
DIGEST

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HB 123 Original

2026 Regular Session

Bayham

Abstract: Provides relative to electronic monitoring.

Present law (R.S. 15:571.36) provides relative to electronic monitoring equipment.

Proposed law retains present law.

Present law requires the Dept. of Public Safety and Corrections (DPS&C), corrections services, office of state police, and La. Commission on Law Enforcement and Administration of Criminal Justice (LCLE) to promulgate rules in accordance with the ADA pertaining to electronic monitoring equipment service providers, manufacturers, and equipment.

Proposed law amends present law to remove DPS&C as an agency that is responsible for rulemaking.

Present law requires electronic monitoring service providers to submit certain information to law enforcement agencies within the appropriate jurisdiction and the prosecuting authority when an individual has been placed under electronic monitoring.

Proposed law amends present law to change the recipient from law enforcement and the prosecuting authority to the LCLE.

Proposed law requires electronic monitoring service providers to submit an accurate report to each court exercising jurisdiction over the persons being monitored and the prosecuting authority by the 10th day of each month for the previous month's monitoring activity.

Proposed law amends present law to change the recipient from the court to the LCLE.

Proposed law requires electronic monitoring service providers to submit an accurate annual report to each court exercising jurisdiction over any monitored person during the previous calendar year by Jan. 15th of each year.

Proposed law amends present law to change the recipient from the court to the LCLE.

Present law requires electronic monitoring service providers to report a violation to the bail agent on record, the law enforcement agencies within the appropriate jurisdiction, the prosecuting authority, and the court exercising jurisdiction over the defendant immediately but in no event not

longer than 30 minutes from the provider's verification that a violation of the defendant's monitoring conditions has occurred.

Proposed law amends present law to remove the court as a recipient of these reports.

Present law (R.S. 15:571.36(C)(5)) requires the court exercising jurisdiction over a monitored individual to report the information provided in present law to all law enforcement agencies within its jurisdiction after an individual has been placed under electronic monitoring.

Proposed law repeals present law.

Present law provides a penalty consisting of a fine of not more than \$1,000 per each day of a violation, not to exceed \$10,000 per instance or individual monitored, or imprisonment for not more than six months, and a prohibition from registering to provide electronic monitoring services in the state of La. for a period of five years.

Proposed law amends present law to remove the registration prohibition and changes the penalty to imprisonment with or without hard labor for not more than one year.

Proposed law requires any person or agency in possession of personal information of the monitored individual implement and maintain reasonable security procedures and practices to protect the personal information from unauthorized access, destruction, use, modification, or disclosure.

Proposed law prohibits certain individuals from intentionally releasing, disseminating, or publishing any personal information of the monitored individual except as provided in present law and punishes such conduct with a fine of not more than \$5,000, imprisonment with or without hard labor for not more than one year, or both.

Proposed law defines the terms "commission" and "electronic monitoring service provider" or "provider".

Proposed law requires the LCLE to do the all of the following:

- (1) Develop and maintain a central repository that can perform various functions pertaining to registration, reporting, and enforcement involving electronic monitoring service providers operating in the state of La.
- (2) Implement and maintain reasonable security procedures and practices to protect the personal information of monitored individuals within the central repository from unauthorized access, destruction, use, modification, or disclosure.
- (3) Promulgate rules in accordance with the ADA to implement the provisions of proposed law.

Proposed law requires any electronic monitoring service provider that operates in the state of La. to register with the commission and certify in writing that the provider meets the criteria provided in

present law (R.S. 15:571.36). Further provides for the application method and information to be provided.

Proposed law requires the removal of a provider from the registry and a prohibition from registering in the state of La. for a period of five years from the date of removal if the LCLE determines that a provider has intentionally withheld or intentionally failed to timely report information required by present law (R.S. 15:571.36).

Present law (R.S. 15:835) provides for the registration of electronic monitoring service providers, penalties, and prohibitions.

Proposed law repeals present law.

(Amends R.S. 15:571.36(A)(intro. para.), (C)(1)(intro. para.), (2)(intro. para.), (3)(intro. para.), and (4)(intro. para.), and (D); Adds R.S. 15:571.36(F) and (G) and 571.39; Repeals R.S. 15:571.36(C)(5) and 835)