

## RÉSUMÉ DIGEST

ACT 226 (HB 163)

2025 Regular Session

Dickerson

Existing law (R.S. 15:539.1) provides for the forfeiture of property related to certain sex-related crimes.

New law retains existing law.

Existing law (R.S. 15:539.1(F)) provides that any remaining currency, instruments, securities, or proceeds that are forfeited following a conviction for certain sex-related crimes shall be distributed in the following manner:

- (1) 25% to the seizing agency or agencies allocated among the seizing agencies in proportion to their participation in the management of the investigation, seizure, and forfeiture.
- (2) 25% to the prosecuting agency.
- (3) 50% to the Exploited Children's Special Fund pursuant to existing law (R.S. 15:539.2).

New law changes the name of the fund from the Exploited Children's Special Fund to the Survivor Special Fund.

Prior law (R.S. 15:539.2) provided for the Exploited Children's Special Fund and use of monies in the fund.

New law changes the name of the fund from the Exploited Children's Special Fund to the Survivor Special Fund.

Prior law (R.S. 15:539.2(A)) provided that any person who was convicted or plead guilty or nolo contendere to an offense involving trafficking of children for sexual purposes under existing law (R.S. 14:46.3), prostitution with persons under 18 under existing law (R.S. 14:82.1), or enticing persons into prostitution under existing law (R.S. 14:86) was required to pay a mandatory monetary assessment of \$2,000.

New law retains the existing law offenses of trafficking of children for sexual purposes and prostitution with persons under 18 and adds the following offenses:

- (1) Battery of a dating partner under existing law (R.S. 14:34.9(E), (F), (L), (M), (N), (O), or (P)).
- (2) Domestic abuse battery under existing law (R.S. 14:35.3(L), (M), (N), (O), or (P)).
- (3) First degree rape under existing law (R.S. 14:42).
- (4) Second degree rape under existing law (R.S. 14:42.1).
- (5) Sexual battery under existing law (R.S. 14:43.1(C)(2) or (3)).
- (6) Second degree sexual battery under existing law (R.S. 14:43.2).
- (7) Oral sexual battery under existing law (R.S. 14:43.3).
- (8) Aggravated kidnapping of a child under existing law (R.S. 14:44.2).
- (9) Human trafficking under existing law (R.S. 14:46.2).
- (10) Pornography involving juveniles under existing law (R.S. 14:81.1).

- (11) Molestation of a juvenile or a person with a physical or mental disability under existing law (R.S. 14:81.2).
- (12) Computer-aided solicitation of a minor under existing law (R.S. 14:81.3).
- (13) Possessing, trafficking, or importing a child sex doll under existing law (R.S. 14:81.6).
- (14) Purchase of commercial sexual activity under existing law (R.S. 14:82.2).
- (15) Soliciting for prostitutes under existing law (R.S. 14:83(B)(2) or (3)).
- (16) Promoting prostitution under existing law (R.S. 14:83.2(B)(2) or (3)).
- (17) Pandering under existing law (R.S. 14:84(B)(2) or (3)).
- (18) Enticing persons into prostitution under existing law (R.S. 14:86(B)(1)(b) or (c)).
- (19) Aggravated crime against nature under existing law (R.S. 14:89.1).
- (20) Crime against nature by solicitation under existing law (R.S. 14:89.2(B)(3)(a) or (b)).
- (21) Sexual battery of persons with infirmities under existing law (R.S. 14:93.5).

Existing law (R.S. 15:539.2(A)) provides that the assessments provided by existing law shall be in addition to and not in lieu of and shall not be used to offset or reduce any fine authorized or required by law.

New law retains existing law and provides that nothing in existing law shall alter the dispositions of fines and forfeitures ordered by the court under existing law (R.S. 15:571.11).

Prior law (R.S. 15:539.2(B)) authorized monies in the fund to be used for the provision of services and treatment administered by the Dept. of Children and Family Services, such as securing residential housing, health services, and social services, to sexually exploited children and adults. Further authorized the department to also use the funds for grants or to provide services for sexually exploited children and adults.

New law amends prior law to provide that monies in the fund shall be used for the provisions of services and treatment to adult and minor victims of human trafficking, domestic violence, and sexual assault.

Prior law (R.S. 15:539.2(B)(2)(b)) authorized a portion of the monies in the fund, not to exceed 50%, to be used for the development of training programs relative to human trafficking and trafficking of children for sexual purposes and for the providing of law enforcement training programs administered by the P.O.S.T. Council within the La. Commission on Law Enforcement.

New law amends prior law to provide that monies in the fund shall be administered to the governor's office of human trafficking prevention for disbursement as follows:

- (1) 25% of the monies to child advocacy centers, in compliance with existing law (Ch.C. Art. 524), for programs to serve child victims of sexual abuse, physical abuse, neglect, or human trafficking in La.
- (2) 25% of the monies to the state domestic violence coalition, as defined in federal law (42 U.S.C. 10402), for distribution to member programs that provide community services and shelter programs to victims of domestic violence pursuant to existing law (R.S. 46:2124).
- (3) 50% of the monies to accredited sexual assault crisis centers in La., as defined in existing law (R.S. 46:2187(A)(2)) to serve victims of sexual assault and exploitation.

New law provides that the governor's office of human trafficking prevention is authorized to retain not more than 10% of the monies in the fund for necessary and associated administrative expenses of the fund.

Effective August 1, 2025.

(Amends R.S. 15:539.1(F)(3) and 539.2)