

ACT No. 296

2019 Regular Session

HOUSE BILL NO. 162

BY REPRESENTATIVE CONNICK

1 AN ACT

2 To amend and reenact R.S. 14:43.6(A), (B)(1), and (C)(1) and (2), relative to sentencing of
3 sex offenses; to provide relative to the sentencing of persons convicted of certain sex
4 offenses; to provide relative to the administration of medroxyprogesterone acetate
5 to persons convicted of certain sex offenses; to add sexual battery of a victim under
6 the age of thirteen to the list of offenses for which medroxyprogesterone acetate may
7 be administered to the offender; to provide relative to medical evaluations of the
8 offender conducted prior to treatment; and to provide for related matters.

9 Be it enacted by the Legislature of Louisiana:

10 Section 1. R.S. 14:43.6(A), (B)(1), and (C)(1) and (2) are hereby amended and
11 reenacted to read as follows:

12 §43.6. Administration of medroxyprogesterone acetate (MPA) to certain sex
13 offenders

14 A. Notwithstanding any other provision of law to the contrary, upon a first
15 conviction of R.S. 14:42 (aggravated or first degree rape), R.S. 14:42.1 (forcible or
16 second degree rape), R.S. 14:43.1(C)(2) (sexual battery when the victim is under the
17 age of thirteen), R.S. 14:43.2 (second degree sexual battery), R.S. 14:81.2(D)(1)
18 (molestation of a juvenile when the victim is under the age of thirteen), and R.S.
19 14:89.1 (aggravated crime against nature), the court may sentence the offender to be
20 treated with medroxyprogesterone acetate (MPA), according to a schedule of
21 administration monitored by the Department of Public Safety and Corrections.

1 B.(1) Notwithstanding any other provision of law to the contrary, upon a
 2 second or subsequent conviction of R.S. 14:42 (aggravated or first degree rape), R.S.
 3 14:42.1 (forcible or second degree rape), R.S. 14:43.1(C)(2) (sexual battery when the
 4 victim is under the age of thirteen), R.S. 14:43.2 (second degree sexual battery), R.S.
 5 14:81.2(D)(1) (molestation of a juvenile when the victim is under the age of
 6 thirteen), and R.S. 14:89.1 (aggravated crime against nature), the court shall sentence
 7 the offender to be treated with medroxyprogesterone acetate (MPA) according to a
 8 schedule of administration monitored by the Department of Public Safety and
 9 Corrections.

10 * * *

11 C.(1) An order of the court sentencing a defendant to medroxyprogesterone
 12 acetate (MPA) treatment under this Section; shall be contingent upon a determination
 13 by a court appointed medical expert; that the defendant is an appropriate candidate
 14 for treatment. ~~This~~ Except as provided in Subparagraph (2)(b) of this Subsection,
 15 this determination shall be made not later than sixty days from the imposition of
 16 sentence. An order of the court sentencing a defendant to medroxyprogesterone
 17 acetate (MPA) treatment shall specify the duration of treatment for a specific term
 18 of years, or in the discretion of the court, up to the life of the defendant.

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

23 (b) When the provisions of this Paragraph apply, if the defendant is
 24 sentenced to incarceration or confinement for a period of time that is ten years or
 25 more, the commencement of the administration of treatment with
 26 medroxyprogesterone acetate (MPA) shall be contingent upon a medical evaluation
 27 to determine whether the defendant is an appropriate candidate for treatment. This

1 evaluation shall be conducted not sooner than thirty days prior to the commencement
2 of the administration of the treatment.

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SPEAKER OF THE HOUSE OF REPRESENTATIVES

PRESIDENT OF THE SENATE

GOVERNOR OF THE STATE OF LOUISIANA

APPROVED: _____