

Existing law prohibits the use of tracking devices to determine the location or movement of another person without the consent of that person. Existing law penalties include a fine of \$100 to \$500, imprisonment for not more than six months, or both.

Existing law further provides for certain exceptions to this prohibition, including a parent or legal guardian of a minor child whose location or movements are being tracked by the parent or legal guardian.

New law retains existing law and provides that when the parents of the minor child are living separate and apart or are divorced from one another, this exception shall only apply if both parents consent to the tracking of the minor child's location and movements, unless one parent has been granted sole custody, in which case consent of the noncustodial parent shall not be required.

Effective August 1, 2013.

(Amends R.S. 14:323(C)(4))