

SENATE BILL NO. 264

BY SENATOR DORSEY-COLOMB

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

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AN ACT

To amend and reenact R.S. 14:323(B) and to enact R.S. 14:323(C)(8), relative to the prohibited use of a tracking device; to increase penalties for the use of a tracking device under certain circumstances; and to provide for related matters.

Be it enacted by the Legislature of Louisiana:

Section 1. R.S. 14:323(B) is hereby amended and reenacted and R.S. 14:323(C)(8) is hereby enacted to read as follows:

§323. Tracking devices prohibited; penalty

\* \* \*

~~B. Whoever violates this Section shall be fined not less than one hundred dollars and not more than five hundred dollars or imprisoned for not more than six months, or both.~~

The following penalties shall be imposed for a violation of this Section:

(1) For the first offense, the fine shall be not less than five hundred dollars nor more than one thousand dollars, or imprisonment for not more than six months, or both.

(2) For the second offense, the fine shall be not less than seven hundred fifty dollars nor more than one thousand five hundred dollars, or imprisonment for not less than thirty days nor more than six months, or both.

(3) For the third offense and all subsequent offenses, the fine shall be not less than one thousand dollars nor more than two thousand dollars, or imprisonment for not less than sixty days nor more than one year, or both.

C. The provisions of this Section shall not apply to the following:

\* \* \*

1                 **(8) Any employer that provides a cellular device to employees for use**  
 2                 **during the course and scope of employment.**

3   \*        \*        \*

4                 Section 2. This Act shall become effective upon signature by the governor or, if not  
 5                 signed by the governor, upon expiration of the time for bills to become law without signature  
 6                 by the governor, as provided by Article III, Section 18 of the Constitution of Louisiana. If  
 7                 vetoed by the governor and subsequently approved by the legislature, this Act shall become  
 8                 effective on the day following such approval.

\_\_\_\_\_  
 PRESIDENT OF THE SENATE

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 SPEAKER OF THE HOUSE OF REPRESENTATIVES

\_\_\_\_\_  
 GOVERNOR OF THE STATE OF LOUISIANA

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