

First Extraordinary Session, 2005

SENATE BILL NO. 1

BY SENATORS AMEDEE AND CHAISSON

SEX OFFENSES. Enhances penalties for failure to register as a sex offender.

1 AN ACT

2 To amend and reenact R.S. 15:542(F), relative to registration of sex offenders; to provide
3 for enhanced penalties for failure to register as a sex offender; and to provide for
4 related matters.

5 Be it enacted by the Legislature of Louisiana:

6 Section 1. R.S. 15:542(F) is hereby amended and reenacted to read as follows:

7 §542. Registration of Sex Offenders

8 * * *

9 F.(1) A person who fails to register as required by this Section shall, upon
10 first conviction, be fined not more than one thousand dollars ~~or~~ **and** imprisoned with
11 ~~or without~~ hard labor for not less than ~~one year nor more than five years, or both~~ **five**
12 **years nor more than ten years without benefit of parole, probation, or**
13 **suspension of sentence.**

14 (2) Upon second or subsequent convictions, whoever fails to register as
15 required by this Section shall be fined ~~not less than one~~ **three** thousand dollars ~~nor~~
16 ~~more than two thousand five hundred dollars or~~ **and** imprisoned with ~~or without~~ hard
17 labor for not less ~~than three years nor more~~ than ten years **nor more than twenty**

1 **years** without benefit of parole, probation, or suspension of sentence.

The original instrument and the following digest, which constitutes no part of the legislative instrument, were prepared by Dennis C. Weber.

DIGEST

Present law provides for the following:

- (1) For the first failure to register as a sex offender, a fine of not more than \$1,000 or imprisonment, with or without hard labor for not less than one nor more than five years or both.
- (2) For a second or subsequent offense, the fine is not less than \$1,000 nor more than \$2,500 or imprisonment with or without hard labor for not less than three nor more than 10 years or both fine and imprisonment.

Proposed law increases the penalty for failure to register as a sex offender and provides for the following:

- (1) For the first failure to register as a sex offender, there is a mandatory fine of \$1,000 and a minimum term of imprisonment of five years and a maximum term of imprisonment of 10 years without benefit of parole, probation or suspension of sentence. Both fine and imprisonment are mandatory.
- (2) For second or subsequent offense, the fine is increased to \$3,000. The term of imprisonment is increased to a minimum of 10 years and a maximum of 20 years without benefit of parole, probation or suspension of sentence. Both fine and imprisonment are mandatory.

(Amends R.S. 15:542(F))