

2018 Regular Session

HOUSE BILL NO. 762

BY REPRESENTATIVE HILFERTY

HOMELAND SECURITY: Provides relative to persons convicted of certain terrorism offenses

1 AN ACT

2 To enact Chapter 3-G of Title 15 of the Louisiana Revised Statutes of 1950, to be comprised
3 of R.S. 15:563 through 563.3, relative to terrorism; to create a registry of persons
4 who commit certain acts of terrorism; to provide for registration and notification
5 requirements; to provide relative to the duty to report certain types of registration
6 information; to provide for the failure to register; to provide for the duties of the
7 Louisiana Bureau of Criminal Identification and Information; to require certain
8 entities to inform persons of registration and notification requirements; to provide
9 for the duration of registration and notification requirements; to provide procedures
10 for determining the end date for compliance with registration and notification
11 requirements; to create the crime of harboring a terrorist offender; to prohibit the
12 employment of offenders in certain occupations; to provide criminal penalties; to
13 provide relative the release of registration information; to provide for a limitation of
14 liability; to provide for protocols to be used in circumstances involving an
15 emergency or an escape; and to provide for related matters.

16 Be it enacted by the Legislature of Louisiana:

17 Section 1. Chapter 3-G of Title 15 of the Louisiana Revised Statutes of 1950,
18 comprised of R.S. 15:563 through 563.3, is hereby enacted to read as follows:

1 CHAPTER 3-G. STATE TERRORIST OFFENDER REGISTRY2 §563. Findings; purpose

3 The legislature finds that persons who commit offenses involving acts of
4 terrorism and aiding others in acts of terrorism, even after being released from
5 incarceration or commitment, are of paramount governmental interest. The
6 legislature further finds that local law enforcement officers' efforts to protect their
7 communities, conduct investigations, and quickly apprehend persons who commit
8 offenses involving terrorism are impaired by the lack of information available to law
9 enforcement agencies about persons convicted of offenses involving terrorism, who
10 live within the agencies' jurisdiction. In addition, the legislature finds that the penal
11 and mental health components of our justice system are largely hidden from public
12 view and that lack of information from either may result in failure of both systems
13 to meet this paramount concern of public safety. Release of information about
14 persons who commit offenses involving terrorism to law enforcement agencies will
15 further the governmental interests of public safety. Therefore, this state's policy is
16 to assist local law enforcement agencies' efforts to protect their communities by
17 requiring persons who commit offenses involving terrorism to register with the local
18 sheriff and to require the exchange of relevant information about persons who
19 commit offenses involving terrorism among state, local, and federal public agencies
20 and officials.

21 §563.1. Definitions

22 For the purposes of this Chapter, the definitions of terms in this Section shall
23 apply:

24 (1) "Act of terrorism" has the same meaning as provided in R.S. 14:128.1.

25 (2) "Administration of criminal justice" means performance of any of the
26 following activities: detection, apprehension, detention, pretrial release, post-trial
27 release, prosecution, adjudication, correctional supervision, or rehabilitation of
28 accused persons or criminal offenders. The term also includes criminal identification

1 activities, the collection, storage, and dissemination of criminal history record
2 information, and the compensation of victims of crime.

3 (3) "Aiding others in terrorism", has the same meaning as provided in R.S.
4 14:128.2.

5 (4) "Bureau" means the Louisiana Bureau of Criminal Identification and
6 Information as established in Chapter 6 of this Title.

7 (5) "Conviction" means any disposition of charges adverse to the defendant,
8 including a plea of guilty, deferred adjudication, or adjudication withheld for the
9 perpetration or attempted perpetration of or conspiracy to commit a "terrorism
10 offense" as defined by this Section. "Conviction" shall not include a decision not to
11 prosecute, a dismissal, or an acquittal, except when the acquittal is due to a finding
12 of not guilty by reason of insanity and the person was committed. A dismissal
13 entered after a period of probation, suspension, or deferral of sentence shall be
14 included in the definition of "conviction" for purposes of this Chapter.

15 (6) "Conviction record" means criminal history record information relating
16 to an incident which has led to a conviction or other disposition adverse to the
17 subject.

18 (7) "Criminal history record information" means information contained in
19 records collected by criminal justice agencies, other than courts, on individuals,
20 consisting of identifiable descriptions and notations of arrests, detention,
21 indictments, information, or other formal criminal charges, and any disposition
22 arising therefrom, including sentences, correctional supervision, and release. The
23 term includes information contained in records maintained by or obtained from
24 criminal justice agencies, other than courts, which records provide individual
25 identification of a person together with any portion of the individual's record of
26 involvement in the criminal justice system as an alleged or convicted offender,
27 except:

28 (a) Posters, announcements, or lists for identifying or apprehending fugitives
29 or wanted persons.

1 (b) Original records of entry maintained by criminal justice agencies to the
2 extent that such records are compiled and maintained chronologically and are
3 accessible only on a chronological basis.

4 (c) Court indices and records of public judicial proceedings, court decisions,
5 and opinions, and information disclosed during judicial proceedings.

6 (d) Records of traffic violations which are not punishable by a maximum
7 term of imprisonment of more than ninety days.

8 (e) Records of any traffic offenses as maintained by the office of motor
9 vehicles for the purpose of regulating the issuance, suspension, revocation, or
10 renewal of drivers' or other operators' licenses.

11 (f) Records of any aviation violation or offenses as maintained by the
12 Department of Transportation and Development for the purpose of regulating pilots
13 or other aviation operators.

14 (g) Announcements of pardons.

15 (8) "Criminal justice agency" means:

16 (a) A court.

17 (b) A government agency which performs the administration of criminal
18 justice pursuant to a statute or executive order and which allocates a substantial part
19 of its annual budget to the administration of criminal justice.

20 (9) "Disposition" means the formal conclusion of a criminal proceeding at
21 whatever stage it occurs in the criminal justice system.

22 (10) "Dissemination" means disclosing criminal history record information
23 or disclosing the absence of criminal history record information to any person or
24 agency outside the agency possessing the information, subject to the following
25 exceptions:

26 (a) When criminal justice agencies jointly participate in the maintenance of
27 a single recordkeeping department as an alternative to maintaining separate records,
28 the furnishing of information by that department to personnel of any participating
29 agency.

1 (b) The furnishing of information by any criminal justice agency to another
2 for the purpose of processing a matter through the criminal justice system, such as
3 a police department providing information to a prosecutor for use in preparing a
4 charge.

5 (c) The reporting of an event to a recordkeeping agency for the purpose of
6 maintaining the record.

7 (11) "Instant message address" means an identifier that allows a person to
8 communicate with another person using the internet.

9 (12) "Institution of postsecondary education" means any public or private
10 institution of postsecondary education in the state licensed by the Board of Regents
11 under the provisions of R.S. 17:1808 or each proprietary school licensed by the
12 Board of Regents under the provisions of R.S. 17:3141.4.

13 (13) "Interactive computer service" means any information service, system,
14 or access software provider that offers users the capability for generating, acquiring,
15 storing, transforming, processing, retrieving, utilizing, or making available
16 information, including a service or system that provides or enables computer access
17 by multiple users to a computer server, including specifically a service or system that
18 provides access to the internet and such systems operated or services offered by
19 libraries or educational institutions.

20 (14) "Mental abnormality" means a congenital or acquired condition of a
21 person that affects the emotional or volitional capacity of the person in a manner that
22 predisposes that person to the commission of terrorist acts to a degree that makes the
23 person a menace to the health and safety of others. Nothing in this definition is
24 intended to supersede the provisions of R.S. 14:10 or 14 regarding criminal intent or
25 insanity.

26 (15) "Nonconviction data" consists of all criminal history record information
27 relating to an incident which has not led to a conviction or other disposition adverse
28 to the subject, and for which proceedings are no longer actively pending. There shall
29 be a rebuttable presumption that proceedings are no longer actively pending if more

1 than one year has elapsed since arrest, citation, or service of warrant and no
2 disposition has been entered.

3 (16) "Online identifier" means any electronic e-mail address, instant message
4 name, chat name, social networking name, or other similar internet communication
5 name.

6 (17) "Out-of-state offender" means any offender convicted or adjudicated in
7 any court system, other than a court in this state, of any offense having elements
8 equivalent to a "terrorism offense" as defined in this Section.

9 (18) "Out-of-state offense" means any offense, as defined by the laws of any
10 jurisdiction other than the state of Louisiana, the elements of which are comparable
11 to a Louisiana "terrorism offense" as defined in this Section.

12 (19) "Residence" means a dwelling where an offender regularly resides,
13 regardless of the number of days or nights spent there. For those offenders who lack
14 a fixed abode or dwelling, "residence" shall include the area or place where the
15 offender habitually lives, including but not limited to a rural area with no address or
16 a shelter.

17 (20) "School" includes any public or nonpublic school which the person
18 attends, including but not limited to institutions of postsecondary education.

19 (21) "Social networking website" means an internet website that does either
20 of the following:

21 (a) Allows users to create web pages or profiles about themselves that are
22 available publicly or available to other users.

23 (b) Offers a mechanism for communication among users, such as a forum,
24 chat room, electronic e-mail, or instant messaging.

25 (22) "Student at an institution of postsecondary education" means a person
26 who is enrolled in and attends, on a full-time or part-time basis, any course of
27 academic or vocational instruction conducted at an institution of postsecondary
28 education.

1 (23) "Terrorism offense" means deferred adjudication, adjudication withheld,
 2 or conviction for the perpetration or attempted perpetration of, or conspiracy to
 3 commit an act of terrorism as defined in R.S. 14:128.1, or aiding others in terrorism
 4 as defined in R.S. 14:128.2, and this Section. A conviction for any offense provided
 5 in this definition includes a conviction for the offense under the laws of another state,
 6 or military, territorial, foreign, tribal, or federal law which is equivalent to an offense
 7 provided for in this Chapter.

