

2024 Regular Session

SENATE BILL NO. 429

BY SENATOR COUSSAN

CRIME/PUNISHMENT. Provides relative to the Child Abuse Neglect Registry. (7/1/24)

1 AN ACT

2 To amend and reenact R.S. 15:563(A)(4), (B), the introductory paragraph of (C)(1), and
3 (C)(2), and 563.2 as enacted by Act No. 460 of the 2023 Regular Session, and to
4 repeal R.S. 15:563(E) as enacted by Act No. 460 of the 2023 Regular Session,
5 relative to offenses against minors; to provide for the Child Abuse and Neglect
6 Registry; to provide for registration requirements; to provide for duration of
7 registration; and to provide for related matters.

8 Be it enacted by the Legislature of Louisiana:

9 Section 1. R.S. 15:563(A)(4), (B), the introductory paragraph of (C)(1), and (C)(2),
10 and 563.2 as enacted by Act No. 460 of the 2023 Regular Session are hereby amended and
11 reenacted to read as follows:

12 §563. Registration of persons convicted of child abuse or neglect

13 A. Any person residing in this state who has pled guilty or nolo contendere
14 to, or has been convicted of, any of the following felony offenses, or who has pled
15 guilty or nolo contendere to, or has been convicted of any conspiracy to commit any
16 of the following felony offenses, where the victim is a minor, as defined in
17 Children's Code Article 116, may be required to register and provide notification as

1 a child abuser in accordance with the provisions of this Chapter:

2 * * *

3 (4) R.S. 14:35.3(~~K~~), (~~L~~), (~~M~~), (~~N~~), (~~O~~), or (~~P~~) (Domestic abuse battery)

4 * * *

5 B.(1) Upon conviction, the court shall provide written notification to any
6 person convicted of an offense listed in Subsection A of this Section when the victim
7 is a minor ~~that~~ **and when** he shall be required to register on the Child Abuse and
8 Neglect Registry upon release, or as a condition of his probation or parole.

9 (2) An offender listed in Subsection A of this Section **who is required to**
10 **register** shall register in person with the sheriff of the parish of the person's
11 residence, or residences, if there is more than one, and with the chief of police if the
12 address of any of the person's residences is located in an incorporated area which has
13 a police department. If the offender resides in a municipality with a population in
14 excess of three hundred thousand persons, he shall register in person with the police
15 department of his municipality of residence.

16 C.(1) No later than three business days after release, the offender **who is**
17 **required to register** shall register and provide all of the following information to the
18 appropriate law enforcement agencies listed in Subsection B of this Section:

19 * * *

20 (2) Knowingly providing false information to any law enforcement officer,
21 office, or agency required to receive registration information pursuant to the
22 provisions of this Chapter shall constitute a failure to register and, upon conviction,
23 be fined not more than one thousand dollars and be imprisoned **with or without**
24 **hard labor** for not more than one year.

25 * * *

26 §563.2. Duration of registration and notification period

27 A person required to register pursuant to the provisions of this Chapter shall
28 comply with the requirement **and keep current his registration information** for ten
29 years from the date of initial registration **in Louisiana** for a first offense and for the

1 duration of the lifetime of the offender for a second or subsequent offense, unless the
2 underlying conviction is reversed, set aside, or vacated.

3 Section 2. R.S. 15:563(E) as enacted by Act No. 460 of the 2023 Regular Session is
4 hereby repealed.

5 Section 3. This Act shall become effective on July 1, 2024.

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

DIGEST

SB 429 Engrossed

2024 Regular Session

Coussan

Present law provides that any person residing in this state who has pled guilty or nolo contendere to, or has been convicted of certain felony offenses, or who has pled guilty or nolo contendere to, or has been convicted of any conspiracy to commit certain felony offenses, where the victim is a minor, as defined present law may be required to register and provide notification as a child abuser in accordance with the provisions of present law.

Present law provides that a person pleading guilty or nolo contendere, or conviction of domestic abuse battery may be required to register and provide notification as a child abuser.

Proposed law limits, for registry purposes, the applicability of a guilty plea, a plea of nolo contendere, or conviction of a person of domestic abuse battery to only the following circumstances:

- (1) If the victim is pregnant and the offender knows the victim is pregnant at the time of the commission of the offense.
- (2) If the domestic abuse battery involves strangulation of the victim.
- (3) If the domestic abuse battery involves burning the victim.
- (4) If the offender inflicts serious bodily injury upon the victim.
- (5) If the offender's intentional use of force is committed with a dangerous weapon.
- (6) If the offender's intentional use of force is committed with a dangerous weapon results in serious bodily injury.

Present law requires that, upon conviction, the court provide written notification to any person convicted of an offense listed in present law when the victim is a minor that he shall be required to register on the Child Abuse and Neglect Registry upon release, or as a condition of his probation or parole.

Proposed law makes technical changes to present law.

Effective July 1, 2024.

(Amends R.S. 15:563(A)(4), (B), (C)(1)(intro para), and (C)(2), and 563.2 as enacted by Act No. 460 of the 2023 R.S.; repeals R.S. 15:563(E) as enacted by Act No. 460 of the 2023 R.S.)