

SENATE FLOOR AMENDMENTS

2016 Regular Session

Amendments proposed by Senator Johns to Engrossed Senate Bill No. 90 by Senator Johns

1 AMENDMENT NO. 1

2 On page 1 line 2, after "reenact" delete the remainder of the line, on line 3, delete "(2)" and
3 insert the following:

4 "R.S. 14:2(B)(42), 46.2(B)(3), 46.3(A)(1) and (3), (C)(1), and (D)(1)(c) and
5 (2), 82(G)(1), 82.2(C)(4), 83.3(D)(1), 83.4(C)(1), 89(C)(1), and 89.2(D)(1),
6 the introductory paragraph of R.S. 15:539.3(A), the introductory paragraph
7 of R.S. 15:539.1(E), and R.S. 15:243(B), 539.1(A), 539.2(A) and (B)(2)(b),
8 541(2)(n)and (o) and (24)(a), 1308(A)(2)(r), and 1352(A)(48), R.S.
9 40:1061.16(D)(4)(a), (b)(i), and (c)(v) and 2405.7(B)(2), R.S.
10 46:1802(13)(a), 1809(B)(3)(a)(iv), and 1861(A)(1)(f), Code of Criminal
11 Procedure Art. 851(B)(6), 855.1, and 890.1(D)(18), the introductory
12 paragraph of Code of Evidence Art. 412.3 and Code of Evidence Art.
13 412(B)(1) and (C)(1) and 412.3(3), Children's Code Art. 603(12)(s),
14 606(A)(6), 725.1(3), 728(4)(a), 804(9)(a), and 918(D), and Sections 8 and
15 10 of Act No. 564 of the 2014 Regular Session of the Legislature"

16 AMENDMENT NO. 2

17 On page 1, line 5, delete "of children"

18 AMENDMENT NO. 3

19 On page 1, after "Section 1." delete the remainder of the line and insert the following:

20 "R.S. 14:2(B)(42), 46.2(B)(3), 46.3(A)(1) and (3), (C)(1), and (D)(1)(c) and
21 (2), 82(G)(1), 82.2(C)(4), 83.3(D)(1), 83.4(C)(1), 89(C)(1), and 89.2(D)(1)"

22 AMENDMENT NO. 4

23 On page 1, between lines 9 and 10, insert the following:

24 "§2. Definitions

25 * * *

26 B. In this Code, "crime of violence" means an offense that has, as an element,
27 the use, attempted use, or threatened use of physical force against the person
28 or property of another, and that, by its very nature, involves a substantial risk
29 that physical force against the person or property of another may be used in
30 the course of committing the offense or an offense that involves the
31 possession or use of a dangerous weapon. The following enumerated
32 offenses and attempts to commit any of them are included as "crimes of
33 violence":

34 * * *

35 (42) Trafficking of children for sexual purposes.

36 * * *"

37 AMENDMENT NO. 5

38 On page 2, line 2, delete "of children"

39 AMENDMENT NO. 6

40 On page 3, between lines 2 and 3, insert the following:

1 "§82. Prostitution; definition; penalties; enhancement

2 * * *

3 G.(1) It shall be an affirmative defense to prosecution for a violation of this
4 Section that, during the time of the alleged commission of the offense, the
5 defendant was a victim of trafficking ~~of children~~ for sexual purposes as
6 provided in R.S. 14:46.3(E). Any child determined to be a victim pursuant
7 to the provisions of this Paragraph shall be eligible for specialized services
8 for sexually exploited children.

9 * * *

10 §82.2. Purchase of commercial sexual activity; penalties

11 * * *

12 C.

* * *

13 (4) Whoever violates the provisions of this Section with a person the offender
14 knows to be under the age of ~~eighteen~~ twenty-one years, or with a person the
15 offender knows to be a victim of human trafficking as defined by R.S.
16 14:46.2 or trafficking ~~of children~~ for sexual purposes as defined by R.S.
17 14:46.3, shall be fined not more than fifty thousand dollars, imprisoned at
18 hard labor for not less than fifteen years nor more than fifty years, or both.

