
The original instrument and the following digest, which constitutes no part of the legislative instrument, were prepared by Alden A. Clement, Jr.

DIGEST

Johns (SB 333)

Present law defines and provides penalties relative to the crimes of incest, aggravated incest, crime against nature, and aggravated crime against nature.

Proposed law repeals the named present law crimes of "incest" and "aggravated incest" and places those crimes' elements and penalties under "crime against nature" and "aggravated crime against nature", respectively.

Proposed law otherwise retains all present law relative to the crimes of incest and aggravated incest.

Present law references the present law crimes of incest and aggravated incest in various provisions relative to the time limitation for prosecuting certain sex offenses, sentencing and registration of sex offenders, criminal procedure, determination of mental capacity or incapacity, diminution of sentence, grounds for termination of parental rights, a coroner's duties relative to certain crimes and crime victims, and the use of public funds for certain purposes.

Proposed law changes these references in present law from "incest" and "aggravated incest" to "crime against nature" or "aggravated crime against nature" or deletes present law in its entirety as appropriate in the context of present law.

Proposed law otherwise retains present law.

Effective upon signature of the governor or lapse of time for gubernatorial action.

(Amends C.Ch. Art. 1015(3)(c), C.Cr.P. Art. 465(A)(16) and (26), 571.1, and 648(B)(3)(g), R.S. 13:5713(F), R.S. 14:43.6(A) and (B)(1), 89, and 89.1, and R.S. 15:536(A), 537, 541(2)(j) and (l) and (24)(a), 542(A)(3)(f) and (g), and 571.3(B)(4)(d) and (e), R.S. 40:1299.34.5(B)(3), (C), and (E), 1299.35.2(D)(2)(d) and (E), 1299.35.7(B) and (D), and 1300.13(E)(6); repeals Ch.C. Art. 855(B)(7)(f) and 884.1(A)(6), C.Cr. P. Art. 648(B)(3)(h), R.S. 14:2(B)(40), 78 and 78.1, and R.S. 15:541(25)(d) and 571.3(B)(3)(i) and (j))

Summary of Amendments Adopted by Senate

Committee Amendments Proposed by Senate Committee on Judiciary C to the original bill

1. Deletes references to "incest" and "aggravated incest" from additional provisions of present law.