
DIGEST

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HB 162 Engrossed

2019 Regular Session

Connick

Abstract: Adds sexual battery of a victim who is under the age of 13 to the list of offenses for which a an offender may be treated with medroxyprogesterone acetate, and provides relative to medical evaluations of such offenders prior to administration of the treatment.

Present law provides that for convictions of certain enumerated sex offenses, the following shall apply:

- (1) Upon a first conviction, the court may sentence the offender to be treated with medroxyprogesterone acetate (MPA), according to a schedule of administration monitored by the Dept. of Public Safety and Corrections.
- (2) Upon a second or subsequent conviction, the court shall sentence the offender to be treated with medroxyprogesterone acetate (MPA), according to a schedule of administration monitored by the Dept. of Public Safety and Corrections.

Provisions of this present law applies to the following offenses: (R.S. 14:42) aggravated or first degree rape, (R.S. 14:42.1) forcible or second degree rape, (R.S. 14:43.2) second degree sexual battery, (R.S. 14:81.2(D)(1)) molestation of a juvenile when the victim is under the age of 13, and (R.S. 14:89.1) aggravated crime against nature.

Proposed law retains present law and adds the present law crime of sexual battery when the victim is under the age of 13 (R.S. 14:43.1(C)(2)) to the list of offenses to which this law applies.

Present law provides that an order of the court sentencing a defendant to medroxyprogesterone acetate (MPA) treatment shall be contingent upon a determination by a court appointed medical expert that the defendant is an appropriate candidate for treatment. This determination shall be made not later than 60 days from the imposition of sentence.

In addition, present law provides that in all cases involving defendants sentenced to a period of incarceration or confinement in an institution, the administration of treatment with medroxyprogesterone acetate (MPA) shall commence not later than one week prior to the defendant's release from prison or such institution.

Proposed law amends present law to provide that the present law determination by the medical expert shall be made not later than 60 days from the imposition of sentence, unless the defendant is sentenced to incarceration or confinement for a period of time that is 10 years or more. In such

cases, proposed law provides that the commencement of the administration of treatment with medroxyprogesterone acetate (MPA) shall be contingent upon a medical evaluation to determine whether the defendant is an appropriate candidate for treatment, which shall be conducted not sooner than 30 days prior to the commencement of the administration of the treatment.

(Amends R.S. 14:43.6(A), (B)(1), and (C)(1) and (2))