

2021 Regular Session

HOUSE BILL NO. 33

BY REPRESENTATIVE STAGNI

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

JUVENILES: Provides relative to time limitations for certain offenses against juveniles

1 AN ACT

2 To amend and reenact Code of Criminal Procedure Article 573(4), relative to time
3 limitations for prosecution of certain offenses; to provide relative to offenses against
4 juveniles; to provide relative to felony crimes of violence against juveniles; to
5 provide relative to cruelty to juveniles; and to provide for related matters.

6 Be it enacted by the Legislature of Louisiana:

7 Section 1. Code of Criminal Procedure Article 573(4) is hereby amended and
8 reenacted to read as follows:

9 Art. 573. Running of time limitations; exception

10 The time limitations established by Article 572 shall not commence to run
11 as to the following offenses until the relationship or status involved has ceased to
12 exist when:

13 * * *

14 (4) The offense charged is ~~aggravated battery (R.S. 14:34)~~ a felony crime of
15 violence as defined in R.S. 14:2(B) or cruelty to juveniles as defined in R.S. 14:93
16 and the victim is under ~~seventeen~~ eighteen years of age, unless a longer period of
17 limitation is established by Article 571.1 or any other provision of law.

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 33 Engrossed

2021 Regular Session

Stagni

Abstract: Changes the applicability of the running of time limitations for certain offenses against juveniles.

Present law provides that time limitations established by C.Cr.P. Art. 572 shall not commence to run as to the following offenses until the relationship or status involved has ceased to exist when:

- (1) The offense charged is based on the misappropriation of any money or thing of value by one who, by virtue of his office, employment, or fiduciary relationship, has been entrusted therewith or has control thereof.
- (2) The offense charged is extortion or false accounting committed by a public officer or employee in his official capacity.
- (3) The offense charged is public bribery.
- (4) The offense charged is aggravated battery (R.S. 14:34) and the victim is under seventeen years of age.

Proposed law retains present law.

Proposed law changes present law (C.Cr.P. Art. 573(4)) applicability from when the offense charged is aggravated battery and the victim is under 17 years of age to when the offense charged is a felony crime of violence (R.S. 14:2(B)) or cruelty to juveniles (R.S. 14:93) and the victim is under 18 years of age, unless a longer period of limitation is established by another provision of law.

(Amends C.Cr.P. Art. 573(4))