8 (24) "Terrorist offender" means any person who has committed a "terrorism
 9 offense" as defined in this Section.

10 (25)(a) "Worker" or "employee" means a person who engages in or who
 11 knows or reasonably should know that he will engage in any type of occupation,
 12 employment, work, or volunteer service on a full-time or part-time basis, with or
 13 without compensation, within this state for more than seven consecutive days, or an
 14 aggregate of thirty days or more in a calendar year.

15 (b) The term includes but is not limited to:

16 (i) A person who is self-employed.

17 (ii) An employee or independent contractor.

18 (iii) A paid or unpaid intern, extern, aide, assistant, or volunteer.

19 §563.1.1. Registration of terrorist offenders

20 A. The following persons shall be required to register and provide
 21 notification as a terrorist offender in accordance with the provisions of this Chapter:

22 (1) Any adult residing in this state who has pled guilty to, has been convicted
 23 of, or where adjudication has been deferred or withheld for the perpetration or
 24 attempted perpetration of, or any conspiracy to commit a terrorism offense.

25 (2) Any juvenile who has pled guilty or has been convicted of a terrorism
 26 offense, including any conviction for an offense under the laws of another state, or
 27 military, territorial, foreign, tribal, or federal law which is equivalent to a terrorism
 28 offense for which a juvenile would have to register.

1 (3) Any juvenile, who has attained the age of fourteen years at the time of
2 commission of the offense, who has been adjudicated delinquent based upon the
3 perpetration, attempted perpetration, or conspiracy to commit any terrorism offense.

4 B.(1) The persons listed in Subsection A of this Section shall register in
5 person with the sheriff of the parish of the person's residence, or residences, if there
6 is more than one, and with the chief of police if the address of any of the person's
7 residences is located in an incorporated area which has a police department. If the
8 offender resides in a municipality with a population in excess of three hundred
9 thousand persons, he shall register in person with the police department of his
10 municipality of residence.

11 (2) The offender shall also register in person with the sheriff of the parish or
12 parishes where the offender is an employee and with the sheriff of the parish or
13 parishes where the offender attends school. If the offender is employed or attends
14 school in a municipality with a population in excess of three hundred thousand
15 persons, he shall register only, pursuant to this Paragraph, with the police department
16 of the municipality where he is employed or attends school. The offender shall also
17 register in the parish of conviction for the initial registration only. No registration in
18 the parish of conviction is necessary if the offender is incarcerated at the time of
19 conviction or immediately taken into custody by law enforcement after the
20 conviction.

21 (3) If the terrorist offender is a student at an institution of postsecondary
22 education in this state, the offender shall also register with the campus law
23 enforcement agency of the institution at least one business day prior to the beginning
24 of the school term or semester.

25 C.(1) The offender shall register and provide all of the following information
26 to the appropriate law enforcement agencies listed in Subsection B of this Section
27 in accordance with the time periods provided for in this Subsection:

28 (a) Name and any aliases used by the offender.

29 (b) Physical address or addresses of residence.

1 (c) Name and physical address of place of employment. If the offender does
2 not have a fixed place of employment, the offender shall provide information with
3 as much specificity as possible regarding the places where he works, including but
4 not limited to travel routes used by the offender.

5 (d) Name and physical address of the school in which he is a student.

6 (e) Two forms of proof of residence for each residential address provided,
7 including but not limited to a driver's license, bill for utility service, and bill for
8 telephone service. If those forms of proof of residence are not available, the offender
9 may provide an affidavit of an adult resident living at the same address. The
10 affidavit shall certify that the affiant understands his obligation to provide written
11 notice pursuant to R.S. 15:563.1.3 to the appropriate law enforcement agency with
12 whom the offender last registered when the offender no longer resides at the
13 residence provided in the affidavit.

14 (f) The crime for which he was convicted and the date and place of such
15 conviction, and if known by the offender, the court in which the conviction was
16 obtained, the docket number of the case, the specific statute under which he was
17 convicted, and the sentence imposed.

18 (g) A current photograph.

19 (h) Fingerprints, palm prints, and a DNA sample.

20 (i) Telephone numbers, including fixed location phone and mobile phone
21 numbers assigned to the offender or associated with any residence address of the
22 offender.

23 (j) A description of every motorized vehicle registered to or operated by the
24 offender, including license plate number and vehicle identification number, and a
25 copy of the offender's driver's license and identification card. This information shall
26 be provided prior to the offender's operation of the vehicle.

27 (k) Social security number and date of birth.

1 (l) A description of the physical characteristics of the offender, including but
2 not limited to sex, race, hair color, eye color, height, age, weight, scars, tattoos, or
3 other identifying marks on the body of the offender.

4 (m) Every electronic e-mail address, online screen name, or other online
5 identifiers used by the offender to communicate on the internet. If the offender uses
6 a static internet protocol address, that address shall also be provided to the
7 appropriate law enforcement agency. Required notice shall be given before any
8 online identifier or static internet protocol address is used to communicate on the
9 internet. For purposes of this Subparagraph, "static internet protocol address" is a
10 numerical label assigned to a computer by an internet service provider to be the
11 computer's permanent address on the internet.

12 (n)(i) Temporary lodging information regarding any place where the
13 offender plans to stay for seven or more days. This information shall be provided at
14 least three days prior to the date of departure unless an emergency situation has
15 prevented the timely disclosure of the information.

16 (ii) Temporary lodging information regarding international travel shall be
17 provided regardless of the number of days or nights the offender plans to stay. This
18 information shall be provided at least twenty-one days prior to the date of departure
19 unless an emergency situation has prevented the timely disclosure of the information.

20 (o) Travel and immigration documents, including but not limited to passports
21 and documents establishing immigration status.

22 (2) Unless an earlier time period is specified in the provisions of Paragraph
23 (1) of this Subsection, every offender required to register in accordance with this
24 Section shall appear in person and provide the information required by Paragraph (1)
25 of this Subsection to the appropriate law enforcement agencies within three business
26 days of establishing residence in Louisiana. If the offender is a current resident of
27 Louisiana and is not immediately taken into custody or incarcerated after conviction
28 or adjudication, he shall provide the information on the date of conviction to the
29 sheriffs of the parish where the offender was convicted or adjudicated and shall,

1 within three business days after conviction or adjudication, provide the information
2 to the sheriff of the parishes of the offender's residence, employment, and school. If
3 incarcerated immediately after conviction or placed in a secure facility immediately
4 after adjudication, the information required by Paragraph (1) of this Subsection shall
5 be provided to the secretary of the Department of Public Safety and Corrections, or
6 his designee, or the deputy secretary for youth services, or his designee, whichever
7 has custody of the offender, within ten days prior to release from confinement. Once
8 released from confinement, every offender shall appear in person within three
9 business days to register with the appropriate law enforcement agencies pursuant to
10 the provision of this Section. The offender shall register with the sheriff of the
11 parish in which the residence address he initially supplied to the Department of
12 Public Safety and Corrections is located, unless his residence address has changed
13 and he has registered with the sheriff of the parish in which his new residence
14 address is located.

15 (3) Knowingly providing false information to any law enforcement officer,
16 office, or agency required to receive registration information pursuant to the
17 provisions of this Chapter shall constitute a failure to register pursuant to R.S.
18 15:563.1.5(A)(1).

19 D. The offender shall pay to the appropriate law enforcement agencies with
20 whom he is required to register, except for the campus law enforcement agency of
21 an institution of postsecondary education, an annual registration fee of sixty dollars
22 to defray the costs of maintaining the record of the offender. The payment of such
23 a fee shall be made in accordance with any rule regarding indigency adopted by the
24 judges of the judicial district court in the jurisdiction or as determined by criteria
25 established by the Department of Public Safety and Corrections. The offender shall
26 pay such fee upon the initial registration and on each anniversary thereof. Failure
27 by the offender to pay the fee within thirty days of initial registration shall constitute
28 a failure to register and shall subject the offender to prosecution under the provisions

1 of R.S. 15:563.1.5(A)(3). The offender shall not be prevented from registering in
2 accordance with this Section for failure to pay the annual registration fee.

3 E. Upon receipt of the registration information as required by the provisions
4 of this Section, the law enforcement agency shall immediately forward such
5 information to the bureau electronically.

6 F. The terrorist offender registration and notification requirements required
7 by this Chapter are mandatory and shall not be waived or suspended by any court.
8 Any order waiving or suspending terrorist offender registration and notification
9 requirements shall be null, void, and of no effect. Any order waiving or suspending
10 registration and notification requirements shall not be construed to invalidate an
11 otherwise valid conviction.

12 §563.1.2. In-person periodic renewal of registration by offenders

13 A.(1) Any person convicted of a terrorism offense or any person with a prior
14 conviction or adjudication for an offense which requires registration pursuant to this
15 Chapter, regardless of whether or not the prior offense required registration at the
16 time of commission or conviction, who is subsequently convicted of or adjudicated
17 for an offense which requires registration pursuant to the provisions of this Chapter,
18 shall renew and update his registration required by R.S. 15:563.1.1 in person every
19 three months from the date of initial registration.

20 (2) Any other person subject to registration as provided in R.S. 15:563.1.1
21 shall update his registration in person annually from the date of initial registration.

22 (3)(a) Notwithstanding any other provision of this Section, any person
23 required to register as a terrorist offender pursuant to the provisions of this Chapter
24 who does not have a fixed place of residence, or who is homeless, shall renew and
25 update his registration with the sheriff of the parish in which he is homeless, or is
26 living without a fixed residence, in person every fourteen days from the date on
27 which the offender initially appeared to register with the sheriff of that parish
28 pursuant to the provisions of this Chapter. If the offender regularly resides homeless,
29 or without a fixed place of residence, in more than one parish, he shall register with

1 the sheriff of each parish in which he regularly resides and shall renew and update
2 his registration every fourteen days with each sheriff of those parishes. If an
3 offender no longer plans to reside without a fixed residence in a particular parish, he
4 shall give notice, in person, to the sheriff of the parish in which he intends to no
5 longer reside. Failure to update or to give notice of change of residence pursuant to
6 the provisions of this Paragraph shall be a violation of R.S. 15:563.1.3.

