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The original instrument and the following digest, which constitutes no part of the legislative instrument, were prepared by Michael Bell.

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## DIGEST

Donahue (SB 94)

Proposed law provides that whoever commits the crime of molestation of a juvenile, when the victim is 13 years of age or older but has not yet attained the age of 17, and when the offender is an educator of the juvenile, will be fined not more than \$10,000 or imprisoned, with or without hard labor, for not less than five nor more than 40 years, or both. At least five years of the sentence imposed will be without the benefit of parole, probation, or suspension of sentence and the defendant will not be eligible to have his conviction set aside or his prosecution dismissed in accordance with law.

Proposed law provides for the definition of an educator as any teacher or instructor, administrator, staff person, or employee of any public or private elementary, secondary, vocational-technical training, special, or post secondary school or institution, including any teacher aide, paraprofessional, school bus driver, food service worker, and other clerical, custodial, or maintenance personnel employed by a private, city, parish, or other local public school board.

Present law provides for a teacher or any other school employee upon his final conviction or plea of guilty or nolo contendere to any criminal offense will report the fact of his conviction or plea to his employer within 48 hours of the conviction or plea of guilty or nolo contendere.

Proposed law provides that any person who fails to report as provided for in present law will be fined not more than \$500 or imprisoned for not more than six months, with or without hard labor, or both.

Effective upon signature of the governor or lapse of time for gubernatorial action.

(Adds R.S. 14:81.2(F); amends R.S. 17:15(E))