

ORDINANCE NO. _____

**AN ORDINANCE TO AMEND AND RE-ENACT SECTION
7-69 OF THE THIBODAUX CITY CODE OF
ORDINANCES (ILLEGAL POSSESSION OF STOLEN
THINGS)**

BE IT ORDAINED by the City Council of the City of Thibodaux in regular session assembled, that Section 7-69 of the Thibodaux City Code of Ordinances is hereby amended and re-enacted so as to read as follows:

Sec. 7-69 – Illegal Possession of Stolen Things.

- A. Illegal possession of stolen things is the intentional possessing, procuring, receiving, or concealing of anything of value which has been the subject of any robbery or theft, under circumstances which indicate that the offender knew or had good reason to believe that the thing was the subject of one of these offenses.
- B. (1) Whoever commits the crime of illegal possession of stolen things, when the value of the things is twenty-five thousand dollars or more, shall be imprisoned at hard labor for not more than twenty years, or may be fined not more than fifty thousand dollars, or both.
- (2) When the value of the stolen things is five thousand dollars or more, but less than a value of twenty-five thousand dollars, the offender shall be imprisoned, with or without hard labor, for not more than ten years, or may be fined not more than ten thousand dollars, or both.
- (3) When the value of the stolen things is one thousand dollars or more, but less than a value of five thousand dollars, the offender shall be imprisoned, with or without hard labor, for not more than five years, or may be fined not more than three thousand dollars, or both.
- (4) When the value of the stolen things is less than one thousand dollars, the offender shall be imprisoned for not more than six months or may be fined not more than one thousand dollars, or both. If the offender in such cases has been convicted of theft two or more times previously, upon any subsequent conviction, he shall be imprisoned, with or without hard labor, for not more than two years, or may be fined not more than two thousand dollars, or both.
- C. When the offender has committed the crime of illegal possession of stolen things by a number of distinct acts, the aggregate of the amount of the things so received shall determine the grade of the offense.
- D. It shall be an affirmative defense to a violation of this Section committed by means of possessing, that the accused, within seventy-two hours of his acquiring knowledge or good reason to believe that a thing was the subject of robbery or theft, reports that fact or belief in writing to the district attorney in the parish of his domicile.
- E. No person shall be exempt from prosecution under this Section for any act committed with fraudulent, willful, or criminal knowledge regardless

of any other presumption or exemption provided by statute, including but not limited to any signed statement of ownership executed by a purported owner of property conveyed.

State Law reference – Similar provisions, R.S. 14:69

BE IT FURTHER ORDAINED that the provisions of this ordinance shall become effective immediately upon its adoption and approval by the Mayor.

The above ordinance having been submitted to a vote, the vote thereon was as follows:

YEAS:

NAYS:

ABSTAINED:

ABSENT:

And the above ordinance was declared adopted this ____ day of ____ 2021.

Jennifer Morvant, Council Adm.

Chad J. Mire, President