7 (b) For purposes of this Section, the "parish of residence" for such offenders
8 shall be the parish in which the offender is living homeless or without a fixed
9 residence address.

10 B.(1) Each periodic renewal shall occur with the sheriff of the parish of
11 residence or residences of the offender. Such periodic registration renewals shall
12 continue for the period of registration required by the provisions of R.S. 15:563.2.
13 The sheriff of the parish of residence shall immediately forward the information
14 obtained through the periodic renewals to each law enforcement agency and to the
15 bureau for inclusion in the State Terrorist Offender Registry. The sheriff shall also
16 comply with the requirements in R.S. 15:563.1.8. at least annually with each
17 offender.

18 (2) Notwithstanding the in-person periodic renewals with the sheriff required
19 by the provisions of this Subsection, any offender who lives within the jurisdiction
20 of a municipality with a police department shall appear in person annually on the
21 anniversary of his registration period start date at the police department in his
22 municipality of residence to update his registration and pay the annual registration
23 fee as provided in R.S. 15:563.1.1.

24 §563.1.3. Duty of offenders to notify law enforcement of change of address,
25 residence, or other registration information

26 A. Unless an earlier time period is otherwise specified in the provisions of
27 this Chapter, those persons required to register pursuant to the provisions of this
28 Chapter shall appear in person at the sheriff's office in the parish of residence, or the
29 police department in the case of a municipality with a population in excess of three

1 hundred thousand, where the offender is currently registered to update information
2 within three business days of establishing a new or additional physical residential
3 address or of changes in information previously provided when any of the following
4 occur:

5 (1) The offender changes his place of residence or establishes a new or
6 additional residence.

7 (2) The offender has vacated his current address of registration with the
8 intent not to return.

9 (3) The offender has been absent from his current address of registration for
10 more than thirty consecutive days or an aggregate of thirty days or more per calendar
11 year and is physically present at another address during that same time period.

12 (4) The offender has a change in name, place of employment, or any
13 information previously provided pursuant to R.S. 15:563.1.1(C).

14 B. If the new or additional residence is located in a different parish than
15 where the offender was previously registered, he shall appear in person with the
16 sheriff of the parish of the new or additional residence to register within the same
17 time period established in Subsection A of this Section.

18 C.(1) Any person required to register in accordance with the provisions of
19 this Chapter shall also be required to send a written notice of change of address or
20 other information to the law enforcement agency with whom he was previously
21 registered within three business days of establishing a new or additional residence.

22 (2) Upon receipt of a notice of change of address or updated information, the
23 sheriff shall forward such information immediately to each law enforcement agency
24 with which the offender is required to register pursuant to R.S. 15:563.1.1(B) and to
25 the bureau.

26 D. The notice of change of address required by this Section shall include
27 proof of residence as required by R.S. 15:563.1.1(C).

1 E. Any terrorist offender who fails to provide change of address or other
2 information as provided in this Section shall be subject to criminal prosecution as
3 provided in R.S. 15:563.1.3.

4 F.(1) The offender shall appear in person at the sheriff's office in the parish
5 of residence at least three days prior to establishing temporary lodging to provide
6 temporary lodging information regarding any place where the offender plans to stay
7 for seven consecutive days or more.

8 (2) If the location of the temporary lodging is outside of the boundaries of
9 the parish of registration, the sheriff shall notify the sheriff of the parish of temporary
10 lodging. If the location of the temporary lodging is out of state, the sheriff shall
11 notify the bureau.

12 §563.1.4. Procedures for offenders convicted or adjudicated under the laws of
13 another state, or military, territorial, foreign, tribal, or federal law; procedures
14 for Louisiana offenders with out-of-state activities

15 A. Any person who is convicted or adjudicated of an offense under the laws
16 of another state, or military, territorial, foreign, tribal, or federal law for which R.S.
17 15:563.1.1 requires registration shall be subject to and shall comply with all of the
18 registration requirements of this Chapter within three business days of establishing
19 a residence in Louisiana. Such person shall also notify the bureau within three
20 business days of establishing residence in Louisiana and shall provide the bureau,
21 within thirty days of establishing residence in Louisiana, certified copies of court
22 records pertaining to the offense or offenses which require registration as a terrorist
23 offender, including but not limited to the bill of information, indictment, court
24 minutes, and final disposition.

25 B.(1) When the bureau receives notification that a person described in
26 Subsection A of this Section is establishing residence in Louisiana, it shall
27 immediately notify the appropriate law enforcement agencies as provided in R.S.
28 15:563.1.1.

1 (2)(a) Except as provided in Subparagraph (c) of this Paragraph, within sixty
2 days of receiving the certified copies of court records from the offender as required
3 by the provisions of Subsection A of this Section, the bureau shall determine which
4 time period of registration under the provisions of R.S. 15:563.2.1 and the frequency
5 of in-person periodic renewals under the provisions of R.S. 15:563.1.2 is applicable
6 to the offender while residing in Louisiana. This determination shall be based on a
7 comparison of the elements of the offense of conviction or adjudication with the
8 elements of the most comparable Louisiana offense.

9 (b) Until the bureau makes a determination and posts an official notification
10 as to the frequency of in-person periodic renewals, the offender shall renew and
11 update his registration required by R.S. 15:563.1.1 in person every three months
12 from the date of establishing a residence in Louisiana. Thereafter, the frequency of
13 in-person periodic renewals of the offender shall be pursuant to the provisions of
14 R.S. 15:563.1.2, based on the determination made by the bureau, comparing the
15 elements of the offense of conviction or adjudication with the elements of the most
16 comparable Louisiana offense, as required by Subparagraph (a) of this Paragraph.

17 (c) If the period of registration required by the offender's jurisdiction of
18 conviction is for the duration of the offender's lifetime, the bureau shall not be
19 required to determine which time period of registration and the frequency of
20 in-person periodic renewals that would be applicable to the offender while residing
21 in Louisiana as required by Subparagraph (a) of this Paragraph. The duration of the
22 registration for any such offender shall be for the duration of his lifetime pursuant
23 to R.S. 15:563.2.1, and the frequency of in-person periodic renewals for the offender
24 shall be every three months from the date of initial registration as required by R.S.
25 15:563.1.2(A)(1).

26 (3) Within ninety days of the effective date of the provisions of Paragraph
27 (2) of this Subsection, the bureau shall make a determination of the appropriate time
28 period of registration under R.S. 15:563.2.1 and the number of required in-person
29 periodic renewals under the provisions of R.S. 15:563.1.2 applicable to each terrorist

1 offender convicted under the laws of another state, or military, territorial, foreign,
2 tribal, or federal law who established a residence in this state prior to April 23, 2002.

3 C. Any nonresident full-time or part-time worker employed in this state who
4 would be required to register in his state of residence shall register with the
5 appropriate law enforcement agencies as provided in R.S. 15:563.1.1 within three
6 business days of employment. The provisions of this Subsection shall apply to any
7 person employed in this state, with or without compensation.

8 D. Nonresident full-time or part-time students enrolled in this state who are
9 required to register in their state of residence shall register within three business days
10 with the appropriate law enforcement agencies as provided in R.S. 15:563.1.1.

11 E. Any resident of this state required to register as required by R.S.
12 15:563.1.1 shall notify the appropriate law enforcement agencies as provided in R.S.
13 15:563.1.1 if he leaves the state for full-time or part-time employment in another
14 state, with or without compensation, for a period of more than seven consecutive
15 days or for an aggregate of thirty days or more during the calendar year.

16 F. Any resident of this state required to register under the provisions of this
17 Chapter shall notify the appropriate law enforcement agencies as provided in R.S.
18 15:563 within three business days if he leaves the state to enroll in any school as a
19 full-time or part-time student.

20 G. Any resident of this state required to register under the provisions of this
21 Chapter shall notify the bureau of his intent to establish a residence in another state
22 within three days prior to establishing residence in the other state.

23 H. When an offender who was convicted of or adjudicated for an offense
24 under the laws of another state, or military, territorial, foreign, tribal, or federal law
25 requiring registration pursuant to the provisions of this Chapter appears in person for
26 initial registration with the appropriate law enforcement agency in his parish of
27 residence, the law enforcement agency shall follow the procedures set forth in R.S.
28 15:563.1.8(B)(1) through (7).

1 §563.1.5. Failure to register as a terrorist offender; penalties

2 A.(1) A person who fails to timely register, fails to timely provide any
3 information required by the provisions of this Chapter, fails to timely and
4 periodically renew and update registration as required by the provisions of this
5 Chapter, fails to timely provide proof of residence, fails to timely provide
6 notification of change of address or other registration information, or fails to provide
7 notification as required by the provisions of this Chapter, and a person who
8 knowingly provides false information as provided in R.S. 15:563.1.1(C)(3) shall,
9 upon first conviction, be fined not more than one thousand dollars and imprisoned
10 with hard labor for not less than two years nor more than ten years without benefit
11 of parole, probation, or suspension of sentence.

12 (2) Upon second or subsequent convictions, the offender shall be fined three
13 thousand dollars and imprisoned with hard labor for not less than five years nor more
14 than twenty years without benefit of parole, probation, or suspension of sentence.

15 (3) An offender who fails to pay the annual registration fee in accordance
16 with the provisions of R.S. 15:563.1.1 shall be fined not more than five hundred
17 dollars, imprisoned for not more than six months, or both. Upon a second or
18 subsequent conviction for the failure to pay the annual registration fee, the offender
19 shall be punished in accordance with the provisions of Paragraphs (1) and (2) of this
20 Subsection.

