

2016 Regular Session

HOUSE BILL NO. 190

BY REPRESENTATIVE CONNICK

EVIDENCE: Provides with respect to the disposition of sensitive criminal evidence

1 AN ACT

2 To amend and reenact Code of Criminal Procedure Article 718.1(A), relative to disposing
3 of sensitive evidence; to provide for those authorized to retain sensitive evidence of
4 certain criminal offenses; and to provide for related matters.

5 Be it enacted by the Legislature of Louisiana:

6 Section 1. Code of Criminal Procedure Article 718.1(A) is hereby amended and
7 reenacted to read as follows:

8 Art. 718.1. Evidence of obscenity, video voyeurism, or pornography involving
9 juveniles; prohibition on reproduction of pornography involving juveniles

10 A. In any criminal proceeding, any property or material that is alleged to
11 constitute evidence of obscenity as defined in R.S. 14:106(A)(2) that is unlawfully
12 possessed, video voyeurism as defined in R.S. 14:283, or pornography involving
13 juveniles as defined in R.S. 14:81.1, shall remain in the care, custody, and control of
14 the investigating law enforcement agency, the court, or the district attorney.

15 * * *

DIGEST

The digest printed below was prepared by House Legislative Services. It constitutes no part of the legislative instrument. The keyword, one-liner, abstract, and digest do not constitute part of the law or proof or indicia of legislative intent. [R.S. 1:13(B) and 24:177(E)]

HB 190 Original

2016 Regular Session

Connick

Abstract: Authorizes the investigating law enforcement agency to hold property which constitutes obscenity, video voyeurism, or pornography involving juveniles.

Present law requires that any property or material alleged to constitute evidence of obscenity, video voyeurism, or pornography involving juveniles shall remain in the care, custody, and control of the court or the district attorney.

Proposed law adds the investigating law enforcement agency to those authorized to have the care, custody, or control of such property or material.

(Amends C.Cr.P. Art. 718.1(A))