



**SELECTED LEGISLATION FROM THE
HOUSE COMMITTEE ON ADMINISTRATION
OF CRIMINAL JUSTICE**

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of the Louisiana Legislature

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SELECTED CRIMINAL JUSTICE LEGISLATION

Bail/Electronic Monitoring

Act No. 63 (HB 143) by Rep. Mena

Provides that the clerk of court shall send a notice of warrant for arrest to the prosecuting attorney within 60 days of the defendant's failure to appear.

Provides that the notice of warrant for arrest shall be sent to the agent or bondsman by electronic means when the agent or bondsman has filed a "Notice of Electronic Notification Opt In" form with the clerk of court.

Provides that failure to send notice to the commercial surety and the agent or bondsman who has opted into electronic notification within 60 days of the defendant's failure to appear shall release the surety of all obligations under the bail undertaking.

Effective August 1, 2025.

Act No. 140 (HB 100) by Rep. Lyons

Defines the term "bail enforcement agent".

Amends existing law (R.S. 15:1313) to add cellular tracking devices.

Changes the prohibition in existing law (R.S. 15:1313(A)) from permissive to mandatory and prohibits the conduct of installing or using a pen register, trap and trace device, or a cellular tracking device in an unauthorized manner or for any purpose not related to an ongoing law enforcement investigation pursuant to the applicable court order obtained under existing law (R.S. 15:1315 or 1318).

Provides that whoever intentionally violates existing law (R.S. 15:1313(A)) shall be fined not more than \$5,000, imprisoned with or without hard labor not more than one year, or both.

Provides that a bail enforcement agent who intentionally violates existing law (R.S. 15:1313(A)(2)) shall be punished as follows:

- (1) Upon a first conviction, the agent shall be fined not more than \$2,500 and his bail bond producer license shall be suspended for a period of six months.
- (2) Upon a second or subsequent conviction, the bail bond producer license of the agent shall be permanently revoked.

Provides that if the approved applicant for the use of a cellular tracking device is a bail enforcement agent, the applicant shall enter into the court record all information that is collected and obtained

from the investigation pursuant to the applicable court order.

Adds bail enforcement agents as individuals who are considered "investigative or law enforcement officers" when both of the following have occurred relative to the defendant who is the subject of the order:

- (1) A bail undertaking with a commercial surety is in place for the defendant.
- (2) A bench warrant has been issued for the defendant's failure to appear.

Provides that a surety's motion and affidavit for issuance of warrant may be filed when the defendant is found incarcerated in another parish of La.

Effective August 1, 2025.

Act No. 152 (HB 141) by Rep. Hughes

Provides that at any time prior to the defendant's failure to appear or within 180 days after the notice of warrant for arrest is sent, a surety may file proof of the defendant's deportation with the clerk of court.

Provides that if a surety is unable to obtain proof of deportation, the surety or the court may invoke a contradictory hearing in order to establish proof of the defendant's deportation.

Provides that if the court determines that the defendant's deportation has occurred, the surety shall be fully and finally discharged and relieved of any and all obligations under the bail undertaking.

Effective August 1, 2025.

Act No. 416 (SB 95) by Sen. Cloud

Adds certification standards and registration requirements for electronic monitoring to the existing law (R.S. 15:571.36) list of items that require promulgation of written policies and procedures.

Adds the prosecuting authority to the list of people to be notified within existing law (R.S. 15:571.36(C)(1)) by noon of the following day when an individual has been placed under electronic monitoring.

Adds the prosecuting authority as a recipient of the report that electronic monitoring service providers are required to submit to each court exercising jurisdiction over the persons being monitored by the 10th day of each month for the previous month's monitoring activity.

Adds law enforcement agencies within the appropriate jurisdiction and the prosecuting authority to the existing law (R.S. 15:571.36(C)(4)) list of people to be notified when a violation of the

defendant's monitoring conditions has occurred.

Changes the notification period from within one day to immediately but in no event not longer than 30 minutes from the provider's receipt of notice that a violation of the defendant's monitoring conditions has occurred.

Changes the penalty for an electronic monitoring provider who either intentionally withholds or intentionally fails to timely report required information from a fine of not more than \$1,000 and imprisonment for not more than six months to a fine of not more than \$1,000 per day, but not more than \$10,000 per instance or individual monitored or imprisonment for a period not more than six months.

Relative to electronic monitoring programs, provides for the following:

- (1) Imposition from the court of any condition necessary to further the rehabilitation of a person subject to electronic monitoring.
- (2) Payment of costs for monitoring and the court's discretion to waive costs.
- (3) Duties of the monitored person relative to maintenance of the monitoring equipment.
- (4) Duties of electronic monitoring providers in La.

Permits the court, upon a finding of noncompliance, either on its own motion or that of the district attorney, to issue a warrant for the arrest of a person subject to electronic monitoring.

Provides that a person arrested pursuant to a warrant issued for noncompliance shall be held in custody until a hearing is conducted. Further provides that a person subject to electronic monitoring who is found noncompliant three times shall be removed from an electronic monitoring program and remanded to state custody if he is an adult or to the appropriate pretrial facility if he is a juvenile.

Provides that it is unlawful for any person who is placed on electronic monitoring supervision to intentionally do any of the following:

- (1) Enter an exclusion zone.
- (2) Fail to immediately exit an exclusion zone.
- (3) Violate a curfew order.

Provides for penalties as follows:

- (1) A fine of not more than \$500, imprisonment for not more than six months, or both.
- (2) For a person who commits a felony or who was released on bail for a felony crime of

violence, a fine of not more than \$1,000 and imprisonment at hard labor for one year.

Effective August 1, 2025.

Controlled Dangerous Substances

Act No. 41 (SB 154) by Sen. Morris

Defines "kratom" and adds the active chemical components of kratom to Schedule I of the Uniform Controlled Dangerous Substances Law.

Creates the crime of distribution of kratom to a person of any age and provides that it is unlawful to possess, cultivate, or otherwise produce or sell kratom.

Provides that a person who knowingly produces, manufactures, distributes, dispenses, or possesses with the intent to produce, manufacture, distribute, or dispense kratom shall be punished as follows:

- (1) Fined not more than \$50,000, imprisoned with or without hard labor for not less than one year nor more than three years, or both, for an aggregate weight of less than 500 grams.
- (2) Fined not more than \$50,000, imprisoned with or without hard labor for not less than one year nor more than five years, or both, for an aggregate weight of 500 grams or more.

Provides that a person who knowingly and unlawfully possesses kratom shall be punished as follows:

- (1) Fined not more than \$100 for possessing 20 grams or less.
- (2) Fined not more than \$500, imprisoned in the parish jail for not more than six months, or both for possessing more than 20 grams for a first conviction.
- (3) Fined not more than \$1,000, imprisoned in the parish jail for not more than six months, or both for possessing more than 20 grams for a second or subsequent conviction.

Existing law criminalizes the unlawful production, manufacture, distribution, or possession of products derived from certain prohibited plants.

Adds the *Mitragyna speciosa* tree to the existing law (R.S. 40:989.2) list of prohibited non-hallucinogenic plants.

Effective August 1, 2025.

Act No. 102 (SB 78) by Sen. Myers

Expands the definition of "drug paraphernalia" to include any testing equipment or devices solely used, intended for use, or designed to determine whether a substance contains any controlled dangerous substance or chemical compound that can cause physical harm or death.

