

ACT No. 263

2024 Regular Session
HOUSE BILL NO. 269
BY REPRESENTATIVE MUSCARELLO

1 AN ACT
2 To amend and reenact Code of Criminal Procedure Article 611(C) and R.S. 14:110(A)(2),
3 (B)(3), and (E) and to enact Code of Criminal Procedure Article 611(E) and R.S.
4 14:110(A)(4), relative to the crime of simple escape; to provide relative to venue; to
5 provide for an alternative element of the offense; to provide for a violation of this
6 offense; to provide relative to a penalty; and to provide for related matters.

7 Be it enacted by the Legislature of Louisiana:

8 Section 1. Code of Criminal Procedure Article 611(C) is hereby amended and
9 reenacted and Code of Criminal Procedure Article 611(E) is hereby enacted to read as
10 follows:

11 Art. 611. Venue; trial where offense committed

12 * * *

13 C. If the offender is charged with any of the following offenses, the offense
14 is deemed to have been committed either in the parish where the offense occurred or
15 where the victim resides:

- 16 (1) ~~R.S. 14:67.3, unauthorized use of an access card.~~
17 ~~(2)~~ R.S. 14:67.16, identity theft.
18 ~~(3)~~ (2) R.S. 14:70.4, access device fraud.
19 ~~(4)~~ (3) R.S. 14:70.8, illegal transmission of monetary funds.
20 ~~(5)~~ (4) R.S. 14:71.1, bank fraud.
21 ~~(6)~~ (5) R.S. 14:72, forgery.
22 ~~(7)~~ (6) R.S. 14:72.2, monetary instrument abuse.

23 * * *

1 E. If the offender is charged with a violation of R.S. 14:110, the offense is
2 deemed to have been committed in either of the following:

3 (1) The parish of the court that ordered or sentenced home incarceration,
4 confinement, or any other legal restraint.

5 (2) The parish where any act or element occurs in violation of R.S. 14:110.

6 Section 2. R.S. 14:110(A)(2), (B)(3), and (E) are hereby amended and reenacted and
7 R.S. 14:110(A)(4) is hereby enacted to read as follows:

8 §110. Simple escape; aggravated escape

9 A. Simple escape shall mean any of the following:

10 * * *

11 (2) The failure of a ~~criminal~~ person serving a sentence and participating in
12 a work release program authorized by law to report or return from his planned
13 employment or other activity under the program at the appointed time.

14 * * *

15 (4) The intentional alteration, destruction, removal, or disabling of electronic
16 monitoring equipment while participating in a home incarceration program.

17 B.

18 * * *

19 (3) A person participating in a home incarceration program ~~under the~~
20 ~~jurisdiction and control of the sheriffs of the respective parishes who commits the~~
21 ~~crime of simple escape~~ violates the provisions of Paragraph (A)(4) of this Section
22 shall be imprisoned with or without hard labor for not less than six months nor more
23 than five years, and such sentence shall not run concurrently with any other sentence.

24 * * *

25 E. The provisions of this Section shall be applicable to all penal,
26 correctional, rehabilitational, and work release centers and any and all prison
27 facilities under the control of the ~~sheriffs~~ law enforcement of the respective parishes
28 of the state of Louisiana. The prison facilities shall include but are not limited to
29 parish jails, correctional centers, home incarceration, work release centers, and
30 rehabilitation centers, hospitals, clinics, and any and all facilities where inmates are

1 confined under the jurisdiction and control of the ~~sheriffs~~ law enforcement of the
2 respective parishes.

SPEAKER OF THE HOUSE OF REPRESENTATIVES

PRESIDENT OF THE SENATE

GOVERNOR OF THE STATE OF LOUISIANA

APPROVED: _____