
DIGEST

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HB 92 Original

2026 Regular Session

Schlegel

Abstract: Provides relative to certain sex offenses.

Present law (R.S. 14:42) provides for the crime of first degree rape.

Proposed law generally retains present law and adds that rape committed when the victim is prevented from resisting the act because of the offender's application of force that overpowers the victim's ability to resist constitutes first degree rape.

Present law (C.Cr.P. Art. 465) provides for specific indictment forms.

Proposed law retains present law and adds a specific indictment form for forcible rape or second degree rape.

Present law (C.Cr.P. Art. 814) provides for responsive verdicts. Further provides for a responsive verdict for the crime of first degree rape.

Proposed law generally retains present law but amends the responsive verdict for first degree rape to provide an exception for when a victim is under the age of 13, makes technical revisions relative to the order in which the offenses are listed, adds attempted sexual battery as a lesser offense, and removes the reference to the present law crime of oral sexual battery.

Present law (R.S. 14:43.3) provides for the crime of oral sexual battery.

Proposed law repeals present law.

(Amends C.Cr.P. Arts. 465(A)(intro. para.) and 814(A)(11); Adds R.S. 14:42(A)(8) and C.Cr.P. Art. 465(A)(47); Repeals R.S. 14:43.3)