

2019 Regular Session

HOUSE BILL NO. 489

BY REPRESENTATIVE DUBUISSON

1 AN ACT

2 To enact Code of Evidence Article 801(D)(1)(e), relative to the definition of hearsay; to
3 provide relative to prior statements made by witnesses; to provide relative to
4 statements made by victims of sexually-oriented crimes to healthcare providers; and
5 to provide for related matters.

6 Be it enacted by the Legislature of Louisiana:

7 Section 1. Code of Evidence Article 801(D)(1)(e) is hereby enacted to read as
8 follows:

9 Art. 801. Definitions

10 The following definitions apply under this Chapter:

11 * * *

12 D. Statements which are not hearsay. A statement is not hearsay if:

13 (1) Prior statement by witness. The declarant testifies at the trial or hearing
14 and is subject to cross-examination concerning the statement, and the statement is:

15 * * *

16 (e) A statement made by the victim of a sexually-oriented criminal offense
17 to a healthcare provider during the course of a forensic medical examination as
18 defined in R.S. 15:622 and the healthcare provider has documented that statement
19 in writing during the course of the forensic medical examination.

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SPEAKER OF THE HOUSE OF REPRESENTATIVES

PRESIDENT OF THE SENATE

GOVERNOR OF THE STATE OF LOUISIANA

APPROVED: _____