SLS 10RS-808 ORIGINAL

Regular Session, 2010

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SENATE BILL NO. 381

BY SENATOR MORRELL

CRIME/PUNISHMENT. Provides relative to the crime against nature by solicitation. (8/15/10)

AN ACT

2	To amend and reenact R.S. 14:89(A) and to enact R.S. 14:89.2, relative to crime against
3	nature; to create the crime against nature by solicitation; to provide for elements of
4	a crime; to provide for definitions; to provide for penalties; and to provide for related
5	matters.
6	Be it enacted by the Legislature of Louisiana:
7	Section 1. R.S. 14:89(A) is hereby amended and reenacted and R.S. 14:89.2 is
8	hereby enacted to read as follows:
9	§89. Crime against nature
10	A. Crime against nature is:
11	(1) The the unnatural carnal copulation by a human being with another of the
12	same sex or opposite sex or with an animal, except that anal sexual intercourse
13	between two human beings shall not be deemed as a crime against nature when done
14	under any of the circumstances described in R.S. 14:41, 14:42, 14:42.1 or 14:43.
15	Emission is not necessary; and, when committed by a human being with another, the
16	use of the genital organ of one of the offenders of whatever sex is sufficient to
17	constitute the crime.

1	(2) The solicitation by a human being of another with the intent to engage in
2	any unnatural carnal copulation for compensation.
3	* * *
4	§89.2. Crime against nature by solicitation
5	A. Crime against nature by solicitation is the solicitation by a human
6	being of another with the intent to engage in any unnatural carnal copulation
7	for compensation.
8	B. Whoever commits the crime against nature by solicitation shall be
9	fined not more than five hundred dollars, imprisoned for not more than six
10	months, or both.
	The original instrument and the following digest, which constitutes no part of the legislative instrument, were prepared by Michael Bell.

## **DIGEST**

Present law defines crime against nature as:

- (1) The unnatural carnal copulation by a human being with another of the same sex or opposite sex or with an animal, except that anal sexual intercourse between two human beings will not be deemed as a crime against nature when done under any of the circumstances described in <a href="mailto:present law">present law</a>. Emission is not necessary; and, when committed by a human being with another, the use of the genital organ of one of the offenders of whatever sex is sufficient to constitute the crime.
- (2) The solicitation by a human being of another with the intent to engage in any unnatural carnal copulation for compensation.

<u>Proposed law</u> defines crime against nature as:

The unnatural carnal copulation by a human being with another of the same sex or opposite sex or with an animal, except that anal sexual intercourse between two human beings will not be deemed as a crime against nature when done under any of the circumstances described in <u>present law</u>. Emission is not necessary; and, when committed by a human being with another, the use of the genital organ of one of the offenders of whatever sex is sufficient to constitute the crime.

<u>Proposed law</u> creates the crime against nature by solicitation.

<u>Proposed law</u> defines the crime against nature as the solicitation by a human being of another with the intent to engage in any unnatural carnal copulation for compensation.

<u>Proposed law</u> provides that whoever commits the crime against nature by solicitation will be fined not more than \$500 dollars, imprisoned for not more than six months, or both.

Effective August 15, 2010.

(Amends R.S. 14:89(A); adds R.S. 14:89.2)

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Coding: Words which are struck through are deletions from existing law; words in **boldface type and underscored** are additions.