The original instrument and the following digest, which constitutes no part of the legislative instrument, were prepared by Jonathon Wagner.

DIGEST

SB 371 Original | 2024 Regular Session | Barrow

Proposed law provides that when an offender commits a sex offense against a victim who is under the age of 13 at the time of the offense, the court may sentence the offender to surgical castration, to be performed by a licensed physician.

Proposed law further provides that the procedure is contingent upon a determination by a court appointed medical expert that the defendant is an appropriate candidate for surgery, which must be made within 60 days of imposition of sentence. Proposed law further provides that when the offender is sentenced to a period of incarceration or confinement in an institution, the procedure must be performed no later than one week prior to the release of the offender.

Proposed law requires the Dept. of Public Safety and Corrections to provide the services necessary to complete the procedure, but the procedure will not be performed if it is not medically appropriate.

Proposed law further provides that if an offender fails to appear or refuses to undergo the procedure, the offender may be charged with failure to comply with the court order and sentenced to imprisonment between three and five years, without benefit of parole, probation, or suspension of sentence.

Effective August 1, 2024.

(Adds R.S. 14:43.7)