

**HOUSE SUMMARY OF SENATE AMENDMENTS**

House Bill No. 96 by Representative Moreno

CRIME: Creates the crime of online impersonation

**Synopsis of Senate Amendments**

1. Amended penalty provisions relative to persons under the age of seventeen years.

**Digest of Bill as Finally Passed by Senate**

Proposed law provides that it shall be unlawful for any person, with the intent to harm, intimidate, threaten, or defraud, to intentionally impersonate another actual person, without the consent of that person, in order to engage in any of the following:

- (1) Open an electronic mail account, any other type of account, or a profile on a social networking website or other Internet website.
- (2) Post or send one or more messages on or through a social networking website or other Internet website.

Proposed law further provides that it shall be unlawful for any person, with the intent to harm, intimidate, threaten, or defraud, to send an electronic mail, instant message, text message, or other form of electronic communication that references a name, domain address, phone number, or other item of identifying information belonging to another actual person without the consent of that person and with the intent to cause the recipient of the communication to believe that the other person authorized or transmitted the communication.

Proposed law provides definitions for "access software provider", "cable operator", "interactive computer service", "social networking website", and "telecommunications service".

Proposed law provides for the following penalties:

- (1) A fine of not less than \$250 nor more than \$1,000, imprisonment for not less than 10 days nor more than six months, or both.
- (2) When the offender is under the age of 17 years, the disposition of the matter shall be governed exclusively by the Family In Need of Services provisions.

Proposed law provides an exception for the following entities and employees of those entities when the actions of the employees are within the course and scope of employment:

- (1) A social networking website.
- (2) An interactive computer service provider.
- (3) A telecommunications service provider.
- (4) A cable operator.
- (5) Internet service provider.
- (6) Any law enforcement officer or agency.

(Adds R.S. 14:73.10)