

Regular Session, 2011

SENATE BILL NO. 182

BY SENATOR THOMPSON

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

PUBLIC SFTY/CORRECT DEPT. Prohibits any offender sentenced to the legal custody of the Department of Public Safety and Corrections to establish an account on any Internet-based social networking website. (8/15/11)

AN ACT

To enact R.S. 15:833.3, relative to the duties of the Department of Public Safety and Corrections; to prohibit any inmate incarcerated in a correctional institution operated by the department to establish an account on any Internet-based social networking website; to provide for penalties; and to provide for related matters.

Be it enacted by the Legislature of Louisiana:

Section 1. R.S. 15:833.3 is hereby enacted to read as follows:

§833.3. Establishment of accounts on Internet-based social networking websites by or for inmates

A. It shall be unlawful for any offender sentenced to the legal custody of the Department of Public Safety and Corrections to establish or maintain an account on any Internet-based, social networking website.

B. "Social networking website" means an Internet-based website that has any of the following capabilities:

(1) Allows users to create web pages or profiles about themselves that are available to the general public or to any other users.

(2) Offers a mechanism for communication among users, such as a

1 **forum, chat room, electronic mail, or instant messaging.**

2 **C. Whoever violates a provision of this Section shall be fined not more**

3 **than five hundred dollars, or imprisoned not more than thirty days, or both.**

The original instrument was prepared by Heyward Jeffers. The following digest, which does not constitute a part of the legislative instrument, was prepared by Sherri Breau.

DIGEST

Thompson (SB 182)

Present law authorizes the secretary to permit visits between inmates and persons outside the institution under reasonable conditions between approved friends, relatives and other persons.

Proposed law prohibits any offender sentenced to the legal custody of the Dept. of Public Safety and Corrections from establishing or maintaining an account on a social networking website. Defines "social networking website" as an Internet-based website that has any of the following capabilities:

- (1) Allows users to create web pages or profiles about themselves that are available to the general public or to any other users.
- (2) Offers a mechanism for communication among users, such as a forum, chat room, electronic mail, or instant messaging.

Proposed law provides penalties of a fine of not more than \$500 or imprisonment of not more than 30 days, or both, for violations.

Effective August 15, 2011.

(Adds R.S. 15:833.3)

Summary of Amendments Adopted by Senate

Committee Amendments Proposed by Senate Committee on Judiciary B to the original bill.

1. Deletes provision that criminalizes the acts of other persons who establish a social networking website account for an offender.

Senate Floor Amendments to engrossed bill.

1. Removes references to Facebook, Myspace, Classmates and Twitter.
2. Defines "social networking website".