
DIGEST

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HB 163 Original

2025 Regular Session

Dickerson

Abstract: Provides relative to victims of certain sex-related crimes.

Present law (R.S. 14:82.2) provides for the crime of purchase of commercial sexual activity.

Proposed law retains present law.

Present law (R.S. 14:82.2(C)) provides for penalties that include the distribution of 1/2 of the fines collected in accordance with present law (R.S. 15:549.4).

Proposed law retains present law relative to the length of imprisonment and fine amounts, but removes the references to the distribution of 1/2 of the fines that are collected.

Present law (R.S. 14:83) provides for the crime of soliciting for prostitutes.

Proposed law retains present law.

Present law (R.S. 14:83(B)) provides for penalties that include the distribution of 1/2 of the fines collected in accordance with present law (R.S. 15:549.4).

Proposed law retains present law relative to the length of imprisonment and fine amounts, but removes the references to the distribution of 1/2 of the fines that are collected.

Present law (R.S. 15:539.1) provides for the forfeiture of property related to certain sex-related crimes.

Proposed law retains present law.

Present law (R.S. 15:539.1(F)) provides that any remaining currency, instruments, securities, or proceeds that are forfeited following a conviction for certain sex-related crimes shall be distributed in the following manner:

- (1) 25% to the seizing agency or agencies allocated among the seizing agencies in proportion to their participation in the management of the investigation, seizure, and forfeiture.
- (2) 25% to the prosecuting agency.

- (3) 50% to the Exploited Children's Special Fund pursuant to present law (R.S. 15:539.2).

Proposed law changes the name of the fund from the Exploited Children's Special Fund to the Survivor Special Fund.

Present law (R.S. 15:539.2) provides for the Exploited Children's Special Fund and use of monies in the fund.

Proposed law changes the name of the fund from the Exploited Children's Special Fund to the Survivor Special Fund.

Present law (R.S. 15:539.2(A)) provides that any person who is convicted or pleads guilty or nolo contendere to an offense involving trafficking of children for sexual purposes under present law (R.S. 14:46.3), prostitution with persons under 18 under present law (R.S. 14:82.1), or enticing persons into prostitution under present law (R.S. 14:86) shall be ordered to pay a mandatory monetary assessment of \$2,000.

Proposed law retains the present law offenses of trafficking of children for sexual purposes and prostitution with persons under 18 and adds the following offenses:

- (1) Battery of a dating partner under present law (R.S. 14:34.9(E), (F), (L), (M), (N), (O), or (P)).
- (2) Domestic abuse battery under present law (R.S. 14:35.3(L), (M), (N), (O), or (P)).
- (3) First degree rape under present law (R.S. 14:42).
- (4) Second degree rape under present law (R.S. 14:42.1).
- (5) Sexual battery under present law (R.S. 14:43.1(C)(2) or (3)).
- (6) Second degree sexual battery under present law (R.S. 14:43.2).
- (7) Oral sexual battery under present law (R.S. 14:43.3).
- (8) Aggravated kidnapping of a child under present law (R.S. 14:44.2).
- (9) Human trafficking under present law (R.S. 14:46.2).
- (10) Pornography involving juveniles under present law (R.S. 14:81.1).
- (11) Molestation of a juvenile or a person with a physical or mental disability under present law (R.S. 14:81.2).
- (12) Computer-aided solicitation of a minor under present law (R.S. 14:81.3).

- (13) Possessing, trafficking, or importing a child sex doll under present law (R.S. 14:81.6).
- (14) Purchase of commercial sexual activity under present law (R.S. 14:82.2).
- (15) Soliciting for prostitutes under present law (R.S. 14:83(B)(2) or (3)).
- (16) Promoting prostitution under present law (R.S. 14:83.2(B)(2) or (3)).
- (17) Pandering under present law (R.S. 14:84).
- (18) Enticing persons into prostitution under present law (R.S. 14:86(B)(1)(b) or (c)).
- (19) Aggravated crime against nature under present law (R.S. 14:89.1).
- (20) Crime against nature by solicitation under present law (R.S. 14:89.2(B)(3)(a) or (b)).
- (21) Sexual battery of persons with infirmities under present law (R.S. 14:93.5).

Present law (R.S. 15:539.2(B)) provides that monies in the fund shall be used for the provision of services and treatment administered by the DCFS, such as securing residential housing, health services, and social services, to sexually exploited children and adults. Further provides that the department may also use the funds for grants or to provide services for sexually exploited children and adults.

Proposed law amends present law to provide that monies in the fund shall be used for the provisions of services and treatment to adult and minor victims of human trafficking, domestic violence, and sexual assault.

Present law (R.S. 15:539.2(B)) provides that a portion of the monies in the fund, not to exceed 50%, may be used for the development of training programs relative to human trafficking and trafficking of children for sexual purposes and for the providing of law enforcement training programs administered by the P.O.S.T. Council within the La. Commission on Law Enforcement.

Proposed law amends present law to provide that monies in the fund shall be administered to the governor's office of human trafficking prevention for disbursement as follows:

- (1) 25% of the monies to child advocacy centers, in compliance with present law (Ch.C. Art. 524), for programs to serve child victims of sexual abuse, physical abuse, neglect, or human trafficking in La.
- (2) 25% of the monies to the state domestic violence coalition, as defined in federal law (42 U.S.C. 10402), for distribution to member programs that provide community services and shelter programs to victims of domestic violence pursuant to present law (R.S. 46:2124).
- (3) 50% of the monies to accredited sexual assault crisis centers in La., as defined in present law

(R.S. 46:2187(A)(2)) to serve victims of sexual assault and exploitation.

Proposed law provides that the governor's office of human trafficking prevention is authorized to retain not more than 10% of the monies in the fund for necessary and associated administrative expenses of the fund.

Present law (R.S. 15:539.4) provides for fines related to the present law crimes of solicitation of prostitutes and purchase of commercial sexual activity.

Present law further provides that when a fine is imposed pursuant to the provisions of present law (R.S. 14:82.2(C) or 83(B)(1), (2), or (3)), the sheriff or executive officer of the court shall distribute \$500 or 1/2 of the fine, whichever is greater, pursuant to the provisions of present law (R.S. 15:571.11) and the remainder of the fine shall be distributed as follows:

- (1) 50% of the proceeds from the imposition of the fine to the sheriff or law enforcement agency that made the arrest to be used for training officers in recognizing and the preventing of human trafficking.
- (2) 50% of the proceeds from the imposition of the fine to the district attorney, in furtherance of the administration of justice in the judicial district and to prevent future recidivism, to be paid to a program for victim services that counsels, treats, and helps victims of human trafficking or those who are charged or convicted of prostitution.

Proposed law repeals present law.

(Amends R.S. 14:82.2(C) and 83(B)(1)-(3) and R.S. 15:539.1(F)(3) and 539.2; Repeals R.S. 15:539.4)