Effective June 8, 2025.

Act No. 106 (SB 98) by Sen. Myers

Limits the possession or use of any compound, liquid, or chemical which contains butyl nitrite, isobutyl nitrite, secondary butyl nitrite, tertiary butyl nitrite, mixtures containing butyl nitrite, isobutyl nitrite, secondary butyl nitrite, or tertiary butyl nitrite, nitrous oxide, or any amyl nitrite to persons at least 21 years of age.

Provides that the presence of additional flavoring in the prohibited substance or labeling on any part of a container of the prohibited substance referring to the contents being flavored creates a rebuttable presumption against the exceptions described in existing law (R.S. 40:989).

Provides that violators who produce, manufacture, possess, buy, sell, or otherwise transfer any prohibited substance specified by existing law (R.S. 40:989) shall be fined not more than \$25,000 or imprisoned with or without hard labor for not more than one year, or both.

For a violator who possesses a certificate, permit, or license issued by the commissioner of alcohol and tobacco control, provides for the following penalties if the violator produces, manufactures, possesses, buys, sells, or otherwise transfers any prohibited substance specified by existing law (R.S. 40:989):

- (1) For a first violation, a 30-day suspension of the certificate, permit, or license
- (2) For a second violation, a revocation of the certificate, permit, or license.

Effective August 1, 2025.

Act No. 154 (HB 176) by Rep. Firment

Creates the crime of producing, manufacturing, distributing, or possessing with intent to produce, manufacture, or distribute products intended for human consumption that contain beta-phenyl-GABA, muscimol, ibotenic acid, or any analogue thereof.

Provides a penalty of not less than two nor more than 10 years of imprisonment with or without hard labor, a fine of not more than \$20,000, or both.

Creates the crime of possession of products intended for human consumption that contains beta-phenyl-GABA, muscimol, ibotenic acid, or any analogue thereof.

Provides a penalty of not more than five years imprisonment with or without hard labor, a fine of not more than \$5,000, or both.

Effective August 1, 2025.

Criminal Offenses

Act No. 28 (SB 38) by Sen. Hensgens

Adds, within the crime of access device fraud, that no person shall knowingly and with the intent to defraud possess 15 or more counterfeit or misappropriated access devices.

Adds a gift card and account information related to a gift card to the definition of "access device" and defines the term "gift card".

Provides that restitution shall be made in accordance with existing law (C.Cr.P. Art. 883.2).

Effective August 1, 2025.

Act No. 97 (SB 58) by Sen. Connick

Adds, as a circumstance that constitutes indecent behavior with juveniles, the grooming of a child under the age of 17 where the offender is at least four years older than the child.

Provides that completion or attempt to complete such act is not necessary to constitute grooming and lack of knowledge of the child's age shall not be a defense.

Defines the term "grooming".

Effective August 1, 2025.

Act No. 169 (HB 260) by Rep. Villio

Adds resisting a police officer with force or violence to of offenses that constitute second degree murder even when the offender has no intent to kill or to inflict great bodily harm.

Adds either of the following circumstances as conduct that constitutes manslaughter:

- (1) When the offender unlawfully distributes or dispenses a controlled dangerous substance listed in Schedules I-V of the Uniform Controlled Dangerous Substances Law, or any combination thereof, which significantly contributes to the death of the recipient who ingested or consumed the controlled dangerous substance.
- (2) When the offender unlawfully distributes or dispenses a controlled dangerous substance listed in Schedules I-V of the Uniform Controlled Dangerous Substances Law, or any

combination thereof, to another who subsequently distributes or dispenses such controlled dangerous substance which significantly contributes to the death of the person who ingested or consumed the controlled dangerous substance.

Shall be cited and referred to as "The Segus Jolivette Act".

Effective June 8, 2025.

Act No. 170 (HB 261) by Rep. Galle

Defines the terms "mitigation measures" and "nefarious manner".

Authorizes a law enforcement officer or agency to take reasonable and necessary mitigation measures against a threat posed by an unmanned aircraft system operating within this state in a nefarious manner.

Provides that such mitigation measures may include but not be limited to any of the following:

- (1) The use of detection, tracking, and identification methods.
- (2) The interception or disabling of an unmanned aircraft system through legal and safe methods, including but not limited to jamming, hacking, or physical capture.

Provides that a law enforcement officer or agency shall act pursuant to new law only if there is reasonable suspicion that the unmanned aircraft system is involved in criminal activity, poses an imminent threat to public safety, or is otherwise operating in violation of state or federal law.

Creates the crime of use of an unmanned aircraft system at a parade and provides for penalties of not less than \$2,000 nor more than \$5,000, imprisonment with or without hard labor for not more than one year, or both.

Provides that the court shall order the forfeiture of the unmanned aircraft system used in connection with use of an unmanned aircraft system at a parade and provide for the destruction, sale, or other disposition of the unmanned aircraft system.

Provides for the mandatory posting of notice of the area known as the "Drone No Fly Zone" along the parade route and permits the zone to be announced through the use of local media outlets or social media platforms.

Provides that lack of knowledge that the prohibited act occurred on or within the parade or parade route shall not be a defense.

Provides an exception for unmanned aircraft systems used for motion picture, television, or similar production where the filming is authorized.

Shall be known and may be cited as the "We Will Act" Act.

Effective August 1, 2025.

Act No. 186 (HB 363) by Rep. Cox

Changes the term "aged" to "elderly" within the crimes of cruelty to persons with infirmities and exploitation of persons with infirmities.

Adds financial exploitation to the crime of exploitation of elderly persons or persons with infirmities.

Provides penalties for a second conviction of exploitation of elderly persons or persons with infirmities and provides that a person convicted of these offenses shall make full restitution to the victim and anyone else who suffered a financial loss.

Effective August 1, 2025.

Act No. 188 (HB 375) by Rep. McMahon

Provides for penalty of not less than one year nor more than 10 years of imprisonment with or without hard labor and a potential fine of not more than \$100,000 for second and subsequent convictions for the crime of illegal transmission of monetary funds.

Provides that restitution shall be made in accordance with existing law (C.Cr.P. Art. 883.2).

Provides for a penalty of not less than one year nor more than 10 years of imprisonment with or without hard labor and a potential fine of up to \$100,000 for second and subsequent convictions for the crime of bank fraud.

Provides that restitution shall be made in accordance with existing law (C.Cr.P. Art. 883.2).

Amends the definition of "financial institution".

Provides that in a prosecution for bank fraud or monetary instrument abuse, the prosecution may enter certain evidence of a perpetrator's intent to defraud.

Effective August 1, 2025.

Act No. 200 (HB 492) by Rep. Ventrella

Amends the elements of simple cruelty to animals as follows:

- (1) Relative to the tormenting, cruelly beating, or unjustifiably injuring of any living animal, removes the condition that the animal belong to the offender.
- (2) Relative to abandonment of an animal, provide that a person shall not be considered to have abandoned an animal if he delivers an animal which he found running at large in the care of

an animal control center, shelter, or rescue location.

- (3) Changes the word "drink" to "water".
- (4) Removes as elements from existing law the injuring of any animal belonging to another person and the mistreatment of any living animal by any act or omission whereby unnecessary or unjustifiable physical pain, suffering or death is caused to or permitted upon the animal.

Within the crime of aggravated cruelty to animals, removes the condition that the animal belong to the offender within elements of this offense pertaining to torture, maiming, mutilation, and mistreatment.

