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## DIGEST

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HB 992 Reengrossed

2016 Regular Session

Connick

**Abstract:** Amends the definitions of "aggravated offense" and "sexual offense against a victim who is a minor" to include crime against nature and provides relative to the registration requirements of persons convicted of third degree rape.

Present law provides for sex offender notification and registration requirements. Those requirements, and the time period in which an offender must comply with those requirements, differ depending upon the offense committed. Persons convicted of an "aggravated offense" must comply with these requirements for their lifetime and persons convicted of a "sexual offense against a victim who is a minor" must comply for 25 years. Other sex offenders must comply for 15 years.

Present law defines "aggravated offense" and "sexual offense against a victim who is a minor" for the purposes of present law.

Proposed law adds the crime against nature to those definitions, depending upon which element of the crime the sex offender is convicted.

Present law requires certain persons convicted of third degree rape to register and provide notification pursuant to present law for the duration of their lifetime only when either of the following occur:

- (1) The victim is incapable of resisting or of understanding the nature of the act by reason of a stupor or abnormal condition of mind produced by an intoxicating agent or any cause and the offender knew or should have known of the victim's incapacity.
- (2) The victim, through unsoundness of mind, is temporarily or permanently incapable of understanding the nature of the act and the offender knew or should have known of the victim's incapacity.

Proposed law amends present law to require all persons convicted of third degree rape to register for the duration of their lifetime regardless of whether the victim is incapable of resisting due to an intoxicating agent or unsoundness of mind.

(Amends R.S. 15:541(2)(c), (k)-(q) and (25)(n); Adds R.S. 15:541(2)(r) and (25)(o))

Summary of Amendments Adopted by House

The House Floor Amendments to the engrossed bill:

1. Add a provision to amend present law to make application of sex offender registration and notification requirements consistent among persons convicted of third degree rape prior to Aug. 1, 2015, and persons convicted on or after Aug. 1, 2015.