

RÉSUMÉ DIGEST

ACT 354 (HB 475)

2023 Regular Session

Magee

Existing law provides that, unless there is an exception, evidence of other crimes, wrongs, or acts is not admissible to prove the character of a person in order to show that he acted in conformity therewith, but may be admissible for other purposes, such as proof of motive, opportunity, intent, preparation, plan, knowledge, identity, absence of mistake or accident.

Existing law further provides that evidence of other crimes, wrongs, or acts may be admissible for other purposes if, upon request by the accused, the prosecution in a criminal case provides reasonable notice in advance of trial of the nature of any such evidence that it intends to introduce at trial for such purposes, or when the evidence relates to conduct that constitutes an integral part of the act or transaction that is the subject of the present proceeding.

New law provides that, unless there is an exception, creative or artistic expression is not admissible in a criminal case to prove the character of a person in order to show that he acted in conformity therewith, provided that the accused provides reasonable notice to the prosecution in advance of trial asserting that the evidence is creative or artistic expression.

New law further provides that evidence of creative or artistic expression may be admissible for other purposes, such as proof of motive, opportunity, intent, preparation, plan, knowledge, identity, or absence of mistake or accident, provided that upon request by the accused, the prosecution in a criminal case provides reasonable notice in advance of trial of the nature of any such evidence that it intends to introduce at trial for such purposes, or when the evidence relates to conduct that constitutes an integral part of the act or transaction that is the subject of the present proceeding.

New law provides that new law shall not be construed to limit the admission or consideration of evidence under any other rule.

New law shall be known and cited as the "Restoring Artistic Protection Act of 2023".

Effective August 1, 2023.

(Amends C.E. Art. 404(B)(1))