Adds that aggravated cruelty to animals is when a person has charge, custody, or possession of any animal as either an owner or otherwise and unjustifiably fails to provide it with proper food, proper water, proper shelter, or proper veterinary care, which results in the animal's death.

Effective August 1, 2025.

Act No. 255 (HB 234) by Rep. Mandie Landry

Amends the term "blighted property" within existing law (R.S. 14:107.3(A)(1) and R.S. 33:1374(B)(1)) to mean any vacant or occupied immovable property that has been declared or certified as blighted or a public nuisance by a court of competent jurisdiction or by an administrative hearing officer acting pursuant to existing law (R.S. 13:2575 or 2576), or any other applicable law.

Adds an apartment as a structure that may be considered a "public nuisance" when it endangers the health, life, limb, or property of any person, or causes any hurt, harm, damages, injury, or loss to any person under certain conditions.

Adds an alternative element to criminal blighting of property when the property has been declared or certified as a public nuisance. Further clarifies that an administrative hearing officer may render such declaration or certification.

Effective August 1, 2025.

Act No. 343 (HB 14) by Rep. Cox

Adds cruelty to the elderly and persons with infirmities as an offense that constitutes the following:

- (1) First degree murder.
- (2) Second degree murder when the offender has no intent to kill or to inflict great bodily harm.

Effective August 1, 2025.

Act No. 399 (SB 15) by Sen. Morris

Adds obstruction of civil immigration proceedings and obstruction of official acts of an agent or employee of a governmental entity as actions that constitute the existing law offense of obstruction of justice.

Adds, as an additional circumstance of obstruction of justice, knowingly committing any act intended to hinder, delay, prevent, or otherwise interfere with or thwart federal immigration enforcement efforts.

Provides that a person who commits obstruction of justice regarding a civil immigration proceeding shall be fined not more than \$5,000, imprisoned with or without hard labor for not more than one year, or both.

Provides that a person who commits obstruction of justice regarding an official act of an agent or employee of a governmental entity shall be fined not more than \$1,000, imprisoned for not more than six months, or both.

Within the existing law crime of malfeasance in office, adds the following:

- (1) Taking any official action, failing to perform an official duty, or refusing a lawful request for cooperation submitted by either U.S. Immigration and Customs Enforcement, U.S. Customs and Border Protection, or U.S. Citizenship and Immigration Services with the intent to hinder, delay, prevent, or otherwise interfere, ignore, or thwart federal immigration enforcement efforts.
- (2) Knowingly releasing a person, following arrest or booking, from state, parish, or local law enforcement custody without providing advance notice to U.S. Immigration and Customs Enforcement that the law enforcement agency effecting release is aware that the person either illegally entered or unlawfully remained in the U.S.

Requires an executive law enforcement official in La. to comply with certain lawful written requests or detainers pertaining to illegal immigration that are submitted to his office or agency by certain U.S. law enforcement agencies.

Effective August 1, 2025.

HCR 35 by Rep. Villio

Requests the La. State Law Institute to conduct a review of "Duncan misdemeanors" that are located throughout the La. Revised Statutes.

Criminal Procedure

Act No. 33 (SB 53) by Sen. Bass

Permits, rather than requires, the appearance of an informant before a judge for the purpose of inquiry regarding if statements made in an application for interception of a wire, electronic, or oral communication are true.

Adds the specific location of a monitoring post as an item that must be specified in each order authorizing or approving the interception of any wire, electronic, or oral communication.

Defines a "monitoring post" as a secure Dept. of Public Safety and Corrections facility that has investigative control over interception, regardless of geographic location. Such term includes a La. State Police facility.

Effective August 1, 2025.

Act No. 52 (HB 79) by Rep. Bacala

Provides that if a motion to invoke firearm sentencing was filed by the state in compliance with existing law (C.Cr.P. Art. 893.1) and the case is resolved pursuant to a plea agreement, the district attorney and the defendant may stipulate that the sentencing provisions of existing law (C.Cr.P. Art. 893.3) are applicable relative to the possession, use, or discharge of a firearm.

Provides that any such stipulation shall identify for the court all of the following:

- (1) The specific provision of existing law (C.Cr.P. Art. 893.3) that applies.
- (2) The specific underlying felony or specifically enumerated misdemeanor within existing law (C.Cr.P. Art. 893.3) that applies.

Adds plea agreements that include a stipulation pursuant to new law (C.Cr.P. Art. 893.2(B)) to the existing law (C.Cr.P. Art. 893.3) sentencing provision imposed for a felony or specifically enumerated misdemeanor in which a firearm was possessed, used, or discharged.

Effective June 4, 2025.

Act No. 76 (HB 292) by Rep. Knox

Provides for a method of jury polling when a verdict is not rendered, the sealing and releasing of polling slips, and the redaction of juror names in the event polling slips are released.

Effective August 1, 2025.

Act No. 193 (HB 394) by Rep. Muscarello

Provides that the sheriff shall serve the warrant in accordance with existing law (C.C.P. Art. 1314) upon the secretary of the Dept. of Public Safety and Corrections (DPS&C) commanding the secretary to cause the execution of the person sentenced to death.

Provides that if the governor grants a reprieve that necessitates a reset of the execution date, the court shall issue an order to reset the execution date within 30 days of either the dissolution of the stay order or the termination or expiration of the reprieve.

Provides that the trial court shall reset the execution date to not less than 30 days nor more than 45 days from the date of issuance of the order and further provides that when a federal or state court grants a stay of execution that is dissolved or vacated prior to the expiration of the time period set forth in existing law (R.S. 15:570(D)), the execution may proceed on the date originally fixed.

Provides for the presence of a spiritual advisor rather than a priest or minister of the gospel as one of the individuals who shall be present for every execution of the death sentence. Further provides for the presence of other witnesses as determined by the secretary of the DPS&C rather than a minimum of five and a maximum of seven witness.

Changes the beginning time for which every execution of the death sentence shall take place from 6:00 p.m. to 4:00 p.m and provides that every sentence of death imposed in this state shall be executed upon the date set for the execution by the court of original jurisdiction.

Effective June 8, 2025.

Act No. 246 (HB 146) by Rep. Wiley

Within the Habitual Offender Law as it pertains to the five-year period for felony offenses that are not crimes of violence or sex offenses:

- (1) Changes the particular point of time between the current felony offense and the previous conviction or convictions from the expiration of the correctional supervision, or term of imprisonment if the offender is not placed on supervision following imprisonment to the completion of sentence, probation, parole, or suspension of sentence for the previous conviction or convictions.
- (2) Changes the particular point of time between the current felony offense and the previous conviction or convictions alleged in multiple bill proceedings from the expiration of correctional supervision, or term of imprisonment if the offender is not placed on supervision following imprisonment to the date of the completion of sentence, probation, parole, or suspension of sentence for each preceding conviction or convictions alleged in the multiple offender bill.

Provides that the following shall not be included in the computation of any of the five-year

periods provided in the Habitual Offender Law:

- (1) Any period of time during which the offender was incarcerated in a penal institution in this state or any other state.
- (2) Any period of time during which the offender was under probation or parole supervision in this state or any other state.

