

## RÉSUMÉ DIGEST

ACT 322 (HB 492)

2021 Regular Session

Hughes

Prior law (R.S. 9:2800.9) provided that prescription on an action against a person for sexual abuse of a minor or for physical abuse of a minor resulting in permanent impairment, permanent physical injury, or scarring commenced to run from the day the minor attained majority and was suspended for all purposes until the minor reached the age of majority, subject to any exception of peremption provided by law.

New law provides that such an action does not prescribe.

New law provides that an action against a person convicted of a crime against a child, as defined by existing law, does not prescribe and may be filed at any time following conviction.

Existing law (Ch.C. Art. 603) defines "crime against the child" as the commission or attempted commission of any of the following crimes against an unemancipated minor:

- (1) Homicide.
- (2) Battery.
- (3) Assault.
- (4) Rape.
- (5) Sexual battery.
- (6) Kidnapping.
- (7) Criminal neglect.
- (8) Criminal abandonment.
- (9) Carnal knowledge of a juvenile.
- (10) Indecent behavior with juveniles.
- (11) Pornography involving juveniles.
- (12) Molestation of a juvenile.
- (13) Crime against nature.
- (14) Cruelty to juveniles.
- (15) Contributing to the delinquency or dependency of children.
- (16) Sale of minor children.
- (17) Human trafficking.
- (18) Trafficking of children for sexual purposes.
- (19) Female genital mutilation.

New law retains existing law.

New law provides that a party whose action under prior law was barred by liberative prescription prior to the effective date of the Act may file such an action against a party for a period of three years following the effective date of the Act.

Effective upon signature of governor (June 14, 2021).

(Amends R.S. 9:2800.9(A))