

2024 Regular Session

HOUSE BILL NO. 507

BY REPRESENTATIVE ZERINGUE

CRIME: Provides relative to the unlawful entry of a critical infrastructure

1 AN ACT

2 To amend and reenact R.S. 14:61(B) through (D) and to enact R.S. 14:61(E), relative to the
3 unlawful entry of a critical infrastructure; to provide relative to the definition of a
4 critical infrastructure; to provide for enhanced sentencing upon subsequent offenses;
5 and to provide for related matters.

6 Be it enacted by the Legislature of Louisiana:

7 Section 1. R.S. 14:61(B) through (D) are hereby amended and reenacted and R.S.
8 14:61(E) is hereby enacted to read as follows:

9 §61. Unauthorized entry of a critical infrastructure

10 * * *

11 B. For the purposes of this Section, the following words shall have the
12 following meanings:

13 (1) "Critical infrastructure" means any and all structures, equipment, or other
14 immovable or movable property located within or upon chemical manufacturing
15 facilities, refineries, electrical power generating facilities, electrical transmission
16 substations and distribution substations, water intake structures and water treatment
17 facilities, natural gas transmission compressor stations, liquified natural gas (LNG)
18 terminals and storage facilities, natural gas and hydrocarbon storage facilities,
19 transportation facilities, such as ports, railroad switching yards, pipelines, and
20 trucking terminals, water control structures including floodgates or pump stations,

1 or any site where the construction or improvement of any facility or structure
2 referenced in this Section is occurring.

3 * * *

4 C.(1) Whoever commits the crime of unauthorized entry of a critical
5 infrastructure shall be imprisoned with or without hard labor for not more than five
6 years, fined not more than one thousand dollars, or both.

7 (2) Whoever commits the crime of unauthorized entry of a critical
8 infrastructure during the existence of a state of emergency, which has been declared
9 by the governor or the chief executive officer of any parish, shall be fined not more
10 than five thousand dollars and shall be imprisoned at hard labor for not less than
11 three years nor more than fifteen years.

12 D. On a conviction for a second or subsequent offense of this Section, the
13 offender shall be imprisoned with or without hard labor for not less than six months
14 nor more than ten years, fined not less than five hundred dollars nor more than four
15 thousand dollars, or both.

16 ~~D.~~E. Nothing in this Section shall be construed to apply to or prevent the
17 following:

18 (1) Lawful assembly and peaceful and orderly petition, picketing, or
19 demonstration for the redress of grievances or to express ideas or views regarding
20 legitimate matters of public interest, including but not limited to any labor dispute
21 between any employer and its employee or position protected by the United States
22 Constitution or the Constitution of Louisiana.

23 (2) Lawful commercial or recreational activities conducted in the open or
24 unconfined areas around a pipeline, including but not limited to fishing, hunting,
25 boating, and birdwatching.

26 (3) Nothing in this Section shall be construed to prevent the owner of an
27 immovable from exercising right of ownership, including use, enjoyment, and
28 disposition within the limits and under the conditions established by law.

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)]

HB 507 Original

2024 Regular Session

Zeringue

Abstract: Relative to the crime of unauthorized entry of a critical infrastructure, adds water control structures to the definition of critical infrastructure, and provides for an increased penalty when the crime is committed during the existence of a state of emergency.

Present law provides for the crimes of unauthorized entry of a critical infrastructure and criminal damage to a critical infrastructure.

Present law defines "critical infrastructure" as any and all structures, equipment, or other immovable or movable property located within or upon chemical manufacturing facilities, refineries, electrical power generating facilities, electrical transmission substations and distribution substations, water intake structures and water treatment facilities, natural gas transmission compressor stations, liquified natural gas terminals and storage facilities, natural gas and hydrocarbon storage facilities, transportation facilities, such as ports, railroad switching yards, pipelines, and trucking terminals, or any site where the construction or improvement of any facility or structure is occurring.

Proposed law amends the present law definition of "critical infrastructure" to add water control structures, including floodgates or pump stations.

Present law provides that whoever commits the crime of unauthorized entry of a critical infrastructure shall be imprisoned with or without hard labor for not more than five years, fined not more than \$1,000, or both.

Proposed law retains the present law penalties and provides for a fine of not more than \$5,000 and imprisonment at hard labor for not less than three years nor more than 15 years when the crime is committed during the existence of a state of emergency, which has been declared by the governor or the chief executive officer of any parish.

Proposed law also provides that whoever commits subsequent offenses shall be fined not less than \$500 and no more than \$4,000, or be imprisonment with or without hard labor for not less than six months but no more than 10 years, or both.

(Amends R.S. 14.61(B)-(D); Adds R.S. 14:61(E))