

SENATE BILL NO. 199

BY SENATORS KOSTELKA, GUILLORY AND WHITE

1 AN ACT

2 To enact R.S. 14:70.8, relative to crimes involving theft and fraud; to create the crime of  
3 illegal transmission of monetary funds; to provide for definitions; to provide for  
4 penalties; and to provide for related matters.

5 Be it enacted by the Legislature of Louisiana:

6 Section 1. R.S. 14:70.8 is hereby enacted to read as follows:

7 **§70.8. Illegal transmission of monetary funds**

8 **A. Whoever with intent to defraud either transmits, attempts to**  
9 **transmit, causes to be transmitted, solicits a transmission, or receives a**  
10 **transmission, by wire or radio signal, any stolen or fraudulently obtained**  
11 **monetary funds shall be imprisoned, with or without hard labor, for not more**  
12 **than ten years, or fined not more than one hundred thousand dollars, or both.**

13 **B. In addition to the penalties provided for in Subsection A of this**  
14 **Section, a person convicted under the provisions of this Section shall be ordered**  
15 **to make full restitution to the victim and to any other person who has suffered**  
16 **a financial loss as a result of the offense. If a person ordered to make restitution**  
17 **according to this Subsection is found to be indigent and therefore unable to**  
18 **make restitution in full at the time of conviction, then the court shall order a**  
19 **periodic payment plan consistent with the person's financial ability.**

20 **C. For purposes of this Section:**

21 **(1) "Wire" means any wired electronic device that provides access to the**  
22 **Internet or to any other access point and allows monetary transactions to be**  
23 **transmitted or received by email, financial institution-to-financial institution**  
24 **transfer, or money transfer facility.**

1                   (2) "Radio signal" means any text, email, or any other wireless  
 2                   transmission from cellular phones, portable wireless electronic tablets or  
 3                   computers, or any other wireless device used to transmit or receive monetary  
 4                   transactions.

5                   Section 2. This Act shall become effective upon signature by the governor or, if not  
 6                   signed by the governor, upon expiration of the time for bills to become law without signature  
 7                   by the governor, as provided by Article III, Section 18 of the Constitution of Louisiana. If  
 8                   vetoed by the governor and subsequently approved by the legislature, this Act shall become  
 9                   effective on the day following such approval.

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 PRESIDENT OF THE SENATE

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 SPEAKER OF THE HOUSE OF REPRESENTATIVES

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 GOVERNOR OF THE STATE OF LOUISIANA

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