

SENATE BILL NO. 242

BY SENATORS MORRELL AND PETERSON AND REPRESENTATIVES ADAMS,
WESLEY BISHOP, GISCLAIR AND PATRICK WILLIAMS

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

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AN ACT

To enact R.S. 15:623, relative to criminal justice agencies; to require criminal justice agencies to annually submit a report on certain information relative to sexual assault collection kits and sexually-oriented criminal offenses; and to provide for related matters.

Be it enacted by the Legislature of Louisiana:

Section 1. R.S. 15:623 is hereby enacted to read as follows:

§623. Sexually-oriented criminal offense data; reporting

A.(1) By February fifteenth of each year, each criminal justice agency, including college and university campus police departments, shall report all of the following information for the prior calendar year to the Louisiana Commission on Law Enforcement and the Administration of Criminal Justice:

- (a) The number of sexually-oriented criminal offenses reported.**
- (b) The status of each sexually-oriented criminal offense case reported.**
- (c) The number of sexual assault collection kits submitted for analysis.**
- (d) The number of reported sexual assault collection kits requiring analysis.**
- (e) The number of reported sexual assault collection kits received.**
- (f) The number of unreported sexual assault collection kits received.**
- (g) The number of reported sexual assault collection kits that were untested due to judicial or investigative reasons.**

(2) Each criminal justice agency, including college and university campus police departments, shall also provide written notification if it does not have:

- (a) Any sexually-oriented criminal offenses reported.**
- (b) Any reported sexual assault collection kits in its possession.**

1 (c) Any unreported sexual assault collection kits in its possession.

2 B. By February fifteenth of each year, each crime laboratory shall
3 report the number of sexual assault collection kits in their backlog for the prior
4 calendar year to the Louisiana Commission on Law Enforcement and the
5 Administration of Criminal Justice.

6 C.(1) By March first of each year, the Louisiana Commission on Law
7 Enforcement and the Administration of Criminal Justice shall transmit the
8 information required in Subsections A and B of this Section to the chairman of
9 the Senate Committee on Judiciary B and the chairman of the House
10 Committee on Judiciary.

11 (2) The report shall also include the name and contact information of
12 each criminal justice agency, including each college and university campus
13 police department and each crime laboratory, that failed to submit the report
14 required by Subsections A and B of this Section.

15 D. As used in this Section:

16 (1) "Criminal justice agency" means any government agency or subunit
17 thereof, or private agency that, through statutory authorization or a legal
18 formal agreement with a governmental unit or agency, has the power of
19 investigation, arrest, detention, prosecution, adjudication, treatment,
20 supervision, rehabilitation or release of persons suspected, charged, or
21 convicted of a crime; or that collects, stores, processes, transmits, or
22 disseminates criminal history records or crime information.

23 (2) "Reported sexual assault collection kit" means a kit that contains a
24 human biological specimen or specimens collected during a forensic medical
25 examination from the victim of a sexually-oriented criminal offense who
26 reported the crime to law enforcement.

27 (3) "Sexual assault collection kit" means a kit that is designed to assist
28 in the preservation of a human biological specimen or specimens collected
29 during a forensic medical examination from the victim of a sexually-oriented
30 criminal offense.

1 **(4) "Sexually-oriented criminal offense" includes any sexual assault**
 2 **offense as defined in R.S. 44:51 and any sexual abuse offense as defined in R.S.**
 3 **14:403.**

4 **(5) "Unreported sexual assault collection kit" means a kit that contains**
 5 **a human biological specimen or specimens collected during a forensic medical**
 6 **examination from the victim of a sexually-oriented criminal offense who**
 7 **declined to report the crime to law enforcement.**

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

 PRESIDENT OF THE SENATE

 SPEAKER OF THE HOUSE OF REPRESENTATIVES

 GOVERNOR OF THE STATE OF LOUISIANA

APPROVED: _____