
DIGEST

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SB 217 Re-Reengrossed

2023 Regular Session

Henry

Proposed law creates the Child Abuse and Neglect Registry.

Proposed law provides for the following:

- (1) Provides for the discretionary registration of persons convicted of enumerated felony offenses, where the victim is a child, with local law enforcement agencies of where they reside, and in the parish of conviction, and to provide local law enforcement with information regarding their identities, residence, conviction, and other personal information.
- (2) Requires the court to provide written notification to any person convicted of an applicable offense of the requirement to register.
- (3) Provides procedures for offenders to provide information to local law enforcement agencies regarding a change of address, residence, employment, or schooling within 3 days of release.
- (4) Requires in-person verification by the offender at each registration period.
- (5) Provides that the crime of failing to register includes the failure to register, periodically renew and update registration, provide proof of residence, notification of change of address, or other registration information. Provides that knowingly providing false information to law enforcement also constitutes a failure to register subjects the offender to a fine of not more than \$1,000 and imprisonment of not more than one year.
- (6) Provides that the court may waive registration and notification requirements if the offender is convicted of second degree battery.
- (7) Provides that the La. Bureau of Criminal Identification and Information must develop and maintain the registry known as the Child Abuse and Neglect Registry. Provides that upon receipt of registration information, the bureau must immediately enter the appropriate information in the registry.
- (8) Provides for an exception to the registration requirements of proposed law if the offender is also required to register as a sex offender.
- (9) Provides that certain information is exempt from public view: social security numbers, names of victims, arrests that did not result in conviction, telephone numbers, travel and immigration documents, and email address.
- (10) Provides that the website must contain a disclaimer regarding potential inaccuracies, and prohibits using the information for harassment, stalking, or threats to the offender.
- (11) Provides for email notification to local law enforcement agencies upon registration of offender.
- (12) Provides for social networking sites to have information to compare registered users with email addresses, instant message addresses, or other similar online identifiers with persons on the registry.

- (13) Requires offenders to maintain their registration for a period of 10 years for the first offense, and for life for any second or subsequent offense.
- (14) The implementation of this Act shall be subject to the appropriation of funds by the legislature for this purpose.

Effective July 1, 2024

(Adds R.S. 15:563-563.3)

Summary of Amendments Adopted by Senate

Committee Amendments Proposed by Senate Committee on Judiciary B to the original bill

- 1. Makes technical changes.
- 2. Adds exception to proposed law registration requirement when the offender is already required to register as a sex offender.

Committee Amendments Proposed by Senate Committee on Finance to the engrossed bill

- 1. Eliminates offenses that are misdemeanors and certain felonies from the list of offenses that would require a person to register with the Child Abuse and Neglect Registry.
- 2. Adds requirement that the court to provide written notification to any person convicted of an applicable offense of the requirement to register.
- 3. Adds penalty for failing to register subjects the offender to a fine of not more than \$1,000 and imprisonment of not more than one year.
- 4. Adds provision that the court may waive registration and notification requirements if the offender is convicted of second degree battery.
- 5. Requires the appropriation of funds by the legislature for the implementation of this Act.
- 6. Changes effective date from August 1, 2023, to July 1, 2024.

Senate Floor Amendments to reengrossed bill

- 1. Specifies that the offender must notify local law enforcement within 3 days of release.
- 2. Make technical changes.

Summary of Amendments Adopted by House

The Committee Amendments Proposed by House Committee on Administration of Criminal Justice to the re-reengrossed bill:

- 1. Change the registration from mandatory to discretionary.