

2026 Regular Session

HOUSE BILL NO. 161

BY REPRESENTATIVE MACK

HUMAN TRAFFICKING: Provides relative to bail conditions for defendants alleged to have committed certain human trafficking offenses

1 AN ACT

2 To amend and reenact Code of Criminal Procedure Article 320(J)(1) and to enact Code of
3 Criminal Procedure Article 320(J)(4), relative to bail conditions; to provide relative
4 to bail conditions for certain defendants; to provide for the duties of the court; and
5 to provide for related matters.

6 Be it enacted by the Legislature of Louisiana:

7 Section 1. Code of Criminal Procedure Article 320(J)(1) is hereby amended and
8 reenacted and Code of Criminal Procedure Article 320(J)(4) is hereby enacted to read as
9 follows:

10 Art. 320. Conditions of bail undertaking

11 * * *

12 J.(1) Crimes of violence and human trafficking offenses. Notwithstanding
13 the provisions of Paragraph G of this Article and notwithstanding any other provision
14 of law to the contrary, if the defendant is alleged to have committed a crime of
15 violence as defined in R.S. 14:2(B), human trafficking in violation of R.S. 14:46.2,
16 or trafficking of children for sexual purposes in violation of R.S. 14:46.3, the court
17 shall require as a condition of bail that the defendant refrain from going to the
18 residence or household of the victim, the victim's school, and the victim's place of
19 employment or otherwise contacting the victim in any manner whatsoever, and shall
20 refrain from having any further contact with the victim. The court shall also require

1 as a condition of bail that the defendant be prohibited from communicating, by
2 electronic communication, in writing, or orally, with a victim of the offense, or with
3 any of the victim's immediate family members. This condition does not apply if the
4 victim consents by way of a request to the court and the court issues an order
5 permitting the communication. If an immediate family member of the victim
6 consents by way of a request to the court and the court issues an order permitting the
7 communication, then the defendant may contact that person.

8 * * *

9 (4) If the defendant is alleged to have committed the offense of human
10 trafficking in violation of R.S. 14:46.2 or trafficking of children for sexual purposes
11 in violation of R.S. 14:46.3, the court shall require as a condition of bail that the
12 defendant refrain from engaging in any of the following work:

13 (a) A transportation network company driver as provided in Part C of
14 Chapter 4 of Title 45 of the Louisiana Revised Statutes of 1950.

15 (b) Operation of any bus, taxicab, or limousine for hire as defined in R.S.
16 15:553.

17 (c) A service worker who goes into a residence to provide any type of
18 service.

19 (d) Operation of any carnival or amusement ride as defined in R.S. 15:553.

20 (e) A door-to-door solicitor, peddler, or itinerant vendor selling any type of
21 goods or services including magazines or periodicals or subscriptions to magazines
22 or periodicals.

23 (f) Supervisory or disciplinary authority over children.

24 (g) Operation or participation in the governance of any early learning center
25 as defined in R.S. 17:407.33, residential home as defined in R.S. 46:1403, or
26 residence in which child care services are provided by a family child care provider
27 or in-home provider who is registered pursuant to R.S. 17:407.61 et seq.

DIGEST

The digest printed below was prepared by House Legislative Services. It constitutes no part of the legislative instrument. The keyword, one-liner, abstract, and digest do not constitute part of the law or proof or indicia of legislative intent. [R.S. 1:13(B) and 24:177(E)]

HB 161 Engrossed

2026 Regular Session

Mack

Abstract: Provides relative to bail conditions for defendants alleged to have committed certain human trafficking offenses.

Present law provides for bail conditions.

Proposed law generally retains present law.

Present law provides bail conditions for defendants who are alleged to have committed crimes of violence.

Proposed law retains present law.

Proposed law requires the court, as a condition of bail, to impose a restriction that a defendant who is alleged to have committed the offense of human trafficking or trafficking of children for sexual purposes refrain from contacting, communicating, or physically interacting with the victim. Further provides limited exceptions for when the offender is permitted communication.

Proposed law requires the court, as a condition of bail, to impose a restriction that a defendant who is alleged to have committed the offense of human trafficking or trafficking of children for sexual purposes refrain from engaging in work that involves any of the following:

- (1) Working as a driver for a transportation network company.
- (2) Operation of any bus, taxicab, or limousine for hire.
- (3) Providing in-home services as a service worker entering a residence.
- (4) Operation of any carnival or amusement ride.
- (5) Acting as a door-to-door solicitor, peddler, or itinerant vendor selling any type of goods or services including magazines or periodicals or subscriptions to magazines or periodicals.
- (6) Exercising supervisory or disciplinary authority over children.
- (7) Operating or participating in the governance of any early learning center, residential home, or residence in which child care services are provided by a registered family child care provider or in-home provider.

(Amends C.Cr.P. Art. 320(J)(1); Adds C.Cr.P. Art. 320(J)(4))

Summary of Amendments Adopted by House

The Committee Amendments Proposed by House Committee on Administration of Criminal Justice to the original bill:

1. Remove human trafficking and trafficking of children for sexual purposes as offenses when a consideration of the court is needed for conditions of release.
2. Clarify that the defendant is restricted from participating in certain occupations for work, rather than employment.
3. Remove the proposed law requirement that the court consider the previous criminal history of the defendant and whether the defendant poses a threat or danger to the public in determining the work restrictions of the defendant.
4. Require the court, as a condition of bail, to prohibit a defendant alleged to have committed human trafficking or trafficking of children for sexual purposes from going to the victim's residence or household, school, or place of employment, or from otherwise contacting the victim in any manner.
5. Make technical changes.