

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.

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PRESIDENT OF THE SENATE

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SPEAKER OF THE HOUSE OF REPRESENTATIVES

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GOVERNOR OF THE STATE OF LOUISIANA

APPROVED: \_\_\_\_\_