

## RÉSUMÉ DIGEST

ACT 33 (SB 53)

2025 Regular Session

Bass

Existing law provides definitions relative to the interception of communications by law enforcement agencies.

New law retains existing law and adds and defines the term "monitoring post".

Existing law requires that an applicant for an interception of communications warrant provide, as part of his application, an affidavit attesting that reasonable grounds exist to justify a belief that an offense has been, is being, or is about to be committed. Existing law also requires that if the application relies upon the statements of an informant, the warrant application set forth the factual basis for the affiant's belief that the informant is credible and that it was obtained in a reliable manner. Existing law requires that an informant who provides information used as the basis for an application be presented to and sworn before the judge, who may then question the informant to determine if the statements made in the application are true.

New law provides that the judge has the discretion to order the informant to appear and be sworn. New law further requires that if the informant is sworn, the application so state.

New law otherwise retains existing law.

Existing law provides that each order authorizing the interception of any wire, electronic, or oral communication must specify:

- (1) The identity of the person, if known, whose communications are to be intercepted.
- (2) The nature and location of the communications facilities where authority to intercept is granted.
- (3) A particular description of the type of communication sought to be intercepted and a statement of the offense to which it relates.
- (4) The identity of the agency authorized to intercept the communications, the person applying for the application, and the person authorizing the application.
- (5) The period of time during which such interception is authorized.

New law retains existing law and adds provision requiring that the order include the specific location of the monitoring post.

Effective August 1, 2025.

(Amends R.S. 15:1310(B)(1); adds R.S. 15:1302(21) and 1310(D)(1)(f))