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## DIGEST

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HB 130 Original

2024 Regular Session

Bayham

**Abstract:** Provides relative to penalties for the crime of molestation of a juvenile.

Present law provides for the crime of molestation of a juvenile.

Proposed law retains present law.

Present law provides that when the offender has control or supervision over the juvenile and commits the crime of molestation of a juvenile when the victim is 13 years of age or older but has not yet attained the age of 17, he shall be fined not more than \$10,000, or imprisoned, with or without hard labor, for not less than five years nor more than 20 years, or both.

Proposed law increases the minimum penalty from five years to 10 years.

Present law provides that when an educator commits the crime of molestation of a juvenile when the victim is 13 years of age or older but has not yet attained the age of 17, he shall be fined not more than \$10,000, or imprisoned, with or without hard labor, for not less than five years nor more than 40 years, or both

Present law further provides that at least five years of the sentence imposed shall be without the benefit of parole, probation, or suspension of sentence, and the defendant shall not be eligible to have his conviction set aside or his prosecution dismissed in accordance with present law (C.Cr.P. Art. 893).

Proposed law increases the minimum penalty from five years to 10 years and provides that at least 10 years of the sentence imposed, rather than five years, shall be without the benefit of parole, probation, or suspension of sentence.

Proposed law provides that when a clergyman of any religious sect commits the crime of molestation of a juvenile when the victim is 13 years of age or older but has not yet attained the age of 17, he shall be fined not more than \$10,000, or imprisoned, with or without hard labor, for not less than 10 years nor more than 40 years, or both.

Proposed law further provides that at least 10 years of the sentence imposed shall be without the benefit of parole, probation, or suspension of sentence, and the defendant shall not be eligible to have his conviction set aside or his prosecution dismissed in accordance with present law (C.Cr.P. Art. 893).

Proposed law provides that when a person who provides recreational instruction to the juvenile commits the crime of molestation of a juvenile when the victim is 13 years of age or older but has not yet attained the age of 17, he shall be fined not more than \$10,000, or imprisoned, with or without hard labor, for not less than 10 years nor more than 40 years, or both.

Proposed law further provides that at least 10 years of the sentence imposed shall be without the benefit of parole, probation, or suspension of sentence, and the defendant shall not be eligible to have his conviction set aside or his prosecution dismissed in accordance with present law (C.Cr.P. Art. 893).

Proposed law defines the terms "clergyman" and "recreational instruction".

(Amends R.S. 14:81.2(B)(2) and (3)(a); Adds R.S. 14:81.2(B)(4) and (5))