

Regular Session, 2008

HOUSE BILL NO. 377

BY REPRESENTATIVES LEGER, ABRAMSON, ARNOLD, AUSTIN BADON, BOBBY BADON, BARROW, BILLIOT, HENRY BURNS, CHANDLER, CROMER, EDWARDS, ELLINGTON, GISCLAIR, GREENE, HARDY, HAZEL, HENDERSON, HENRY, HINES, HONEY, HOWARD, GIROD JACKSON, ROSALIND JONES, SAM JONES, LABRUZZO, LAFONTA, LIGI, MARCHAND, MONICA, MONTOUCET, MORRIS, NORTON, PETERSON, PONTI, RICHARDSON, RICHMOND, RITCHIE, ROY, GARY SMITH, JANE SMITH, ST. GERMAIN, TALBOT, TEMPLET, TRAHAN, WADDELL, AND WOOTON AND SENATORS AMEDEE, CROWE, DORSEY, AND DUPLESSIS

1 AN ACT

2 To amend and reenact R.S. 15:542(C)(1)(m) and to enact R.S. 15:541(23) through (26) and
3 542.1.5(G), relative to sex offender registration and notification; to require the
4 Bureau of Criminal Identification and Information to provide for the capability of
5 allowing social networking web sites to compare its users to online identifiers on the
6 State Sex Offender and Child Predator Registry; to require entities operating social
7 networking web sites to provide information to the bureau; to provide for the
8 screening of its registered users; to provide for a defense to claims of liability; to
9 provide for definitions; and to provide for related matters.

10 Be it enacted by the Legislature of Louisiana:

11 Section 1. R.S. 15:542(C)(1)(m) is hereby amended and reenacted and R.S.
12 15:541(23) through (26) and 542.1.5(G) are hereby enacted to read as follows:

13 §541. Definitions

14 For the purposes of this Chapter, the definitions of terms in this Section shall
15 apply:

16 * * *

17 (23) "Chat room" means any Internet web site through which users have the
18 ability to communicate via text and which allows messages to be visible to all other
19 users or to a designated segment of all other users.

1 and other online identifiers of persons in the registry shall provide to the bureau all
2 of the following information:

3 (a) The name, address, and telephone number of the entity operating the
4 social networking web site.

5 (b) The legal nature and corporate status of the entity operating the social
6 networking web site.

7 (c) A statement signed by the chief legal officer of the social networking web
8 site to the effect that the information obtained from the registry shall not be disclosed
9 for any purpose other than for comparing the database of registered users of the
10 social networking web site against the list of electronic mail addresses, instant
11 message addresses, and other online identifiers of persons contained in the state
12 registry to protect children from online sexual predators, and that disclosure of this
13 information for any other purpose may be unlawful.

14 (d) The name, address, and telephone number of a natural person who is
15 authorized to receive service of process for the entity operating the social networking
16 web site.

17 (2) After complying with the requirements of Paragraph (1) of this
18 Subsection, the entity operating the social networking web site may screen users or
19 compare its database of registered users to the list of electronic mail addresses,
20 instant message addresses, and other online identifiers of persons contained in the
21 State Sex Offender and Child Predator Registry as frequently as the bureau will
22 allow for the purpose of identifying, monitoring, or removing a registered user
23 associated with electronic mail addresses, instant message addresses, and other
24 online identifiers contained in the registry.

25 (3) An entity operating a social networking web site which complies with the
26 provisions of Paragraphs (1) and (2) of this Subsection, the entity, its directors,
27 officers, employees, or agents may claim such compliance as a defense to a claim for
28 liability arising against the entity or such persons.

1 Section 2. The Louisiana State Law Institute is hereby directed to alphabetize the
2 definitions contained in R.S. 15:541.

SPEAKER OF THE HOUSE OF REPRESENTATIVES

PRESIDENT OF THE SENATE

GOVERNOR OF THE STATE OF LOUISIANA

APPROVED: _____