Within the Habitual Offender Law as it pertains to the 10-year period for felony offenses that are crimes of violence or sex offenses:

- (1) Changes the particular point of time between the current felony offense and the previous conviction or convictions from the expiration of the correctional supervision, or term of imprisonment if the offender is not placed on supervision following imprisonment to the completion of sentence, probation, parole, or suspension of sentence for the previous conviction or convictions if the current offense or offenses or the previous conviction or convictions are for a crime of violence or a sex offense.
- (2) Changes the particular point of time between the current felony offense and the previous conviction or convictions alleged in multiple bill proceedings from the expiration of correctional supervision, or term of imprisonment if the offender is not placed on supervision following imprisonment to the date of the completion of sentence, probation, parole, or suspension of sentence for each preceding conviction or convictions alleged in the multiple offender bill.
- (3) Changes the particular point of time between the current felony offense and the previous conviction or convictions from the date of the commission of the following offense or offenses to the date of the commission of the following offense or offenses if the preceding conviction or convictions or the following offense or offenses are for a crime of violence or a sex offense.

Provides that the following shall not be included in the computation of any of the 10-year periods provided in the Habitual Offender Law:

- (1) Any period of time during which the offender was incarcerated in a penal institution in this state or any other state.
- (2) Any period of time during which the offender was under probation or parole supervision in this state or any other state.

Effective August 1, 2025.

Act No. 393 (HB 675) by Rep. Glorioso

Provides that one of the items a petition for post conviction relief is required to allege is that the person is actually in custody and the name of the place of custody, if known. Further provides that a statement of the grounds upon which relief is sought shall be alleged in good faith.

Requires that the petition and any successive petitions be served upon both the attorney general and the district attorney for the parish where the defendant was convicted.

Provides that an individual shall be eligible for post conviction relief if he meets both of the following:

- (1) He is currently serving a sentence of imprisonment or is on probation or parole pursuant to a conviction.
- (2) He is in actual custody or under supervision of the division of probation and parole.

Requires the dismissal of any claim alleged in an application that is procedurally barred or is frivolous on its face.

Provides that an offender who enters a guilty plea before Aug. 1, 2025, shall be subject to existing law (C.Cr.P. Art. 926.2) relative to factual innocence and new law relative to applications for post conviction relief.

Provides that a petitioner who pled guilty to the offense of conviction on or after Aug. 1, 2025, shall not be entitled to assert a claim of factual innocence in any application for post conviction relief.

Provides that a recantation shall not be sufficient to overcome the presumption of a valid conviction and that by raising any claim of ineffective assistance of counsel, the defendant waives the attorney-client privilege as to any information necessary to allow the state to rebut the claim.

Requires the court to conduct a preliminary review of all petitions for post conviction relief for compliance with the limitations for relief established in existing law. Further provides for factors that the court is required to consider in its review of the application and the duties of the court.

Provides that the district attorney may file procedural objections or an answer on the merits within 60 days, rather than 30 days, and requires the district attorney's response to be provided to the attorney general even if the district attorney waives or does not file procedural objections. Further provides for service of the response to the attorney general if any objections are waived by the district attorney and that the attorney general shall have 30 days to file objections.

Provides that no hearing on the merits shall be ordered if procedural objections are filed by the district attorney or the attorney general, provides for notice to the attorney general if certain applications are filed, and procedures for applications that cannot be summarily dismissed.

Provides for duties of the petitioner regarding the abandonment of an application and what

constitutes abandonment of an application.

Repeals prior law (C.Cr.P. Art. 928) relative to dismissal of an application for post conviction relief.

Provides for a time period during which an evidentiary hearing shall be ordered and provides that the state has no burden of proof in a post conviction relief proceeding.

Requires the court to deny relief if a repetitive application alleges a claim seeking to apply a new rule of criminal procedure that the U.S. Supreme Court and the La. Supreme Court have held to be non-retroactive.

Provides for procedures relative to service and notice when a petitioner attempts or requests to amend an application for post conviction relief.

Relative to relief that is granted under an application for post conviction relief, removes the criteria that there needs to be legally sufficient grounds upon which to re prosecute the petitioner in order to hold the petitioner in custody pending a new trial.

Removes prior law (C.Cr.P. Art. 930.6(B) and (C)) relative to review of trial court judgments and provides that the district attorney and the attorney general shall have a right to suspensively appeal any order granting post conviction relief.

Within the exceptions for an application for post conviction relief that would already be barred by existing law (C.Cr.P. Art. 930.8):

- (1) Changes the date of which the application filing is to be filed from Oct. 1, 2001, to Aug. 1, 2027, and the amount of time from three years to two years after the judgment of conviction and sentence has become final.
- (2) Remove the circumstance that the person asserting the claim has been sentenced to death.

Requires the following as it relates to filing:

- (1) All appellate review of post-conviction relief applications, including supervisory review of post-conviction relief applications, shall be filed directly with the La. Supreme Court when the petitioner has been sentenced to death.
- (2) When an execution warrant has been issued, any application for post-conviction relief that contains a new claim, pleading, or other legal matter shall be filed no later than 45 days prior to the execution date of the petitioner. Further provides a ruling on such applications shall be issued no later than 21 days prior to the execution date of the petitioner and that the exclusive means of review shall be a writ application filed directly with the La. Supreme Court within seven days of the ruling on the application.

Provides for the dismissal of an application based upon prejudice, what constitutes dismissal, the burden of the petitioner, and the effect of a final judgment of dismissal.

Repeals prior law (C.Cr.P. Art. 930.10) relative to post conviction plea agreements between the district attorney and the petitioner with the approval of the district court.

Establishes time periods that courts of appropriate jurisdiction, the district attorney, and the attorney general are to adhere to in post conviction proceedings. Further provides for the extension of the these time periods, the right to seek a writ of mandamus to compel a court to issue a requested ruling within a specified time period, and permits a reviewing court to order the lower court to submit a per curiam opinion with an explanation regarding why the lower court has not issued a ruling within the deadlines provided in new law.

Permits the state public defender to request supplemental funding from the Joint Legislative Committee on the Budget (JLCB), through distribution from the Overcollections Fund, on a case by case basis. Further provides for the submission of a report from the state public defender and the attorney general to the JLCB prior to it taking action on a request.

Requires that the court, within 30 days of the imposition of the sentence of death, order the office of the state public defender to have enrolled at least one attorney for direct appeal and at least one separate attorney for state post conviction proceedings.

Effective August 1, 2025.

Criminal Records

Act No. 46 (HB 23) by Rep. Muscarello

Requires the law enforcement agency with custody of a defendant who has been convicted of a felony and committed to the Dept. of Public Safety and Corrections to submit post-sentence statements and documents required by existing law (C.Cr.P. Art. 892) electronically using the Integrated Criminal Justice Information System (ICJIS).

Requires any criminal justice agency that is required to submit criminal justice data to do so electronically through the ICJIS broker system. Further provides for compliance standards, agency discretion regarding the method of transmission, and responsibility for ensuring the accuracy, completeness, and timeliness of the criminal justice data that is submitted.

Effective August 1, 2025.

Act No. 364 (HB 445) by Rep. Villio

Provides that records of juvenile criminal conduct shall not be disseminated as a criminal background check to anyone outside of the criminal justice system as defined in existing law (R.S. 15:576(5)).

Does not prohibit the creation of an interoperable set of criminal justice information systems at the state and local levels pursuant to existing law (R.S. 15:575 et seq.) or preclude the dissemination of

criminal history record information as defined in existing law (R.S. 15:576(2)) in and to the criminal justice system as defined in existing law (R.S. 15:576(5)).

