

Regular Session, 2014

HOUSE BILL NO. 978

BY REPRESENTATIVE GREENE

1 AN ACT

2 To enact R.S. 14:106(I), relative to obscenity; to provide relative to certain acts of obscenity  
3 occurring within a certain distance of school property; to require that notice of the  
4 act of obscenity be given to the principal and parents of all students at the school; to  
5 provide for the contents of the notice; to provide for a period of time in which such  
6 notice shall be provided; to provide for immunity from liability for certain persons;  
7 and to provide for related matters.

8 Be it enacted by the Legislature of Louisiana:

9 Section 1. R.S. 14:106(I) is hereby enacted to read as follows:

10 §106. Obscenity

11 \* \* \*

12 I.(1)(a) When an act of obscenity as defined in Paragraph (A)(1) of this  
13 Section is reported, the law enforcement agency acting in response to the reported  
14 incident shall provide notice of the incident to the principal or headmaster of each  
15 school located within two thousand feet of where the incident occurred. This notice  
16 shall be provided by the law enforcement agency to the principal or headmaster  
17 within twenty-four hours of receiving the report of the incident and by any  
18 reasonable means, including but not limited to live or recorded telephone message  
19 or electronic mail.

20 (b) The notice required by the provisions of Subparagraph (a) of this  
21 Paragraph shall include the date, time, and location of the incident, a brief  
22 description of the incident, and a brief description of the physical characteristics of  
23 the alleged offender which may include but shall not be limited to the alleged  
24 offender's sex, race, hair color, eye color, height, age, and weight.

1           (2)(a) Within twenty-four hours of receiving notice of the incident from law  
2           enforcement pursuant to the provisions of Paragraph (1) of this Subsection, the  
3           principal or headmaster shall provide notice of the incident to the parents of all  
4           students enrolled at the school by any reasonable means, including but not limited  
5           to live or recorded telephone message or electronic mail.

6           (b) The notice required by the provisions of Subparagraph (a) of this  
7           Paragraph shall include the same information required for the notice provided in  
8           Paragraph (1) of this Subsection to the extent that the information is provided by law  
9           enforcement to the principal or headmaster of the school.

10           (3) When the expiration of the twenty-four-hour period occurs on a weekend  
11           or holiday, notice shall be provided no later than the end of the next regular school  
12           day.

13           (4) For purposes of this Subsection, "school" means any public or private  
14           elementary or secondary school in this state, including all facilities of the school  
15           located within the geographical boundaries of the school property.

16           (5) The principal, headmaster, school, owner of the school, operator of the  
17           school, and the insurer or self-insurance program for the school shall be immune  
18           from any liability that arises as a result of compliance or non-compliance with this  
19           Subsection, except for any willful violation of the provisions of this Subsection.

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SPEAKER OF THE HOUSE OF REPRESENTATIVES

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PRESIDENT OF THE SENATE

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GOVERNOR OF THE STATE OF LOUISIANA

APPROVED: \_\_\_\_\_