

ORDINANCE NO. _____

AN ORDINANCE TO AMEND AND RE-ENACT CHAPTER 7, ARTICLE VII OF THE THIBODAUX CITY CODE OF ORDINANCES SO AS TO CREATE SECTION 7-80.1 MISDEMEANOR CARNAL KNOWLEDGE OF A JUVENILE

BE IT ORDAINED by the City Council of the City of Thibodaux in regular session assembled, that Chapter 7, Article VII of the Thibodaux City Code of Ordinances is hereby amended and re-enacted so as to create Section 7-80.1 Misdemeanor Carnal Knowledge of a Juvenile to read as follows:

Chapter 7 – Offenses and Miscellaneous Provisions

Article VII - Offenses Affecting the Public Morals

Sec. 7-80.1 – Misdemeanor Carnal Knowledge of a Juvenile

- A. Misdemeanor carnal knowledge of a juvenile is committed when a person who is seventeen years of age or older has sexual intercourse, with consent, with a person who is thirteen years of age or older but less than seventeen years of age, when the victim is not the spouse of the offender, and when the difference between the age of the victim and age of the offender is greater than two years, but less than four years.
- B. As used in this Section, “sexual intercourse” means anal, oral, or vaginal sexual intercourse.
- C. Lack of knowledge of the juvenile's age shall not be a defense. Emission is not necessary, and penetration, however slight, is sufficient to complete the crime.
- D. Whoever commits the crime of misdemeanor carnal knowledge of a juvenile shall be fined not more than one thousand dollars, or imprisoned for not more than six months, or both.
- E. The offender shall be eligible to have his conviction set aside and his prosecution dismissed in accordance with the appropriate provisions of the Code of Criminal Procedure.
- F. The offender shall not be subject to any of the provisions of law which are applicable to sex offenders, including but not limited to the provisions which require registration of the offender and notice to the neighbors of the offender.

State Law reference – Similar provisions, R.S. 14:80.1

BE IT FURTHER ORDAINED that the provisions of this ordinance shall become effective immediately upon its adoption and approval by the Mayor.

The above ordinance having been submitted to a vote, the vote thereon was as follows:

YEAS:

NAYS:

ABSTAINED:

ABSENT:

And the above ordinance was declared adopted this ____ day of _____ 2021.

Jennifer Morvant, Council Adm.

Chad J. Mire, President