

HOUSE COMMITTEE AMENDMENTS

Amendments proposed by House Committee on Administration of Criminal Justice to Reengrossed Senate Bill No. 686 by Senator Adley

1 AMENDMENT NO. 1

2 On page 1, line 2, after "R.S. 14:106(A)(7)(a)" and before "and" insert "and (G)"

3 AMENDMENT NO. 2

4 On page 1, line 7, after "R.S. 14:106(A)(7)(a)" and before "hereby" delete "is" and insert
5 "and (G) are"

6 AMENDMENT NO. 3

7 On page 2, delete lines 16 through 19 in their entirety

8 AMENDMENT NO. 4

9 On page 2, after line 20, add the following:

10 "G.(1) ~~On~~ Except as provided in Paragraph (5) of this Subsection, on
11 a first conviction, whoever commits the crime of obscenity shall be fined not
12 less than one thousand dollars nor more than two thousand five hundred
13 dollars, or imprisoned, with or without hard labor, for not less than six
14 months nor more than three years, or both.

15 (2)(a) ~~On~~ Except as provided in Paragraph (5) of this Subsection, on
16 a second conviction, the offender shall be imprisoned, with or without hard
17 labor for not less than six months nor more than three years, and in addition
18 may be fined not less than two thousand five hundred dollars nor more than
19 five thousand dollars.

20 (b) The imprisonment provided for in Subparagraph (a), may be
21 imposed at court discretion if the court determines that the offender, due to
22 his employment, could not avoid engagement in the offense. This
23 Subparagraph (b) shall not apply to the manager or other person in charge of
24 an establishment selling or exhibiting obscene material.

25 (3) ~~On~~ Except as provided in Paragraph (5) of this Subsection, on
26 a third or subsequent conviction, the offender shall be imprisoned with or
27 without hard labor for not less than two years nor more than five years, and
28 in addition may be fined not less than five thousand dollars nor more than ten
29 thousand dollars.

30 (4) When a violation of Paragraph (1), (2), or (3) of Subsection A of
31 this Section is with or in the presence of an unmarried person under the age
32 of seventeen years, the offender shall be fined not more than ten thousand
33 dollars and shall be imprisoned, with or without hard labor, for not less than
34 two years nor more than five years, without benefit of parole, probation, or
35 suspension of sentence.

36 (5) Whoever violates the provisions of Paragraphs (A)(7) or (A)(8)
37 of this Section may be fined not less than one hundred dollars nor more than
38 five hundred dollars.

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