

2024 Regular Session

HOUSE BILL NO. 356

BY REPRESENTATIVES BOYD, ADAMS, BACALA, CHASSION, COX, HORTON,
KNOX, LAFLEUR, MOORE, VENTRELLA, AND WALTERS

CRIMINAL/PROCEDURE: Provides for time limitations for prosecution of third degree
rape

1 AN ACT

2 To enact Code of Criminal Procedure Article 573.4, relative to time limitations for initiating
3 prosecutions; to provide relative to time limitations in which to institute prosecution
4 for the crime of third degree rape when committed under certain circumstances; and
5 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 enacted to read as
8 follows:

9 Art. 573.4. Running of time limitations; exception; third degree rape

10 The time limitations established by Article 572 shall not commence to run
11 as to the crime of third degree rape (R.S. 14:43) when committed under any of the
12 circumstances provided in R.S. 14:43(A)(1), (2), or (3) until the crime is discovered
13 by the victim.

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 356 Engrossed

2024 Regular Session

Boyd

Abstract: Provides that the time limitations for prosecution of third degree rape when committed under certain circumstances shall not begin to run until the crime is discovered by the victim.

Present law (C.Cr.P. Art. 572) provides that no person shall be prosecuted, tried, or punished for an offense not punishable by death or life imprisonment, unless the prosecution is instituted within the following periods of time after the offense has been committed:

- (1) Six years, for a felony necessarily punishable by imprisonment at hard labor.
- (2) Four years, for a felony not necessarily punishable by imprisonment at hard labor.
- (3) Two years, for a misdemeanor punishable by a fine, imprisonment, or both.
- (4) Six months, for a misdemeanor punishable only by a fine or forfeiture.

Proposed law provides, as an exception to present law, that time limitations for the crime of third degree rape when committed under certain circumstances shall not commence to run until the crime is discovered by the victim.

(Adds C.Cr.P. Art. 573.4)