

2021 Regular Session

HOUSE BILL NO. 67

BY REPRESENTATIVE LANDRY

Prefiled pursuant to Article III, Section 2(A)(4)(b)(i) of the Constitution of Louisiana.

CRIME/PROSTITUTION: Repeals certain prostitution-related offenses

1 AN ACT

2 To repeal R.S. 14:82, 82.2 through 83.4, 85, 86, 89.2, and 282, relative to prostitution; to
3 repeal certain prostitution-related offenses; to direct the Louisiana State Law
4 Institute to study and make recommendations for changes to other laws necessary to
5 conform with the repeal of these offenses; and to provide for related matters.

6 Be it enacted by the Legislature of Louisiana:

7 Section 1. A humane and effective justice system is a necessary predicate for a
8 functioning and healthy democracy. As recently as the early 1970s, the United States had
9 an incarceration rate on par with most other Western democracies and while their crime rates
10 today are at nearly identical levels, America's incarceration rate is five times higher. Nearly
11 five million people are arrested and jailed every year. One in two women in prison are
12 incarcerated as a result of nonviolent offenses and nearly two-thirds are confined in jails due
13 to an inability to afford cash bail. To begin a large-scale decarceration effort to reshape the
14 American legal system by dramatically reducing the incarcerated population,
15 decriminalization of sex work would need to be done. By decriminalizing behavior and
16 divert cases that do not require confinement such as decriminalizing sex work by removing
17 criminal penalties related to consensual sex work and addressing structural inequities that
18 impeded the safety, dignity, and well-being of all individuals especially those most
19 vulnerable to discrimination on the basis of race, gender identity or expression, sexual
20 orientation, disability, socioeconomic status and citizenship, the amount of incarcerations
21 would be reduced drastically. Congresswoman Ayanna Pressly has introduced a resolution

1 into the U.S. Congress to address such matters, and several states have proposed legislation
2 to decriminalize sex work, including New York, Maine, Massachusetts, Washington, D.C.,
3 and Vermont.

4 Section 2. R.S. 14:82, 82.2 through 83.4, 85, 86, 89.2, and 282 are hereby repealed
5 in their entirety.

6 Section 3. The Louisiana State Law Institute is hereby authorized and directed to
7 study and to recommend to the legislature in a written report such other amendments to the
8 Louisiana Children's Code, Code of Criminal Procedure, Code of Evidence, Louisiana
9 Revised Statutes, or any other body of Louisiana law as is necessary to effectuate, conform,
10 and to address any inconsistencies with the purpose of this Act repealing certain prostitution-
11 related offenses. The Louisiana State Law Institute shall issue its report and
12 recommendations to the legislature no later than February 1, 2022.

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 67 Original

2021 Regular Session

Landry

Abstract: Repeals certain prostitution-related offenses.

Present law provides for various prostitution-related offenses including:

- (1) Prostitution (R.S. 14:82)
- (2) Purchase of commercial sexual activity (R.S. 14:82.2)
- (3) Soliciting for prostitutes (R.S. 14:83)
- (4) Inciting prostitution (R.S. 14:83.1)
- (5) Promoting prostitution (R.S. 14:83.2)
- (6) Prostitution by massage (R.S. 14:83.3)
- (7) Massage; sexual conduct prohibited (R.S. 14:83.4)
- (8) Letting premises for prostitution (R.S. 14:85)
- (9) Enticing persons into prostitution (R.S. 14:86)
- (10) Crime against nature by solicitation (R.S. 14:89.2)
- (11) Operation of places of prostitution prohibited (R.S. 14:282)

Proposed law repeals these provisions of present law and directs the La. State Law Institute to study and issue recommendations for any changes to other provisions of present law necessary to effectuate and conform with the purposes of proposed law.

(Repeals R.S. 14:82, 82.2 - 83.4, 85, 86, 89.2, and 282)