

Prior law criminalized the use or access of social networking websites, chat rooms, and peer-to-peer networks by certain sex offenders who are required to comply with the sex offender registration and notification provisions.

Prior law provided for an exception if the offender has permission from his probation or parole officer or the court of original jurisdiction to use or access these social networking websites, chat rooms, or peer-to-peer networks.

Prior law provided for a definition of "chat room" and "peer-to-peer network" and provided that "social networking website" means an Internet 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.

New law amends prior law and provides that it shall be unlawful for certain sex offenders who are required to register as a sex offender to "use" social networking websites and repeals the prior law prohibition on the use or access of chat rooms or peer-to-peer networks.

New law removes prior law provision which allows the sex offender to get permission to use social networking websites from his probation or parole officer or the court of original jurisdiction.

New law removes the definition of "chat room" and "peer-to-peer network" and amends the definition of "social networking website" as follows:

- (1) Provides that a "social networking website" shall only include those Internet websites the primary purpose of which is facilitating social interaction with other users of the website and which allows users to create web pages or profiles about themselves that are available to the public or other users and offers a mechanism for communication among users.
- (2) Provides that "social networking website" shall not include an Internet website of a governmental entity, an Internet website the primary purpose of which is facilitation of commercial transactions or the dissemination of news, or an Internet website which provides only one of the following services: photo-sharing, electronic mail, or instant messenger.

New law provides notice of this crime to sex offenders.

Effective August 1, 2012.

(Amends R.S. 14:91.5 and R.S. 15:543.1)