

2016 Regular Session

HOUSE BILL NO. 210

BY REPRESENTATIVE CONNICK

CRIMINAL/PROCEDURE: Provides relative to time limits for institution of prosecution of certain sex offenses

1 AN ACT

2 To amend and reenact Code of Criminal Procedure Article 571.1, relative to time limitations
3 for prosecution; to provide for time limitations for certain sex offenses; and to
4 provide for related matters.

5 Be it enacted by the Legislature of Louisiana:

6 Section 1. Code of Criminal Procedure Article 571.1 is hereby amended and
7 reenacted to read as follows:

8 Art. 571.1. Time limitation for certain sex offenses

9 Except as provided by Article 572 of this Chapter, the time within which to
10 institute prosecution of the following sex offenses, regardless of whether the crime
11 involves force, serious physical injury, death, or is punishable by imprisonment at
12 hard labor shall be thirty years: attempted first degree rape, also formerly titled
13 aggravated rape (R.S. 14:27, R.S. 14:42), attempted second degree rape, also
14 formerly titled forcible rape (R.S. 14:27, R.S. 14:42.1), sexual battery (R.S. 14:43.1),
15 second degree sexual battery (R.S. 14:43.2), oral sexual battery (R.S. 14:43.3),
16 human trafficking (R.S. 14:46.2(B)(2) or (3)), trafficking of children for sexual
17 purposes (R.S. 14:46.3), felony carnal knowledge of a juvenile (R.S. 14:80), indecent
18 behavior with juveniles (R.S. 14:81), pornography involving juveniles (R.S.
19 14:81.1), molestation of a juvenile (R.S. 14:81.2), prostitution of persons under
20 eighteen (R.S. 14:82.1), enticing persons into prostitution (R.S. 14:86), crime against

1 nature (R.S. 14:89), aggravated crime against nature (R.S. 14:89.1), crime against
 2 nature by solicitation (R.S. 14:89.2(B)(3)), that involves a victim under seventeen
 3 years of age. This thirty-year period begins to run when the victim attains the age of
 4 eighteen.

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)]

HB 210 Original

2016 Regular Session

Connick

Abstract: Adds attempted first and second degree rape to the list of crimes with a 30-year time period for institution of prosecution in cases where the victim is under 17 years of age.

Present law provides for a 30-year period in which to institute prosecution for the following sex offenses when the victim is under the age of 17:

- (1) Sexual battery.
- (2) Second degree sexual battery.
- (3) Oral sexual battery.
- (4) Felony carnal knowledge of a juvenile.
- (5) Indecent behavior with juveniles.
- (6) Molestation of a juvenile.
- (7) Crime against nature.
- (8) Aggravated crime against nature.
- (9) Human trafficking.
- (10) Trafficking of children for sexual purposes.
- (11) Pornography involving juveniles.
- (12) Prostitution of persons under the age of 18.
- (13) Enticing persons into prostitution.
- (14) Crime against nature by solicitation when victim under age of 17.

Present law provides that this 30-year period begins to run when the victim attains the age of 18.

Proposed law retains present law and adds attempted first and second degree rape to this list.

(Amends C.Cr.P. Art. 571.1)