SLS 13RS-336 **ORIGINAL**

Regular Session, 2013

SENATE BILL NO. 92

BY SENATOR WALSWORTH

Prefiled pursuant to Article III, Section 2(A)(4)(b)(i) of the Constitution of Louisiana.

CRIME/PUNISHMENT. Provides responsive verdicts for the crime of aggravated incest. (gov sig)

AN ACT

To enact Code of Criminal Procedure Article 814(A)(60), relative to responsive verdicts; to provide responsive verdicts for the crime of aggravated incest; and to provide for related matters.

Be it enacted by the Legislature of Louisiana:

Section 1. Code of Criminal Procedure Article 814(A)(60) is hereby enacted to read as follows:

Art. 814. Responsive verdicts; in particular

A. The only responsive verdicts which may be rendered when the indictment charges the following offenses are:

* * *

60. Aggravated Incest:

Guilty.

Guilty of aggravated incest on a victim under the age of thirteen years when the offender is seventeen years of age or older.

Guilty of attempted aggravated incest.

Guilty of attempted aggravated incest on a victim under the age of

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thirteen years when the offender is seventeen years of age or older.

Not guilty.

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Section 2. This Act shall become effective upon signature by the governor or, if not signed by the governor, upon expiration of the time for bills to become law without signature by the governor, as provided by Article III, Section 18 of the Constitution of Louisiana. If vetoed by the governor and subsequently approved by the legislature, this Act shall become effective on the day following such approval.

The original instrument and the following digest, which constitutes no part of the legislative instrument, were prepared by Alden A. Clement, Jr.

DIGEST

Present law provides responsive verdicts for certain present law crimes.

Proposed law retains present law and adds the following responsive verdicts for the present law crime of aggravated incest:

(1) Guilty.

(2) Guilty of aggravated incest on a victim under the age of 13 years when the offender is 17 years of age or older.

(3) Guilty of attempted aggravated incest.

(4) Guilty of attempted aggravated incest on a victim under the age of 13 years when the offender is 17 years of age or older.

(5) Not guilty.

Effective upon signature of the governor or lapse of time for gubernatorial action.

(Adds C.Cr.P. Art. 814(A)(60))

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