2019 Regular Session

HOUSE BILL NO. 162

1

## BY REPRESENTATIVE CONNICK

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.

AN ACT

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CODING: Words in struck through type are deletions from existing law; words <u>underscored</u> are additions.

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

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

(2)(a) 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.

(b) When the provisions of this Paragraph apply, if the defendant is sentenced to incarceration or confinement for a period of time that is ten 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. 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

**ENROLLED** 

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APPROVED: \_\_\_\_\_