Removes the reference to records of juvenile criminal conduct as information that is not included within the terms "criminal history record" or "criminal history record information".

Provides that records of juvenile criminal conduct shall not be disseminated as a criminal background check to anyone outside of the criminal justice system as defined in existing law (R.S. 15:576(5)).

Provides that any information on juvenile criminal conduct obtained by the bureau under existing law shall be handled in accordance with the provisions of existing law (Ch.C. Arts. 412, 414, and 917-926) and shall be made available pursuant to such provisions.

Provides that any access and use pertaining to information on juvenile criminal conduct shall include an audit trail to maintain the integrity of the records and ensure accountability. Further provides that such trail shall include all of the following:

- (1) Who accessed the system.
- (2) When the system was accessed.
- (3) What actions were performed during access.

Effective August 1, 2025.

Gaming

Act No. 378 (HB 540) by Rep. Fontenot

Increases the number of video draw poker devices permitted at an establishment licensed for on-premise alcohol consumption from three to four and provides criteria to qualify for additional video draw poker devices.

Provides that qualification for the placement of the fourth video draw poker device entails that the three video draw poker devices placed at the licensed establishment earn a combined gross device revenue of at least \$100,000 for the three consecutive months prior to the licensed device owner requesting a fourth device.

Provides that a person who is the owner of more than one establishment permitted for on-premises alcohol consumption in a single building or structure may make available for play not more than four video draw poker devices at each establishment, not to exceed a total of 12 per single building or structure.

Increases the number of permitted video draw poker devices as follows:

- (1) From 50 to 60 for truck stops.
- (2) From three to four at the lounge or facility with a Class A-General retail permit or Class A-Restaurant permit for hotels and motels.
- (3) From 12 to 13 for a hotel or motel.

Prohibits the granting of a license to off-track wagering facilities for the operation of video draw poker devices within one mile of any property on the National Register of Historic Places, any public playground, any residential property, or a building used primarily as a church, synagogue, public library, or school. Further provides for the designation of residential districts for the purposes of new law.

Provides relative to franchise fee rates and appropriation for revenue generated by video draw poker devices and provides for dedication of the first \$22M generated by franchise fees, above the amount generated in the 2024 fiscal year, to the Video Draw Poker Device Purse Supplement Subfund established pursuant to new law. Further dedicates 15% of those revenues generated each fiscal year in excess of \$22M to the subfund.

Requires revenue generated by new law and deposited into the subfund to be appropriated to the La. State Racing Commission within the office of the governor for allocation to various horse racing industry groups.

Effective June 20, 2025.

Juveniles

Act No. 209 (HB 584) by Rep. Lyons

Allocates 15% of the annual savings attributable to criminal justice reforms to the La. Children's Trust Fund Board for administration and operation of the Back on Track Youth Pilot Program as provided in existing law (R.S. 15:951).

Adds the La. Children's Trust Fund Board as an administering entity for the Back on Track Youth Pilot Program and provides that the Board is hereby named as the intermediary of the program with the authority to manage or administer funds and address any changes in program funding as needed.

Changes the definition of the term "youth or youths" to mean a person who has attained at least 16 years of age and not more than 24 years of age rather than a person who has not attained 18 years of age..

Effective August 1, 2025.

Act No. 435 (SB 165) by Sen. Gregory Miller

Adds Lafourche Parish as a member of the River Parishes Juvenile Justice District.

Effective August 1, 2025.

New Crimes

Act No. 26 (SB 22) by Sen. Hodges

Adds equipment and communication wires that are connected to certain facilities to the definition of "critical infrastructure" within existing law (R.S. 14:61).

Creates the crime of theft of critical infrastructure and makes it a crime to misappropriate, take, or illegally possess any critical infrastructure belonging to another with the intent to permanently deprive the owner of whatever was taken.

Provides for the following penalties:

- (1) When the misappropriation, taking, or illegal possession amounts to a value of less than \$25,000, a fine of not more than \$10,000, imprisonment with or without hard labor for not more than 15 years, or both.
- (2) When the misappropriation, taking, or illegal possession amounts to a value of \$25,000 or more, a fine of not more than \$50,000, imprisonment at hard labor for not more than 20 years, or both.
- (3) When it is foreseeable that human life will be threatened as a result of the theft, a fine of not more than \$50,000, imprisonment at hard labor for not more than 20 years, or both.

Provides for the payment of restitution.

Effective August 1, 2025.

Act No. 231 (HB 6) by Rep. Jackson

Provides that no person who has received money or payment in accordance with a lease contract or rental agreement to pay utility services shall knowingly do any of the following:

- (1) Fail to apply the money or payment as necessary to satisfy the amount owed for the utility services within 60-days of receiving the bill for utility services.
- (2) Use or cause an agent or employee to use any deception, false pretense, or false promise in the failure to apply the money or payment as necessary to satisfy the amount owed for the utility services.

Provides for penalties as follows:

- (1) When the misappropriation or taking amounts to a value of \$25,000 or more, the offender shall be imprisoned at hard labor for not more than 20 years, fined not more than \$50,000, or both.
- (2) When the misappropriation or taking amounts to a value of \$5,000 or more, but less than a value of \$25,000, the offender shall be imprisoned with or without hard labor for not more than 10 years, fined not more than \$10,000, or both.
- (3) When the misappropriation or taking amounts to a value of \$1,000 or more, but less than a value of \$5,000, the offender shall be imprisoned with or without hard labor for not more than five years, fined not more than \$3,000, or both.
- (4) When the misappropriation or taking amounts to less than a value of \$1,000, the offender shall be imprisoned for not more than six months, fined not more than \$1,000, or both. Further provides that if the offender in such cases has been convicted two or more times previously, upon any subsequent conviction, the offender shall be imprisoned with or without hard labor for not more than two years, fined not more than \$2,000, or both.

Provides for payment of restitution in accordance with existing law (C.Cr.P. Art. 883.2) and provides for exceptions.

Effective August 1, 2025.

Act No. 233 (HB 12) by Rep. Schlegel

Creates the crime of selling, distributing, dispensing, or otherwise delivering consumable hemp products to a person under the age of 21 and provides for a penalty of not less than \$500 nor more than \$1,000, imprisonment for not less than 30 days nor more than six months, or both.

Creates the crime of purchase or public possession of consumable hemp products by a person under 21 years of age and provides for a penalty of a citation and a \$100 fine. Further provides that the citation shall not be included on the person's criminal history record.

Within the industrial hemp exemption to the Uniform Controlled Dangerous Substances Law, specify which products are not affected and provide that nothing shall prohibit the transportation of federally compliant hemp products within La.

Creates the crime of producing, manufacturing, distributing, dispensing, or possessing with intent to produce, manufacture, distribute, or dispense consumable hemp products that are not in accordance with regulations of existing law (R.S. 3:1482 et seq.). Further provides a penalty of a fine of not more than \$50,000, not less than one year nor more than 10 years imprisonment with or without hard labor, or both.

Provides that an alleged offense for operating without an active license shall not be a violation if any

of the following circumstances are present:

- (1) The processor, wholesaler, or retailer held a valid permit at the time of applying for permit renewal and the application was under review by the La. Dept. of Health or the office of alcohol and tobacco control.
- (2) The product had been approved by the La. Dept. of Health at the time of the alleged offense,
- (3) The alleged offense occurred more than 60 days after the product's approval by the La. Dept. of Health was revoked.

