

2025 Regular Session

SENATE BILL NO. 95

BY SENATOR CLOUD

Prefiled pursuant to Article III, Section 2(A)(4)(b)(i) of the Constitution of Louisiana.

CRIMINAL PROCEDURE. Provides for electronic monitoring. (8/1/25)

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AN ACT

To amend and reenact the introductory paragraph of R.S. 15:571.36(C)(4) and (D) and to enact R.S. 15:571.37, relative to electronic monitoring of certain criminal defendants; to provide relative to notifications of noncompliance; to provide relative to penalties; to provide for program costs and maintenance; to provide for termination of electronic monitoring; and to provide for related matters.

Be it enacted by the Legislature of Louisiana:

Section 1. The introductory paragraph of R.S. 15:571.36(C)(4) and (D) are hereby amended and reenacted and R.S. 15:571.37 is hereby enacted to read as follows:

§571.36. Electronic monitoring equipment

* * *

C.(1) When an individual has been placed under electronic monitoring, the provider of the electronic monitoring services shall, by noon of the following day, provide law enforcement agencies within the appropriate jurisdiction all of the following information:

* * *

(4) When a violation of the defendant's monitoring conditions has occurred,

1 the provider of electronic monitoring services shall report the violation to the bail
2 agent on record, the district attorney for the parish of prosecution or the
3 attorney general, if acting as district attorney ad hoc, and the court exercising
4 jurisdiction over the defendant within one day of the provider's receipt of notice that
5 any of the following involving the electronic monitoring equipment has occurred:

6 * * *

7 D. Any provider of an electronic monitoring service who intentionally
8 withholds or intentionally fails to timely report information as required by this
9 Section shall be ~~subject to a fine of~~ fined not more than one thousand dollars per
10 each day of a violation, or imprisoned for not more than six months, and shall be
11 prohibited from registering to provide electronic monitoring services in this state for
12 a period of five years.

13 * * *

14 **§571.37. Electronic monitoring programs**

15 **A. The court shall impose any condition necessary to further the**
16 **rehabilitation of a person released subject to electronic monitoring, including**
17 **maintaining employment. In the case of a juvenile, the conditions may include**
18 **staying in school, participating in after-school activities, or being subject to a**
19 **curfew.**

20 **B. The cost for participating in an electronic monitoring program shall**
21 **be borne by the person being monitored.**

22 **C. As a condition of electronic monitoring, and notwithstanding any**
23 **other provision of law, a person subject to electronic monitoring, including a**
24 **juvenile, shall:**

25 **(1) Maintain the monitoring equipment in normal working order**
26 **including, but not limited to keeping the monitoring equipment charged.**

27 **(2) Consent to a period of detention by the electronic monitoring**
28 **provider, without prior notice or court order, not to exceed six hours for the**
29 **purpose of charging, recharging, or repairing the monitoring equipment if the**

- (1) The court will impose any condition necessary to further the rehabilitation of a person subject to electronic monitoring including maintaining a job or, if the person is a juvenile, the ability to stay in school, participate in after-school activities, or be subject to a curfew.
- (2) The person subject to electronic monitoring is responsible for paying the cost of monitoring.
- (3) The person subject to electronic monitoring must charge and maintain the monitoring equipment in normal working order.
- (4) The person subject to electronic monitoring must consent to a period of detention, not to exceed six hours, by the electronic monitoring provider, without prior notice or court order, for the purpose of charging, recharging, or repairing the monitoring equipment if the signal is interrupted.
- (5) Electronic monitoring providers in La. must actively monitor any person subject to electronic monitoring and report all violations in compliance with present law as well as provide daily compliance reports to the district attorney.

Proposed law provides that court may, either on its own motion or that of the district attorney, issue a warrant for the arrest of a person subject to electronic monitoring that is noncompliant. Proposed law also provides that a person arrested pursuant to a proposed law warrant be held in custody until a hearing is conducted. Proposed law also provides that a person who is the subject of three noncompliance hearings will be removed from an electronic monitoring program and remanded to custody.

Effective August 1, 2025.

(Amends R.S. 15:571.36(C)(4)(intro para.) and (D); adds R.S. 15:571.37)