21 B.(1) Any person who certifies by affidavit the location of the residence of
22 the offender shall send written notice to the appropriate law enforcement agency with
23 whom the person last registered when the offender no longer resides at the residence
24 provided in the affidavit. This notification shall be made any time the terrorist
25 offender is absent from the residence for a period of thirty days or more, or the
26 offender vacates the residence with the intent to establish a new residence at another
27 location. This notification shall be sent within three days of the end of the thirty-day
28 period or within three days of the offender vacating the residence with the requisite
29 intent.

1 (2) Any person who fails to provide the notice required by this Subsection
2 shall be fined not more than five hundred dollars, imprisoned for not more than six
3 months, with or without hard labor, or both.

4 §563.1.6. State Terrorist Offender Registry; duties of the Louisiana Bureau of
5 Criminal Identification and Information

6 A. The Louisiana Bureau of Criminal Identification and Information shall
7 develop and maintain the central registry known as the State Terrorism Offender
8 Registry (TOR). The registry shall contain the information transmitted to the bureau
9 pursuant to the provisions of this Chapter. Upon receipt of the registration and
10 information of any person subject to the provisions of this Chapter, including
11 juveniles required to register, the bureau shall immediately enter the appropriate
12 information in the registry. The bureau shall accept electronically submitted
13 information and registration renewal information from law enforcement.

14 B.(1) Immediately upon entry of the required information into the registry,
15 the bureau shall notify the sheriff of the parish in which the offender's address of
16 residence is located, and the chief of police if the address is located in an
17 incorporated area which has a police department. Additionally, the bureau shall
18 notify the sheriff of the parish in which the offender is employed or attends school.

19 (2) Immediately upon entry of the required information into the registry, the
20 bureau shall transmit to the Federal Bureau of Investigation the conviction data and
21 fingerprints of the offender registered.

22 (3) Immediately upon entry of information that a person required to register
23 under this Section is enrolled as a student or employed as a worker at any institution
24 of postsecondary education into the registry, the bureau shall notify all law
25 enforcement agencies having jurisdiction over the institution at which the offender
26 is enrolled or employed, including but not limited to the campus law enforcement
27 agency.

1 C. The bureau is hereby designated as the state agency to receive information
2 regarding out-of-state terrorist offenders who establish a residence in this state
3 pursuant to R.S. 15:563.1.4.

4 D.(1) The bureau shall provide for the capability which would allow a social
5 networking website to compare the database of registered users of that social
6 networking website to the list of electronic e-mail addresses, instant message
7 addresses, and other similar online identifiers of persons in the State Terrorist
8 Offender Registry.

9 (2) A social networking website desiring to compare its database of
10 registered users to the list of electronic e-mail addresses, instant message addresses,
11 and other online identifiers of persons in the registry shall provide to the bureau all
12 of the following information:

13 (a) The name, address, and telephone number of the entity operating the
14 social networking website.

15 (b) The legal nature and corporate status of the entity operating the social
16 networking website.

17 (c) A statement signed by the chief legal officer of the social networking
18 website to the effect that the information obtained from the registry shall not be
19 disclosed for any purpose other than for comparing the database of registered users
20 of the social networking website against the list of electronic e-mail addresses,
21 instant message addresses, and other online identifiers of persons contained in the
22 state registry, and that disclosure of this information for any other purpose may be
23 unlawful.

24 (d) The name, address, and telephone number of a natural person who is
25 authorized to receive service of process for the entity operating the social networking
26 website.

27 (3) After complying with the requirements of Paragraph (2) of this
28 Subsection, the entity operating the social networking website may screen users or
29 compare its database of registered users to the list of electronic e-mail addresses,

1 instant message addresses, and other online identifiers of persons contained in the
2 State Terrorist Offender Registry as frequently as the bureau will allow for the
3 purpose of identifying, monitoring, or removing a registered user associated with
4 electronic e-mail addresses, instant message addresses, and other online identifiers
5 contained in the registry.

6 (4) An entity operating a social networking website which complies with the
7 provisions of Paragraphs (2) and (3) of this Subsection, the entity, its directors,
8 officers, employees, or agents may claim such compliance as a defense to a claim for
9 liability arising against the entity or such persons.

10 §563.1.7. Court records; disclosure

11 Notwithstanding any other provision of law to the contrary, any records in
12 the possession of any court are subject to disclosure to the district attorney, sheriff,
13 or any other law enforcement officers including agents of the Department of Public
14 Safety and Corrections, division of probation and parole, for the purpose of fulfilling
15 their duties with regard to the provisions of this Chapter, and without the necessity
16 of obtaining any order of the court or other authorization for the release of such
17 records.

18 §563.1.8. Duties of the courts, sheriffs, and the Department of Public Safety and
19 Corrections and the office of juvenile justice; informing the offender of the
20 registration and notification requirements

21 A. The court shall provide written notification to any person convicted of a
22 terrorism offense of the registration requirements and the notification requirements
23 of this Chapter. For purposes of this Subsection, the court shall use the form
24 contained in R.S. 15:563.1.9 and shall provide a copy of the registration and
25 notification statutes to the offender. Such notice shall be included on any guilty plea
26 forms and judgment and sentence forms provided to the defendant, and an entry shall
27 be made in the court minutes stating that the written notification was provided to
28 such offenders. If the offender is not sentenced to incarceration, then the court shall
29 notify the bureau of the conviction of the offender.

1 B. When a person who is required to register under this Chapter is released
2 from incarceration or placed under parole, supervised release, or probation, the
3 Department of Public Safety and Corrections for adult offenders, or the office of
4 juvenile justice for juvenile offenders, or the sheriff if the offender is housed in the
5 parish jail, or the court if the offender is not incarcerated or placed in the
6 jurisdictional custody of the Department of Public Safety and Corrections or the
7 office of juvenile justice, shall:

8 (1) Inform the person of the duty to register in accordance with the
9 provisions of this Chapter.

10 (2) Inform the person of the duty to provide notification as required by the
11 provisions of this Chapter.

12 (3) Inform the person of the duty to provide in-person verification as
13 required by the provisions of this Chapter.

14 (4) Inform the person of the duty to provide information regarding a change
15 of address and other information and proof of residence as required by the provisions
16 of this Chapter.

17 (5) Inform the person that if the person changes residence to another state,
18 the person shall notify in writing both to the bureau and the law enforcement agency
19 designated for terrorist offender reporting under the laws of the state in which the
20 new address is located if that state has a registration requirement, within three days
21 from the date the person establishes residence in the new state.

22 (6) Obtain fingerprints, if not already on file, the registration information
23 required by the provisions of R.S. 15:563.1.1 for inclusion into the State Terrorist
24 Offender Registry, and a current photograph of the person. The agency responsible
25 in this Section for collecting the registration information shall, before release of the
26 offender, transfer that information to the bureau for immediate inclusion in the
27 registry which shall constitute preregistration, but which shall only be deemed
28 completed registration upon the in-person verification by the offender with the
29 appropriate law enforcement agency as provided in R.S. 15:563.1.1, within three

1 business days of conviction, if not incarcerated immediately after conviction, or of
2 release from confinement.

3 (7) Require the person to read and sign a form stating that the requirements
4 of the provisions of this Chapter and the penalty for failure to comply with those
5 requirements have been explained.

6 C. The Department of Public Safety and Corrections shall provide written
7 notification to an individual convicted of a terrorism offense from another state of
8 the registration and notification requirements of this Chapter at the time the
9 department accepts supervision and has legal authority of the individual under the
10 terms and conditions of the interstate compact agreement under R.S. 15:574.31. The
11 sheriff of the parish of the offender's residence shall also provide written notification
12 of the registration and notification requirements contained in this Chapter to every
13 offender who presents himself to the sheriff for the purpose of fulfilling the
14 registration requirements contained in this Chapter as well as a copy of the
15 registration and notification statutes. The offender shall sign an affidavit confirming
16 receipt of such notification.

17 D. At the time a person renews his driver's license or identification card, or
18 surrenders a driver's license from another jurisdiction and makes an application for
19 a driver's license or an identification card, the Department of Public Safety and
20 Corrections shall provide the applicant with written information on the registration
21 requirements of R.S. 15:563.1.1.

22 §563.1.9. Written notification by the courts; form to be used

23 STATE V. _____ JUDICIAL DISTRICT COURT

24 DOCKET # _____

25 PARISH OF _____

26 DIVISION _____ STATE OF LOUISIANA

27 Notification to Terrorist Offender

28 In accordance with R.S. 15:563.1.8, this court has the duty to provide

29 _____ (name of offender) with the information necessary for awareness

1 of terrorist offender registration and notification requirements. has
2 pled guilty to, been found guilty of, or been adjudicated delinquent of a violation of
3 Title 14, Section _____ Subsection _____ of the Louisiana Revised Statutes of 1950.

4 This crime of conviction or adjudication is:

5 () Under R.S. 15:563, defined as a terrorism offense or, with regard to
6 offenders adjudicated as juveniles, an offense listed in R.S. 15:563.1.1(A)(3) which,
7 pursuant to R.S. 15:563.2.1, requires lifetime registration and notification under
8 Chapter 3-G of Title 15 of the Louisiana Revised Statutes of 1950.

9 () A second conviction for an offense requiring registration and notification
10 under the provisions of Chapter 3-G of Title 15 of the Louisiana Revised Statutes of
11 1950 which, pursuant to R.S. 15:563.2.1, requires lifetime registration and
12 notification under Chapter 3-G of Title 15 of the Louisiana Revised Statutes of 1950.

13 The above registration and notification periods shall begin to toll from the
14 date you are released from prison, from the date of being placed on parole,
15 supervised release or probation, or from the date of your conviction, if you are not
16 sentenced to a term of imprisonment or jail.

