

Regular Session, 2010

SENATE BILL NO. 94

BY SENATOR MURRAY

CRIME/PUNISHMENT. Creates the crime of the production, manufacture, distribution, or possession of a fraudulent postsecondary education degree. (gov sig)

1 AN ACT

2 To enact R.S. 14:72.5, relative to a fraudulent postsecondary education degree; to create the
3 crime of the unlawful production, manufacture, distribution, or possession of a
4 fraudulent postsecondary education degree; to provide for definitions; to provide for
5 an effective date; and to provide for related matters.

6 Be it enacted by the Legislature of Louisiana:

7 Section 1. R.S. 14:72.5 is hereby enacted to read as follows:

8 **§72.5. Unlawful production, manufacture, distribution or possession of**
9 **fraudulent postsecondary education degree**

10 **A. No person shall knowingly or intentionally buy, sell, produce,**
11 **manufacture, or distribute for any purpose a fraudulent postsecondary**
12 **education degree or other document purporting to confer any degree or certify**
13 **the completion in whole or in part of any course of study.**

14 **B. For purposes of this Section:**

15 **(1) "Distribute a fraudulent postsecondary education degree" means to**
16 **sell, give, transport, issue, provide, lend, deliver, transfer, transmit, distribute,**
17 **or disseminate a fraudulent postsecondary education degree for any purpose.**

1 **(2) "Fraudulent postsecondary education degree" means a credential**
 2 **presented as a degree which provides information that is false, forged, altered,**
 3 **or counterfeit and signifies the satisfactory completion of the requirements of**
 4 **a postsecondary education program.**

5 **(3) "Produce or manufacture fraudulent postsecondary education**
 6 **degree" means to develop, prepare, design, create, or process a fraudulent**
 7 **postsecondary education degree for any purpose.**

8 **C. Whoever violates the provisions of this Section shall be fined not**
 9 **more than five hundred dollars or imprisoned for not more than six months, or**
 10 **both.**

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

The original instrument was prepared by Angela Lockett De Jean. The following digest, which does not constitute a part of the legislative instrument, was prepared by Linda Nugent.

DIGEST

Murray (SB 94)

Proposed law provides that it will be unlawful for a person to knowingly or intentionally buy, sell, produce, manufacture, or distribute, for any purpose, a fraudulent postsecondary education degree or other document purporting to confer any degree or certify the completion in whole or in part of any course of study.

Proposed law provides that "distribute a fraudulent postsecondary degree" means to sell, give, transport, issue, provide, lend, deliver, transfer, transmit, distribute, or disseminate fraudulent postsecondary education degree for any purpose.

Proposed law defines "fraudulent postsecondary education degree" as a credential presented as a degree which provides information that is false, forged, altered, or counterfeit and signifies the satisfactory competition of the requirements of a postsecondary education degree.

Proposed law provides that "produce or manufacture fraudulent postsecondary education degree" means to develop, prepare, design, create, or process a fraudulent postsecondary education degree for any purpose.

Proposed law provides that whoever violates the provisions of proposed law will be fined not more than \$500 or imprisoned for not more than six months, or both.

Effective upon signature of the governor or lapse of time for gubernatorial action.

(Adds R.S. 14:72.5)

Summary of Amendments Adopted by Senate

Committee Amendments Proposed by Senate Committee on Judiciary C to the original bill.

1. Changes the element of the crime to provide that it will be unlawful for a person to knowingly or intentionally buy, sell, produce, manufacture, distribute, issue, possess or use, for any purpose, a fraudulent postsecondary education degree or other document purporting to confer any degree or certify the completion in whole or in part of any course of study.

Senate Floor Amendments to engrossed bill.

1. Eliminates "issue, possess or use" a fraudulent postsecondary education degree as being unlawful under proposed law.