

## RÉSUMÉ DIGEST

ACT 296 (HB 162)

2019 Regular Session

Connick

Existing 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 existing law apply 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.

New law retains existing law and adds the existing 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.

Existing 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. Prior law provided that this determination was required to be made not later than 60 days from the imposition of sentence.

New law amends prior law to provide that the 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 addition, existing 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.

New law retains existing law, but provides that in cases in which the defendant is sentenced to incarceration or confinement for a period of time that is 10 years or more, 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.

Effective August 1, 2019.

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