
The original instrument and the following digest, which constitutes no part of the legislative instrument, were prepared by Alden A. Clement, Jr.

DIGEST

Proposed law prohibits a sex offender from engaging in any of the following:

1. Establishing a residence or physically residing within three miles of the victim of the offense for which he was convicted.
2. Be physically present within 300 feet of the victim of the offense for which he was convicted.
3. Communicating with the victim of the offense for which he was convicted or an immediate family member of the victim, unless the victim consents to such communication in writing.

Proposed law defines "immediate family member" as the spouse, mother, father, aunt, uncle, sibling, or child of the victim, whether related by blood, marriage, or adoption.

Proposed law provides for the following penalties:

1. Whoever violates the provisions of Paragraphs (1) and (2) of proposed law is to be fined not more than \$1,000, imprisoned for not more than one year, or both.
2. Whoever violates the provisions of Paragraph (3) of proposed law is to be fined not more than \$500, imprisoned for not more than six months, or both.

Provides for the following affirmative defenses to prosecution for a violation of proposed law:

1. If the property where the offender resides was occupied by the offender prior to the date on which his victim began residing within three miles of the residence of the offender, unless the offender pleads guilty to or is convicted of a subsequent sex offense against the same victim after the victim began residing within three miles of the offender.
2. If the property where the offender resides was occupied by the offender prior to 8/1/12, unless the offender pleads guilty to or is convicted of a subsequent sex offense against the same victim after 8/1/12.

Effective upon signature of the governor or lapse of time for gubernatorial action.

(Adds R.S. 14:91.9)