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SENATE BILL NO. 229

BY SENATOR MARTINY

| 2 | To enact R.S. 14:89(D) and 89.1(C), relative to offenses affecting sexual immorality; to |
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| 3 | provide relative to the crimes of incest and aggravated incest; to provide relative to |
| 4 | the crimes of crime against nature and aggravated crime against nature; to provide |
| 5 | relative to the purpose and effect of Act No. 177 of the 2014 Regular Session and the |
| 6 | Act that originated as Senate Bill No. 333 of the 2014 Regular Session relative to the |
| 7 | crimes of incest, aggravated incest, crime against nature, and aggravated crime |
| 8 | against nature; to provide for an effective date; and to provide for related matters. |
| 9 | Be it enacted by the Legislature of Louisiana: |
| 10 | Section 1. R.S. 14:89(D) and 89.1(C) are hereby enacted to read as follows: |
| 11 | §89. Crime against nature |
| 12 | * * * |
| 13 | D. The provisions of Act No. 177 of the 2014 Regular Session and the |
| 14 | provisions of the Act that originated as Senate Bill No. 333 of the 2014 Regular |
| 15 | Session incorporate the elements of the crimes of incest (R.S. 14:78) and |
| 16 | aggravated incest (R.S. 14:78.1), as they existed prior to their repeal by these |
| 17 | Acts, into the provisions of the crimes of crime against nature (R.S. 14:89) and |
| 18 | aggravated crime against nature (R.S. 14:89.1), respectively. For purposes of |
| 19 | the provisions amended by Act No. 177 of the 2014 Regular Session and the Act |
| 20 | that originated as Senate Bill No. 333 of the 2014 Regular Session, a conviction |

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for a violation of R.S. 14:89(A)(2) shall be the same as a conviction for the crime of incest (R.S. 14:78) and a conviction for a violation of R.S. 14:89.1(A)(2) shall be the same as a conviction for the crime of aggravated incest (R.S. 14:78.1). Neither Act shall be construed to alleviate any person convicted or adjudicated delinquent of incest (R.S. 14:78) or aggravated incest (R.S. 14:78.1) from any requirement, obligation, or consequence imposed by law resulting from that conviction or adjudication including but not limited to any requirements regarding sex offender registration and notification, parental rights, probation, parole, sentencing, or any other requirement, obligation, or consequence imposed by law resulting from that conviction or adjudication.

§89.1. Aggravated crime against nature

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C. The provisions of Act No. 177 of the 2014 Regular Session and the provisions of the Act that originated as Senate Bill No. 333 of the 2014 Regular Session incorporate the elements of the crimes of incest (R.S. 14:78) and aggravated incest (R.S. 14:78.1), as they existed prior to their repeal by these Acts, into the provisions of the crimes of crime against nature (R.S. 14:89) and aggravated crime against nature (R.S. 14:89.1), respectively. For purposes of the provisions amended by Act No. 177 of the 2014 Regular Session and the Act that originated as Senate Bill No. 333 of the 2014 Regular Session, a conviction for a violation of R.S. 14:89(A)(2) shall be the same as a conviction for the crime of incest (R.S. 14:78) and a conviction for a violation of R.S. 14:89.1(A)(2) shall be the same as a conviction for the crime of aggravated incest (R.S. 14:78.1). Neither Act shall be construed to alleviate any person convicted or adjudicated delinquent of incest (R.S. 14:78) or aggravated incest (R.S. 14:78.1) from any requirement, obligation, or consequence imposed by law resulting from that conviction or adjudication including but not limited to any requirements regarding sex offender registration and notification, parental rights, probation, parole, sentencing, or any other requirement, obligation, or consequence imposed by law resulting from that conviction or adjudication.

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.

PRESIDENT OF THE SENATE

SPEAKER OF THE HOUSE OF REPRESENTATIVES

GOVERNOR OF THE STATE OF LOUISIANA

ENROLLED

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APPROVED:

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