

## Part X-D. Transactions Involving Proceeds From Controlled Dangerous Substances Activity

*[Editor's Note: A new Part X-D, consisting of R.S. 40:1049, also known as the Seizure and Controlled Dangerous Substances Property Forfeiture Act, was created by Act 370 of 1989 Legislature. Act 676 of 2006 Legislature re-designated this Part as Part X-D. Subsequent amendments are noted herein.]*

### §1041. Transactions involving proceeds from drug offenses

- A. It is unlawful for any person knowingly or intentionally to conduct a financial transaction involving proceeds known to be derived from a violation of [R.S. 40:966](#) *et seq.* when the transaction is designed in whole or in part to conceal or disguise the nature, location, source, ownership, or the control of the proceeds known to be derived from such violation or to avoid a transaction reporting requirement under state or federal law.
- B. It is unlawful for any person knowingly or intentionally to give, sell, transfer, trade, invest, conceal, transport, maintain an interest in, or otherwise make available anything of value known to be for the purpose of committing or furthering the commission of any violation of [R.S. 40:966](#) *et seq.*
- C. It is unlawful for any person knowingly or intentionally to direct, plan, organize, initiate, finance, manage, supervise, or facilitate the transportation or transfer of proceeds known to be derived from any violation of [R.S. 40:966](#) *et seq.*
- D. It is unlawful for any person to knowingly or intentionally receive or acquire proceeds derived from any violation of [R.S. 40:966](#) *et seq.*, or to knowingly or intentionally engage in any transaction involving proceeds from any such violations. The provisions of this Section shall not include any transaction between an individual and his attorney, that is necessary to preserve that individual's right to representation by counsel, as guaranteed by the Sixth Amendment of the United States Constitution, and Article I Section 13 of the Constitution of Louisiana. However, this shall not affect the right of the state to seek and obtain forfeiture of any proceeds derived from a violation of [R.S. 40:966](#) *et seq.*, as provided by [R.S. 2601 through 2622](#).
- E. Any person who is convicted of violating this Section shall be imprisoned for not more than ten years, with or without hard labor, or fined not more than ten thousand dollars, or both.  
*(Subsection E amended by Act 165 of 2004 Legislature, effective August 15, 2004)*