

SENATE BILL NO. 53

BY SENATOR BASS

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

1 AN ACT

2 To amend and reenact R.S. 15:1310(B)(1) and to enact R.S. 15:1302(21) and 1310(D)(1)(f),  
3 relative to electronic surveillance; to provide relative to warrants for interception of  
4 communications; to provide definitions; to provide relative to warrant requests; and  
5 to provide for related matters.

6 Be it enacted by the Legislature of Louisiana:

7 Section 1. R.S. 15:1310(B)(1) is hereby amended and reenacted and R.S.  
8 15:1302(21) and 1310(D)(1)(f) are hereby enacted to read as follows:

9 §1302. Definitions

10 As used in this Chapter:

11 \* \* \*

12 **(21) "Monitoring post" means a secure Department of Public Safety and**  
13 **Corrections facility, including a Louisiana State Police facility, having**  
14 **investigative control over the intercept, regardless of geographic location.**

15 \* \* \*

16 §1310. Procedure for interception of wire, electronic, or oral communications

17 \* \* \*

18 B.(1) If statements of an identified or unidentified informant are relied upon  
19 in the application as a basis for establishing that there are reasonable grounds to  
20 believe that an offense has been, is being, or is about to be committed, the  
21 application shall set forth the factual basis for the affiant's belief that the informant  
22 is credible and that the information has been obtained in a reliable manner. The  
23 **judge considering the application may order that the** informant ~~shall~~ be presented  
24 ~~to the judge and be sworn~~ to afford the judge opportunity to inquire if the statements  
25 made in the application are true. ~~The~~ **and the** application shall ~~so~~ state that the  
26 informant was presented to the judge and sworn for such purpose if so ordered. This  
27 provision shall not affect the privileged character of the identity of an informant.

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SPEAKER OF THE HOUSE OF REPRESENTATIVES

APPROVED: \_\_\_\_\_