HOUSE COMMITTEE AMENDMENTS
2025 Regular Session
Amendments proposed by House Committee on Administration of Criminal Justice to
Original House Bill No. 76 by Representative Moore

1   AMENDMENT NO. 1

2   On page 1, delete lines 2 and 3 in their entirety and insert "To amend and reenact R.S.
3   15:541(24)(a) and to enact R.S. 14:43.5.1, relative to sex offenses; to create the crime of
4   felony intentional infection of an incurable sexually transmitted"

5   AMENDMENT NO. 2

6   On page 1, delete lines 4 and 5 in their entirety and at the beginning of line 6, delete "Public
7   Safety and Corrections to promulgate rules;" and insert "disease; to provide for elements;
8   to provide for penalties; to provide with respect to sex offender registration and notification
9   requirements;"

10   AMENDMENT NO. 3

11   On page 1, line 8, after "Section 1." and before "hereby" change "R.S. 14:43.5.1 and 43.5.2
12   are" to "R.S. 14:43.5.1 is"

13   AMENDMENT NO. 4

14   On page 1, line 9, after "intentional" and before "sexually" change "exposure to a" to
15   "infection of an incurable"

16   AMENDMENT NO. 5

17   On page 1, delete 10 in its entirety and insert "A. No person shall knowingly and
18   intentionally infect another human with an incurable"

19   AMENDMENT NO. 6

20   On page 1, line 11, after "disease" and before "without" insert "through sexual contact"

21   AMENDMENT NO. 7

22   On page 1, between lines 17 and 18, insert the following:

23   "B. No person shall knowingly and intentionally infect another human with
24   an incurable sexually transmitted disease through any means or contact without the
25   knowing and lawful consent of the victim, if at the time of the infection, the infected
26   person knew he had an incurable sexually transmitted disease."

27   AMENDMENT NO. 8

28   On page 1, delete line 18 in its entirety and insert "C.(1) Whoever commits the crime of
29   felony intentional infection of an incurable"

30   AMENDMENT NO. 9

31   On page 2, line 1, after "intentional" and before "sexually" change "exposure to a" to
32   "infection of an incurable"

1   AMENDMENT NO. 10

2   On page 2, line 7, after "intentional" and before "sexually" change "exposure to a" to
3   "infection of an incurable"

4   AMENDMENT NO. 11

5   On page 2, line 13, after "intentional" and before "sexually" change "exposure to a" to
6   "infection of an incurable"

7   AMENDMENT NO. 12

8   On page 2, line 17, after "intentional" and before "sexually" change "exposure to a" to
9   "infection of an incurable"

10   AMENDMENT NO. 13

11   On page 2, line 18, after "disease" and before "diagnosed" change "and has been" to "when
12   the victim has previously been"

13   AMENDMENT NO. 14

14   On page 2, delete lines 21 and 22 in their entirety and insert "D.(1) It is an affirmative
15   defense that the person infected with an incurable sexually transmitted disease knew the
16   infected"

17   AMENDMENT NO. 15

18   On page 2, line 23, after "with" and before "sexually" delete "a" and insert "an incurable"

19   AMENDMENT NO. 16

20   On page 2, line 25, after "with" and before "sexually" delete "a" and insert "an incurable"

21   AMENDMENT NO. 17

22   Delete pages 3 and 4 in their entirety and add the following:

23   "Section 2. R.S. 15:541(24)(a) is hereby amended and reenacted to read as follows:

24   §541. Definitions
25   For the purposes of this Chapter, the definitions of terms in this Section shall
26   apply:
27   *   *   *
28   (24)(a) "Sex offense" means deferred adjudication, adjudication withheld,
29   or conviction for the perpetration or attempted perpetration of or conspiracy to
30   commit human trafficking when prosecuted under the provisions of R.S.
31   14:46.2(B)(2), R.S. 14:46.3 (trafficking of children for sexual purposes), R.S. 14:89
32   (crime against nature), R.S. 14:89.1 (aggravated crime against nature), R.S.
33   14:89.2(B)(3) (crime against nature by solicitation), R.S. 14:80 (felony carnal
34   knowledge of a juvenile), R.S. 14:81 (indecent behavior with juveniles), R.S. 14:81.1
35   (pornography involving juveniles), R.S. 14:81.2 (molestation of a juvenile or a
36   person with a physical or mental disability), R.S. 14:81.3 (computer-aided
37   solicitation of a minor), R.S. 14:81.4 (prohibited sexual conduct between an educator
38   and student), R.S. 14:82.1 (prostitution; persons under eighteen), R.S. 14:82.2(C)(4)
39   and (5) (purchase of commercial sexual activity), R.S. 14:92(A)(7) (contributing to
40   the delinquency of juveniles), R.S. 14:93.5 (sexual battery of persons with
41   infirmities), R.S. 14:106(A)(5) (obscenity by solicitation of a person under the age
42   of seventeen), R.S. 14:283 (video voyeurism), R.S. 14:41 (rape), R.S. 14:42

1   (aggravated or first degree rape), R.S. 14:42.1 (forcible or second degree rape), R.S.
2   14:43 (simple or third degree rape), R.S. 14:43.1 (sexual battery), R.S. 14:43.2
3   (second degree sexual battery), R.S. 14:43.3 (oral sexual battery), R.S. 14:43.5
4   (intentional exposure to HIV), <u>R.S. 14:43.5.1 (felony intentional infection of an</u>
5   <u>incurable sexually transmitted disease),</u> a second or subsequent conviction of R.S.
6   14:283.1 (voyeurism), or a second or subsequent conviction of R.S. 14:89.3 (sexual
7   abuse of an animal), committed on or after June 18, 1992, or committed prior to June
8   18, 1992, if the person, as a result of the offense, is under the custody of the
9   Department of Public Safety and Corrections on or after June 18, 1992. A conviction
10   for any offense provided in this definition includes a conviction for the offense under
11   the laws of another state, or military, territorial, foreign, tribal, or federal law which
12   is equivalent to an offense provided for in this Chapter, unless the tribal court or
13   foreign conviction was not obtained with sufficient safeguards for fundamental
14   fairness and due process for the accused as provided by the federal guidelines
15   adopted pursuant to the Adam Walsh Child Protection and Safety Act of 2006.
16   *   *   *"