17 Based on the foregoing, you are hereby notified of the following:

18 (1) That you, within three (3) business days of establishing residence in
19 Louisiana or if a current resident, within three (3) business days after conviction or
20 adjudication if not immediately incarcerated or taken into custody, or within three
21 (3) business days after release from confinement, shall obtain and provide the
22 following information to each sheriff or police department in accordance with R.S.
23 15:563.1.1(B) (except in Orleans Parish where registration shall take place with the
24 New Orleans Police Department):

25 (a) Name and any aliases used by you.

26 (b) Physical address or addresses of residence.

27 (c) Name and physical address of place of employment. If you do not have
28 a fixed place of employment, you shall provide information with as much specificity

1 as possible regarding the places where you work, including but not limited to travel
2 routes used by you.

3 (d) Name and physical address of the school in which you are a student.

4 (e) Two (2) forms of proof of residence for each residential address
5 provided, including but not limited to a driver's license, bill for utility service, and
6 bill for telephone service. If those forms of proof of residence are not available, you
7 may provide an affidavit of an adult resident living at the same address. The
8 affidavit shall certify that the affiant understands his obligation to provide written
9 notice pursuant to R.S. 15:563.1.5 to the appropriate law enforcement agency with
10 whom you last registered when you no longer reside at the residence provided in the
11 affidavit.

12 (f) The crime for which you were convicted and the date and place of such
13 conviction, and if known by you, the court in which the conviction was obtained, the
14 docket number of the case, the specific statute under which you were convicted, and
15 the sentence imposed.

16 (g) A current photograph, fingerprints, palm prints, and a DNA sample.

17 (h) Telephone numbers, including fixed location phone and mobile phone
18 numbers assigned to you or associated with your residence address.

19 (i) A description of every motorized vehicle registered to or operated by you,
20 including license plate number and vehicle identification number, and a copy of your
21 driver's license and identification card. This information should always be provided
22 before the vehicle is operated and, if the vehicle is registered to you, no more than
23 three days after the vehicle is registered, even if it has not yet been operated.

24 (j) Social security number and date of birth.

25 (k) A description of your physical characteristics, including but not limited
26 to sex, race, hair color, eye color, height, age, weight, scars, tattoos, or other
27 identifying marks on your body.

28 (l) Every electronic e-mail address, online screen name, or other online
29 identity used by you to communicate on the internet.

1 (m)(i) Temporary lodging information regarding any place where you plan
2 to stay for seven (7) or more days and the length of the stay. This information shall
3 be provided at least three (3) days prior to the date of departure unless an emergency
4 situation has prevented the timely disclosure of the information.

5 (ii) Temporary lodging information regarding international travel shall be
6 provided regardless of the number of days or nights you plan to stay. This
7 information shall be provided at least twenty-one (21) days prior to the date of
8 departure unless an emergency situation has prevented the timely disclosure of the
9 information.

10 (n) Travel and immigration documents, including but not limited to passports
11 and documents establishing immigration status.

12 (2) You shall register with the sheriff and police chief in each parish and
13 municipality where you maintain your residence(s) and with the sheriff of the parish
14 in which you are employed and attend school in accordance with R.S. 15:563.1.1.
15 For initial registration only, you, if you are not immediately taken into physical
16 custody, shall register on the date of conviction or adjudication with the sheriff in the
17 parish of your conviction or adjudication in accordance with R.S. 15:563.1.1. If you
18 live, work, or attend school in Orleans Parish, however, you shall register with the
19 New Orleans Police Department and not with the sheriff of that parish.

20 (3) If you are incarcerated as a result of the crime, you shall provide all
21 information listed in Paragraph (1) of this Section to the Department of Public Safety
22 and Corrections, or if a juvenile, to the office of juvenile justice, within ten (10) days
23 prior to release from confinement. You shall still appear in person at the sheriff's
24 office within three (3) business days of release from confinement. You shall register
25 with the sheriff of the parish in which the residence address you initially supplied to
26 the department is located, unless the residence has changed and you have registered
27 with the sheriff of the parish in which the new residence address is located.

28 (4) During the declaration of an emergency, if you enter an emergency
29 shelter you shall, within the first twenty-four (24) hours of admittance, notify the

1 management of the facility, the chief of police of the municipality, and the sheriff of
2 the parish in which the shelter is located of your terrorist offender status in
3 accordance with R.S. 15:563.2.

4 (5) You have a duty to provide notice of change of address or other
5 registration information to the sheriff of the parish of residence within three (3)
6 business days. If the new or additional residence is located in a different parish, then
7 you must register with the sheriff of the parish in which the new or additional
8 residence is located. You shall also send written notice within three (3) business
9 days of re-registering in the new parish to the sheriff of the parish of former
10 registration in accordance with R.S. 15:563.1.3. If the new address is situated within
11 a municipality, you must also register with the police department of that municipality
12 within three (3) business days of establishing the residence.

13 (6) In accordance with R.S. 15:563.1.1(C)(2), you must, within ten (10) days
14 prior to release from a correctional facility, provide a photograph and all other
15 required registration information to the Department of Public Safety and Corrections.
16 Providing false information during this process constitutes failure to register
17 exposing you to prosecution and the penalties detailed at the end of this document.
18 The address provided to the Department of Public Safety and Corrections through
19 this process shall be presumed to be your residence address. In accordance with R.S.
20 15:563.1.1(C)(2), you must register with the sheriff of the parish in which this
21 address is located within three (3) business days of your release from confinement,
22 whether or not you actually establish a residence there, unless you establish a
23 residence elsewhere AND register with that jurisdiction within three (3) business
24 days of your release from confinement. Failure to do so is a violation of the
25 registration statutes and will subject you to prosecution under R.S. 15:563.1.5.

26 (7) In accordance with R.S. 15:563.1.3, if you change your place of
27 residence or establish a new or additional residence, you shall appear in person at the
28 office of the sheriff of your parish of residence where you are currently registered
29 within three (3) business days of the change to register the new address. If the new

1 address is located in a different parish, then you shall also appear in person at the
2 office of the sheriff of your new parish of residence within the same time period. If
3 your parish of residence is in Orleans Parish, then the registration shall take place at
4 the New Orleans Police Department and not with the Orleans Parish Sheriff.

5 (8) In accordance with R.S. 15:563.1.3, if you are absent from your current
6 address of registration for more than thirty (30) consecutive days or an aggregate of
7 thirty (30) days or more in a calendar year, and are physically present at another
8 address during that same period of time, you shall register in person the new address
9 as one of your addresses of residence. If the new address is in a parish different from
10 your current address, you shall also register in person with the sheriff of the new
11 parish within three (3) business days of the tolling of the time periods listed. This
12 requirement notwithstanding, you shall still notify the sheriff of one of your parishes
13 of residence in person if you are to take up temporary lodging for seven (7) or more
14 days. It is only after the thirty-day limit is exceeded that the new registration shall
15 occur.

16 (9) You shall also appear in person at the office of the sheriff of any of your
17 parishes of residence when there is a change in your name, place of employment, or
18 enrollment. This appearance shall occur within three (3) business days of the
19 change. If your address of residence is in Orleans Parish, this registration update
20 shall take place at the New Orleans Police Department and not with the Orleans
21 Parish Sheriff's Office.

22 (10) You shall be prohibited from certain types of employment in accordance
23 with R.S. 15:563.3 for the duration of the registration period. A copy of this statute
24 is provided to you with this notification.

25 (11) In accordance with R.S. 15:563.1.1 you shall update your registration
26 annually on the anniversary of the initial registration by appearing in person at the
27 office of each law enforcement agency with which you are required to register and
28 shall pay an annual registration fee of sixty dollars (\$60.00).

1 birth, social security number, and last address of registration prior to the declaration
2 of emergency. Within seventy-two hours of receiving the notification required by
3 the provisions of this Paragraph, the chief of police and the sheriff shall forward that
4 information to the Louisiana Bureau of Criminal Identification and Information.

5 (2) For purposes of this Subsection, "emergency shelter" includes the use of
6 any facility, building, or structure operated by a nonprofit, tax-exempt organization
7 under Section 501(c)(3) of the Internal Revenue Code, which provides the basic
8 necessities of life, including but not limited to water, food, and shelter, to persons
9 who are displaced from their homes due to a man-made or natural emergency or
10 disaster.

11 (3) The manager or director of the emergency shelter shall make a
12 reasonable effort to notify the chief law enforcement officer of the parish or
13 municipality in which the shelter is located of the presence of the terrorist offender
14 in the emergency shelter. No person associated with a nonprofit organization which
15 operates an emergency shelter shall be liable for any injury or claim arising out of
16 the failure of the manager or operator to communicate the presence of a terrorist
17 offender in the shelter to the appropriate law enforcement official.

18 B. The Department of Public Safety and Corrections shall provide
19 information to every terrorist offender who is under the supervision of the
20 department with respect to the protocol to be followed in emergency situations. To
21 implement the provisions of this Section, the department shall adopt rules in
22 accordance with the Administrative Procedure Act which include but are not limited
23 to the following:

24 (1) The establishment of a toll-free telephone number which shall be
25 provided to each terrorist offender for use in contacting the department in emergency
26 situations.

27 (2) Dissemination of information to each terrorist offender of his obligation
28 to notify the management of an emergency shelter of his terrorist offender status in

1 accordance with the provisions of R.S. 15:563 and of his obligation to report to the
2 Department of Public Safety and Corrections, division of probation and parole.

3 C. For purposes of this Section, "terrorist offender" shall mean any person
4 who has committed a terrorist offense as defined in R.S. 15:563.1.

5 D. The failure of the offender to comply with the provisions of this Section
6 shall be considered a violation of a condition of probation and parole and subject the
7 offender to revocation.

