

2023 Regular Session

HOUSE BILL NO. 89

BY REPRESENTATIVE MARCELLE

Prefiled pursuant to Article III, Section 2(A)(4)(b)(i) of the Constitution of Louisiana.

MOTOR VEHICLES: Provides relative to the collection of certain traffic stop data by law enforcement

1 AN ACT

2 To amend and reenact R.S. 32:398.10(E), relative to the collection and reporting of

3 statistical information related to traffic stops; to remove the application of an

4 exception to state police for a statutory provision governing the collection of traffic

5 stop data that is applicable to law enforcement agencies or departments that adopt

6 written policies against racial profiling; to provide a special effective date; and to

7 provide for related matters.

8 Be it enacted by the Legislature of Louisiana:

9 Section 1. R.S. 32:398.10(E) is hereby amended and reenacted to read as follows:

10 §398.10. Collection and reporting of statistical information relating to traffic stops

11 * * *

12 E. Except for the office of state police, ~~The~~ the provisions of this Section

13 shall be inapplicable to any local law enforcement agency or department that has

14 adopted a written policy against racial profiling.

15 * * *

16 Section 2. The provisions of this Act shall become effective on January 1, 2024.

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 89 Engrossed

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Marcelle

Abstract: Excepts the state police from a provision that specifies that the collection and reporting of traffic stop statistical data is inapplicable to law enforcement entities with written policies against racial profiling.

Present law (R.S. 32:398.10(A)) requires all law enforcement officers to record and retain certain statistical data, including the following: (1) the number of people stopped for traffic violations; (2) identifying information of people stopped; (3) the nature of the alleged traffic violation; (4) whether a citation was issued, an arrest made, or a search conducted as a result of the stop; (5) if a search occurred, the type of search conducted, legal basis for the search, and contraband or property seized; and (6) the number of people stopped for certain wireless communication and cell phone infractions.

Present law (R.S. 32:389.10(E)) provides an exception to the application of present law for law enforcement entities that adopt a written policy against racial profiling, except for the office of state police.

Proposed law excepts the office of state police from present law.

Effective Jan. 1, 2024.

(Amends R.S. 32:398.10(E))

Summary of Amendments Adopted by House

The Committee Amendments Proposed by House Committee on Transportation, Highways and Public Works to the original bill:

1. Remove the repeal of the present law provision that provides an exception for law enforcement entities that have written policies against racial profiling.
2. Except the office of state police from the present law provision that specifies that if a law enforcement entity has a written policy against racial profiling they do not have to collect or report certain statistical data.
3. Add an effective date of Jan. 1, 2024.
4. Make a technical change.