

2023 Regular Session

SENATE BILL NO. 31

BY SENATOR MIZELL

Prefiled pursuant to Article III, Section 2(A)(4)(b)(i) of the Constitution of Louisiana.

CRIMINAL JUSTICE. Creates database to track trafficking arrests, convictions, restitution, fines, and civil asset forfeiture. (8/1/23)

1 AN ACT

2 To amend and reenact R.S. 15:576(3) and to enact R.S. 46:2161(C)(3) and 2161.1(C)(3),

3 relative to data of human trafficking victims; to require that district attorneys provide

4 annual reports to certain agencies; to track prosecution of human traffickers; to track

5 services provided to human trafficking victims; to clarify eligibility of certain

6 agencies to receive certain information and reports; and to provide for related

7 matters.

8 Be it enacted by the Legislature of Louisiana:

9 Section 1. R.S. 15:576(3) is hereby amended and reenacted to read as follows:

10 §576. Definitions

11 As used in this Chapter:

12 * * *

13 (3) The term "criminal justice agency" means any government agency or

14 subunit thereof, or private agency which, through statutory authorization or a legal

15 formal agreement with a governmental unit or agency has the power of investigation,

16 arrest, detention, prosecution, adjudication, treatment, supervision, rehabilitation or

17 release of persons suspected, charged, or convicted of a crime; or which collects,

1 stores, processes, transmits, or disseminates criminal history record or crime
2 information. "Criminal justice agency" also includes the governor's office of
3 human trafficking prevention.

4 * * *

5 Section 2. R.S. 46:2161(C)(3) and 2161.1(C)(3) are hereby enacted to read as
6 follows:

7 §2161. Human trafficking victims services plan; children

8 * * *

9 C. * * *

10 (3) Each district attorney who prosecutes cases of human trafficking or
11 related sexual offenses or that provides services to victims pursuant to the
12 provisions of this Section shall submit to the governor's office of human
13 trafficking prevention and to the Department of Children and Family Services
14 an annual report on their operations including the prosecuting agency's name,
15 parish, disposition of case, statute prosecuted, sentencing date, restitution
16 ordered, restitution paid, value of assets from civil asset forfeiture, and any
17 services offered to victims.

18 §2161.1. Human trafficking victims services plan; adults

19 * * *

20 C. * * *

21 (3) Each district attorney who prosecutes cases of human trafficking or
22 related sexual offenses or that provides services to victims pursuant to the
23 provisions of this Section shall submit to the governor's office of human
24 trafficking prevention and to the Department of Children and Family Services
25 an annual report on their operations including the prosecuting agency's name,
26 parish, disposition of case, statute prosecuted, sentencing date, restitution
27 ordered, restitution paid, value of assets from civil asset forfeiture, and any
28 services offered to victims.

The original instrument and the following digest, which constitutes no part of the legislative instrument, were prepared by Whitney Kauffeld.

DIGEST

SB 31 Engrossed 2023 Regular Session Mizell

Present law provides that the La. Bureau of Criminal Identification and Information must make available upon request to any eligible criminal justice agency any information contained in the criminal history record and identification files of the bureau. Present law defines "criminal justice agency" as any government agency or subunit thereof, or private agency which, through statutory authorization or a legal formal agreement with a governmental unit or agency has the power of investigation, arrest, detention, prosecution, adjudication, treatment, supervision, rehabilitation or release of persons suspected, charged, or convicted of a crime, or which collects, stores, processes, transmits, or disseminates criminal history record or crime information.

Proposed law retains present law and adds that the governor's office of human trafficking prevention is also a "criminal justice agency" for purposes of present law.

Proposed law requires that any district attorney who prosecutes a case of human trafficking or provides services to a victim of human trafficking must submit an annual report on his operations to the governor's office of human trafficking and prevention and the Dept. of Children and Family Services, including the agency's name, parish, disposition of the case, statute prosecuted, sentencing date, restitution ordered, restitution paid, value of assets from civil assets forfeited, and any services offered to victims.

Effective August 1, 2023.

(Amends R.S. 15:576(3); adds R.S. 46:2161(C)(3) and 2161.1(C)(3))