

RÉSUMÉ DIGEST

ACT 838 (HB 784)

2026 Regular Session

Cox

Existing law (R.S. 15:541) provides for definitions relative to the registration of sex offenders.

Existing law (R.S. 15:541(24)(a)) defines the term "sex offense".

New law amends the definition of "sex offense" to include unlawful deepfakes (R.S. 14:73.13) where minors are depicted engaging in sexual conduct.

Existing law (R.S. 15:541(25)) defines the term "sexual offense against a victim who is a minor".

New law amends the definition of "sexual offense against a victim who is a minor" as follows:

- (1) Reorganizes the offenses included within this term so that they appear in order according to statutory designation.
- (2) Provides that the crime of oral sexual battery within this term involves a victim who is under the age of 18.
- (3) Adds unlawful deepfakes (R.S. 14:73.13) where minors are depicted engaging in sexual conduct.
- (4) Adds indecent behavior with a juvenile when prosecuted under certain provisions of existing law and the victim is under the age of 13.

Existing law (R.S. 15:542) provides for the registration requirements of sex offenders and child predators.

Existing law requires an offender to register and provide certain information to the appropriate law enforcement agencies in accordance with the time periods provided in existing law.

New law provides that registration pertains to the offense that requires sex offender registration. Further provides that the offender has three business days to appear before the appropriate law enforcement agency for registration upon release from the initial period of confinement for the offense that required sex offender registration.

Existing law (R.S. 15:542.1) provides for notification requirements of sex offenders and child predators.

Prior law provided that a person convicted of crime against nature (R.S. 14:89) was not required to furnish a photograph as required by existing law.

New law repeals prior law.

Existing law provides for time periods to provide notification to law enforcement.

New law provides that the 21 business days to provide notification is upon release from the initial period of confinement for the offense that required sex offender registration.

New law provides that after initial notifications are completed, it is not necessary for an offender to renew community notifications unless five years have elapsed since his last notifications were sent if the offender is subsequently held for more than 30 days after being arrested or involuntarily committed to a mental health facility but then returns to the same residence address that was registered prior to arrest or confinement.

Existing law (R.S. 15:542.1.2) provides for the duty of offenders to notify law enforcement of any change of their address, residence, or other registration information.

New law provides that after initial registration, an offender who is subsequently held for more than 30 days after an arrest or involuntarily commitment to a mental health facility is required to appear in person at the office of the appropriate law enforcement agency within three business days of establishing a new or additional physical residential address or of changes in information previously provided.

New law provides for duties of the offender and the institution where he is incarcerated relative to the intended residence address of the offender upon release.

Existing law (R.S. 15:543.1) provides for written notification by the courts and the form to be used relative to sex offenders.

New law amends existing law as follows:

- (1) Provides that the court has the duty to provide a sex offender with the information necessary for awareness of any applicable requirements of supervised release pursuant to existing law (Ch. 3-E of Title 15 of the La. Rev. Stat. of 1950).
- (2) Within the selection box for an aggravated offense as defined in existing law (R.S. 15:541), provides an option for more than one conviction of an offense that requires registration pursuant to existing law (R.S. 15:542 and 544(B)(2)(c)).
- (3) Provides notification that additionally, if the offense that requires registration as a sex offender involves a victim under the age of 13 and the offender is incarcerated as a result of the conviction, the offender is advised that he will be subjected to supervised release under existing law upon release from incarceration. Further provides that a copy of relevant existing law be provided to the offender.
- (4) Adds a static IP address within the particular Internet-related information that is to be provided to law enforcement.
- (5) Adds a cross reference to provisions contained in Title 29 of the La. Rev. Stat. of 1950 relative to sex offenders who enter an emergency shelter during the declaration of an emergency.
- (6) Removes a provision that relieves any person convicted of a crime against nature (R.S. 14:89) from having to include a photograph when providing notification.
- (7) Relative to community notification, clarifies that the term of imprisonment is for conviction of the sex offense.
- (8) Provides notification that after initial registration, an offender who is subsequently arrested or involuntarily committed to a mental health facility and held for more than 30 days in prison or a mental health facility is required to appear in person at the office of the appropriate law enforcement agency where the offender is currently registered within three business days.
- (9) Provides that the renewal of community notifications is not necessary under certain circumstances unless five years have elapsed since the last notifications were sent. Further requires the offender to provide his intended residence address to the institution where he is incarcerated or confined within three days prior to release.
- (10) Provides notification to an offender who is not otherwise prohibited from using any social networking website relative to the designation of his online profile and the information to be included within the profile.

