

SENATE BILL NO. 381

BY SENATOR MORRELL

1 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: ~~(1) The~~ **the** unnatural carnal copulation by a
11 human being with another of the same sex or opposite sex or with an animal, except
12 that anal sexual intercourse between two human beings shall not be deemed as a
13 crime against nature when done under any of the circumstances described in R.S.
14 14:41, 14:42, 14:42.1 or 14:43. Emission is not necessary; and, when committed by
15 a human being with another, the use of the genital organ of one of the offenders of
16 whatever sex is sufficient to constitute the crime.

17 ~~(2) The solicitation by a human being of another with the intent to engage in~~
18 ~~any unnatural carnal copulation for compensation.~~

19 * * *

20 **§89.2. Crime against nature by solicitation**

21 **A. Crime against nature by solicitation is the solicitation by a human**
22 **being of another with the intent to engage in any unnatural carnal copulation**
23 **for compensation.**

24 **B.(1) Whoever violates the provisions of this Section, on a first**
25 **conviction thereof, shall be fined not more than five hundred dollars,**
26 **imprisoned for not more than six months, or both.**

27 **(2) Whoever violates the provisions of this Section, on a second or**

1 subsequent conviction thereof, shall be fined not more than two thousand
2 dollars, or imprisoned, with or without hard labor, for not more than five years,
3 or both.

4 (3) Whoever violates the provisions of this Section, when the
5 person being solicited is under the age of seventeen years, shall be fined
6 not more than two thousand dollars, or imprisoned, with or without
7 hard labor, for not more than five years, or both. Lack of knowledge of
8 the age of the person being solicited shall not be a defense.

9 C. A violation of the provisions of Paragraphs (B)(2) and (3) of
10 this Section shall be considered a sex offense as defined in R.S. 15:541
11 and the offender shall be required to register as a sex offender as
12 provided for in Chapter 3-B of Title 15 of the Louisiana Revised Statutes
13 of 1950.

PRESIDENT OF THE SENATE

SPEAKER OF THE HOUSE OF REPRESENTATIVES

GOVERNOR OF THE STATE OF LOUISIANA

APPROVED: _____