

2025 Regular Session

SENATE BILL NO. 53

BY SENATOR BASS

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

LAW ENFORCEMENT. Provides relative to warrants for interception of communications.
(8/1/25)

AN ACT

To amend and reenact R.S. 15:1310(B)(1) and to enact R.S. 15:1302(21) and 1310(D)(1)(f),
relative to electronic surveillance; to provide relative to warrants for interception of
communications; to provide definitions; to provide relative to warrant requests; and
to provide for related matters.

Be it enacted by the Legislature of Louisiana:

Section 1. R.S. 15:1310(B)(1) is hereby amended and reenacted and R.S.
15:1302(21) and 1310(D)(1)(f) are hereby enacted to read as follows:

§1302. Definitions

As used in this Chapter:

* * *

**(21) "Monitoring post" means a secure Department of Public Safety and
Corrections facility, including a Louisiana State Police facility, having
investigative control over the intercept, regardless of geographic location.**

* * *

§1310. Procedure for interception of wire, electronic, or oral communications

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1 B.(1) If statements of an identified or unidentified informant are relied upon
 2 in the application as a basis for establishing that there are reasonable grounds to
 3 believe that an offense has been, is being, or is about to be committed, the
 4 application shall set forth the factual basis for the affiant's belief that the informant
 5 is credible and that the information has been obtained in a reliable manner. The
 6 **judge considering the application may order that the** informant ~~shall~~ be presented
 7 ~~to the judge and be~~ sworn to afford the judge opportunity to inquire if the statements
 8 made in the application are true. ~~The~~ **and the** application shall ~~so~~ state that the
 9 informant was presented to the judge and sworn for such purpose if so ordered. This
 10 provision shall not affect the privileged character of the identity of an informant.
 11 Nothing herein shall be construed to require the identification of a confidential
 12 informant.

13 * * *

14 D.(1) Each order authorizing or approving the interception of any wire,
 15 electronic, or oral communication shall specify:

16 * * *

17 **(f) The specific location of the monitoring post.**

18 * * *

19 Section 2. The Louisiana State Law Institute is hereby directed to alphabetize the
 20 definitions provided in R.S. 15:1302 as amended by this Act.

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)]

DIGEST

SB 53 Engrossed 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))