

Regular Session, 2013

HOUSE BILL NO. 261

BY REPRESENTATIVES HAZEL AND ABRAMSON

Prefiled pursuant to Article III, Section 2(A)(4)(b)(i) of the Constitution of Louisiana.

CRIME/SEX OFFENSES: Provides that the term of imprisonment for certain offenses concerning prostitution shall be served at hard labor when the offense involves a person under a certain age

1 AN ACT

2 To amend and reenact R.S. 14:82(C)(4) and (5), 83(B)(2) and (3), 83.1(B)(2) and (3),
3 83.2(B)(2) and (3), 84(B)(2) and (3), 85(B)(2) and (3), 86(B)(1)(b) and (c), 89(B)(2)
4 and (3), 104(B)(2) and (3), 105(B)(2) and (3), and 282(B)(2) and (3), relative to
5 certain offenses concerning prostitution; to amend the criminal penalties for certain
6 offenses concerning prostitution when the offense involves a person under a certain
7 age; to provide that the term of imprisonment for such offenses shall be at hard labor;
8 and to provide for related matters.

9 Be it enacted by the Legislature of Louisiana:

10 Section 1. R.S. 14:82(C)(4) and (5), 83(B)(2) and (3), 83.1(B)(2) and (3), 83.2(B)(2)
11 and (3), 84(B)(2) and (3), 85(B)(2) and (3), 86(B)(1)(b) and (c), 89(B)(2) and (3), 104(B)(2)
12 and (3), 105(B)(2) and (3), and 282(B)(2) and (3) are hereby amended and reenacted to read
13 as follows:

14 §82. Prostitution; definition; penalties; enhancement

15 * * *

16 C.

17 * * *

1 (4) Whoever commits the crime of prostitution with a person under the age
2 of eighteen years shall be fined not more than fifty thousand dollars, imprisoned at
3 hard labor for not less than fifteen years nor more than fifty years, or both.

4 (5) Whoever commits the crime of prostitution with a person under the age
5 of fourteen years shall be fined not more than seventy-five thousand dollars,
6 imprisoned at hard labor for not less than twenty-five years nor more than fifty years,
7 or both.

8 * * *

9 §83. Soliciting for prostitutes

10 * * *

11 B.

12 * * *

13 (2) Whoever commits the crime of soliciting for prostitutes when the person
14 being solicited is under the age of eighteen years shall be fined not more than fifty
15 thousand dollars, imprisoned at hard labor for not less than fifteen years nor more
16 than fifty years, or both.

17 (3) Whoever commits the crime of soliciting for prostitutes when the person
18 being solicited is under the age of fourteen years shall be fined not more than
19 seventy-five thousand dollars, imprisoned at hard labor for not less than twenty-five
20 years nor more than fifty years, or both.

21 §83.1. Inciting prostitution

22 * * *

23 B.

24 * * *

25 (2) Whoever commits the crime of inciting prostitution of persons under the
26 age of eighteen years shall be fined not more than fifty thousand dollars, imprisoned
27 at hard labor for not less than fifteen years nor more than fifty years, or both.

28 (3) Whoever commits the crime of inciting prostitution of persons under the
29 age of fourteen years shall be fined not more than seventy-five thousand dollars,

1 imprisoned at hard labor for not less than twenty-five years nor more than fifty years,
2 or both.

3 §83.2. Promoting prostitution

4 * * *

5 B.

6 * * *

7 (2) Whoever commits the crime of promoting prostitution of persons under
8 the age of eighteen years shall be fined not more than fifty thousand dollars,
9 imprisoned at hard labor for not less than fifteen years nor more than fifty years, or
10 both.

11 (3) Whoever commits the crime of promoting prostitution of persons under
12 the age of fourteen years shall be fined not more than seventy-five thousand dollars,
13 imprisoned at hard labor for not less than twenty-five years nor more than fifty years,
14 or both.

15 * * *

16 §84. Pandering

17 * * *

18 B.

19 * * *

20 (2) Whoever commits the crime of pandering involving the prostitution of
21 persons under the age of eighteen years shall be fined not more than fifty thousand
22 dollars, imprisoned at hard labor for not less than fifteen years nor more than fifty
23 years, or both.

24 (3) Whoever commits the crime of pandering involving the prostitution of
25 persons under the age of fourteen years shall be fined not more than seventy-five
26 thousand dollars, imprisoned at hard labor for not less than twenty-five years nor
27 more than fifty years, or both.

28 §85. Letting premises for prostitution

29 * * *

1 B.

2 * * *

3 (2) Whoever commits the crime of letting premises for prostitution of
4 persons under the age of eighteen years shall be fined not more than fifty thousand
5 dollars, imprisoned at hard labor for not less than fifteen years nor more than fifty
6 years, or both.

7 (3) Whoever commits the crime of letting premises for prostitution of
8 persons under the age of fourteen years shall be fined not more than seventy-five
9 thousand dollars, imprisoned at hard labor for not less than twenty-five years nor
10 more than fifty years, or both.

