
HOUSE COMMITTEE AMENDMENTS

2015 Regular Session

Amendments proposed by House Committee on Administration of Criminal Justice to
Original House Bill No. 424 by Representative Havard

1 AMENDMENT NO. 1

2 On page 2, line 18, after "officer" and before "using" insert a comma "," and insert "judicial
3 officer, probation or parole officer, or employee of the Department of Corrections using a
4 cellular tracking device when that person is engaged in the lawful performance of official
5 duties and in accordance with other state or federal law, including"

6 AMENDMENT NO. 2

7 On page 3, between lines 4 and 5 insert the following:

8 "(4) The owner of a motor vehicle, including the owner of a vehicle available
9 for rent, who has consented to the use of the tracking device with respect to that
10 vehicle.

11 (5) The lessor or lessee of a motor vehicle and the person operating the
12 motor vehicle who have consented to the use of a tracking device with respect to that
13 vehicle.

14 (6) An automobile manufacturer, its affiliates, subsidiaries, or a related
15 telematics provider installing a feature that could be considered a tracking device
16 with respect to that vehicle.

17 (7)(a) A parent or legal guardian of a minor child whose location or
18 movements are being tracked by the parent or legal guardian.

19 (b) When the parents of the minor child are living separate and apart or are
20 divorced from one another, this exception shall apply only if both parents consent to
21 the tracking of the minor child's location and movements, unless one parent has been
22 granted sole custody, in which case consent of the noncustodial parent shall not be
23 required.

24 (8) The Department of Public Safety and Corrections tracking an offender
25 who is under its custody or supervision.

26 (9) Any provider of a commercial mobile radio service (CMRS), such as a
27 mobile telephone service or vehicle safety or security service, which allows the
28 provider of CMRS to determine the location or movement of a device provided to
29 a customer of such service.

30 (10) Any commercial motor carrier operation."