19 * * *

20 §83.3. Prostitution by massage

21 * * *

22 D.(1) It shall be an affirmative defense to prosecution for a violation of this
23 Section that, during the time of the alleged commission of the offense, the
24 defendant was a victim of trafficking ~~of children~~ for sexual purposes as
25 provided in R.S. 14:46.3(E). Any child determined to be a victim pursuant
26 to the provisions of this Paragraph shall be eligible for specialized services
27 for sexually exploited children.

28 * * *

29 §83.4. Massage; sexual conduct prohibited

30 * * *

31 C.(1) It shall be an affirmative defense to prosecution for a violation of this
32 Section that, during the time of the alleged commission of the offense, the
33 defendant was a victim of trafficking ~~of children~~ for sexual purposes as
34 provided in R.S. 14:46.3(E). Any child determined to be a victim pursuant
35 to the provisions of this Paragraph shall be eligible for specialized services
36 for sexually exploited children.

37 * * *

38 §89. Crime against nature

39 * * *

40 C.(1) It shall be an affirmative defense to prosecution for a violation of
41 Paragraph (A)(1) of this Section that, during the time of the alleged
42 commission of the offense, the defendant was a victim of trafficking ~~of~~
43 ~~children~~ for sexual purposes as provided in R.S. 14:46.3(E). Any child
44 determined to be a victim pursuant to the provisions of this Paragraph shall
45 be eligible for specialized services for sexually exploited children.

46 * * *

47 §89.2. Crime against nature by solicitation

48 * * *

49 D.(1) It shall be an affirmative defense to prosecution for a violation of this
50 Section that, during the time of the alleged commission of the offense, the
51 defendant was a victim of trafficking ~~of children~~ for sexual purposes as
52 provided in R.S. 14:46.3(E). Any child determined to be a victim pursuant
53 to the provisions of this Paragraph shall be eligible for specialized services
54 for sexually exploited children.

55 * * *

56 Section 2. The introductory paragraph of R.S. 15:539.3(A), the introductory
57 paragraph of R.S. 15:539.1(E), and R.S. 15:243(B), 539.1(A), 539.2(A) and
58 (B)(2)(b), 541(2)(n) and (o) and (24)(a), 1308(A)(2)(r), and 1352(A)(48) are
59 hereby amended and reenacted to read as follows:

1 §243. Diversion program for defendants engaged in the purchase of sexual
2 activity

3 * * *

4 B. At the discretion of the district attorney, after any costs associated with the
5 administration of the program are paid, a portion of all monies collected
6 pursuant to the provisions of this Section may be distributed to entities within
7 their judicial district, or within the judicial districts participating in the
8 program, that provide rehabilitative services and treatment to victims of
9 offenses involving human trafficking and trafficking of children for sexual
10 purposes.

11 * * *

12 §539.1. Forfeited property related to certain sex crimes; exempt property;
13 allocation of forfeited property

14 A. When personal property is forfeited under the provisions of R.S. 14:40.3
15 (cyberstalking), R.S. 14:46.2 (human trafficking), R.S. 14:46.3 (trafficking
16 of children for sexual purposes), R.S. 14:80 (felony carnal knowledge of a
17 juvenile), R.S. 14:81 (indecent behavior with juveniles), R.S. 14:81.1
18 (pornography involving juveniles), R.S. 14:81.2 (molestation of a juvenile
19 or a person with a physical or mental disability), R.S. 14:81.3 (computer-
20 aided solicitation of a minor), R.S. 14:82.1 (prostitution; persons under
21 eighteen; additional offenses), R.S. 14:83 (soliciting for prostitutes), R.S.
22 14:83.1 (inciting prostitution), R.S. 14:83.2 (promoting prostitution), R.S.
23 14:84 (pandering), R.S. 14:85 (letting premises for prostitution), R.S. 14:86
24 (enticing persons into prostitution), R.S. 14:104 (keeping a disorderly place),
25 R.S. 14:105 (letting a disorderly place), and R.S. 14:282 (operation of places
26 of prostitution; prohibited; penalty), the district attorney shall authorize a
27 public sale or a public auction conducted by a licensed auctioneer, without
28 appraisal, of that which is not required by law to be destroyed and which is
29 not harmful to the public.

