

HOUSE COMMITTEE AMENDMENTS

2018 Regular Session

Amendments proposed by House Committee on Administration of Criminal Justice to Reengrossed Senate Bill No. 236 by Senator Morrell

1 AMENDMENT NO. 1

2 On page 1, delete line 2 in its entirety and insert "To amend and reenact R.S. 14:89(A)(1)
3 and R.S. 15:541(24)(a) and to enact R.S. 14:89(E) and 89.3, relative to crime against"

4 AMENDMENT NO. 2

5 On page 1, line 4, after "penalties;" and before "and" insert the following:

6 "to provide for conditions of parole for persons convicted of the crime; to
7 require persons convicted of a second or subsequent offense of the crime to
8 register and provide notification as a sex offender; to provide for intent
9 regarding application;"

10 AMENDMENT NO. 3

11 On page 1, line 6, change "R.S. 14:89.3 is" to "R.S. 14:89(E) and 89.3 are"

12 AMENDMENT NO. 4

13 On page 1, line 13, after "42.1" and before "or" insert a comma ","

14 AMENDMENT NO. 5

15 On page 1, after line 17, insert the following:

16 **"E. Nothing in the Act which originated as Senate Bill No. 236 of**
17 **the 2018 Regular Session of the Legislature shall be construed to**
18 **alleviate any person convicted or adjudicated delinquent of crime**
19 **against nature (R.S. 14:89) from any requirement, obligation, or**
20 **consequence imposed by law resulting from that conviction or**
21 **adjudication including but not limited to any requirements regarding**
22 **sex offender registration and notification, parental rights, probation,**
23 **parole, sentencing, or any other requirement, obligation, or consequence**
24 **imposed by law resulting from that conviction or adjudication."**

25 AMENDMENT NO. 6

26 On page 2, between lines 14 and 15, insert the following:

27 **"(7) Filming, distributing, or possessing pornographic images of**
28 **a person and an animal engaged in any of the activities described in**
29 **Paragraphs (1) through (6) of this Subsection."**

30 AMENDMENT NO. 7

31 On page 3, line 9, after "**Whoever**" delete the remainder of the line

32 AMENDMENT NO. 8

33 On page 3, at the beginning of line 10, delete "**a violation of this Section, or who**"

1 AMENDMENT NO. 9

2 On page 3, line 13, after "**not**" and before "**more**" delete "**less than one year nor**"

3 AMENDMENT NO. 10

4 On page 3, line 17, after "**animal**" and before the period "." insert "**for any length of time**
5 **deemed appropriate by the court, but not less than five years**"

6 AMENDMENT NO. 11

7 On page 3, between lines 27 and 28, insert the following:

8 **"(3) If a person convicted of the offense of sexual abuse of an**
9 **animal is released on parole, the committee on parole shall require the**
10 **person, as a condition of parole, to participate in a sex offender program**
11 **as defined by R.S. 15:828(A)(2)(b)."**

12 AMENDMENT NO. 12

13 On page 4, between lines 10 and 11, insert the following:

14 "Section 2. R.S. 15:541(24)(a) is hereby amended and reenacted to
15 read as follows:

16 §541. Definitions

17 For the purposes of this Chapter, the definitions of terms in this
18 Section shall apply:

19 * * *

20 (24)(a) "Sex offense" means deferred adjudication, adjudication
21 withheld, or conviction for the perpetration or attempted perpetration of or
22 conspiracy to commit human trafficking when prosecuted under the
23 provisions of R.S. 14:46.2(B)(2), R.S. 14:46.3 (trafficking of children for
24 sexual purposes), R.S. 14:89 (crime against nature), R.S. 14:89.1 (aggravated
25 crime against nature), R.S. 14:89.2(B)(3) (crime against nature by
26 solicitation), R.S. 14:80 (felony carnal knowledge of a juvenile), R.S. 14:81
27 (indecent behavior with juveniles), R.S.14:81.1 (pornography involving
28 juveniles), R.S. 14:81.2 (molestation of a juvenile or a person with a physical
29 or mental disability), R.S. 14:81.3 (computer-aided solicitation of a minor),
30 R.S. 14:81.4 (prohibited sexual conduct between an educator and student),
31 R.S. 14:82.1 (prostitution; persons under eighteen), R.S. 14:82.2(C)(4) and
32 (5) (purchase of commercial sexual activity), R.S. 14:92(A)(7) (contributing
33 to the delinquency of juveniles), R.S. 14:93.5 (sexual battery of persons with
34 infirmities), R.S. 14:106(A)(5) (obscenity by solicitation of a person under
35 the age of seventeen), R.S. 14:283 (video voyeurism), R.S. 14:41 (rape), R.S.
36 14:42 (aggravated or first degree rape), R.S. 14:42.1 (forcible or second
37 degree rape), R.S. 14:43 (simple or third degree rape), R.S. 14:43.1 (sexual
38 battery), R.S. 14:43.2 (second degree sexual battery), R.S. 14:43.3 (oral
39 sexual battery), R.S. 14:43.5 (intentional exposure to AIDS virus), ~~or a~~
40 ~~second or subsequent conviction of R.S. 14:283.1 (voyeurism),~~ **or a second**
41 **or subsequent conviction of R.S. 14:89.3 (sexual abuse of an animal),**
42 **committed on or after June 18, 1992, or committed prior to June 18, 1992, if**
43 **the person, as a result of the offense, is under the custody of the Department**
44 **of Public Safety and Corrections on or after June 18, 1992. A conviction for**
45 **any offense provided in this definition includes a conviction for the offense**
46 **under the laws of another state, or military, territorial, foreign, tribal, or**
47 **federal law which is equivalent to an offense provided for in this Chapter,**
48 **unless the tribal court or foreign conviction was not obtained with sufficient**
49 **safeguards for fundamental fairness and due process for the accused as**

1 provided by the federal guidelines adopted pursuant to the Adam Walsh
2 Child Protection and Safety Act of 2006.
3 * * *

4 AMENDMENT NO. 13

5 On page 4, at the beginning of line 11, change "Section 2." to "Section 3."
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