

SENATE SUMMARY OF HOUSE AMENDMENTS

SB 371

2024 Regular Session

Barrow

KEYWORD AND SUMMARY AS RETURNED TO THE SENATE

CRIME/PUNISHMENT. Provides for surgical castration of persons convicted of certain crimes when the victim is under the age of thirteen. (8/1/24)

SUMMARY OF HOUSE AMENDMENTS TO THE SENATE BILL

1. Make technical changes.
2. Provide that proposed law not apply to an offender under the age of 17 years.
3. Provide that certain sex offenders may not reside or be present in certain areas when the victim was under 14 years of age.

DIGEST OF THE SENATE BILL AS RETURNED TO THE SENATE

DIGEST

SB 371 Reengrossed

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Proposed law provides that when an offender over the age of 17 years commits a sex offense against a victim under the age of 13 years, and the sex offense is also an aggravated offense as defined in present law, except for (1) sexual battery of a victim under the age of 13 years when the offender is 17 years of age or older and (2) second degree sexual battery, the court may sentence the offender to surgical castration. Proposed law further provides that the procedure is contingent upon a determination by a court-appointed medical expert that the defendant is an appropriate candidate for surgery, which determination must be made within 60 days of imposition of sentence. Proposed law further provides that when the offender is sentenced to a period of incarceration or confinement, the procedure must be performed no later than one week prior to the release of the offender.

Proposed law requires the Dept. of Public Safety and Corrections to provide the services necessary to complete the procedure, but the procedure will not be performed if it is not medically appropriate.

Proposed law further provides that if an offender fails to appear or refuses to undergo the procedure, the offender may be charged with failure to comply with the court order and sentenced to imprisonment for between three and five years, without benefit of parole, probation, or suspension of sentence.

Present law provides that a person convicted of certain sex offenses may not be present or reside in certain locations when his victim was under the age of 13 years.

Proposed law increases the age of the victim of the underlying sex offense required as an element of the crime from 13 years to 14 years.

Effective August 1, 2024.

(Amends R.S. 14:91.2(A)(intro para.) and (B)(intro para.); adds R.S. 14:43.7)

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