Existing law (R.S. 32:412) provides relative to driver's licenses applicable to the general public of the state of La.

Existing law (R.S. 32:412(I)) provides for procedures, guidelines, requirements, penalties, and applicability associated with the issuance of driver's licenses to registered sex offenders.

New law makes the following changes:

- (1) Provides for the placement of a QR code, rather than a restriction code, on the back of the driver's license of a sex offender for the purposes of assisting law enforcement in determining whether or not the license holder is a sex offender.
- (2) Removes the requirement for placement of the words "sex offender" in orange color on the driver's license.
- (3) Requires a registered sex offender to carry his driver's license issued pursuant to existing law (R.S. 32:412(I)) on his person at all times when he is outside of his residence.
- (4) Removes the requirement that the sex offender personally appear on a yearly basis to renew a driver's license.
- (5) Provides for a penalty consisting of a fine of not less than \$100 nor more than \$500 or imprisonment for a maximum of six months for a person who intentionally fails to meet the requirements of existing law (R.S. 32:412(I)).
- (6) Requires a registered sex offender who has been issued a driver's license pursuant to existing law (R.S. 32:412(I)) to forfeit his driver's license to the office of motor vehicles (OMV) if he subsequently obtains a special ID card pursuant to existing law (R.S. 40:1321(J)).

Existing law (R.S. 40:1321) provides relative to special ID cards applicable to the general public of the state of La.

Existing law (R.S. 40:1321(J)) provides for procedures, guidelines, requirements, penalties, and applicability associated with the issuance of special ID cards to registered sex offenders.

New law makes the following changes:

- (1) Provides for the placement of a QR code, rather than a restriction code, on the back of the special ID of a sex offender for the purposes of assisting law enforcement in determining whether or not the ID holder is a sex offender.
- (2) Removes the requirement for placement of the words "sex offender" in orange color on the special ID.
- (3) Requires a registered sex offender to carry his special ID issued pursuant to existing law (R.S. 40:1321(J)) on his person at all times when he is outside of his residence.
- (4) Removes the requirement that the sex offender personally appear on a yearly basis to obtain a special ID.
- (5) Provides for a penalty consisting of a fine of not less than \$100 nor more than \$500 or imprisonment for a maximum of six months for a person who, rather than violates, intentionally fails to meet the requirements of existing law (R.S. 40:1321(J)).
- (6) Requires a registered sex offender who has been issued a special ID card pursuant to existing law (R.S. 40:1321(J)) to forfeit his special ID card to the OMV if he subsequently obtains a driver's license pursuant to existing law (R.S. 32:412(I)).

New law relative to driver's licenses and special ID cards becomes effective on January 1, 2027.

Effective August 1, 2026.

(Amends R.S. 15:541(24)(a), (25)(b)-(o), 542(C)(1)(intro. para.) and (2), 542.1(A)(intro. para.) and (2)(a) and (c) and (d), and 543.1, R.S. 32:412(I)(1), (2), (4), and (5), and R.S. 40:1321(J); Adds R.S. 15:541(25)(p) and (q), 542.1(A)(2)(e), and 542.1.2(A)(5) and R.S. 32:412(I)(6); Repeals R.S. 15:542.1(A)(1)(e))