30 * * *

31 E. Notwithstanding Subsection D of this Section, when the property is
32 forfeited pursuant to the provisions of R.S. 14:46.2 (human trafficking), R.S.
33 14:46.3 (trafficking of children for sexual purposes), R.S. 14:81.1
34 (pornography involving juveniles), R.S. 14:81.3 (computer-aided solicitation
35 of a minor), R.S. 14:82.1 (prostitution; persons under eighteen; additional
36 offenses), R.S. 14:83 (soliciting for prostitutes), R.S. 14:83.1 (inciting
37 prostitution), R.S. 14:83.2 (promoting prostitution), R.S. 14:84 (pandering),
38 R.S. 14:85 (letting premises for prostitution), R.S. 14:86 (enticing persons
39 into prostitution), R.S. 14:104 (keeping a disorderly place), R.S. 14:105
40 (letting a disorderly place), and R.S. 14:282 (operation of places of
41 prostitution), the proceeds of the public sale or public auction shall be
42 applied first to any restitution granted to the victim, after the costs of the
43 public sale or auction, court costs, and fees related to seizure and storage
44 have been satisfied. Any remaining proceeds shall be distributed in the
45 following manner:

46 * * *

47 §539.2. Exploited Children's Special Fund

48 A. Any person who is convicted or pleads guilty or nolo contendere to an
49 offense involving trafficking of children for sexual purposes under R.S.
50 14:46.3, prostitution with persons under seventeen under R.S. 14:82.1, or
51 enticing persons into prostitution under R.S. 14:86 shall be ordered to pay a
52 mandatory monetary assessment of two thousand dollars. Notwithstanding
53 any law to the contrary, the assessments provided by this Section shall be in
54 addition to and not in lieu of, and shall not be used to offset or reduce, any
55 fine authorized or required by law. If the court finds that the offender is
56 indigent and therefore unable to pay the mandatory assessment at the time of
57 conviction, the court shall order a periodic payment plan consistent with the
58 person's financial ability.

59 B. * * *

60 (2) * * *

1 (b) Subject to appropriation by the legislature and notwithstanding the
2 provisions of Subparagraph (a) of this Paragraph, a portion of the monies in
3 the fund, not to exceed fifty percent, may be used for the development of
4 training programs relative to human trafficking and trafficking of children for
5 sexual purposes and for the providing of law enforcement training programs
6 administered by the Council of Peace Officer Standards and Training within
7 the Louisiana Commission on Law Enforcement and the Administration of
8 Criminal Justice.

9 §539.3 Mandatory restitution

10 A. A person convicted of a violation of R.S. 14:46.2 (human trafficking),
11 R.S. 14:46.3 (trafficking of children for sexual purposes), R.S. 14:81.1
12 (pornography involving juveniles), R.S. 14:81.3 (computer-aided solicitation
13 of a minor), R.S. 14:82.1 (prostitution; persons under eighteen; additional
14 offenses), R.S. 14:83 (soliciting for prostitutes), R.S. 14:83.1 (inciting
15 prostitution), R.S. 14:83.2 (promoting prostitution), R.S. 14:84 (pandering),
16 R.S. 14:86 (enticing persons into prostitution), R.S. 14:104 (keeping a
17 disorderly place), R.S. 14:105 (letting a disorderly place), and R.S. 14:282
18 (operation of places of prostitution) shall be ordered to pay mandatory
19 restitution to the victim, with the proceeds from property forfeited under R.S.
20 15:539.1 applied first to payment of restitution, after the costs of the public
21 sale or auction, court costs, and fees related to seizure and storage have been
22 satisfied. Restitution under this Section shall include any of the following:

