

Regular Session, 2008  
HOUSE BILL NO. 770  
BY REPRESENTATIVE GREENE

# ACT No. 25

1 AN ACT

2 To amend and reenact R.S. 14:81.3(A) and (F) and R.S. 15:537(A), relative to the crime of  
3 computer-aided solicitation of a minor; to provide for the elements of the crime; to  
4 provide with respect to where the offense occurred; to provide that persons convicted  
5 of computer-aided solicitation of a minor shall not be eligible for diminution of  
6 sentence for good behavior; and to provide for related matters.

7 Be it enacted by the Legislature of Louisiana:

8 Section 1. R.S. 14:81.3(A) and (F) are hereby amended and reenacted to read as  
9 follows:

10 §81.3. Computer-aided solicitation of a minor

11 A. Computer-aided solicitation of a minor is committed when a person  
12 eighteen years of age or older knowingly contacts or communicates, through the use  
13 of electronic textual communication, with a person who has not yet attained the age  
14 of eighteen or a person reasonably believed to have not yet attained the age of  
15 eighteen, for the purpose of or with the intent to persuade, induce, entice, or coerce  
16 the person to engage or participate in sexual conduct or a crime of violence as  
17 defined in R.S. 14:2(B), or with the intent to engage or participate in sexual conduct  
18 in the presence of the person who has not yet attained the age of eighteen, or person  
19 reasonably believed to have not yet attained the age of eighteen. It shall also be a  
20 violation of the provisions of this Section when the contact or communication is  
21 initially made through the use of electronic textual communication and subsequent  
22 communication is made through the use of any other form of communication.

23 \* \* \*

24 F. An offense committed under this Section may be deemed to have been  
25 committed where the electronic textual communication was originally sent,

CODING: Words in ~~struck through~~ type are deletions from existing law; words underscored are additions.

1 originally received, or originally viewed by any person, or where any other element  
2 of the offense was committed.

3 \* \* \*

4 Section 2. R.S. 15:537(A) is hereby amended and reenacted to read as follows:

5 §537. Sentencing of sexual offenders; serial sexual offenders

6 A. If a person is convicted of or pleads guilty to, or where adjudication has  
7 been deferred or withheld for a violation of R.S. 14:78 (incest), R.S. 14:78.1  
8 (aggravated incest), R.S. 14:80 (felony carnal knowledge of a juvenile), R.S. 14:81  
9 (indecent behavior with juveniles), R.S. 14:81.1 (pornography involving juveniles),  
10 R.S. 14:81.2 (molestation of a juvenile), R.S. 14:81.3 (computer-aided solicitation  
11 of a minor), R.S. 14:89(A)(1) (crime against nature), R.S. 14:89.1 (aggravated crime  
12 against nature), R.S. 14:93.5 (sexual battery of the infirm) or any provision of  
13 Subpart C of Part II of Chapter 1 of Title 14 of the Louisiana Revised Statutes of  
14 1950, and is sentenced to imprisonment for a stated number of years or months, the  
15 person shall not be eligible for diminution of sentence for good behavior.

16 \* \* \*

17 Section 3. This Act shall become effective upon signature by the governor or, if not  
18 signed by the governor, upon expiration of the time for bills to become law without signature  
19 by the governor, as provided by Article III, Section 18 of the Constitution of Louisiana. If  
20 vetoed by the governor and subsequently approved by the legislature, this Act shall become  
21 effective on the day following such approval.

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SPEAKER OF THE HOUSE OF REPRESENTATIVES

\_\_\_\_\_  
PRESIDENT OF THE SENATE

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GOVERNOR OF THE STATE OF LOUISIANA

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