

ACT No. 72

2021 Regular Session

HOUSE BILL NO. 251

BY REPRESENTATIVE JONES AND SENATORS BARROW, BERNARD, FIELDS,
JACKSON, FRED MILLS, TALBOT, AND WOMACK

1 AN ACT

2 To amend and reenact Code of Criminal Procedure Article 573.1, relative to time limitations
3 for instituting prosecutions; to provide relative to time limitations in which to
4 institute prosecution for crimes related to victims with infirmities; to provide for
5 definitions; and to provide for related matters.

6 Be it enacted by the Legislature of Louisiana:

7 Section 1. Code of Criminal Procedure Article 573.1 is hereby amended and
8 reenacted to read as follows:

9 Art. 573.1. Running of time limitations; exception; ~~exploitation~~ of persons with
10 infirmities

11 A. The time limitations established by Article 572 of this Code shall not
12 commence to run as to ~~the any crime of exploitation of persons wherein the victim~~
13 is a person with infirmities ~~(R.S. 14:93.4)~~ until the crime is discovered by a
14 competent victim, or in the case of an incompetent victim, by a ~~competent third~~
15 ~~person~~ law enforcement officer. This shall include but is not limited to the crimes
16 of simple battery of persons with infirmities (R.S. 14:35.2), cruelty to persons with
17 infirmities (R.S. 14:93.3), exploitation of persons with infirmities (R.S. 14:93.4),
18 sexual battery of persons with infirmities (R.S. 14:93.5), and abuse of persons with
19 infirmities through electronic means (R.S. 14:283.3).

20 B.(1) "Person with infirmities" shall mean a person who suffers from a
21 mental or physical disability, including those associated with advanced age, which
22 renders the person incapable of adequately providing for his personal care. The term
23 "person with infirmities" may include but is not limited to any individual who is an

1 outpatient or resident of a nursing home, facility for persons with intellectual
 2 disabilities, mental health facility, hospital, or other residential facility, or a recipient
 3 of home or community-based care or services.

4 (2) "Law enforcement officer" shall mean any employee of the state, a
 5 political subdivision, a municipality, a sheriff, or other public agency whose
 6 permanent duties include the making of arrests, the performing of searches and
 7 seizures, or the execution of criminal warrants, and who is responsible for the
 8 prevention or detection of crime or for the enforcement of the penal, traffic, or
 9 highway laws of this state.

SPEAKER OF THE HOUSE OF REPRESENTATIVES

PRESIDENT OF THE SENATE

GOVERNOR OF THE STATE OF LOUISIANA

APPROVED: _____