

Regular Session, 2012

SENATE BILL NO. 623

BY SENATOR LAFLEUR

SEX OFFENSES. Provides for right of privacy for juvenile victims of certain sex offenses.
(gov sig)

AN ACT

To amend and reenact R.S. 46:1844(W)(2), relative to criminal procedure; to provide relative to the rights of juvenile victims of certain sex offenses; to provide that certain information relative to juvenile victims of misdemeanor sex offenses shall not be publicly disclosed; to provide for definitions; and to provide for related matters.

Be it enacted by the Legislature of Louisiana:

Section 1. R.S. 46:1844(W)(2) is hereby amended and reenacted to read as follows:

§1844. Basic rights for victim and witness

* * *

W. Confidentiality of crime victims who are minors and victims of sex offenses.

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(2) For purposes of this Section, "sex offense" ~~shall include~~ **means** the perpetration or attempted perpetration of **any sex offense, whether a misdemeanor or a felony, when the victim is under the age of eighteen years, including but not limited to** aggravated rape (R.S. 14:42), forcible rape (R.S. 14:42.1), simple rape (R.S. 14:43), sexual battery (R.S. 14:43.1), second degree sexual battery (R.S.

14:43.2), oral sexual battery (R.S. 14:43.3), intentional exposure to the AIDS virus (R.S. 14:43.5), stalking (R.S. 14:40.2), incest (R.S. 14:78), aggravated incest (R.S. 14:78.1), felony carnal knowledge of a juvenile (R.S. 14:80), **misdemeanor carnal knowledge of a juvenile (R.S. 14:80.1)**, indecent behavior with juveniles (R.S. 14:81), pornography involving juveniles (R.S. 14:81.1), molestation of a juvenile or a person with a physical or mental disability (R.S. 14:81.2), **prohibited sexual conduct between educator and student (R.S. 14:81.4)**, crime against nature (R.S. 14:89), aggravated crime against nature (R.S. 14:89.1), sexual battery of the infirm (R.S. 14:93.5), **obscenity (R.S. 14:106)**, and video voyeurism (R.S. 14:283).

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Section 2. This Act shall become effective upon signature by the governor or, if not signed by the governor, upon expiration of the time for bills to become law without signature by the governor, as provided by Article III, Section 18 of the Constitution of Louisiana. If vetoed by the governor and subsequently approved by the legislature, this Act shall become effective on the day following such approval.

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

DIGEST

Present law provides that public officials and officers and public agencies, including but not limited to all law enforcement agencies, sheriffs, district attorneys, judicial officers, clerks of court, the Crime Victims Reparations Board, and the Dept. of Children and Family Services or any division thereof, cannot publicly disclose the name, address, or identity of juvenile victims of certain felony sex offenses.

Proposed law retains present law and adds that present law also applies to misdemeanor sex offenses when the victim is a juvenile.

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

(Amends R.S. 46:1844(W)(2))