
DIGEST

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HB 268 Engrossed

2018 Regular Session

Falconer

Abstract: Amends the definition of protected person for the purpose of requiring that statements of such persons in criminal proceedings be recorded on video tape.

Present law provides that a court with original criminal jurisdiction or juvenile jurisdiction may require that a statement of a protected person be recorded on videotape and may be used in a juvenile or criminal proceeding.

Present law defines "protected person" as any person who is a victim of a crime or a witness in a criminal proceeding and who is either of the following:

- (1) Under the age of 17 years.
- (2) Has a developmental disability.

Proposed law retains present law and adds to definition of protected person an adult eligible for protective services pursuant to present law.

Present law, relative to protective services, defines "adult" as any individual 18 years of age or older, or an emancipated minor who, due to a physical, mental, or developmental disability or the infirmities of aging, is unable to manage his own resources, carry out the activities of daily living, or protect himself from abuse, neglect, or exploitation.

(Adds R.S. 15:440.2(C)(3))