23 * * *

24 §541. Definitions

25 For the purposes of this Chapter, the definitions of terms in this Section shall
26 apply:

27 * * *

28 (2) "Aggravated offense" means a conviction for the perpetration or
29 attempted perpetration of, or conspiracy to commit, any of the following:

30 * * *

31 (n) Trafficking of children for sexual purposes (R.S. 14:46.3).

32 (o) Human trafficking (R.S. 14:46.2) when the trafficking involves a person
33 under the age of ~~eighteen~~ twenty-one years or when the services include
34 commercial sexual activity or any sexual conduct constituting a crime under
35 the laws of this state.

36 * * *

37 (24)(a) "Sex offense" means deferred adjudication, adjudication withheld,
38 or conviction for the perpetration or attempted perpetration of or conspiracy
39 to commit human trafficking when prosecuted under the provisions of R.S.
40 14:46.2(B)(2), R.S. 14:46.3 (trafficking of children for sexual purposes), R.S.
41 14:89 (crime against nature), R.S. 14:89.1 (aggravated crime against nature),
42 R.S. 14:89.2(B)(3) (crime against nature by solicitation), R.S. 14:80 (felony
43 carnal knowledge of a juvenile), R.S. 14:81 (indecent behavior with
44 juveniles), R.S.14:81.1 (pornography involving juveniles), R.S. 14:81.2
45 (molestation of a juvenile or a person with a physical or mental disability),
46 R.S. 14:81.3 (computer-aided solicitation of a minor), R.S. 14:81.4
47 (prohibited sexual conduct between an educator and student), R.S. 14:82.1
48 (prostitution; persons under eighteen), R.S. 14:82.2(C)(4) and (5) (purchase
49 of commercial sexual activity), R.S. 14:92(A)(7) (contributing to the
50 delinquency of juveniles), R.S. 14:93.5 (sexual battery of persons with
51 infirmities), R.S. 14:106(A)(5) (obscenity by solicitation of a person under
52 the age of seventeen), R.S. 14:283 (video voyeurism), R.S. 14:41 (rape), R.S.
53 14:42 (aggravated or first degree rape), R.S. 14:42.1 (forcible or second
54 degree rape), R.S. 14:43 (simple or third degree rape), R.S. 14:43.1 (sexual
55 battery), R.S. 14:43.2 (second degree sexual battery), R.S. 14:43.3 (oral
56 sexual battery), R.S. 14:43.5 (intentional exposure to AIDS virus), or a
57 second or subsequent conviction of R.S. 14:283.1 (voyeurism), committed
58 on or after June 18, 1992, or committed prior to June 18, 1992, if the person,
59 as a result of the offense, is under the custody of the Department of Public
60 Safety and Corrections on or after June 18, 1992. A conviction for any

1 offense provided in this definition includes a conviction for the offense under
2 the laws of another state, or military, territorial, foreign, tribal, or federal law
3 which is equivalent to an offense provided for in this Chapter, unless the
4 tribal court or foreign conviction was not obtained with sufficient safeguards
5 for fundamental fairness and due process for the accused as provided by the
6 federal guidelines adopted pursuant to the Adam Walsh Child Protection and
7 Safety Act of 2006.

