation and Tourism.

1 C. Whoever violates the provisions of this Section shall be fined not more
 2 than one thousand dollars, imprisoned with or without hard labor for not more one
 3 year, 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)]

Hines

HB No. 1012

Abstract: Prohibits persons convicted of a felony crime of violence and a felony controlled dangerous substance violation to establish a residence within 1,000 feet of certain places where children are found.

Proposed law prohibits persons convicted of a felony crime of violence and a felony controlled dangerous substance violation to establish a residence within 1,000 feet of any public or private elementary or secondary school, day care facility, public park or recreational facility, public or private youth center, public swimming pool, or free-standing video arcade. Defines "public park or recreational facility".

Proposed law criminal penalties include a fine of not more than \$1,000, imprisonment with or without hard labor for not more one year, or both.

(Adds R.S. 14:91.3)