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The original instrument and the following digest, which constitutes no part of the legislative instrument, were prepared by Senate Legislative Services. The keyword, summary, 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)]

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SB 53 Original

DIGEST  
2025 Regular Session

Bass

Present law provides definitions relative to the interception of communications by law enforcement agencies.

Proposed law adds and defines the term "monitoring post" otherwise retains present law.

Present law provides that an applicant for an interception of communications warrant must provide, as part of his application, an affidavit attesting that reasonable grounds exist to justify a belief that an offense has been, is being, or is about to be committed. Present law also provides that if the application relies upon the statements of an informant, the warrant application must set forth the factual basis for the affiant's belief that the informant is credible and that it was obtained in a reliable manner. Present law provides that an informant who provides information used as the basis for an application must be presented to and sworn before the judge, who may then question the informant to determine if the statements made in the application are true.

Proposed law provides that the judge has the discretion to order the informant to appear and be sworn. Proposed law further provides that if the informant is sworn, the application must so state.

Proposed law otherwise retains present law.

Present law provides that each order authorizing the interception of any wire, electronic, or oral communication must specify:

- (1) The identity of the person, if known, whose communications are to be intercepted.
- (2) The nature and location of the communications facilities where authority to intercept is granted.
- (3) A particular description of the type of communication sought to be intercepted and a statement of the offense to which it relates.
- (4) The identity of the agency authorized to intercept the communications, the person applying for the application, and the person authorizing the application.
- (5) The period of time during which such interception is authorized.

Proposed law retains present law and adds that the order must include the specific location of the

monitoring post.

Effective August 1, 2025.

(Amends R.S. 15:1310(B)(1); adds R.S. 15:1302(21) and 1310(D)(1)(f))