

2026 Regular Session

HOUSE BILL NO. 320

BY REPRESENTATIVE FIRMENT

CRIME/SEX OFFENSES: Creates the crime of unlawful exposure by an inmate

1 AN ACT

2 To amend and reenact R.S. 15:541(24)(a) and to enact R.S. 14:406, relative to offenses
3 affecting law enforcement; to create the crime of unlawful exposure by an inmate;
4 to provide for definitions; to provide for penalties; to provide with respect to sex
5 offender registration and notification requirements; and to provide for related
6 matters.

7 Be it enacted by the Legislature of Louisiana:

8 Section 1. R.S. 14:406 is hereby enacted to read as follows:

9 §406. Unlawful exposure by an inmate

10 A. It is unlawful for any inmate who is incarcerated in a correctional facility
11 to expose his or her intimate parts to any correctional facility employee with the
12 intent of doing any of the following:

- 13 (1) Arousing or gratifying the sexual desires of the inmate.
- 14 (2) Intimidating or harassing a correctional facility employee.

15 B. For the purposes of this Section, the following terms have the following
16 meanings:

- 17 (1) "Correctional facility" means any jail, prison, penitentiary, juvenile
18 institution, temporary holding center, or detention facility.
- 19 (2) "Correctional facility employee" means an employee of any jail, prison,
20 penitentiary, juvenile institution, temporary holding center, or detention facility.

1 (3) "Intimate parts" means the genitals, pubic hair, anus, vulva, or female
2 breast nipples of the inmate.

3 C.(1) Whoever violates the provisions of this Section shall be imprisoned
4 with or without hard labor for not more than three years, fined not more than two
5 thousand five hundred dollars, or both.

6 (2) Upon a second or subsequent conviction, the offender shall be
7 imprisoned with or without hard labor for not more than five years, fined not more
8 than twenty five thousand dollars, or both.

9 (3) Any sentence imposed pursuant to this Section shall run consecutively
10 to any other sentence being served by the offender at the time of the offense.

11 Section 2. R.S. 15:541(24)(a) is hereby amended and reenacted to read as follows:

12 §541. Definitions

13 For the purposes of this Chapter, the definitions of terms in this Section shall
14 apply:

15 * * *

16 (24)(a) "Sex offense" means deferred adjudication, adjudication withheld,
17 or conviction for the perpetration or attempted perpetration of or conspiracy to
18 commit human trafficking when prosecuted under the provisions of R.S.
19 14:46.2(B)(2), R.S. 14:46.3 (trafficking of children for sexual purposes), R.S. 14:89
20 (crime against nature), R.S. 14:89.1 (aggravated crime against nature), R.S.
21 14:89.2(B)(3) (crime against nature by solicitation), R.S. 14:80 (felony carnal
22 knowledge of a juvenile), R.S. 14:81 (indecent behavior with juveniles), R.S. 14:81.1
23 (pornography involving juveniles) which occurred prior to August 1, 2025, R.S.
24 14:81.2 (molestation of a juvenile or a person with a physical or mental disability),
25 R.S. 14:81.3 (computer-aided solicitation of a minor), R.S. 14:81.4 (prohibited
26 sexual conduct between an educator and student), R.S. 14:82.1 (prostitution; persons
27 under eighteen), R.S. 14:82.2(C)(4) or (5) (purchase of commercial sexual activity),
28 R.S. 14:83(B)(2) or (3) (soliciting for prostitutes), R.S. 14:92(A)(7) (contributing to
29 the delinquency of juveniles), R.S. 14:93.5 (sexual battery of persons with

Proposed law provides for penalties as follows:

- (1) Imprisonment with or without hard labor for not more than three years, a fine of not more than \$2,500, or both.
- (2) Upon a second or subsequent conviction, imprisonment with or without hard labor for not more than five years, a fine of not more than \$25,000, or both.

Proposed law further provides that any sentence imposed under proposed law shall run consecutively to any other sentence being served by the offender at the time of the offense.

Present law (R.S. 15:541) provides for definitions relative to sex offenders.

Proposed law retains present law.

Present law defines the term "sex offense".

Proposed law amends present law to include the proposed law offense of unlawful exposure by an inmate within the term "sex offense".

(Amends R.S. 15:541(24)(a); Adds R.S. 14:406)