Regular Session, 2014

HOUSE BILL NO. 978

BY REPRESENTATIVE GREENE

CRIME/OBSCENITY: Requires that notice be given to certain persons when certain acts
of obscenity occur near a school

1   AN ACT

2   To enact R.S. 14:106(I), relative to obscenity; to provide relative to certain acts of obscenity

3   occurring within a certain distance of school property; to require that notice of the

4   act of obscenity be given to the principal and parents of all students at the school; to

5   provide for the contents of the notice; to provide for a period of time in which such

6   notice shall be provided; and to provide for related matters.

7   Be it enacted by the Legislature of Louisiana:

8   Section 1. R.S. 14:106(I) is hereby enacted to read as follows:

9   §106. Obscenity

10   *   *   *

11   I.(1)(a) When an act of obscenity as defined in Paragraph (A)(1) of this

12   Section is reported, the law enforcement agency acting in response to the reported

13   incident shall provide notice of the incident to the principal or headmaster of each

14   school located within two thousand feet of where the incident occurred. This notice

15   shall be provided by the law enforcement agency to the principal or headmaster

16   within twenty-four hours of receiving the report of the incident and by any

17   reasonable means, including but not limited to live or recorded telephone message

18   or electronic mail.

19   (b) Within twenty-four hours of receiving notice of the incident from law

20   enforcement, the principal or headmaster shall provide notice of the incident to the

1   parents of all students enrolled at the school by any reasonable means, including but

2   not limited to live or recorded telephone message or electronic mail.

3   (2) The notice required by the provisions of Paragraph (1) of this Subsection

4   shall include the date, time, and location of the incident, a brief description of the

5   incident, and a brief description of the physical characteristics of the alleged offender

6   which may include but shall not be limited to the alleged offender's sex, race, hair

7   color, eye color, height, age, and weight.

8   (3) When the expiration of the twenty-four-hour period occurs on a weekend

9   or holiday, notice shall be provided no later than the end of the next regular school

10   day.

11   (4) For purposes of this Subsection, "school" means any public or private

12   elementary or secondary school in this state, including all facilities of the school

13   located within the geographical boundaries of the school property.

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)]

Greene   HB No. 978

Abstract: Requires that notice be given to the principal and the parents of all students at a school when certain acts of obscenity occur within 2,000 feet of the school.

Present law defines the crime of obscenity to include the intentional exposure of the genitals, pubic hair, anus, vulva, or female breast nipples in any public place or place open to the public view, or in any prison or jail, with the intent of arousing sexual desire or which appeals to prurient interest or is patently offensive.

Proposed law provides that when these acts of obscenity occur within 2,000 feet of a school, within 24 hours of receiving the report of the incident, the law enforcement agency acting in response to the reported incident shall notify the principal or headmaster of the school that the incident occurred.

Proposed law further requires the principal or headmaster, within 24 hours of receiving notice of the incident from law enforcement, to notify the parents of all students enrolled at the school.

Proposed law provides for the contents of such notice and provides for the definition of "school".

(Adds R.S. 14:106(I))