

CONFERENCE COMMITTEE REPORT
Senate Bill No. 229 By Senator Martiny

June 2, 2014

To the Honorable President and Members of the Senate and to the Honorable Speaker and Members of the House of Representatives.

Ladies and Gentlemen:

We, the conferees appointed to confer over the disagreement between the two houses concerning Senate Bill No. 229 by Senator Martiny, recommend the following concerning the Engrossed bill:

1. That House Committee Amendment Nos. 1 and 2 proposed by the House Committee on the Administration of Criminal Justice and adopted by the House on May 8, 2014, be rejected.
2. That House Floor Amendment Nos. 1 through 4 proposed by Rep. Lopinto and adopted by the House on May 29, 2014, be adopted.
3. That House Floor Amendment No. 5 proposed by Rep. Lopinto and adopted by the House on May 29, 2014, be rejected.
4. That the following amendments to the Reengrossed bill be adopted:

AMENDMENT NO. 1

On page 1, at the beginning of line 4, insert the following: "to provide for an effective date;"

AMENDMENT NO. 2

On page 2, delete lines 1 through 3 in their entirety and insert the following:

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

Respectfully submitted,

Senators:

Representatives:

Senator Daniel "Danny" Martiny

Representative Joseph P. Lopinto

Senator Jean-Paul J. Morrell

Representative Helena N. Moreno

Senator A. G. Crowe

Representative Ebony Woodruff

The legislative instrument and the following digest, which constitutes no part of the legislative instrument, were prepared by Alden A. Clement, Jr.

CONFERENCE COMMITTEE REPORT DIGEST

Senate Bill No. 229 by Senator Martiny

Keyword and summary of the bill as proposed by the Conference Committee

CRIME/PUNISHMENT. Provides relative to offenses involving incest and aggravated incest as they relate to crime against nature and aggravated crime against nature. (gov sig)

Report adopts House amendments to:

1. Provide that the repeal of present law relative to "incest" and "aggravated incest" cannot be construed to alleviate any person convicted or adjudicated delinquent of incest or aggravated incest from any requirement, obligation, or consequence imposed by present law resulting from such conviction or adjudication.

Report rejects House amendments that would have:

1. Made technical changes to proposed law.
2. Deleted provisions of proposed law relative to calculation of maximum term of imprisonment.

Report amends the bill to:

1. Delete provisions of proposed law relative to calculation of maximum term of imprisonment by the secretary of the Dept. of Public Safety and Corrections.
2. Provide that proposed law relative to incest and aggravated incest is effective upon signature of the governor or lapse of time for gubernatorial action.

Digest of the bill as proposed by the Conference Committee

Proposed law relates that during the 2014 Regular Session, the elements of the crimes of incest and aggravated incest were added to the present law crimes of crime against nature and aggravated crime against nature, and the statutory provisions relative to the nominate crimes of "incest" and "aggravated incest" were repealed. Proposed law further provides that this legislative action cannot be construed to alleviate any person convicted or adjudicated delinquent of incest or aggravated incest from any requirement, obligation, or consequence imposed by law resulting from that conviction or adjudication, which includes any requirements regarding sex offender registration and notification, parental rights, probation, parole, sentencing, or any other requirement, obligation, or consequence imposed by present law resulting from that conviction or adjudication.

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

(Adds R.S. 14:89(D) and 89.1(C))