

HOUSE SUMMARY OF SENATE AMENDMENTS

HB 92

2026 Regular Session

Schlegel

CRIME/SEX OFFENSES: Provides relative to time limitations and other matters concerning certain sex offenses

Synopsis of Senate Amendments

1. Provides that the time limitation to prosecute the crime of third degree rape is 10 years unless otherwise provided by any other provision of law that establishes a longer period of limitation.
2. Makes technical changes.

Digest of Bill as Finally Passed by Senate

Present law (R.S. 14:42) provides for the crime of first degree rape.

Proposed law generally retains present law and adds that rape committed when the victim is prevented from resisting the act because of the offender's application of force that overpowers the victim's ability to resist constitutes first degree rape.

Present law (C.Cr.P. Art. 465) provides for specific indictment forms.

Proposed law retains present law and adds a specific indictment form for forcible rape or second degree rape.

Present law (C.Cr.P. Art. 573.4) provides for an exception to the running of time limitations in present law (C.Cr.P. Art. 572) to prosecute the crime of third degree rape and provides that the time limitations do not run until the crime is discovered by the victim.

Proposed law amends present law to provide for a time limitation of 10 years unless another provision of law establishes a longer period.

Present law (C.Cr.P. Art. 814) provides for responsive verdicts. Further provides for a responsive verdict for the crime of first degree rape.

Proposed law generally retains present law but amends the responsive verdict for first degree rape to provide an exception for when a victim is under the age of 13, makes technical revisions relative to the order in which the offenses are listed, adds attempted sexual battery as a lesser offense, and removes the reference to the present law crime of oral sexual battery.

Present law (R.S. 14:43.3) provides for the crime of oral sexual battery.

Proposed law repeals present law.

(Amends C.Cr.P. Arts. 465(A)(intro. para.), 573.4, and 814(A)(11); Adds R.S. 14:42(A)(8) and C.Cr.P. Art. 465(A)(47); Repeals R.S. 14:43.3)