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## DIGEST

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HB 130 Engrossed

2024 Regular Session

Bayham

**Abstract:** Provides relative to penalties for the crime of molestation of a juvenile.

Present law provides for the crime of molestation of a juvenile.

Proposed law retains present law.

Present law provides that when the offender has control or supervision over the juvenile and commits the crime of molestation of a juvenile when the victim is 13 years of age or older but has not yet attained the age of 17, he shall be fined not more than \$10,000, or imprisoned, with or without hard labor, for not less than five years nor more than 20 years, or both.

Proposed law increases the minimum penalty from five years to 10 years.

Present law provides that when an educator commits the crime of molestation of a juvenile when the victim is 13 years of age or older but has not yet attained the age of 17, he shall be fined not more than \$10,000, or imprisoned, with or without hard labor, for not less than five years nor more than 40 years, or both.

Proposed law amends present law to include a person in a position of supervision or entrusted with a supervisory role of the juvenile that includes but is not limited to a religious, charitable, scientific, educational, athletic, or youth-serving purpose.

Present law further provides that at least five years of the sentence imposed shall be without the benefit of parole, probation, or suspension of sentence, and the defendant shall not be eligible to have his conviction set aside or his prosecution dismissed in accordance with present law (C.Cr.P. Art. 893).

Proposed law increases the minimum penalty from five years to 10 years and provides that at least 10 years of the sentence imposed, rather than five years, shall be without the benefit of parole, probation, or suspension of sentence.

(Amends R.S. 14:81.2(B)(2) and (3)(a))

Summary of Amendments Adopted by House

The Committee Amendments Proposed by House Committee on Administration of Criminal

Justice to the original bill:

1. Make technical changes.
2. Specify that the crime of molestation of a juvenile applies to a person who is in a position of supervision or entrusted with a supervisory role of the juvenile that includes but is not limited to a religious, charitable, scientific, educational, athletic, or youth-serving purpose.
3. Remove provisions of proposed law relative to application of present law involving clergymen and recreational instructors.