

ACT No. 698

HOUSE BILL NO. 453

BY REPRESENTATIVES KERNER, BACALA, BOYER, BRAUD, CARRIER, CHASSION, COX, DAVIS, DEWITT, FISHER, FREIBERG, GREEN, HUGHES, JACKSON, KNOX, LACOMBE, JACOB LANDRY, MANDIE LANDRY, LARVADAIN, MARCELLE, MILLER, MYERS, NEWELL, ST. BLANC, TAYLOR, AND WALTERS

1 AN ACT

2 To amend and reenact Code of Criminal Procedure Articles 571 and 571.1, relative to
3 limitations upon the institution of prosecution; to provide that there is no time
4 limitation upon the institution of prosecution for the crime of molestation of a
5 juvenile or a person with a physical or mental disability; and to provide for related
6 matters.

7 Be it enacted by the Legislature of Louisiana:

8 Section 1. Code of Criminal Procedure Articles 571 and 571.1 are hereby amended
9 and reenacted to read as follows:

10 Art. 571. Crimes for which there is no time limitation

11 There is no time limitation upon the institution of prosecution for any crime
12 for which the punishment may be death or life imprisonment or for the crime of
13 forcible or second degree rape (R.S. 14:42.1) or molestation of a juvenile or a person
14 with a physical or mental disability (R.S. 14:81.2).

15 Art. 571.1. Time limitation for certain sex offenses

16 Except as provided by Article 572, the time within which to institute
17 prosecution of the following sex offenses, regardless of whether the crime involves
18 force, serious physical injury, death, or is punishable by imprisonment at hard labor
19 shall be thirty years: attempted first degree rape, also formerly titled aggravated rape
20 (R.S. 14:27, R.S. 14:42), attempted second degree rape, also formerly titled forcible

1 rape (R.S. 14:27, R.S. 14:42.1), sexual battery (R.S. 14:43.1), second degree sexual
 2 battery (R.S. 14:43.2), oral sexual battery (R.S. 14:43.3), human trafficking (R.S.
 3 14:46.2(B)(2) or (3)), trafficking of children for sexual purposes (R.S. 14:46.3),
 4 felony carnal knowledge of a juvenile (R.S. 14:80), indecent behavior with juveniles
 5 (R.S. 14:81), pornography involving juveniles (R.S. 14:81.1), ~~molestation of a~~
 6 ~~juvenile or a person with a physical or mental disability (R.S. 14:81.2)~~, prostitution
 7 of persons under eighteen (R.S. 14:82.1), enticing persons into prostitution (R.S.
 8 14:86), crime against nature (R.S. 14:89), aggravated crime against nature (R.S.
 9 14:89.1), crime against nature by solicitation (R.S. 14:89.2(B)(3)), that involves a
 10 victim under eighteen years of age. This thirty-year period begins to run when the
 11 victim attains the age of eighteen.

SPEAKER OF THE HOUSE OF REPRESENTATIVES

PRESIDENT OF THE SENATE

GOVERNOR OF THE STATE OF LOUISIANA

APPROVED: _____