8 * * *

9 §1308. Authorization for interception of wire, electronic, or oral
10 communications

11 A. The attorney general, or the deputy or any assistant attorney general acting
12 pursuant to the authorization of the attorney general, with the approval of the
13 district attorney or any assistant district attorney acting pursuant to the
14 written authorization of the district attorney in whose district the interception
15 of wire, electronic, or oral communications shall take place, and the district
16 attorney or authorized assistant district attorney, with the approval of the
17 attorney general or authorized deputy or assistant attorney general may
18 authorize an application to a judge in whose district the interception of wire,
19 electronic, or oral communications shall take place, and such judge may
20 grant in conformity with R.S. 15:1310 an order authorizing or approving the
21 interception of wire, electronic, or oral communications by an investigative
22 or law enforcement officer having responsibility for the investigation of the
23 offense as to which the application is made, when such interception may
24 provide or has provided evidence of:

25 * * *

26 (2) The commission, attempted commission, or conspiracy to commit a crime
27 involving any of the following offenses:

28 * * *

29 (r) Trafficking of children for sexual purposes as defined by R.S. 14:46.3.

30 * * *

31 §1352. Definitions

32 A. As used in this Chapter, "racketeering activity" means committing,
33 attempting to commit, conspiring to commit, or soliciting, coercing, or
34 intimidating another person to commit any crime that is punishable under the
35 following provisions of Title 14 of the Louisiana Revised Statutes of 1950,
36 the Uniform Controlled Dangerous Substances Law, or the Louisiana
37 Securities Law:

38 * * *

39 (48) R.S. 14:46.3 (Trafficking of children for sexual purposes)

40 * * *

41 Section 3. R.S. 40:1061.16(D)(4)(a), (b)(i), and (c)(v) and 2405.7(B)(2) are hereby
42 amended and reenacted to read as follows:

43 §1061.16. Information on psychological impacts, illegal coercion, abuse, and
44 human trafficking required prior to abortion; task force on
45 information resources

46 * * *

47 D. The department shall create printed materials and printable Internet-based
48 resources that provide all of the following:

49 * * *

50 (4)(a) Information, telephone numbers, and links to Internet websites of
51 nonprofit organizations that offer free and confidential access to mental
52 health professionals, social workers, and other trained counselors for women
53 and minor females who are victims of the crime of human trafficking or the
54 crime of trafficking of children for sexual purposes.

55 (b) The department shall take such actions as are necessary to ensure that any
56 mental or behavioral health professional or other counselor to whom a
57 woman or minor female may be referred through the organizations listed in
58 the materials developed pursuant to this Paragraph meets all of the following
59 criteria:

1 (i) Provides counseling services that objectively address the mental,
2 emotional, and behavioral health effects that may result from being a victim
3 of human trafficking or a victim of trafficking ~~of children~~ for sexual
4 purposes.

5 * * *

6 (c) The materials developed pursuant to this Paragraph shall clearly indicate
7 all of the following:

8 * * *

9 (v) That the crime of trafficking ~~of children~~ for sexual purposes is subject to
10 the mandatory reporting laws set forth in Children's Code Articles 603, 609,
11 and 610.

12 * * *

13 §2405.7. Human trafficking training

14 * * *

15 B. Such training shall focus on all of the following:

16 * * *

17 (2) Investigating trafficking ~~of children~~ for sexual purposes under R.S.
18 14:46.3 and the special needs of sexually exploited children.

19 * * *

20 Section 4. R.S. 46:1802(13)(a), 1809(B)(3)(a)(iv), and 1861(A)(1)(f) are
21 hereby amended and reenacted to read as follows:

22 §1802. Definitions

23 As used in this Chapter:

24 * * *

25 (13) "Victim" means:

26 (a) Any person who suffers personal injury, death, or catastrophic property
27 loss as a result of a crime committed in this state and covered by this
28 Chapter. This includes any person who is a victim of human trafficking as
29 defined by R.S. 14:46.2, a victim of trafficking ~~of children~~ for sexual
30 purposes as defined by R.S. 14:46.3, or a victim of any offense involving
31 commercial sexual exploitation including but not limited to R.S. 14:81.1,
32 81.3, 82, 82.1, 82.2, 83, 83.1, 83.2, 83.3, 83.4, 84, 85, 86, 89.2, 104, 105, and
33 282.

