

Regular Session, 2013

HOUSE BILL NO. 145

BY REPRESENTATIVE JAY MORRIS

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

SEX OFFENSE/REGISTRY: Provides relative to sex offender registration and notification requirements for offenders convicted pursuant to the laws of another state who establish a residence in La.

1 AN ACT

2 To amend and reenact R.S. 15:542.1.3(B)(2)(a) and to enact R.S. 15:542.1.3(B)(2)(c),
3 relative to sex offender registration and notification; to provide relative to sex
4 offenders convicted pursuant to the laws of another state; to provide for the duration
5 of sex offender registration and notification for such offenders; to provide for the
6 frequency of in-person registration renewals for such offenders; to provide for
7 determinations made by the bureau with regard to such offenders; and to provide for
8 related matters.

9 Be it enacted by the Legislature of Louisiana:

10 Section 1. R.S. 15:542.1.3(B)(2)(a) is hereby amended and reenacted and R.S.
11 15:542.1.3(B)(2)(c) is hereby enacted to read as follows:

12 §542.1.3. Procedures for offenders convicted or adjudicated under the laws of
13 another state, or military, territorial, foreign, tribal, or federal law; procedures
14 for Louisiana offenders with out-of-state activities

15 * * *

16 B.

17 * * *

18 (2)(a) ~~Within~~ Except as provided in Subparagraph (c) of this Paragraph,
19 within sixty days of receiving the certified copies of court records from the offender

1 as required by the provisions of Subsection A of this Section, the bureau shall
 2 determine which time period of registration under the provisions of R.S. 15:544 and
 3 the frequency of in-person periodic renewals under the provisions of R.S. 15:542.1
 4 is applicable to the offender while residing in Louisiana. This determination shall
 5 be based on a comparison of the elements of the offense of conviction or
 6 adjudication with the elements of the most comparable Louisiana offense. The
 7 bureau shall post this official notification on the state sex offender and child predator
 8 registry within the ninety-day period provided in this Paragraph. If the most
 9 comparable Louisiana offense is carnal knowledge of a juvenile, the bureau shall
 10 indicate so and give notice to the offender that he may qualify for relief from
 11 registration pursuant to the provisions of R.S. 15:542(F)(2) or (3) if the offender's
 12 age and the age of the victim are within the limitations provided by R.S. 15:542.

13 * * *

14 (c) If the period of registration required by the offender's jurisdiction of
 15 conviction is for the duration of the offender's lifetime, the bureau shall not be
 16 required to determine which time period of registration and the frequency of in-
 17 person periodic renewals that would be applicable to the offender while residing in
 18 Louisiana as required by Subparagraph (a) of this Paragraph. The duration of the
 19 registration for any such offender shall be for the duration of his lifetime pursuant
 20 to R.S. 15:544, and the frequency of in-person periodic renewals for the offender
 21 shall be every three months from the date of initial registration as required by R.S.
 22 15:542.1.1(A)(1).

23 * * *

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)]

Jay Morris

HB No. 145

Abstract: Provides that the Bureau of Criminal Identification and Information shall not be required to make a determination as to which time period of registration and the

frequency of in-person renewals would be applicable to certain sex offenders convicted pursuant to the laws of another state who establish a residence in La.

Present law provides that any person who is convicted of an offense under the laws of another state and who establishes a residence in La. shall be required to register as a sex offender and provide notification pursuant to La. sex offender registration and notification provisions.

Present law further provides that a person who is convicted under the laws of another state who is required to register as a sex offender pursuant to La. law shall do so for the period of time required by his state of conviction or for the period of time required by La., whichever period is longer.

Present law requires the bureau to determine the period of registration and the frequency of in-person periodic renewals which would be applicable to such offenders while residing in La. based on a comparison of the elements of the offense of conviction or adjudication with the elements of the most comparable La. offense.

Present law provides that until the bureau makes this determination, the offender shall appear for in-person renewals every three months and, thereafter, the frequency with which he is required to appear will be based upon the determination by the bureau.

Proposed law retains present law but provides that if the period of registration required by the offender's jurisdiction of conviction is for the duration of the offender's lifetime, the bureau shall not be required to determine which time period of registration and the frequency of in-person periodic renewals which would be applicable to the offender while residing in La. as required by present law. The duration of the registration for any such offender shall be for the duration of his lifetime, and the frequency of in-person periodic renewals for the offender shall be every three months from the date of initial registration.

(Amends R.S. 15:542.1.3(B)(2)(a); Adds R.S. 15:542.1.3(B)(2)(c))