HLS 16RS-2806 REENGROSSED

2016 Regular Session

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HOUSE BILL NO. 1146 (Substitute for House Bill No. 813 by Representative Henry)
BY REPRESENTATIVE HENRY

SEX OFFENSE/REGISTRY: Provides relative to the registration information required to be provided by sex offenders and the authority to disclose this information

AN ACT

2	To amend and reenact R.S. 15:542(C)(1)(m) and 542.1.5(A)(2)(b)(iv) and (vi) and to enact
3	R.S. 15:542.1.5(A)(2)(d), relative to the State Sex Offender and Child Predator
4	Registry; to provide relative to certain identifying information of persons required
5	to register as a sex offender; to require the sex offender to provide his static internet
6	protocol address prior to its use; to authorize limited disclosure of telephone
7	numbers, e-mail addresses, online screen names, and other online identities of
8	persons required to register as a sex offender; to provide for procedures by which this
9	information is to be requested; to define "static internet protocol address"; and to
10	provide for related matters.
11	Be it enacted by the Legislature of Louisiana:
12	Section 1. R.S. 15:542(C)(1)(m) and 542.1.5(A)(2)(b)(iv) and (vi) are hereby
13	amended and reenacted and R.S. 15:542.1.5(A)(2)(d) is hereby enacted to read as follows:
14	§542. Registration of sex offenders and child predators
15	* * *
16	C.(1) The offender shall register and provide all of the following information
17	to the appropriate law enforcement agencies listed in Subsection B of this Section
18	in accordance with the time periods provided for in this Subsection:
19	* * *

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1	(m) Every e-mail address, online screen name, or other online identifiers
2	used by the offender to communicate on the Internet internet. If the offender uses
3	a static internet protocol address, that address shall also be provided to the
4	appropriate law enforcement agency. Required notice must be given before any
5	online identifier or static internet protocol address is used to communicate on the
6	Internet internet. For purposes of this Subparagraph, "static internet protocol
7	address" is a numerical label assigned to a computer by an internet service provider
8	to be the computer's permanent address on the internet.
9	* * *
10	§542.1.5. State Sex Offender and Child Predator Registry; duties of the Louisiana
11	Bureau of Criminal Identification and Information
12	A.
13	* * *
14	(2)
15	* * *
16	(b) Notwithstanding the provisions of Subparagraph (2)(a) of this
17	Subsection, the following information shall be exempt from public access as well as
18	any other mandatory exemptions which are required by the federal Adam Walsh
19	Child Protection and Safety Act of 2006 and any federal guidelines adopted pursuant
20	thereto:
21	* * *
22	(iv) Telephone numbers, subject to the provisions of Subparagraphs (b) and
23	(c) of this Paragraph.
24	* * *
25	(vi) E-mail addresses, online screen names, or other online identities used
26	by offenders to communicate on the Internet internet, subject to the provisions of
27	Subparagraphs (b) and (c) of this Paragraph.
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(d) Notwithstanding the provisions of Subparagraphs (2)(b) and (c) of this Subsection, the bureau shall, upon request by any person or entity in a manner prescribed by the bureau, provide a list of telephone numbers, e-mail addresses, online screen names, static internet protocol addresses, or other online identities of persons in the State Sex Offender and Child Predator Registry for the purpose of identifying and monitoring a registered user associated with the telephone number, e-mail address, online screen name, static internet protocol address, or other online identity. The information provided to the person or entity shall not disclose the name or other identifying information of the sex offender that is associated with, or who is using, any of the telephone numbers, e-mail addresses, online screen names, static internet protocol addresses, or other online identities in the provided list.

DIGEST

The digest printed below was prepared by House Legislative Services. It constitutes no part of the legislative instrument. The keyword, one-liner, abstract, and digest do not constitute part of the law or proof or indicia of legislative intent. [R.S. 1:13(B) and 24:177(E)]

HB 1146 Reengrossed

2016 Regular Session

Henry

Abstract: Authorizes limited disclosure of telephone numbers, e-mail addresses, online screen names, static internet protocol addresses, and other online identities associated with a person who is required to register as a sex offender.

<u>Present law</u> provides for the registration and notification of sex offenders and requires that a sex offender submit to law enforcement every e-mail address, online screen name, or other online identifiers used by the offender to communicate on the internet.

<u>Proposed law</u> provides that if the offender uses a "static internet protocol address", he shall also provide that address to the appropriate law enforcement agency prior to its use. Further defines "static internet protocol address".

<u>Present law</u> prohibits public access to certain information contained in the State Sex Offender and Child Predator Registry including any telephone numbers, e-mail addresses, online screen names, or other online identities associated with a registering sex offender.

<u>Proposed law</u> retains <u>present law</u> but authorizes limited disclosure of such information to any person or entity who requests such information for the purpose of identifying or monitoring a registered user associated with the telephone number, e-mail address, online screen name, static internet protocol address, or other online identity. <u>Proposed law</u> prohibits disclosure of such information for any other purpose.

<u>Proposed law</u> prohibits disclosure of the name or other identifying information of the sex offender that is associated with, or who is using, any of the telephone numbers, e-mail

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addresses, online screen names, static internet protocol addresses, or other online identities in the provided list.

<u>Proposed law</u> provides that the procedure by which such information may be requested by any person or entity shall be prescribed by the Bureau of Criminal Identification and Information.

(Amends R.S. 15:542(C)(1)(m) and 542.1.5(A)(2)(b)(iv) and (vi); Adds R.S. 15:542.1.5(A)(2)(d))

Summary of Amendments Adopted by House

The House Floor Amendments to the engrossed bill:

- 1. Delete the language which provided a procedure by which such information may be requested from the Bureau of Criminal Identification and Information and required the requesting party to sign a statement indicating that the information obtained from the bureau shall not be disclosed for any purpose other than the purpose provided in <u>proposed law</u>.
- 2. Provide that the Bureau of Criminal Identification and Information will prescribe the procedure by which the list of telephone numbers, e-mail addresses, online screen names, static internet protocol addresses, and other online identities may be requested.