
 DIGEST

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Johns

SB No. 333

Present law provides for the crimes of incest, aggravated incest, crime against nature, and aggravated crime against nature.

Proposed law repeals the crime of incest and places the elements and penalties for the crime into the offense of crime against nature.

Proposed law repeals the crime of aggravated incest and places the elements and penalties for the crime into the offense of aggravated crime against nature.

Present law provisions in the Children's Code, the Code of Criminal Procedure, and Titles 13, 14, 15, and 40 of the La. Revised Statutes regarding criminal procedure, sex offender registration and notification, determination of mental capacity or incapacity, diminution of sentence, grounds for termination of parental rights, and the use of public funds for certain purposes reference the present law crimes of incest, aggravated incest, crime against nature, and aggravated crime against nature.

Proposed law amends these present law provisions to reflect the proposed law placement of the elements of the crime of incest into the offense of crime against nature and aggravated incest into the offense of aggravated crime against nature.

Proposed law directs the La. State Law Institute to change all references in La. law from "incest" to "crime against nature" and from "aggravated incest" to "aggravated crime against nature" to reflect the changes made in proposed law.

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

(Amends Ch.C. Arts. 855(B)(7)(f) and (g), 884.1(A)(6) and (7), 897(B)(1)(c), and 1015(3)(c), C.Cr.P. Arts. 571.1 and 648(B)(3)(g) and (h), 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), (24)(a), and (25)(d), 542(A)(3)(f) and (g), and 571.3(B)(3)(p) and (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. Arts. 502(4)(i) and 603(12)(i), R.S. 14:2(B)(40), 78 and 78.1, and R.S. 15:571.3(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.

Summary of Amendments Adopted by House

Committee Amendments Proposed by House Committee on Administration of Criminal Justice to the reengrossed bill.

1. Amended the proposed law relative to the offenses of crime against nature and aggravated crime against nature to make changes in the format of the statute.
2. Amended provisions in proposed law and added changes to certain provisions of present law that reference incest, aggravated incest, crime against nature, and

aggravated crime against nature to reflect proposed law changes to the these offenses.

3. Added a provision which directs the La. State Law Institute to change all references in La. law from "incest" to "crime against nature" and from "aggravated incest" to "aggravated crime against nature" to reflect the changes made in proposed law.