

SENATE BILL NO. 9

BY SENATORS MIZELL, ABRAHAM, ALLAIN, BARROW, BASS, BOUDREAUX, CARTER, CATHEY, CLOUD, CONNICK, COUSSAN, DUPLESSIS, EDMONDS, FESI, FOIL, HARRIS, HENRY, HENSGENS, HODGES, JACKSON-ANDREWS, JENKINS, KLEINPETER, LAMBERT, LUNEAU, MCMATH, MIGUEZ, MILLER, MORRIS, OWEN, PRESSLY, PRICE, REESE, SEABAUGH, STINE, TALBOT, WHEAT AND WOMACK AND REPRESENTATIVES ADAMS, BACALA, BAGLEY, BAYHAM, BERAULT, BOYD, BOYER, BRASS, BUTLER, CARLSON, CARRIER, CARVER, CHASSION, COATES, COX, CREWS, DAVIS, DEWITT, DICKERSON, DOMANGUE, ECHOLS, EDMONSTON, EGAN, EMERSON, FIRMENT, FISHER, FREEMAN, FREIBERG, GLORIOSO, GREEN, HEBERT, HILFERTY, HORTON, JACKSON, MIKE JOHNSON, JORDAN, KERNER, KNOX, LACOMBE, LAFLEUR, JACOB LANDRY, MANDIE LANDRY, LYONS, MARCELLE, MELERINE, OWEN, SCHLEGEL, SELDERS, ST. BLANC, THOMPSON, VENTRELLA, WALTERS, WRIGHT, WYBLE AND ZERINGUE

1 AN ACT

2 To amend and reenact Code of Criminal Procedure Art. 572(B)(1) and (2), relative to  
3 limitations upon institution of prosecutions; to provide relative to newly discovered  
4 photographic or video evidence of certain offenses; and to provide for related  
5 matters.

6 Be it enacted by the Legislature of Louisiana:

7 Section 1. Code of Criminal Procedure Art. 572(B)(1) and (2) are hereby amended  
8 and reenacted to read as follows:

9 Art. 572. Limitation of prosecution of noncapital offenses

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11 B.(1) Notwithstanding the provisions of Article 571.1 and Paragraph A of  
12 this Article, prosecutions for any sex offense may be commenced beyond the time  
13 limitations set forth in this Title if the identity of the offender is established after the  
14 expiration of such time limitation through the use of a DNA profile or newly  
15 discovered photographic or video evidence.

16 (2) A prosecution under the exception provided by this Paragraph shall be  
17 commenced within three years from the date on which the identity of the suspect is  
18 established by DNA testing or by the use of newly discovered photographic or  
19 video evidence.

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Section 2. This Act shall become effective upon signature by the governor or, if not signed by the governor, upon expiration of the time for bills to become law without signature by the governor, as provide by Article III, Section 18 of the Constitution of Louisiana. If vetoed by the governor and subsequently approved by the legislature, this Act shall become effective on the day following such approval.

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PRESIDENT OF THE SENATE

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SPEAKER OF THE HOUSE OF REPRESENTATIVES

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GOVERNOR OF THE STATE OF LOUISIANA

APPROVED: \_\_\_\_\_