34 * * *

35 §1809. Criteria for making awards; prohibitions; authority to deny or reduce
36 awards

37 * * *

38 B. In making its determination, the following provisions shall apply:

39 * * *

40 (3)(a) No award of reparations shall be made if the board finds that:

41 * * *

42 (iv) The claimant was the offender or an accessory, or that an award to the
43 claimant would unjustly benefit any of them. However, such ineligibility
44 shall not apply if the claimant is a victim of human trafficking or trafficking
45 ~~of children~~ for sexual purposes.

46 * * *

47 §1861. Family justice centers

48 A.(1) A family justice center may be established in any judicial district to
49 provide support, services, and assistance to victims of the following types of
50 offenses:

51 * * *

52 (f) Human trafficking as defined by R.S. 14:46.2 and trafficking ~~of children~~
53 for sexual purposes as defined by R.S. 14:46.3.

54 * * *

55 Section 5. Code of Criminal Procedure Art. 851(B)(6), 855.1, and
56 890.1(D)(18) are hereby amended and reenacted to read as follows:

57 Art. 851. Grounds for new trial

58 * * *

1 B. The court, on motion of the defendant, shall grant a new trial whenever
2 any of the following occur:

3 * * *

4 (6) The defendant is a victim of human trafficking or trafficking of children
5 for sexual purposes and the acts for which the defendant was convicted were
6 committed by the defendant as a direct result of being a victim of the
7 trafficking activity.

8 * * *

9 Art. 855.1. Conviction based on acts committed as a victim of trafficking
10 A motion for new trial based on Article 851(B)(6) of this Code shall be
11 available only to persons convicted of violating R.S. 14:82, 83.3, 83.4, 89,
12 or 89.2 prior to August 1, 2014, and shall contain allegations of fact sworn
13 to by the defendant or counsel of the defendant, showing that the defendant
14 was convicted of the offense which was committed as a direct result of being
15 a victim of human trafficking or trafficking of children for sexual purposes,
16 or a victim of an offense which would constitute human trafficking or
17 trafficking of children for sexual purposes regardless of the date of
18 conviction. The motion shall provide information showing a rational and
19 causal connection between the acts for which the defendant was convicted
20 and the acts upon which the defendant bases his status as a victim.

21 * * *

22 Art. 890.1. Waiver of minimum mandatory sentences; procedure; exceptions

23 * * *

24 D. The provisions of this Article shall not apply to a sex offense as defined
25 in R.S. 15:541 or to any of the following crimes of violence:

26 * * *

27 (18) R.S.14:46.3 (Trafficking of children for sexual purposes).

28 * * *

29 Section 6. The introductory paragraph of Code of Evidence Art. 412.3 and
30 Code of Evidence Art. 412(B)(1) and (C)(1) and 412.3(3) are hereby
31 amended and reenacted to read as follows:

32 Art. 412. Victim's past sexual behavior in sexual assault cases; trafficking
33 offenses

34 * * *

35 B.(1) Opinion and reputation evidence; trafficking. When an accused is
36 charged with a crime involving human trafficking or trafficking of children
37 for sexual purposes, reputation or opinion evidence of the past sexual
38 behavior of the victim is not admissible.

39 * * *

40 C. Motion. (1) Before the person, accused of committing a crime that
41 involves sexually assaultive behavior, human trafficking, or trafficking of
42 children for sexual purposes, may offer under Subparagraph (A)(2) or (B)(2)
43 of this Article evidence of specific instances of the victim's past sexual
44 behavior, the accused shall make a written motion in camera to offer such
45 evidence. The motion shall be accompanied by a written statement of
46 evidence setting forth the names and addresses of persons to be called as
47 witnesses.

