SLS 23RS-71 REENGROSSED

2023 Regular Session

SENATE BILL NO. 31

1

BY SENATORS MIZELL, ABRAHAM, BARROW, BOUDREAUX, CARTER, CONNICK, CORTEZ, FESI, FOIL, HENRY, HENSGENS, MCMATH, FRED MILLS, ROBERT MILLS, PEACOCK, POPE, PRICE, SMITH, STINE, TALBOT AND WOMACK

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

CRIMINAL JUSTICE. Creates database to track trafficking arrests, convictions, restitution, fines, and civil asset forfeiture. (8/1/23)

AN ACT

2	To amend and reenact R.S. 15:576(3) and to enact R.S. 46:2161(C)(3) and 2161.1(C)(3),
3	relative to data of human trafficking victims; to require that district attorneys provide
4	annual reports to certain agencies; to track prosecution of human traffickers; to track
5	services provided to human trafficking victims; to clarify eligibility of certain
6	agencies to receive certain information and reports; and to provide for related
7	matters.
8	Be it enacted by the Legislature of Louisiana:
9	Section 1. R.S. 15:576(3) is hereby amended and reenacted to read as follows:
10	§576. Definitions
11	As used in this Chapter:
12	* * *
13	(3) The term "criminal justice agency" means any government agency or
14	subunit thereof, or private agency which, through statutory authorization or a legal
15	formal agreement with a governmental unit or agency has the power of investigation,
16	arrest, detention, prosecution, adjudication, treatment, supervision, rehabilitation or
17	release of persons suspected, charged, or convicted of a crime; or which collects,

1	stores, processes, transmits, or disseminates criminal history record or crime
2	information. "Criminal justice agency" also includes the governor's office of
3	human trafficking prevention.
4	* * *
5	Section 2. R.S. 46:2161(C)(3) and 2161.1(C)(3) are hereby enacted to read as
6	follows:
7	§2161. Human trafficking victims services plan; children
8	* * *
9	C. * * *
10	(3) Each district attorney who prosecutes cases of human trafficking or
11	related sexual offenses or that provides services to victims pursuant to the
12	provisions of this Section shall submit to the governor's office of human
13	trafficking prevention and to the Department of Children and Family Services
14	an annual report on their operations including the prosecuting agency's name,
15	parish, disposition of case, statute under which the offense was prosecuted,
16	sentencing date, restitution ordered, restitution paid, value of assets from civil
17	asset forfeiture, and any services offered to victims.
18	§2161.1. Human trafficking victims services plan; adults
19	* * *
20	C. * * *
21	(3) Each district attorney who prosecutes cases of human trafficking or
22	related sexual offenses or that provides services to victims pursuant to the
23	provisions of this Section shall submit to the governor's office of human
24	trafficking prevention and to the Department of Children and Family Services
25	an annual report on their operations including the prosecuting agency's name,
26	parish, disposition of case, statute under which the offense was prosecuted,
27	sentencing date, restitution ordered, restitution paid, value of assets from civil
28	asset forfeiture, and any services offered to victims.

The original instrument and the following digest, which constitutes no part of the legislative instrument, were prepared by Whitney Kauffeld.

DIGEST 2023 Regular Session

Mizell

<u>Present law</u> provides that the La. Bureau of Criminal Identification and Information must make available upon request to any eligible criminal justice agency any information contained in the criminal history record and identification files of the bureau. <u>Present law</u> defines "criminal justice agency" as any government agency or subunit thereof, or private agency which, through statutory authorization or a legal formal agreement with a governmental unit or agency has the power of investigation, arrest, detention, prosecution, adjudication, treatment, supervision, rehabilitation or release of persons suspected, charged, or convicted of a crime, or which collects, stores, processes, transmits, or disseminates criminal history record or crime information.

<u>Proposed law</u> retains <u>present law</u> and adds that the governor's office of human trafficking prevention is also a "criminal justice agency" for purposes of <u>present law</u>.

<u>Proposed law</u> requires that any district attorney who prosecutes a case of human trafficking or provides services to a victim of human trafficking must submit an annual report on his operations to the governor's office of human trafficking and prevention and the Dept. of Children and Family Services, including the agency's name, parish, disposition of the case, statute under which the offense was prosecuted, sentencing date, restitution ordered, restitution paid, value of assets from civil assets forfeited, and any services offered to victims.

Effective August 1, 2023.

SB 31 Reengrossed

(Amends R.S. 15:576(3); adds R.S. 46:2161(C)(3) and 2161.1(C)(3))

Summary of Amendments Adopted by Senate

Senate Floor Amendments to engrossed bill

1. Make technical changes.