8 §563.2.1. Duration of registration and notification period

9 A.(1) A person required to register and provide notification pursuant to the
10 provisions of this Chapter shall comply with the requirement for a period of fifteen
11 years from the date of the initial registration in Louisiana, or the duration of the
12 lifetime of the offender as provided in Subsection D of this Section, unless the
13 underlying conviction is reversed, set aside, or vacated, except for those convictions
14 that were reversed, set aside, or vacated pursuant to Code of Criminal Procedure
15 Article 893 or 894, or a similar provision of federal law or law from another state or
16 military jurisdiction. The requirement to register shall apply to an offender who
17 receives a pardon as a first-time offender pursuant to Article IV, Section 5(E)(1) of
18 the Constitution of Louisiana and R.S. 15:572.

19 (2) A person with a prior conviction or adjudication for an offense for which
20 registration is required by the provisions of this Chapter, whether or not the prior
21 offense required registration at the time of commission or conviction, who
22 subsequently is convicted of or adjudicated for an offense which requires registration
23 under the provisions of this Chapter shall register and provide notification for the
24 duration of their lifetime, even if granted a first offender pardon, unless the
25 underlying conviction is reversed, set aside, or vacated, except for those convictions
26 that were reversed, set, aside, or vacated pursuant to Code of Criminal Procedure
27 Article 893 or 894, or a similar provision of federal law or law from another state or
28 military jurisdiction.

1 B. A person who is required to register pursuant to the provisions of R.S.
2 15:563.1.1 shall register and maintain his registration pursuant to the provisions of
3 this Chapter for the period of registration provided by the jurisdiction of conviction
4 or for the period of registration provided by the provisions of this Section, whichever
5 period is longer.

6 C.(1) If an offender begins the period of registration and notification and is
7 subsequently incarcerated for any reason other than a misdemeanor arrest or a
8 misdemeanor conviction or for a felony arrest which does not result in a conviction,
9 then the period of registration and notification shall begin anew on the day the
10 offender is released from incarceration, with no credit for the period of time in which
11 the offender complied with registration and notification requirements prior to his
12 incarceration.

13 (2) An offender required to register pursuant to the provisions of this Chapter
14 shall receive credit only for the period of time in which he resides in this state and
15 is in compliance with all registration and notification requirements of this state.

16 D.(1) Notwithstanding the provisions of Subsection A or Paragraph (B) of
17 this Section, the court, upon motion of the district attorney, and after a contradictory
18 hearing, shall have the authority to order a person required to register and provide
19 notification pursuant to the provisions of this Chapter to register and notify for the
20 duration of the lifetime of the offender upon a showing by a preponderance of the
21 evidence that the offender poses a substantial risk of committing another offense
22 requiring registration pursuant to this Chapter. The district attorney and the offender
23 may enter into a plea agreement requiring the offender to register and provide
24 notification for the duration of the lifetime of the offender without a contradictory
25 hearing.

26 (2) Whenever the registration and notification period of a terrorist offender
27 has been increased to lifetime pursuant to the provisions of Paragraph (1) of this
28 Subsection, upon maintenance of a clean record for the minimum time period
29 applicable to the offense of conviction as provided by the provisions of Subsection

1 A or Paragraph (B) of this Section, the offender may petition the court in the
2 jurisdiction of conviction, or if convicted under the laws of another state, or military,
3 territorial, foreign, tribal, or federal law, in the jurisdiction of the offender's
4 residence, to be relieved of the registration and notification requirements of this
5 Chapter. The district attorney shall be served with the petition, and the matter shall
6 be set for contradictory hearing. Upon a finding by clear and convincing evidence
7 that the offender has maintained a "clean record" as defined in this Section and that
8 the offender does not pose a substantial risk of committing another offense requiring
9 registration pursuant to this Chapter, the court may order that the offender be
10 relieved of the obligation to register and notify pursuant to this Chapter.

11 §563.2.2. Petitions for injunctive relief or declaratory judgments

12 Any petition for injunctive relief or for declaratory judgment regarding the
13 application or interpretation of the registration and notification requirements of this
14 Chapter, other than the summary proceeding provided for in R.S. 15:563.1.1 and
15 563.2.1 shall be filed through ordinary civil proceedings in the district court for the
16 parish where the state capitol is situated. Appeals from determinations made
17 pursuant to R.S. 15:563.1.4 shall comply with the deadlines and other procedures as
18 required by R.S. 15:563.1.4.

19 §563.2.3. Registration and notification period end date; determination; procedures

20 A.(1) For an offender who is required to register as a terrorist offender
21 pursuant to the provisions of this Chapter, at least fourteen years from the initial date
22 of registration in Louisiana after the date of conviction for which the offender is
23 required to register pursuant to the provisions of this Chapter or from the date of the
24 offender's latest release from any incarceration, except pursuant to a misdemeanor
25 arrest or conviction or a felony arrest that does not result in a felony conviction,
26 whichever is later, the following procedures shall apply:

27 (a) The office of state police and the sheriff of each parish in which the
28 offender resides, or has resided, shall upload the offender's registration history to the
29 offender's file in the State Terrorist Offender Registry (TOR).

1 (b) The Department of Justice shall review the offender's criminal history
2 and registration history and post a prospective registration and notification period
3 end date to the offender's file in the TOR. When posting the prospective registration
4 and notification period end date, the Department of Justice shall include any details
5 relied upon at the time to calculate the registration and notification period end date.
6 If at any time after the determination of the registration and notification period end
7 date the offender's criminal history or registration history reflects actions or inaction
8 that, pursuant to the provisions of this Chapter, requires the running of the
9 registration period to begin anew or to be suspended, the registration and notification
10 period end date shall be revised by the Department of Justice accordingly.

11 (c) Within thirty days from the date on which the Department of Justice posts
12 its determination of the registration and notification period end date to the offender's
13 file in the State Terrorist Offender Registry, the Department of Justice or its
14 authorized agent shall give the offender written notice of the prospective registration
15 and notification period end date which shall inform the offender that the registration
16 and notification period end date shall be revised if the offender's criminal history or
17 registration history subsequently reflects actions or inaction that, pursuant to the
18 provisions of this Chapter, requires the end date to be recalculated. The written
19 notice shall also inform the offender of his right to seek review of the Department
20 of Justice's determination as provided in Subsections C and E of this Section. The
21 date on which the letter is sent notifying the offender of his registration and
22 notification period end date shall be entered by the Department of Justice or its
23 authorized agent in the offender's registry profile.

24 (2) The provisions of this Subsection shall not apply to any person who has
25 been convicted of more than one offense that requires registration pursuant to the
26 provisions of this Chapter.

27 B. The registration and notification period end date, calculated and
28 maintained by the Department of Justice pursuant to the provisions of Subsections
29 A of this Section, shall be set in accordance with the provisions of this Chapter and

1 shall be binding for purposes of enforcement of the registration and notification
2 provisions of this Chapter unless overturned by the court of competent jurisdiction
3 pursuant to R.S. 15:563.2.2.

4 C. If an offender, who is currently residing in this state and is under an active
5 obligation to register pursuant to the provisions of this Chapter, believes that the
6 determined registration and notification period end date is incorrect, the offender
7 may seek further review of the end date determination by the Department of Justice
8 within forty-five days of the date on which the notice was sent pursuant to
9 Subparagraph (A)(1)(c) of this Section. The request shall be made in writing and
10 addressed to: Office of the Attorney General, Post Office Box 94005, Baton Rouge,
11 Louisiana 70804-9005. The request for review shall include all of the following:

12 (1) Name, date of birth, social security number, and phone number of the
13 offender.

14 (2) Address of residence and parish in which the offender is currently
15 residing.

16 (3) The offense for which the offender was convicted that requires
17 registration and notification pursuant to the provisions of this Chapter, the
18 jurisdiction of conviction, the court of conviction, the date of conviction, and the
19 latest release from incarceration for the conviction that requires registration and
20 notification pursuant to the provisions of this Chapter.

21 (4) Specific legal or factual reasons why the offender believes the current
22 registration and notification period end date as determined by the Department of
23 Justice is incorrect.

24 (5) A copy of the most recent offender contract signed by the offender at the
25 office of the sheriff of the parish in which the offender resides.

26 (6) An affidavit of verification that all allegations of fact are true and
27 accurate.

28 D. If the request for review meets all of the requirements set forth in
29 Subsection C of this Section, the request shall be reviewed by the Department of

1 Justice. The Department of Justice shall post its decision, and any pertinent law and
2 facts relied upon in making its decision, to the offender's registry file. The
3 Department of Justice or its authorized agent shall provide written notice of the
4 department's decision to the offender within thirty days from the date on which the
5 decision was posted to the offender's file in the State Terrorist Offender Registry by
6 the Department of Justice. If the request for review submitted by the offender does
7 not meet the procedural requirements set forth in Subsection C of this Section, the
8 request for review shall be rejected and the offender shall be given notice of the
9 rejection through the same method as the notification of the prospective registration
10 and notification end date determination and the date of such notice shall be entered
11 into the offender's registry profile.

12 E. Within one hundred eighty days of the issuance of notice pursuant to
13 Subsection A, C, or D of this Section, whichever is later, the offender may file a
14 petition for injunctive relief or for a declaratory judgment pursuant to the provisions
15 of R.S. 15:563.2.2. Failure to timely file a petition for such relief pursuant to the
16 provisions of this Subsection shall constitute a waiver by the offender and shall make
17 the registration and notification period end date determination by the Department of
18 Justice final, unless the registration and notification period end date is revised by the
19 Department of Justice because the offender's criminal history or registration history
20 reflects actions or inaction that, pursuant to the provisions of this Chapter, requires
21 the running of the registration period to begin anew or to be suspended.

