

**HOUSE COMMITTEE AMENDMENTS**

2015 Regular Session

Amendments proposed by House Committee on Administration of Criminal Justice to Reengrossed Senate Bill No. 117 by Senator Gary Smith

1 AMENDMENT NO. 1

2 On page 1, line 2, after "R.S. 14:42(A)" and before "42.1," change "and 42(D)(1)," to "and  
3 (D)(1),"

4 AMENDMENT NO. 2

5 On page 1, line 3, after "R.S. 15:541(2)(a)," delete the remainder of the line and insert "(b),  
6 and (c) and(24)(a) and 542(A)(2) and (3)(a) and (b), and"

7 AMENDMENT NO. 3

8 On page 1, line 4, after "enact" delete the remainder of the line and insert "R.S. 14:42(E) and  
9 43.1.1, relative to sex"

10 AMENDMENT NO. 4

11 On page 1, line 11, after "R.S. 14:42(A)" and before "42.1," change "and 42(D)(1)," to "and  
12 (D)(1),"

13 AMENDMENT NO. 5

14 On page 1, line 12, after "reenacted" delete the remainder of the line and insert "and R.S.  
15 14:42(E) and 43.1.1 are hereby enacted to read as"

16 AMENDMENT NO. 6

17 On page 2, between lines 6 and 7, insert the following:

18 **"E. For all purposes, "aggravated rape" and "first degree rape"**  
19 **mean the offense defined by the provisions of this Section and any**  
20 **reference to the crime of aggravated rape is the same as a reference to**  
21 **the crime of first degree rape. Any act in violation of the provisions of**  
22 **this Section committed on or after August 1, 2015, shall be referred to**  
23 **as "first degree rape".**

24 AMENDMENT NO. 7

25 On page 2, between lines 21 and 22, insert the following:

26 **"C. For all purposes, "forcible rape" and "second degree rape"**  
27 **mean the offense defined by the provisions of this Section and any**  
28 **reference to the crime of forcible rape is the same as a reference to the**  
29 **crime of second degree rape. Any act in violation of the provisions of**  
30 **this Section committed on or after August 1, 2015, shall be referred to**  
31 **as "second degree rape".**

32 AMENDMENT NO. 8

33 On page 3, between lines 11 and 12, insert the following:

1                    **"C. For all purposes, "simple rape" and "third degree rape"**  
2                    **mean the offense defined by the provisions of this Section and any**  
3                    **reference to the crime of simple rape is the same as a reference to the**  
4                    **crime of third degree rape. Any act in violation of the provisions of this**  
5                    **Section committed on or after August 1, 2015, shall be referred to as**  
6                    **"third degree rape".**"

7                    AMENDMENT NO. 9

8                    On page 4, line 21, after "R.S. 15:541(2)(a)," delete the remainder of the line and insert "(b),  
9                    and (c) and (24)(a) and 542(A)(2) and (3)(a) and (b) are"

10                  AMENDMENT NO. 10

11                  On page 5, line 10, after "**occurred**" and before "**August 1, 2015**" delete "**on or after**" and  
12                  insert "**prior to**"

13                  AMENDMENT NO. 11

14                  On page 5, line 28, after "(aggravated" delete the remainder of the line and insert "**or first**  
15                  **degree** rape),"

16                  AMENDMENT NO. 12

17                  On page 5, delete line 29 in its entirety and insert "R.S. 14:42.1 (forcible **or second degree**  
18                  rape), R.S. 14:43"

19                  AMENDMENT NO. 13

20                  On page 6, line 1, after "(simple" and before "R.S. 14:43.1" delete "rape **or third degree**  
21                  **rape)**," and insert "**or third degree** rape),"

22                  AMENDMENT NO. 14

23                  On page 6, between lines 18 and 19, insert the following:

24                                    "(2) Any juvenile who has pled guilty or has been convicted of a sex  
25                                    offense or second degree kidnapping as provided for in Children's Code  
26                                    Article 305 or 857, with the exception of simple **or third degree** rape but  
27                                    including any conviction for an offense under the laws of another state, or  
28                                    military, territorial, foreign, tribal, or federal law which is equivalent to the  
29                                    offenses listed herein for which a juvenile would have to register; and"

30                  AMENDMENT NO. 15

31                  On page 7, after line 14, add the following:

32                                    "Section 5. Nothing in this Act alleviates any person arrested,  
33                                    convicted, or adjudicated delinquent of aggravated rape, forcible rape, or  
34                                    simple rape prior to the effective date of this Act from any requirement,  
35                                    obligation, or consequence imposed by law as a result of that arrest,  
36                                    conviction, or adjudication including but not limited to any requirements  
37                                    regarding the setting of bail, sex offender registration and notification,  
38                                    parental rights, probation, parole, sentencing, or any other requirement,  
39                                    obligation, or consequence imposed by law as a result of that arrest,  
40                                    conviction, or adjudication."

CODING: Words in ~~struck through~~ type are deletions from existing law; words underscored are additions.