#### Regular Session, 2012

#### HOUSE BILL NO. 353

# BY REPRESENTATIVES LOPINTO, ADAMS, BADON, BROWN, GUILLORY, HAZEL, HONORE, HOWARD, MACK, NORTON, AND PYLANT

1	AN ACT
2	To amend and reenact R.S. 14:91.2(A)(2) and (3) and (B)(1) and (2), relative to the unlawful
3	presence of sex offenders; to amend provisions relative to the unlawful presence of
4	certain offenders convicted of a sex offense; to provide relative to child care
5	facilities; and to provide for related matters.
6	Be it enacted by the Legislature of Louisiana:
7	Section 1. R.S. 14:91.2(A)(2) and (3) and (B)(1) and (2) are hereby amended and
8	reenacted to read as follows:
9	§91.2. Unlawful presence of a sex offender
10	A. The following acts when committed by a person convicted of a sex
11	offense as defined in R.S. 15:541 when the victim is under the age of thirteen years
12	shall constitute the crime of unlawful residence or presence of a sex offender:
13	* * *
14	(2) The offender establishing a residence within one thousand feet of any
15	public or private elementary or secondary school or child care facility as defined in
16	<u>R.S. 46:1403</u> .
17	(3) The physical presence of the offender in, on, or within one thousand feet
18	of a public park, or recreational facility, or child care facility as defined in R.S.
19	<u>46:1403</u> .
20	* * *
21	B. The following acts, when committed by a person convicted of an
22	aggravated offense as defined in R.S. 15:541(2) when the victim is under the age of

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CODING: Words in struck through type are deletions from existing law; words <u>underscored</u> are additions.

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#### **ENROLLED**

thirteen years, shall constitute the crime of unlawful residence or presence of a sex offender:

(1) The physical presence of the offender in, on, or within one thousand feet of a <del>day care center,</del> group home, residential home, <del>or</del> child care facility as defined in R.S. 46:1403, or a family child day care home as defined in R.S. 46:1441.1.

6 (2) The establishment of a residence within one thousand feet of any day
7 care center, group home, residential home, or child care facility as defined in R.S.
8 46:1403, a family child day care home as defined in R.S. 46:1441.1, playground,
9 public or private youth center, public swimming pool, or free standing video arcade
10 facility.

\* \* \*

## SPEAKER OF THE HOUSE OF REPRESENTATIVES

## PRESIDENT OF THE SENATE

### GOVERNOR OF THE STATE OF LOUISIANA

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