

HOUSE COMMITTEE AMENDMENTS

Amendments proposed by House Committee on Administration of Criminal Justice to
Original House Bill No. 86 by Representative White

AMENDMENT NO. 1

On page 1, line 2, after "reenact" and before "and (C)(3)" change "R.S. 14:43.1(A), (B)," to
"R.S. 14:43.1(A)"

AMENDMENT NO. 2

On page 1, at the beginning of line 3, change "43.3(A), (B)," to "43.3(A)" and after "43.6(A)
and (B)(1)," and before "and 81.2," delete "81(A), (B), (C), and (H)(3),"

AMENDMENT NO. 3

On page 1, line 4, after "43.2(D)," and before "and to repeal" change "43.3(D), and
81(H)(4)" to "and 43.3(D)"

AMENDMENT NO. 4

On page 1, at the beginning of line 6, change "the infirm;" to "a person with a physical or
mental disability;" and after "battery of" and before "to provide" change "the infirm;" to "a
person with a physical or mental disability;"

AMENDMENT NO. 5

On page 1, line 7, change "the infirm;" to "a person with a physical or mental disability;"

AMENDMENT NO. 6

On page 1, delete line 8, and insert "of a person with a physical or mental disability; to
provide"

AMENDMENT NO. 7

On page 1, line 9, after "molestation of" and before "to provide" change "the infirm;" to "a
person with a physical or mental disability;"

AMENDMENT NO. 8

On page 1, line 13, after "Section 1." change "R.S. 14:43.1(A), (B)," to "R.S. 14:43.1(A)"
and the end of line 13 delete the comma ","

AMENDMENT NO. 9

On page 1, at the beginning of line 14, delete "(B)," and after "43.6(A) and (B)(1)," and
before "and 81.2" delete "81(A), (B), (C), and (H)(3),"

AMENDMENT NO. 10

On page 1, line 15, after "43.2(D)" and before "are hereby" change "43.3(D), and 81(H)(4)"
to "and 43.3(D)"

1 AMENDMENT NO. 11

2 On page 2, line 17, after "victim is" delete the remainder of the line, delete lines 18 through
3 20 in their entirety and insert the following:

4 "prevented from resisting the act because either of the following conditions exist:
5 (i) The victim has paraplegia, quadriplegia, or is otherwise physically
6 incapable of preventing the act due to a physical disability.
7 (ii) The victim is incapable, through unsoundness of mind, of understanding
8 the nature of the act, and the offender knew or should have known of the victim's
9 incapacity."

10 AMENDMENT NO. 12

11 On page 2, at the beginning of line 21, change "(c)" to "(b)"

12 AMENDMENT NO. 13

13 On page 2, delete lines 23 through 26 in their entirety and insert asterisks "* * *

14 AMENDMENT NO. 14

15 On page 4, delete lines 1 through 11 in their entirety and insert the following:

16 "(3) Any person who is seventeen years of age or older who commits the
17 crime of second degree sexual battery shall be punished by imprisonment at hard
18 labor for not less than twenty-five nor more than ninety-nine years, at least twenty-
19 five years of the sentence imposed being served without benefit of parole, probation,
20 or suspension of sentence, when either of the following conditions exist:
21 (a) The victim has paraplegia, quadriplegia, or is otherwise physically
22 incapable of preventing the act due to a physical disability.
23 (b) The victim is incapable, through unsoundness of mind, of understanding
24 the nature of the act, and the offender knew or should have known of the victim's
25 incapacity.
26 (c) The victim is sixty-five years of age or older."

27 AMENDMENT NO. 15

28 On page 5, line 19, after "victim is" delete the remainder of the line, delete lines 20 through
29 22 in their entirety and insert the following:

30 "prevented from resisting the act because either of the following conditions exist:
31 (i) The victim has paraplegia, quadriplegia, or is otherwise physically
32 incapable of preventing the act due to a physical disability.
33 (ii) The victim is incapable, through unsoundness of mind, of understanding
34 the nature of the act, and the offender knew or should have known of the victim's
35 incapacity."

36 AMENDMENT NO. 16

37 On page 5, at the beginning of line 23, change "(c)" to "(b)"

38 AMENDMENT NO. 17

39 On page 5, delete lines 25 and 26 in their entirety and insert asterisks "* * *

40 AMENDMENT NO. 18

1 On page 7, delete lines 18 through 29 in their entirety, delete page 8 in its entirety, and on
2 page 9, delete lines 1 through 10 in their entirety

3 AMENDMENT NO. 19

4 On page 9 line 11, after "or" change "the infirm" to "a person with a physical or mental
5 disability"

6 AMENDMENT NO. 20

7 On page 9, at the beginning of line 20, change "(2)(a)" to "(2)" and after "of" and before "is"
8 change "the infirm" to "a person with a physical or mental disability"

9 AMENDMENT NO. 21

10 On page 9, at the beginning of line 26, change "(i)" to "(a)" and after "victim" delete the
11 remainder of the line and insert "has paraplegia, quadriplegia, or is otherwise physically
12 incapable of"

13 AMENDMENT NO. 22

14 On page 9, at the beginning of line 28, change "(ii)" to "(b)" and after "victim" delete the
15 remainder of the line and insert "is incapable, through unsoundness of mind, of
16 understanding the nature of the act, and the offender knew or should have known of the
17 victim's incapacity."

18 AMENDMENT NO. 23

19 On page 9, at the beginning of line 29, change "(iii)" to "(c)"

20 AMENDMENT NO. 24

21 On page 10, delete lines 1 and 2 in their entirety

22 AMENDMENT NO. 25

23 On page 11, line 28, after "molestation of" and before "shall" change "the infirm" to "a
24 person with a physical or mental disability"

25 AMENDMENT NO. 26

26 On page 13, line 22, after "from" delete the remainder of the line

27 AMENDMENT NO. 27

28 On page 13, at the beginning of line 23, delete "with juveniles or the infirm and all
29 references from"

30 AMENDMENT NO. 28

31 On page 13, at the end of line 24, change "the infirm"" to "a person with a physical or mental
32 disability""