Effective August 1, 2025.

Parole/Probation

Act No. 72 (HB 214) by Rep. Villio

Includes any prohibited act involving drug paraphernalia as provided in existing law (R.S. 40:1023) as a "technical violation" of probation.

Requires the mandatory revocation of probation when a defendant who is on probation for a felony subsequently commits and is convicted of a felony under the laws of La., another state, the U.S., or D.C., and which would be a felony if committed in La.

Removes the revocation of probation for a misdemeanor offenses under the provisions of existing law (Title 14 or Part X of Ch. 4 of Title 40 of the La. R.S. of 1950).

Provides that the provisions of existing law (C.Cr.P. Art. 901) shall not apply to a defendant who, as an additional condition for the violation of his probation, has been ordered to complete a drug or specialty court program.

Provides that a defendant who is eligible for revocation of probation and does not successfully complete such court-ordered drug or specialty court program shall have his probation revoked as of the date of the commission of the felony or final conviction of the felony.

Effective August 1, 2025.

Act No. 128 (HB 49) by Rep. Melerine

Provides that it shall be unlawful for any person to knowingly and intentionally obtain any audio, written, or visual recording of any testimony presented by a victim, or the spouse or next of kin of a deceased victim, during an executive session of the Board of Pardons and committee on parole and to transfer that recording, live-stream, audio, video, or written transcript of the hearing by the use of a computer online service, internet service, or any other means of electronic communication. Further provides for what is included in such service or communication.

Does not prohibit any of the following from requesting and obtaining a copy of the recording:

- (1) The defendant.
- (2) The lawyer or legal representative of the defendant.
- (3) The victim, or spouse or next of kin of a deceased victim.
- (4) The legal guardian of the victim.
- (5) Any person who has been granted authorization pursuant to new law (R.S. 15:574.12.1).

Provides for a penalty consisting of a fine of not more than \$500, imprisonment for not more than six months, or both.

Allows the victim, or the spouse or next of kin of a deceased victim, to present testimony in an executive session meeting of the Board of Pardons and committee on parole at his request.

Provides that nothing in existing law (Ch. 5 of Title 15 of the La. Revised Statutes of 1950) shall prevent either a victim from disclosing his identity or the spouse or next of kin of a deceased victim from disclosing the identity of the victim while testifying at any meeting or hearing of the Board of Pardons and committee on parole.

Provides that any testimony presented at a meeting or hearing of the Board of Pardons and committee on parole that has been conducted in executive session is confidential and is not subject to the Public Records Law.

Authorizes the disclosure of any testimony presented in executive session only by order of the 19th Judicial District Court (JDC) pursuant to new law (R.S. 15:574.12.1).

Provides that the 19th JDC may authorize the release of a copy of the documented hearing if certain conditions are met and provides that if these requirements have been met, the 19th JDC may order in writing that a copy of the testimony be disclosed to the requestor or his legal representative subject to a five-day protective order. Further provides for information within the protective order.

Provides that any violation of new law (R.S. 15:574.12.1) shall be punishable as contempt of court and that the conditions of new law shall not apply to the following persons who request a copy of the testimony:

- (1) The defendant.
- (2) The lawyer or legal representative of the defendant.
- (3) The victim, or spouse or next of kin of a deceased victim.
- (4) The legal guardian of the victim.

Provides that nothing shall prevent the DPS&C or law enforcement from sharing information as authorized or required by state or federal law.

Provides that the Board of Pardons and committee on parole may hold an executive session for the presentation of testimony from the victim, or the spouse or next of kin of a deceased victim, during the portion of any meeting or hearing of the board or committee.

Shall be cited and referred to as "The Maggie Grace Act".

Effective August 1, 2025.

Act No. 158 (HB 208) by Rep. Villio

Changes the duration that an offender must not commit any major disciplinary offenses from 12 months to 36 months within various existing law provisions within Title 15 of the La. Revised Statutes of 1950 to confirm with Act No. 11 of the 2024 2nd E.S.

Provides that diminution of sentence pursuant to existing law (R.S. 15:571.3) shall not be allowed to be earned by an inmate in a parish prison or in the custody of the DPS&C if any of the following apply:

- (1) The inmate has been sentenced as a habitual offender under the Habitual Offender Law as set forth in existing law (R.S. 15:529.1).
- (2) The instant offense is a sex offense.

Provides that an offender who has received a split sentence shall, upon release from incarceration, immediately begin serving the probationary period imposed. Further provides that any term of unsupervised parole shall be served concurrently with the probationary period.

Provides that if an offender is convicted for an offense that is committed while on unsupervised parole, the amount of good time earned or credits toward the reduction of the projected good time parole supervision date earned on that portion of his sentence prior to the conviction shall be served consecutively with the sentence imposed for the offense.

Removes a reference to compliance credits to conform with Act No. 7 of the 2024 2nd E.S.

Provides that an offender in a custodial substance abuse treatment program shall serve not more than 180 days when his parole has been revoked for a technical violation.

Removes a provision of existing law (R.S. 15:574.9(F)), which provides for the following:

- (1) Credit for time served for good behavior while on parole when the parole of a parolee has been revoked by the committee for violation of the conditions of parole.
- (2) Credit for time served prior to the revocation hearing for time served in actual custody while being held for a parole violation in a local detention facility, state institution, or out-of-state

institution pursuant to existing law (C.Cr.P. Art. 880).

Creates the Deportation Eligibility Hearing Committee within the La. Board of Pardons and provides that an offender shall be granted parole, subject to certain conditions, for the purpose of deportation and that his custody shall be transferred to the U.S. Dept. of Homeland Security if:

- (1) The offender is an alien who has either a final order of removal or a detainer issued by the U.S. Dept. of Homeland Security.
- (2) The offender is not serving a sentence for either a sex offense or for certain crimes of violence.
- (3) The offender has been approved for a deportation eligibility hearing by both the governor and the district attorney for the parish where convicted.

Provides for duties of the committee, its discretion, and that any decision by the committee to grant an offender release on parole for the purpose of deportation or removal shall include certain conditions of release.

Provides that if the committee grants a release on parole for the purposes of deportation or removal, the committee shall issue all orders necessary to transfer or deliver the offender to the custody of the Dept. of Homeland Security (DHS). Further provides that upon release of the offender to the DHS, the committee shall issue a warrant for the return of the offender to the custody of DPS&C that is to be executed if the offender is released from the custody of the DHS for any reason other than deportation or removal.

Provides that no person has a right of appeal from the committee's decision.

Provides for a statement of legislative intent relative to Act No. 7 of the 2024 2nd E.S. as it pertains to diminution of sentence.

Effective June 8, 2025.

Sex Offenses

Act No. 142 (HB 111) by Rep. Villio

Relative to the unlawful presence of either a sexually violent predator or a sex offender, adds loitering between the hours of 6:00 a.m. and 9:00 a.m. or 2:00 p.m. and 5:00 p.m. within 500 feet of a location that is commonly used for the pickup or drop off of children for school or a school-related activity when a child or children are present and the offender has reasonable grounds to believe that a child or children are awaiting pickup or drop off from school or a school-related activity.

Effective August 1, 2025.