22 F. When an offender has complied with all registration and notification
23 requirements for the period of time required by the provisions of this Chapter, the
24 Department of Justice shall, upon request by the offender, issue a formal letter
25 verifying that the offender has completed all his requirements. This letter shall state
26 that the offender is no longer required to register as a terrorist offender for the
27 underlying terrorist offense, as defined by R.S. 15:563.1, which gave rise to his
28 obligation to register, unless the offender is convicted of another offense which
29 requires registration and notification pursuant to the provisions of this Chapter.

1 G. If at any time after the determination of the registration and notification
2 period end date is made pursuant to the provisions of this Chapter, the offender's
3 criminal history or registration history reflects actions or inaction that, pursuant to
4 the provisions of this Chapter, requires the running of the registration period to begin
5 anew or to be suspended, and the registration and notification period end date is
6 revised by the Department of Justice, the Department of Justice shall post the
7 updated registration and notification period end date to the offender's file in the State
8 Terrorist Offender Registry. Within thirty days from the date on which the
9 Department of Justice posts the revised registration and notification period end date
10 to the offender's file, the Department of Justice or its authorized agent shall give the
11 offender written notice by mail of the revised end date and notify the offender of his
12 right to seek review of the determination by the Department of Justice as provided
13 in Subsections C and E of this Section.

14 H. The Department of Justice is not required to make the determination of
15 the registration and notification period end date for any offender who is incarcerated
16 or living out of state and is, therefore, not under an active obligation to register and
17 provide notification in Louisiana. Once the offender is released from incarceration
18 or returns to live in Louisiana and is under an active obligation to register and
19 provide notification in this state, the determination of registration and notification
20 period end date shall be made pursuant to the provisions of this Section.

21 I. Nothing in this Section shall be construed to relieve an offender of the
22 obligation to register and provide notification pursuant to the provisions of this
23 Chapter prior to complying with the obligations of this Chapter for the requisite
24 period of time.

25 §563.2.4. Duty of law enforcement

26 A.(1) It shall be the duty of the sheriff of every parish, the chief of police of
27 each municipality, and every chief officer of every other law enforcement agency
28 operating within this state to record the fingerprints of all persons held in or
29 remanded to their custody when convicted of any terrorism offense for which the

1 penalty of imprisonment might be imposed and to disseminate and file such
2 fingerprints in the same manner as those recorded upon every arrest. The sheriff and
3 the police chief or, if the residence is in a municipality with a population in excess
4 of three hundred thousand, the police department shall forward the fingerprints and
5 information obtained pursuant to R.S. 15:563.1.1 a copy of the criminal history of
6 the offender, and the text of the law defining the criminal offense which requires
7 registration to the Louisiana Bureau of Criminal Identification and Information
8 within three business days for inclusion into the State Terrorism Offender Registry.

9 (2) Each emergency shelter opened or operating in the state of Louisiana in
10 anticipation of a state of emergency being declared or a state of emergency having
11 been declared in the state or any portion of the state may request that the Bureau of
12 Criminal Identification and Information provide the shelter with a copy of the most
13 recent central registry of terrorist offenders registered under provisions of R.S.
14 15:563.1.1.

15 B. Every time a furlough is authorized, the Department of Public Safety and
16 Corrections shall notify, forty-eight hours prior to the beginning of such furlough,
17 the bureau that the named prisoner has been granted a furlough, the place to which
18 furloughed, and the dates and times during which the prisoner will be on furlough
19 status. In the case of an emergency furlough the forty-eight hour time period shall
20 not be required but notification shall be made as promptly as possible and before the
21 prisoner is released on furlough. Upon receipt of furlough information pursuant to
22 this Subsection, the bureau shall notify the sheriff of the parish or the chief of police
23 of the municipality to which the prisoner is being furloughed, the nearest Louisiana
24 state police troop unit wherein the furloughed prisoner shall be residing, and such
25 other criminal justice agencies as the bureau may deem necessary.

26 C. Disposition of the charge for which the arrest was made shall be reported
27 to the bureau at whatever stage in the proceedings a final disposition occurs by the
28 arresting law enforcement agency, district attorney, parish attorney, city attorney, or
29 court having jurisdiction over the offense.

1 D. Whenever a person serving a sentence for a term of incarceration in a
2 state correctional facility for convicted felons, pursuant to court commitment, is
3 released on an order of the committee on parole or office of adult services, or is
4 discharged from custody on expiration of sentence, the Department of Public Safety
5 and Corrections shall promptly notify the bureau that the named person has been
6 released or discharged, and the conditions of his release or discharge, and shall
7 additionally notify the bureau of change in residence or conditions of release or
8 discharge of a person on active parole supervision, and shall notify the bureau when
9 the person is discharged from active parole supervision. Any person released or
10 discharged shall register with the sheriff pursuant to R.S. 15:563.1.1. In addition,
11 nothing in this Chapter shall be construed to prevent any local law enforcement
12 agency from recording the residency and other information concerning any convicted
13 felon or other person convicted of a criminal offense when such information is
14 obtained from a source other than from registration pursuant to R.S. 15:563.1.1,
15 which source may include any law enforcement officer or other agency or
16 subdivision of the state.

17 §563.2.5. Release of information

18 A. Criminal justice agencies shall release relevant and necessary information
19 regarding terrorist offenders to law enforcement agencies as the release of the
20 information is necessary for public protection.

21 B.(1) An elected official, public employee, public agency, or criminal justice
22 agency shall be immune from civil liability for damages for any discretionary
23 decision to release relevant and necessary information, unless it is shown that the
24 official, employee, or agency acted with gross negligence or in bad faith. The
25 authorization and immunity in this Chapter apply to information regarding:

26 (a) A person who has been convicted of a terrorism offense as defined in this
27 Chapter.

28 (b) A person found not guilty by reason of insanity of a terrorism offense as
29 define in this Chapter.

1 (c) A person found incompetent to stand trial for a terrorism offense and
2 subsequently committed to a treatment facility or institution or hospital.

3 (2) The immunity provided under this Section applies to the release of
4 relevant information to other employees or officials or local, state, or federal law
5 enforcement agencies.

6 (3) The identity of a victim, or information leading to the identity of a
7 victim, of an offense that requires registration under this Section shall not be
8 released.

9 C. Nothing in this Chapter, except as otherwise provided, shall impose any
10 liability upon a public official, public employee, or public agency for failing to
11 release information as provided in this Chapter.

12 D. An offender's pending appeal or writ of habeas corpus shall not restrict
13 the agency's, official's, or employee's authority to release relevant information
14 concerning an offender's prior criminal history. However, the agency shall release
15 the latest dispositions of the charges as they are provided.

16 §563.2.6. Committee on parole

17 A. The committee on parole, hereinafter referred to as "the committee", shall
18 cause a complete record to be kept of every prisoner released on parole. Such
19 records shall be organized in accordance with the most modern methods of filing and
20 indexing so that there will be always immediately available complete information
21 about such prisoner. The committee may make rules as to the privacy of such
22 records and their use by persons other than the committee and its staff. In
23 determining the rules regarding dissemination of information regarding convicted
24 terrorist offenders under the committee's jurisdiction, the committee shall institute
25 rules pursuant to the provisions of R.S. 15:563.2.5 and shall be immune from
26 liability for the release of information concerning any terrorist offender.

27 B. In addition to any other information required to be released under this
28 Chapter, the committee may, pursuant to R.S. 15:563.2.5, release information

1 concerning any inmate under the jurisdiction of the committee who is convicted of
2 any terrorism offense.

3 §563.2.7. Dissemination policy

4 A. Conviction records may be disseminated to local, state, or federal law
5 enforcement authorities without restriction.

6 B. The State Terrorist Offender Registry will not be available to the general
7 public.

8 C. Any criminal history record information which pertains to an incident for
9 which a person is currently being processed by the criminal justice system, including
10 the entire period of correctional supervision extending through final discharge from
11 parole, when applicable, may be disseminated to local, state, or federal law
12 enforcement authorities without restriction.

13 D. Criminal history record information which includes nonconviction data
14 may be disseminated by a criminal justice agency to another criminal justice agency
15 for any purpose associated with the administration of criminal justice, or in
16 connection with the employment of the subject of the record by a criminal justice or
17 juvenile justice agency. A criminal justice agency may respond to any inquiry from
18 another criminal justice agency without any obligation to ascertain the purpose for
19 which the information is to be used by the agency making the inquiry.

20 E. Criminal history record information which includes nonconviction data
21 may be disseminated by a criminal justice agency to implement a statute, ordinance,
22 executive order, or a court rule, decision, or order which expressly refers to records
23 of arrest, charges, or allegations of criminal conduct or other nonconviction data and
24 authorizes or directs that it be available or accessible for a specific purpose.

25 F. Criminal history record information which includes nonconviction data
26 may be disseminated to individuals and agencies pursuant to a contract with a
27 criminal justice agency to provide services related to the administration of criminal
28 justice. Such contract must specifically authorize access to criminal history record
29 information, but need not specifically state that access to nonconviction data is

1 included. The agreement must limit the use of the criminal history record
2 information to stated purposes and insure the confidentiality and security of the
3 information consistent with state law and any applicable federal statutes and
4 regulations.

5 G. Criminal history record information which includes nonconviction data
6 may be disseminated to individuals and agencies for the express purpose of research,
7 evaluative, or statistical activities pursuant to an agreement with a criminal justice
8 agency. Such agreement must authorize the access to nonconviction data, limit the
9 use of that information which identifies specific individuals to research, evaluative,
10 or statistical purposes, and contain provisions giving notice to the person or
11 organization to which the records are disseminated that the use of information
12 obtained therefrom and further dissemination of such information are subject to this
13 Chapter and applicable federal statutes and regulations, which shall be cited with
14 express reference to the penalties provided for a violation thereof.

