
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 175 Reengrossed

2024 Regular Session

McMakin

Abstract: Provides relative to the elements of unlawful posting of criminal activity for notoriety and publicity.

Present law provides that it shall be unlawful for a person who is either a principal or accessory to a crime to obtain an image of the commission of the crime using any type of image recording device and to transfer that image through any means of electronic communication for the purpose of gaining notoriety, publicity, or the attention of the public.

Proposed law adds live-stream or video of the commission of the crime as additional items that are unlawful to obtain or transfer.

Present law provides exceptions to this offense when the obtaining, use, or transference is by the following:

- (1) A telephone company, cable television company, or any of its affiliates, an Internet provider, or commercial online service provider, or to the carrying, broadcasting, or performing of related activities in providing telephone, cable television, Internet, or commercial online services or in the production, exhibition, or presentation of an audiovisual work in any medium, including but not limited to a motion picture or television program.
- (2) A law enforcement officer pursuant to investigation of criminal activity.
- (3) Any bona fide member of the news media broadcasting a news report through television, cable television, or other telecommunication.

Proposed law adds the obtaining, use, or transference of live-stream or video to these exceptions.

Proposed law defines the term "live-stream".

(Amends R.S. 14:107.4(A) and (C); Adds R.S. 14:107.4(F))

Summary of Amendments Adopted by House

The Committee Amendments Proposed by House Committee on Administration of Criminal Justice to the original bill:

1. Make technical changes.

The House Floor Amendments to the engrossed bill:

1. Make technical changes.