11 §86. Enticing persons into prostitution

12 * * *

13 B.(1)

14 * * *

15 (b) Whoever commits the crime of enticing persons into prostitution when
16 the person being enticed into prostitution is under the age of eighteen years shall be
17 fined not more than fifty thousand dollars, imprisoned at hard labor for not less than
18 fifteen years nor more than fifty years, or both.

19 (c) Whoever commits the crime of enticing persons into prostitution when
20 the person being enticed into prostitution is under the age of fourteen years shall be
21 fined not more than seventy-five thousand dollars, imprisoned at hard labor for not
22 less than twenty-five years nor more than fifty years, or both.

23 * * *

24 §89. Crime against nature

25 * * *

26 B.

27 * * *

1 (2) Whoever violates the provisions of this Section with a person under the
2 age of eighteen years shall be fined not more than fifty thousand dollars, imprisoned
3 at hard labor for not less than fifteen years nor more than fifty years, or both.

4 (3) Whoever violates the provisions of this Section with a person under the
5 age of fourteen years shall be fined not more than seventy-five thousand dollars,
6 imprisoned at hard labor for not less than twenty-five years nor more than fifty years,
7 or both.

8 * * *

9 §104. Keeping a disorderly place

10 * * *

11 B.

12 * * *

13 (2) Whoever commits the crime of keeping a disorderly place for the purpose
14 of prostitution of persons under the age of eighteen years shall be fined not more
15 than fifty thousand dollars, imprisoned at hard labor for not less than fifteen years
16 nor more than fifty years, or both.

17 (3) Whoever commits the crime of keeping a disorderly place for the purpose
18 of prostitution of persons under the age of fourteen years shall be fined not more than
19 seventy-five thousand dollars, imprisoned at hard labor for not less than twenty-five
20 years nor more than fifty years, or both.

21 §105. Letting a disorderly place

22 * * *

23 B.

24 * * *

25 (2) Whoever commits the crime of letting a disorderly place for the purpose
26 of prostitution of persons under the age of eighteen years shall be fined not more
27 than fifty thousand dollars, imprisoned at hard labor for not less than fifteen years
28 nor more than fifty years, or both.

1 (3) Whoever commits the crime of letting a disorderly place for the purpose
2 of prostitution of persons under the age of fourteen years shall be fined not more than
3 seventy-five thousand dollars, imprisoned at hard labor for not less than twenty-five
4 years nor more than fifty years, or both.

5 * * *

6 §282. Operation of places of prostitution prohibited; penalty

7 * * *

8 B.

9 * * *

10 (2) Whoever violates any provision of this Section for the purpose of
11 lewdness, assignation, or prostitution of persons under the age of eighteen shall be
12 fined not more than fifty thousand dollars, imprisoned at hard labor for not less than
13 fifteen years nor more than fifty years, or both.

14 (3) Whoever violates any provision of this Section for the purpose of
15 lewdness, assignation, or prostitution of persons under the age of fourteen years shall
16 be fined not more than seventy-five thousand dollars, imprisoned at hard labor for
17 not less than twenty-five years nor more than fifty years, or both.

DIGEST

The digest printed below was prepared by House Legislative Services. It constitutes no part of the legislative instrument. The keyword, one-liner, abstract, and digest do not constitute part of the law or proof or indicia of legislative intent. [R.S. 1:13(B) and 24:177(E)]

Hazel

HB No. 261

Abstract: Amends the criminal penalties for certain offenses concerning prostitution when the offense involves a person under a certain age, to provide that the term of imprisonment for such offenses shall be served at hard labor.

Present law provides criminal penalties for the following offenses concerning prostitution: R.S. 14:82 (Prostitution); R.S. 14:83 (Soliciting for prostitutes); R.S. 14:83.1 (Inciting prostitution); R.S. 14:83.2 (Promoting prostitution); R.S. 14:84 (Pandering); R.S. 14:85 (Letting premises for prostitution); R.S. 14:86 (Enticing persons into prostitution); R.S. 14:89 (Crime against nature); R.S. 14:104 (Keeping a disorderly place); R.S. 14:105 (Letting a disorderly place); and R.S. 14:282 (Operation of places of prostitution prohibited).

Present law provides the penalties for such offenses, which include both a fine and imprisonment, shall be enhanced when the offense involves a person under the age of 18, and further enhanced when the offense involves a person under the age of 14.

Proposed law provides that the term of imprisonment for such offenses, involving a person under the age of 18 years and under the age of 14 years, shall be served at hard labor.

(Amends R.S. 14:82(C)(4) and (5), 83(B)(2) and (3), 83.1(B)(2) and (3), 83.2(B)(2) and (3), 84(B)(2) and (3), 85(B)(2) and (3), 86(B)(1)(b) and (c), 89(B)(2) and (3), 104(B)(2) and (3), 105(B)(2) and (3), and 282(B)(2) and (3))