15 H.(1) Every criminal justice agency that maintains and disseminates criminal
16 history record information shall maintain information pertaining to each
17 dissemination of criminal history record information, except a dissemination to the
18 effect that the agency has no record concerning an individual. Information pertaining
19 to disseminations shall include:

20 (a) An indication as to which agency or person to whom the criminal history
21 record information was disseminated.

22 (b) The date on which the information was disseminated.

23 (c) The individual to whom the information relates.

24 (d) A brief description of the information disseminated.

25 (2) The information pertaining to dissemination required to be maintained
26 shall be retained for a period of not less than one year.

27 I. In addition to the other provisions in this Chapter allowing dissemination
28 of criminal history record information to law enforcement agencies, R.S. 15:563.2.5
29 governs dissemination of information concerning any offender who commits a

1 terrorism offense. Criminal justice agencies, their employees, and officials shall be
2 immune from civil liability for dissemination of criminal history record information
3 concerning terrorist offenders as provided in this Chapter.

4 §563.2.8. Notification of release or escape of inmate

5 A. At the earliest possible date, and in no event later than ten days before
6 release, except in the event of escape or emergency furloughs, the Department of
7 Public Safety and Corrections shall send written notice of parole, community
8 placement, work release placement, furlough, or escape, about a specific inmate
9 convicted of a terrorism offense to all of the following:

10 (1) The chief of police of the municipality, in which the inmate will reside
11 or in which placement will be made in a work release program.

12 (2) The sheriff of the parish in which the inmate will reside or in which
13 placement will be made in a work release program.

14 B. The same notice as required in Subsection A of this Section shall be sent
15 to the following if such notice has been requested in writing about a specific inmate
16 convicted of a terrorism offense:

17 (1) The victim of the crime for which the inmate was convicted, if
18 applicable.

19 (2) Any witnesses who testified against the inmate in any court proceedings
20 involving the offense.

21 (3) Any person specified in writing by the prosecuting district attorney.

22 C. Information regarding any victim, a relative of the victim, or witness
23 requesting the notice, information regarding any other person specified in writing by
24 the prosecuting district attorney to receive the notice, and the notice are confidential
25 and shall not be available to the inmate.

26 D. If an inmate convicted of a terrorism offense escapes from a correctional
27 facility, the Department of Public Safety and Corrections shall immediately notify,
28 by the most reasonable and expedient means available, the chief of police of the
29 municipality and the sheriff of the parish in which the inmate resided immediately

1 before the inmate's arrest and conviction. If previously requested, the department
2 shall also notify the witnesses and the victim of the crime for which the inmate was
3 convicted. If the inmate is recaptured, the department shall send notice to the
4 persons designated in this Subsection as soon as possible but in no event later than
5 two working days after the department learns of such recapture.

6 E. If the victim or any witness is under the age of sixteen, the notice required
7 by this Section shall be sent to the parents, tutor or legal guardian of the child.

8 F. The Department of Public Safety and Corrections shall send the notices
9 required by this Chapter to the last address provided to the department by the
10 requesting party. The requesting party shall furnish the department with a current
11 address.

12 G. Nothing in this Section shall impose any liability upon a chief of police
13 of a municipality or sheriff of a parish for failing to request in writing a notice as
14 provided in this Section.

15 §563.2.9. Harboring or concealing a terrorist offender; penalties

16 A. Harboring or concealing a terrorist offender is committed when a person
17 knows or has reason to know that a terrorist offender convicted of a terrorism offense
18 and required to register as a terrorist offender as provided for in Chapter 3-G of this
19 Title has failed to comply with the registration requirements of this Chapter and with
20 the intent of assisting the terrorist offender in eluding a state or local law
21 enforcement agency does any of the following:

22 (1) Withholds information from or does not notify the law enforcement
23 agency about a terrorist offender's noncompliance with the requirements of this
24 Chapter.

25 (2) Harbors or attempts to harbor or assists another person in harboring or
26 attempting to harbor a terrorist offender.

27 (3) Conceals or attempts to conceal or assists another person in concealing
28 or attempting to conceal a terrorist offender.

1 (4) Provides information to the law enforcement agency regarding a terrorist
2 offender which the person knows to be false.

3 B. Whoever commits the crime of harboring or concealing a terrorist
4 offender shall be imprisoned not more than five years or fined not more than five
5 thousand dollars, or both. At least two years of the sentence imposed shall be served
6 without benefit of parole, probation, or suspension of sentence.

7 §563.3. Prohibition of employment for certain terrorist offenders

8 A. It shall be unlawful for any person who is required to maintain
9 registration pursuant to Chapter 3-G of Title 15 to operate any bus, taxicab, or
10 limousine for hire.

11 B. For the purposes of this Section, the following terms and phrases shall
12 have the meanings ascribed to them:

13 (1) "Bus" means a motor vehicle with a seating capacity of six or more
14 persons, exclusive of the operator, which is used in the transportation of passengers
15 for hire, excluding any vehicle leased without the provision of a driver.

16 (2) "Taxicab" means all motor vehicles for hire, carrying six passengers or
17 less, including the driver thereof, which are subject to call from a garage, office, taxi
18 stand, or otherwise.

19 C. Any person who violates the provisions of this Section shall be fined not
20 more than ten thousand dollars and imprisoned for not less than five years nor more
21 than ten years at hard labor. Three years shall be served without the benefit of
22 parole, probation, or suspension of sentence.

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 762 Original

2018 Regular Session

Hilferty

Abstract: Requires persons convicted of a terrorism offense to register with law enforcement and provide notification, and provides for this information to be included in a state registry.

Present law provides for the crime of terrorism and defines it as the commission of any of the following acts when the offender has the intent to intimidate or coerce the civilian population, influence the policy of a unit of government by intimidation or coercion, or affect the conduct of a unit of government by intimidation or coercion:

- (1) Intentional killing of a human being.
- (2) Intentional infliction of serious bodily injury upon a human being.
- (3) Kidnapping of a human being.
- (4) Aggravated arson upon any structure, watercraft, or movable.
- (5) Intentional aggravated criminal damage to property.

Present law provides for the crime of aiding others in terrorism and defines it as the raising, soliciting, collecting, or providing material support or resources with intent that it will be used, in whole or in part, to plan, prepare, carry out, or aid in any act of terrorism or to hinder the prosecution of terrorism or the concealment of, or escape from, an act of terrorism.

Proposed law creates registration and notification requirements for persons who have committed an offense of terrorism, which includes a present law act of terrorism or aiding others in terrorism.

Proposed law provides for the following registration requirements:

- (1) Requires that terrorist offenders register with the sheriff, and in some cases, with the municipal police department, where the offender resides, works, and attends school.
- (2) Provides for the type of information to be provided to law enforcement upon registration by the offender, including names used; address of residence, school, or place of employment; conviction information; photograph; fingerprints, palm prints, and a DNA sample; telephone numbers; description of the offender's vehicles; social security number and date of birth; e-mail address and online identifiers; physical description; temporary lodging information; and travel and immigration documents.
- (3) Requires registration within three business days of establishing residence, being convicted, or being released from incarceration.
- (4) Requires the payment of an annual registration fee of \$60 to the appropriate law enforcement agency to defray the cost of registration, and makes provisions for those who are unable to pay the registration fee.

- (5) Requires in-person periodic renewals with law enforcement, and requires the offender to notify law enforcement of a change of address, residence, or other registration information.
- (6) Contains registration procedures for out-of-state offenders.
- (7) Requires law enforcement to forward registration information to the La. Bureau of Criminal Identification and Information (bureau). Requires the bureau to create and maintain a registry of information transmitted to the bureau pursuant to proposed law. Provides for the sharing of this information with law enforcement agencies and designate the bureau as the state agency who will receive information regarding out-of-state offenders. Requires the bureau to provide for the capability of comparing the database of registered users of a social networking site to the list of online identifiers of persons included in the registry.
- (8) Provides for the uses of the information stored in the registry and provides that the registry shall not be available to the public.

With regard to records in possession of any court, proposed law provides that these records are subject to disclosure to the district attorney, sheriff, and any law enforcement officials for the purpose of implementing proposed law.

Proposed law requires the courts and the Dept. of Public Safety and Corrections to utilize the proposed written notification form to notify offenders of their registration and notification requirements.

Provides that offenders required to register pursuant to proposed law who enter an emergency shelter during a declaration of emergency must notify the management of the shelter and certain law enforcement officials within 24 hours of entering the shelter. Further requires the Dept. of Public Safety and Corrections to provide information to the offender who is under the supervision of the department regarding the protocol to be followed in emergency situations.

Proposed law requires that a person register and provide notification for a period of 15 years from the date of initial registration in this state. If the person has a prior offense which requires registration, he must register and provide notification for the duration of his lifetime. Proposed law contains some exceptions.

Proposed law contains procedures to be used to determine the registration and notification period end date, including a review of the offender's criminal history and registration history by the Dept. of Justice.

Requires law enforcement agencies to record the fingerprints of persons in their custody who are convicted of a terrorism offense.

Proposed law creates the following crimes:

- (1) Harboring or concealing a terrorist offender, punishable by imprisonment up to five years or a fine of not more than \$5,000, or both, with at least two years to be served without benefit of probation, parole, or suspension of sentence.
- (2) Prohibition of employment for certain terrorist offenders (operating a bus, taxicab, or limousine for hire), punishable by imprisonment for five to 10 years at hard labor and a fine of not more than \$10,000, with three years served without benefit of probation, parole, or suspension of sentence.
- (3) Failure to register as a terrorist offender by failing to register, provide information periodically renew and update registration information, provide proof of residence,

provide notification of a change in registration information, or the failure to provide notification. Also prohibits a person from knowingly providing false information or failing to pay the registration fee. Proposed law contains criminal penalties for these offenses, and the penalties differ according to the specific violation committed.

Proposed law provides for the release or dissemination of information by criminal justice agencies, including the committee on parole, and provides for a limitation of liability.

(Adds R.S. 15:563-563.3)