

2019 Regular Session

HOUSE BILL NO. 378

BY REPRESENTATIVES JAMES, ADAMS, AMEDEE, ANDERS, ARMES, BACALA, BAGLEY, BAGNERIS, BERTHELOT, BILLIOT, BISHOP, BOUIE, BOURRIAQUE, CHAD BROWN, TERRY BROWN, CARMODY, STEVE CARTER, COUSSAN, COX, CREWS, DAVIS, DEVILLIER, DUBUISSON, DUPLESSIS, EDMONDS, EMERSON, FALCONER, GISCLAIR, JIMMY HARRIS, LANCE HARRIS, HODGES, HORTON, HOWARD, HUVAL, IVEY, JACKSON, JEFFERSON, MIKE JOHNSON, ROBERT JOHNSON, JONES, JORDAN, LACOMBE, NANCY LANDRY, TERRY LANDRY, LARVADAIN, LYONS, MARCELLE, MARINO, MCFARLAND, MIGUEZ, MOORE, PIERRE, POPE, PUGH, RICHARD, SCHEXNAYDER, SEABAUGH, SMITH, STAGNI, STEFANSKI, STOKES, TALBOT, AND TURNER

1 AN ACT

2 To enact Subpart E of Part I of Chapter 1 of Subtitle I of Title 39 of the Louisiana Revised
3 Statutes of 1950, to be comprised of R.S. 39:17.1 through 17.5, relative to digitized
4 identification and credentials; to authorize entities to submit credentials for use in an
5 electronic wallet; to authorize the promulgation of rules and regulations; to provide
6 for a fee; to provide definitions; to provide for privacy; and to provide for related
7 matters.

8 Be it enacted by the Legislature of Louisiana:

9 Section 1. Subpart E of Part I of Chapter 1 of Subtitle I of Title 39 of the Louisiana
10 Revised Statutes of 1950, comprised of R.S. 39:17.1 through 17.5, is hereby enacted to read
11 as follows:

1 §17.3. Fee

2 The fee to install the application to display a digitized credential shall not
3 exceed six dollars per credential.

4 §17.4. Privacy

5 The display of a credential shall not serve as consent or authorization for a
6 law enforcement officer or any other person to search, view, or access any other data
7 or application on the mobile device. If a person presents his mobile device to a law
8 enforcement officer or any other person for purposes of displaying his digitized
9 credential, the law enforcement officer or other person shall promptly return the
10 mobile device to the person once he has had an opportunity to verify the credential.

11 §17.5. Renewals

12 A. Each agency which has a credential available on an electronic device
13 through the electronic wallet may make the renewal of such credential available
14 through the electronic wallet.

15 B. Prior to making a renewal available through the electronic wallet, each
16 agency shall determine that the renewal process may be accomplished as provided
17 by law and in accordance with agency rules.

18 C. If the person is otherwise prohibited or blocked from renewal of a
19 credential by law or agency rules, this Section shall not create an additional or
20 alternative means to renew a credential.

21 D. Prior to making renewal of a credential available through the electronic
22 wallet, each agency shall adopt rules and regulations to implement the renewal
23 process through the electronic wallet in accordance with the Administrative
24 Procedure Act.

1 Section 2. This Act shall become effective upon signature by the governor or, if not
2 signed by the governor, upon expiration of the time for bills to become law without signature
3 by the governor, as provided by Article III, Section 18 of the Constitution of Louisiana. If
4 vetoed by the governor and subsequently approved by the legislature, this Act shall become
5 effective on the day following such approval.

SPEAKER OF THE HOUSE OF REPRESENTATIVES

PRESIDENT OF THE SENATE

GOVERNOR OF THE STATE OF LOUISIANA

APPROVED: _____