

RÉSUMÉ DIGEST

ACT 18 (HB 227)

2021 Regular Session

Wheat

New law authorizes the Dept. of Public Safety and Corrections, the office of state police, the office of the attorney general, the police department, or the sheriff's office with the administrative authority to issue in writing and serve a subpoena requiring the production and testimony of documentation and records upon reasonable cause that an internet service account or online identifier has been used in the commission or attempted commission of the following:

- (1) A person is a victim of human trafficking or the offender reasonably believes that the person is a victim of human trafficking.
- (2) A person is a victim of trafficking of children for sexual purposes or the offender reasonably believes that the person is a minor.

New law provides that the administrative subpoena may be used to obtain the electronic mail address, internet username, internet protocol address, name of the account holder, billing and service address, telephone number, account status, method of access to the internet, and the automatic number identification records if access is by modem.

New law provides that any additional information has to be obtained through other lawful process.

New law provides for the destruction of any of the information upon expiration of time limitations for prosecution.

New law provides that administrative subpoenas used pursuant to new law shall comply with federal laws governing records concerning an electronic communication service or remote computing service.

Effective August 1, 2021.

(Adds C.Cr.P. Art. 732.2)