

West's Louisiana Statutes Annotated

Louisiana Revised Statutes

Title 14. Criminal Law (Refs & Annos)

Chapter 1. Criminal Code (Refs & Annos)

Part VI. Offenses Affecting the Public Generally

Subpart C. Offenses Affecting the General Peace and Order (Refs & Annos)

LSA-R.S. 14:107.2

§ 107.2. Hate crimes

Effective: August 1, 2016

Currentness

A. It shall be unlawful for any person to select the victim of the following offenses against person and property because of actual or perceived race, age, gender, religion, color, creed, disability, sexual orientation, national origin, or ancestry of that person or the owner or occupant of that property or because of actual or perceived membership or service in, or employment with, an organization, or because of actual or perceived employment as a law enforcement officer, firefighter, or emergency medical services personnel: first or second degree murder; manslaughter; battery; aggravated battery; second degree battery; aggravated assault with a firearm; terrorizing; mingling harmful substances; simple or third degree rape, forcible or second degree rape, or aggravated or first degree rape; sexual battery, second degree sexual battery; oral sexual battery; carnal knowledge of a juvenile; indecent behavior with juveniles; molestation of a juvenile or a person with a physical or mental disability; simple, second degree, or aggravated kidnapping; simple or aggravated arson; communicating of false information of planned arson; simple or aggravated criminal damage to property; contamination of water supplies; simple or aggravated burglary; criminal trespass; simple, first degree, or armed robbery; purse snatching; extortion; theft; desecration of graves; institutional vandalism; or assault by drive-by shooting.

B. If the underlying offense named in Subsection A of this Section is a misdemeanor, and the victim of the offense listed in Subsection A of this Section is selected in the manner proscribed by that Subsection, the offender may be fined not more than five hundred dollars or imprisoned for not more than six months, or both. This sentence shall run consecutively to the sentence for the underlying offense.

C. If the underlying offense named in Subsection A of this Section is a felony, and the victim of the offense listed in Subsection A of this Section is selected in the manner proscribed by that Subsection, the offender may be fined not more than five thousand dollars or imprisoned with or without hard labor for not more than five years, or both. This sentence shall run consecutively to the sentence for the underlying offense.

D. “Organization”, as used in this Section, means all of the following:

- (1) Any lawful corporation, trust, company, partnership, association, foundation, or fund.
- (2) Any lawful group of persons, whether or not incorporated, banded together for joint action on any subject or subjects.
- (3) Any entity or unit of federal, state, or local government.

E. As used in this Section:

- (1) “Emergency medical services personnel” shall have the same meaning ascribed to it by R.S. 40:1075.3.
- (2) “Firefighter” means any firefighter regularly employed by a fire department of any municipality, parish, or fire protection district of the state of Louisiana.
- (3) “Law enforcement officer” means any active or retired city, parish, or state law enforcement officer, peace officer, sheriff, deputy sheriff, probation or parole officer, marshal, deputy, wildlife enforcement agent, state correctional officer, or commissioned agent of the Department of Public Safety and Corrections, as well as any federal law enforcement officer or employee, whose permanent duties include making arrests, performing search and seizures, execution of criminal arrest warrants, execution of civil seizure warrants, any civil functions performed by sheriffs or deputy sheriffs, enforcement of penal or traffic laws, or the care, custody, control, or supervision of inmates.

Credits

Added by Acts 1997, No. 1479, § 2, eff. July 15, 1997. Amended by Acts 2001, No. 301, § 1; Acts 2004, No. 676, § 1; Acts 2014, No. 791, § 7; Acts 2015, No. 184, § 1; Acts 2016, No. 184, § 1.

Editors' Notes

APPLICATION--ACTS 2015, NO. 184

<Section 9 of Acts 2015, No. 184 provides:>

<“Section 9. Nothing in this Act alleviates any person arrested, convicted, or adjudicated delinquent of aggravated rape, forcible rape, or simple rape prior to the effective date of this Act from any requirement, obligation, or consequence imposed by law as a result of that arrest, conviction, or adjudication including but not limited to any requirements regarding the setting of bail, sex offender registration and notification, parental rights, probation, parole, sentencing, or any other requirement, obligation, or consequence imposed by law as a result of that arrest, conviction, or adjudication.”>

<Acts 2015, No. 184 became effective on August 1, 2015.>

Notes of Decisions (5)

LSA-R.S. 14:107.2, LA R.S. 14:107.2

Current through the 2016 First Extraordinary, Regular, and Second Extraordinary Sessions.