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## DIGEST

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Thierry

HB No. 55

**Abstract:** Creates the crime of unlawful use or access of social media by certain convicted sex offenders.

Proposed law creates the crime of unlawful use or access of social media. Prohibits the use or access of social networking websites, chat rooms, or peer-to-peer networks by a person who is required to register as a sex offender and who was either previously convicted of indecent behavior with juveniles, pornography involving juveniles, computer-aided solicitation of a minor, or video voyeurism or was previously convicted of a sex offense in which the victim of the offense was a minor.

Proposed law provides an exception for those sex offenders who have permission to access social networking websites, chat rooms, or peer-to-peer networks from his probation or parole officer or a court of original jurisdiction.

Proposed law defines "chat room", "minor", "peer-to-peer network", and "social networking website".

Proposed law provides for the following penalties:

- (1) Upon a first conviction, the offender shall be fined not more than \$10,000 and shall be imprisoned with hard labor for not more than 10 years without benefit of parole, probation, or suspension of sentence.
- (2) Upon a second or subsequent conviction, the offender shall be fined not more than \$20,000 and shall be imprisoned with hard labor for not less than five years nor more than 20 years without benefit of parole, probation, or suspension of sentence.

(Adds R.S. 14:91.5)

### Summary of Amendments Adopted by House

Committee Amendments Proposed by House Committee on Administration of Criminal Justice to the original bill.

1. Redefined the crime to prohibit the using or accessing of social networking sites, chat rooms, and peer-to-peer networks by a person who is required to register as a sex

offender and who was either previously convicted of specified offenses or was previously convicted of a sex offense as defined in R.S. 15:541 in which the victim of the sex offense was a minor.

2. Changed the court in which an offender may seek permission to use or access the social networking sites, chat rooms, and peer-to-peer networks from a court of competent jurisdiction to the court of original jurisdiction.