Act No. 226 (HB 163) by Rep. Dickerson

Changes the name of the Exploited Children's Special Fund to the Survivor Special Fund.

Adds 19 sex offenses and 2 battery offenses of which a conviction or plea of guilty or nolo contendere requires the offender to pay a mandatory monetary assessment of \$2,000

Provides that nothing in existing law (R.S. 15:539.2) shall alter the dispositions of fines and forfeitures ordered by the court under existing law (R.S. 15:571.11).

Provides that monies in the Survivor Special Fund shall be used for the provisions of services and treatment to adult and minor victims of human trafficking, domestic violence, and sexual assault.

Provides that monies in the Survivor Special Fund shall be administered to the governor's office of human trafficking prevention for disbursement as follows:

- (1) 25% of the monies to child advocacy centers, in compliance with existing law (Ch.C. Art. 524), for programs to serve child victims of sexual abuse, physical abuse, neglect, or human trafficking in La.
- (2) 25% of the monies to the state domestic violence coalition, as defined in federal law (42 U.S.C. 10402), for distribution to member programs that provide community services and shelter programs to victims of domestic violence pursuant to existing law (R.S. 46:2124).
- (3) 50% of the monies to accredited sexual assault crisis centers in La., as defined in existing law (R.S. 46:2187(A)(2)) to serve victims of sexual assault and exploitation.

Authorizes the governor's office of human trafficking prevention to retain not more than 10% of the monies in the fund for necessary and associated administrative expenses of the fund.

Effective August 1, 2025.

Act No. 230 (HB 5) by Rep. Jackson

Adds, as a circumstance under the existing law offense of trafficking of children for sexual purposes (R.S. 14:46.3), when any person knowingly solicits or purchases a person under the age of 18 years for the purpose of engaging in commercial sexual activity.

Provides a penalty for an offender convicted under this new law circumstance that consists of a fine of not more than \$50,000, imprisonment at hard labor for not less than 15 nor more than 50 years, or both, with at least five years being served without benefit of probation, parole, or suspension of sentence.

Within the existing law offense of purchase of commercial sexual activity, changes the maximum fine from \$750 to \$1,000 and the maximum term of imprisonment from six months to one year with or without hard labor.

Provides that the term of imprisonment for a second or subsequent offense of soliciting for prostitutes shall with or without hard labor.

Provides that any child who is identified to be a victim of the crime of soliciting for prostitutes shall be referred and eligible for specialized services for victims of human trafficking or trafficking of children for sexual purposes.

Provides that no victim of trafficking of children for sexual purposes shall be prosecuted for the crime of soliciting for prostitutes if such violation is committed as a direct result of being trafficked.

Provides that any other person who is 18 years of age or older who is identified as a victim of the crime of soliciting for prostitutes shall be notified of any treatment or specialized services for sexually exploited persons to the extent that such services are available.

Aligns the penalties of various prostitution-related offenses with the existing law penalty for trafficking of children for sexual purposes when these offenses are committed under certain circumstances.

Designates the crime of soliciting for prostitutes when the person being solicited is under the age of 18 or 14 as a "sex offense".

Effective August 1, 2025.

Act No. 261 (HB 268) by Rep. LaFleur

Provides that any reference to the crime of "pornography involving juveniles" is the same as a reference to the crime of "child sexual abuse materials".

Effective August 1, 2025.

Act No. 275 (HB 425) by Rep. Carlson

Provides that an additional threat that constitutes extortion is a threat intended to compel a pregnant woman to have an abortion as defined in existing law (R.S. 14:87.1).

Provides that coerced abortion is committed when any person knowingly, rather than intentionally, engages in the use or threatened use of physical force, control, or intimidation with the intent to compel a pregnant woman to undergo an abortion against her will, whether or not the abortion procedure has been attempted or completed.

Provides that physical force, control, or intimidation shall mean any of the following:

- (1) Battery as defined in existing law (R.S. 14:33).
- (2) Assault as defined in existing law (R.S. 14:36).

- (3) Simple kidnapping as defined in existing law (R.S. 14:45).
- (4) False imprisonment as defined in existing law (R.S. 14:46).
- (5) Extortion as defined in existing law (R.S. 14:66).

Provides that the term of imprisonment shall be served with or without hard labor.

Effective August 1, 2025.

Act No. 346 (HB 67) by Rep. Horton

Adds that rape committed when the offender acts without the consent of the victim, the victim is 13 years of age or older but less than 17 years of age, and the difference between the age of the victim and the age of the offender is three years or greater constitutes second degree rape. Further provides that lack of knowledge of the victim's age shall not be a defense.

Changes the applicable crimes in which prosecution can be instituted for certain sex offenses, commencing from when the victim attains the age of 18 for a 30-year time period, from the enumerated offenses in existing law (C.Cr.P. Art. 571.1) to the perpetration or attempted perpetration of, conspiracy to commit, or commission of any sex offense that involves a victim under 18 years of age.

Change the age from 12 years to 13 years relative to a statement made by a person that is one of initial or otherwise trustworthy complaint of sexually assaultive behavior is an exception to the hearsay rule when the declarant is unavailable as a witness.

Effective August 1, 2025.

Victim Notification

Act No. 370 (HB 479) by Rep. Mandie Landry

Provides for notice from the sheriff, the highest ranking employee of the sheriff's office, or the person acting on behalf of the sheriff who is physically present at and in charge of the parish prison or jail to every law enforcement agency, victim, witness, and local media outlet when an inmate has escaped from or left the premises of the parish prison or jail without authority.

Provides for notification procedures pertaining to an inmate's escape and recapture.

Directs the Dept. of Public Safety and Corrections to create a comprehensive victims' services system to notify victims, witnesses, and designated family members of their rights and to inform them of legal proceedings.

Creates the Crime Victims' Bill of Rights related to the rights established in existing law.

Provides that a defendant shall not have standing to challenge the outcome of a case pursuant to a violation of a victim's rights.

Effective June 20, 2025.

Vehicular Offenses

Act No. 124 (HB 35) by Rep. Romero

Within the crime of hit-and-run driving when death or serious bodily injury occurs and the offender knew or should have known of the death or serious bodily injury, provides for a minimum imprisonment term of two years to be served without benefit of parole, probation, or suspension of sentence when the driver's vehicle was directly involved in the accident.

Effective August 1, 2025.

Act No. 194 (HB 403) by Rep. Turner

Adds the following fines upon conviction for the crime of operating a motor vehicle while impaired:

- | | | |
|-----|------------------------------|-------|
| (1) | First Offense | \$25 |
| (2) | Second Offense | \$50 |
| (3) | Third Offense | \$100 |
| (4) | Fourth or Subsequent Offense | \$250 |

Adds the following fines upon conviction for the crime of reckless operation of a vehicle:

- | | | |
|-----|------------------------------|------|
| (1) | First Offense | \$5 |
| (2) | Second or Subsequent Offense | \$10 |

Adds a fine of \$5 upon conviction of the crime of reckless operation of an off-road vehicle.

Adds a fine of \$5 to each speeding violation of existing law (R.S. 32:61 and 64).

Adds a fine for drag racing violations in the following amounts:

- | | | |
|-----|----------------|------|
| (1) | First Offense | \$10 |
| (2) | Second Offense | \$20 |

- | | | |
|-----|------------------------------|-------|
| (3) | Third Offense | \$40 |
| (4) | Fourth or Subsequent Offense | \$100 |

Instructs the sheriff to collect each of the additional fines imposed and forward to the state treasurer for deposit into the La. Emergency Response Network Fund.