48 * * *

49 Art. 412.3. Statements made by victims of trafficking during investigations
50 If a victim of human trafficking or trafficking of children for sexual purposes
51 is also a defendant in any case arising from unlawful acts committed as part
52 of the same trafficking activity, any inculpatory statement made by the
53 victim as a result of questioning by any person then known by the victim to
54 be a law enforcement officer is inadmissible against the victim, except
55 pursuant to Article 801 of this Code or in any prosecution of the victim for
56 perjury, at a trial of the victim for the unlawful acts committed by the victim
57 as part of the same trafficking activity if all of the following conditions exist:

58 * * *

1 (3) The victim has agreed in writing to receive services or participate in a
2 program that provides services to victims of human trafficking or trafficking
3 of children for sexual purposes, if such services are available.

4 Section 7. Children's Code Art. 603(12)(s), 606(A)(6), 725.1(3), 728(4)(a),
5 804(9)(a), and 918(D) are hereby amended and reenacted to read as follows:

6 Art. 603. Definitions
7 As used in this Title:

8 * * *
9 (12) "Crime against the child" shall include the commission of or the
10 attempted commission of any of the following crimes against the child as
11 provided by federal or state statutes:

12 * * *
13 (s) Trafficking of children for sexual purposes.
14 * * *

15 Art. 606. Grounds; child in need of care
16 A. Allegations that a child is in need of care must assert one or more of the
17 following grounds:

18 * * *
19 (6) The child is a victim of human trafficking or trafficking of children for
20 sexual purposes.
21 * * *

22 Art. 725.1. Definitions
23 As used in this Chapter, the following terms and phrases shall have the
24 following meaning, unless the context requires otherwise:

25 * * *
26 (3) "Sexually exploited child" means any person under the age of eighteen
27 who has been subject to sexual exploitation because the person either:
28 (a) Is a victim of trafficking of children for sexual purposes under
29 R.S.14:46.3.

30 * * *

31 Art. 728. Definitions
32 As used in this Title:

33 * * *
34 (4) "Sexually exploited child" means any person under the age of eighteen
35 who has been subject to sexual exploitation because the person either:
36 (a) Is a victim of trafficking of children for sexual purposes under R.S.
37 14:46.3.

38 * * *

39 Art. 804. Definitions
40 As used in this Title:

41 * * *
42 (9) "Sexually exploited child" means any person under the age of eighteen
43 who has been subject to sexual exploitation because the person:
44 (a) Is a victim of trafficking of children for sexual purposes under R.S.
45 14:46.3.

46 * * *

47 Art. 918. Grounds

48 * * *
49 D. Records concerning conduct or conditions that resulted in a misdemeanor
50 or felony adjudication for R.S. 14:82, 83.3, 83.4, 89, or 89.2 may be
51 expunged upon petition to the court and upon a showing that, during the time
52 of the commission of the offense, the person seeking the expungement was
53 a victim of trafficking of children for sexual purposes pursuant to R.S.
54 14:46.3(E) provided that the person has no outstanding indictment or bill of
55 information charging him.

56 Section 8. Section 8 of Act No. 564 of the 2014 Regular Session of the
57 Legislature is hereby amended and reenacted to read as follows:

1 Section 8. Children's Code Article 606(A)(7) is hereby enacted to read as
2 follows:

3 Art. 606. Grounds; child in need of care

4 A. Allegations that a child is in need of care must assert one or more of the
5 following grounds:

6 * * *

7 (7) The child is a victim of commercial sexual exploitation, human
8 trafficking, or trafficking of children for sexual purposes perpetrated by any
9 person regardless of their relationship to the child.

10 * * *

11 Section 9. Section 10 of Act 564 of the 2014 Regular Session of the
12 Legislature is hereby amended and reenacted to read as follows:

13 Section 10. The provisions of Section 8 of this Act shall become effective
14 when a child, who is a victim of commercial sexual exploitation, human
15 trafficking, or trafficking of children for sexual purposes perpetrated by
16 someone other than a parent or caretaker, becomes an eligible victim for
17 which federal match funds are available through Title IV-E of 47 U.S.C.
18 672."