

2026 Regular Session

HOUSE BILL NO. 298

BY REPRESENTATIVE MANDIE LANDRY

CRIME/SEX OFFENSES: Provides relative to conduct that constitutes third degree rape

1 AN ACT

2 To amend and reenact R.S. 14:43(C) and to enact R.S. 14:43(A)(5) and (D), relative to rape;  
3 to provide for additional conduct that constitutes the crime of third degree rape; to  
4 provide for a definition; and to provide for related matters.

5 Be it enacted by the Legislature of Louisiana:

6 Section 1. R.S. 14:43(C) is hereby amended and reenacted and R.S. 14:43(A)(5) and  
7 (D) are hereby enacted to read as follows:

8 §43. Third degree rape

9 A. Third degree rape is a rape committed when the anal, oral, or vaginal  
10 sexual intercourse is deemed to be without the lawful consent of a victim because it  
11 is committed under any one or more of the following circumstances:

12 \* \* \*

13 (5) When the victim is confined or detained in a correctional facility.

14 \* \* \*

15 C. For purposes of this Section, "correctional facility" means any jail, prison,  
16 penitentiary, juvenile institution, temporary holding center, or detention facility.

17 D. For all purposes, "simple rape" and "third degree rape" mean the offense  
18 defined by the provisions of this Section and any reference to the crime of simple  
19 rape is the same as a reference to the crime of third degree rape. Any act in violation

1 of the provisions of this Section committed on or after August 1, 2015, shall be  
2 referred to as "third degree rape".

---

DIGEST

The digest printed below was prepared by House Legislative Services. It constitutes no part of the legislative instrument. The keyword, one-liner, abstract, and digest do not constitute part of the law or proof or indicia of legislative intent. [R.S. 1:13(B) and 24:177(E)]

---

HB 298 Original

2026 Regular Session

Mandie Landry

**Abstract:** Adds a rape committed when the victim is confined or detained in a correctional facility as conduct that constitutes third degree rape.

Present law provides for the crime of third degree rape and provides for penalties.

Proposed law retains present law and adds, as conduct that constitutes third degree rape, a rape committed when the victim is confined or detained in a correctional facility.

Proposed law defines the term "correctional facility".

(Amends R.S. 14:43(C); Adds R.S. 14:43(A)(5) and (D))