Effective June 8, 2025.

Weapons/Firearms

Act No. 271 (HB 393) by Rep. Bamberg

Provides that a person or permittee is prohibited from carrying a concealed handgun at a parade or demonstration when he is an active participant in a parade or demonstration for which a permit is issued by a governmental entity

Does not apply to a bystander or spectator who attends a parade or demonstration for which a permit is issued by a governmental entity.

Effective August 1, 2025.

Act No. 273 (HB 407) by Rep. Ventrella

Removes the requirement that a person has to be an La. resident to obtain a concealed handgun permit in this state.

Removes provisions of prior law relative to the suspension of a lifetime concealed handgun permit if the permit holder becomes a resident of another state and procedures for reactivation of the permit upon reestablishment of residency in La.

Effective August 1, 2025.

Act No. 336 (SB 192) by Sen. Seabaugh (*as it pertains to tactical medical professionals*)

Defines the term "tactical medical professional" and authorizes a tactical medical professional to carry a firearm in the same manner as a law enforcement officer at any place a tactical law enforcement operation occurs if certain conditions are met by both the tactical medical professional and the law enforcement agency utilizing the tactical medical professional.

Provides for the tactical medical professional to have the same immunities and privileges as a law enforcement officer while the tactical medical professional is actively operating in direct support of a tactical operation.

Prohibits a tactical medical professional from carrying, transporting, or storing firearms or

ammunition on any fire apparatus or EMS vehicle.

Requires the appointing law enforcement agency to issue any firearm or ammunition that the tactical medical professional carries.

See remainder of this Act for provisions pertaining to auxiliary peace officers.

Effective August 1, 2025.

Act No. 420 (SB 101) by Sen. Miguez

Relative to the illegal carrying of weapons in certain locations, provide that the term "school", shall not include a privately owned vocational-technical school.

Within the exception to the existing law crime of carrying a firearm at school-sponsored functions or in a firearm-free zone (R.S. 14:95.6), adds a person who has a concealed handgun permit issued by a state that has reciprocity with La. and a person carrying a handgun pursuant to existing law (R.S. 14:95(M)) as individuals who can carry a concealed handgun within 1,000 feet of any school campus.

Effective August 1, 2025.

Act No. 424 (SB 125) by Sen. Owen

Provides that any person who manufactures and possesses a bomb within an enhanced security zone or within 100 feet of any parade, demonstration or gathering for which a permit is issued by a governmental entity shall be fined not more than \$20,000, imprisoned at hard labor for not less than 20 years, or both.

Requires that costs incurred by the DPS&C for conducting a background investigation and criminal history records check be borne by the applicant.

Effective August 1, 2025.

Miscellaneous

Act No. 426 (SB 128) by Sen. Gary Carter

Requires the P.O.S.T. council to adopt a policy no later than Jan. 1, 2026, regarding mandatory reporting when a peace officer uses physical force that results in serious bodily injury on a member of the public whether or not the interaction results in an arrest.

Requires the P.O.S.T. council to adopt policies that include but are not limited to the following:

- (1) When the use of force report is required.
- (2) Who is required to complete the report.

Provides that the policy apply to all law enforcement agencies in the state and authorizes a law enforcement agency to adopt a more strenuous policy.

Effective August 1, 2025.

Vetoed Legislation

SB 87 by Sen. Barrow

Relative to cash deposits, would have provided that an additional duty of the clerk was to send a notice by certified mail to any cash depositor, provided that the clerk had received the information necessary for service.

Included a cash depositor as an individual who was to be provided notice of a defendant's required appearance and who was able to be released from all obligations under the bail undertaking when there was a failure to send notice.

SB 181 by Sen. Bass

Would have added that any game, contest, or promotion that is available on the internet or accessible on a mobile phone, computer terminal, or similar access device that utilized a dual-currency system of payment that allowed the player to exchange the currency for any prize or award or cash or cash equivalents, or any chance to win any prize or award or cash or cash equivalents, and simulated any form of gambling would constitute illegal gambling by computer and would not be considered a legal sweepstakes. Such forms of gambling included but not were not limited to the following:

- (1) Casino-style gaming, such as slot machines, video poker, and table games, including blackjack, roulette, craps, and poker.
- (2) Lottery games, including draw games, instant win games, keno, and bingo.
- (3) Sports wagering.

Within the crime of gambling by computer, would have changed the fine from a maximum of \$20,000 to not less than \$10,000 but not more than \$100,000 per occurrence.

Would have provided that, in addition to criminal penalties, a violation would also be considered a deceptive and unfair trade practice and would have subjected the violator to any action and penalty provided in the Unfair Trade Practices and Consumer Protection Law.

Would have prohibited any applicant, licensed or permitted entity, gaming employee, officer or director of a licensed or permitted entity, any investor, or any other person or entity from operating, conducting, or promoting games that constitute illegal gambling by computer within La..

Would have prohibited any applicant, licensed or permitted entity, geolocation provider, gaming manufacturer, gaming supplier, platform provider, promoter, or media affiliate from providing support for the operation, conduct, or promotion of illegal gambling by computer, including illegal online sweepstakes games within La.

Would have required the La. Gaming Control Board (LGCB) and the La. State Police (LSP) to

provide enforcement through civil enforcement actions to enjoin the unlawful conduct.

Would have prohibited removed a provision of existing law (R.S. 14:90.3(H)) that authorizes the purchase, sale, exchange, or other transaction related to stocks, bonds, futures, options, commodities, or other similar instruments or transactions occurring on a stock or commodities exchange, brokerage house, or similar entity.

Would have retained existing suitability standards and would have further required the LSP to determine whether the applicant or any of its affiliates, including entities under common control, within the past five years, has knowingly accepted revenue, directly or indirectly, or profited from gambling in a jurisdiction that was any of the following:

- (1) A Non-Cooperative Country or Territory on the "High-Risk Jurisdictions subject to a Call for Action" or black list maintained by the Financial Action Task Force, an international organization established to combat money laundering, terrorism, and proliferation financing.
- (2) Designated as a state sponsor of terrorism by the U.S. Dept. of State.
- (3) A country or territory that prohibited land-based gaming, online gaming, or both.
- (4) Any other country or territory determined by the board as knowingly supporting or fostering illegal gambling.

Would have required, if the LSP or LGCB determined that a licensed gaming manufacturer or gaming supplier, or any of its affiliates had accepted revenue in or from a jurisdiction enumerated in new law (R.S. 14:90.3(L)), that the board revoke the gaming manufacturer or gaming supplier's permit if, after notice and opportunity for hearing, the board determined that the discontinuance of operations of the licensee would further the public interest.

Would have provided that the LGCB require each applicant for a manufacturer or gaming supplier permit, and annually upon permit issuance, to submit a disclosure of any activity in a jurisdiction enumerated in new law (R.S. 14:90.3(L)). Would have further provided for the information that was to be contained within the disclosure and that a material misrepresentation or omission on the disclosure could result in any of the following:

- (1) Denial of an application for a gaming manufacturer or gaming supplier permit.
- (2) Administrative action including but not limited to penalty, suspension, or revocation of its gaming permit.
- (3) A recommendation or finding of unsuitability for any officers and directors, or any other person involved in the misrepresentation or omission.