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## DIGEST

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HB 251 Original

2021 Regular Session

Jones

**Abstract:** Provides relative to the running of time limitations when the victim is a person with infirmities and provides for definitions.

Present law (C.Cr.P. Art. 572) provides that no person shall be prosecuted, tried, or punished for an offense not punishable by death or life imprisonment, unless the prosecution is instituted within the following periods of time after the offense has been committed:

- (1) Six years, for a felony necessarily punishable by imprisonment at hard labor.
- (2) Four years, for a felony not necessarily punishable by imprisonment at hard labor.
- (3) Two years, for a misdemeanor punishable by a fine, or imprisonment, or both.
- (4) Six months, for a misdemeanor punishable only by a fine or forfeiture.

Present law (C.Cr.P. Art. 573.1) provides for an exception to these present law time limitations for the crime of exploitation of persons with infirmities, which shall not commence to run until the crime is discovered by a competent victim, or in the case of an incompetent victim, by a competent third person.

Proposed law provides that the time limitations established by present law (C.Cr.P. Art. 572) shall not commence to run as to any crime wherein the victim is a person with infirmities until the crime is discovered by a competent victim, or in the case of an incompetent victim, by a law enforcement officer. Further provides that the exception to the present law time limitations shall include the following present law crimes: simple battery of persons with infirmities, cruelty to persons with infirmities, exploitation of persons with infirmities, sexual battery of persons with infirmities, and abuse of persons with infirmities through electronic means.

Proposed law provides for definitions for the terms of "persons with infirmities" and "law enforcement officer".

(Amends C.Cr.P. Art. 573.1)