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## DIGEST

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HB 227 Engrossed

2021 Regular Session

Wheat

**Abstract:** Authorizes certain law enforcement agencies to issue an administrative subpoena to obtain information regarding an internet account used in the commission of human trafficking.

Proposed law authorizes the Dept. of Public Safety and Corrections, the office of state police, the office of the attorney general, the police department, or the sheriff's office with the administrative authority to issue in writing and serve a subpoena requiring the production and testimony of documentation and records upon reasonable cause that an internet service account, or online identifier has been used in the commission or attempted commission of the following:

- (1) A person is a victim of human trafficking or the offender reasonably believes that the person is a victim of human trafficking.
- (2) A person is a victim of trafficking of children for sexual purposes or the offender reasonably believes that the person is a minor.

Proposed law provides that the administrative subpoena may be used to obtain the electronic mail address, internet username, internet protocol address, name of the account holder, billing and service address, telephone number, account status, method of access to the internet, and the automatic number identification records if access is by modem.

Proposed law provides that any additional information has to be obtained through other lawful process.

Proposed law provides for the destruction of any of the information upon expiration of time limitations for prosecution.

Proposed law provides that administrative subpoenas used pursuant to proposed law shall comply with federal laws governing records concerning an electronic communication service or remote computing service.

(Adds C.Cr.P. Art. 732.2)

### Summary of Amendments Adopted by House

The Committee Amendments Proposed by House Committee on Administration of Criminal

Justice to the original bill:

1. Add police departments to the list of entities that have administrative authority to serve subpoenas.