

2016 Regular Session

HOUSE BILL NO. 1146 (Substitute for House Bill No. 813 by Representative Henry)

BY REPRESENTATIVE HENRY

SEX OFFENSE/REGISTRY: Provides relative to the registration information required to be provided by sex offenders and the authority to disclose this information

1 AN ACT

2 To amend and reenact R.S. 15:542(C)(1)(m) and 542.1.5(A)(2)(b)(iv) and (vi) and to enact
3 R.S. 15:542.1.5(A)(2)(d), relative to the State Sex Offender and Child Predator
4 Registry; to provide relative to certain identifying information of persons required
5 to register as a sex offender; to require the sex offender to provide his static internet
6 protocol address prior to its use; to authorize limited disclosure of telephone
7 numbers, e-mail addresses, online screen names, and other online identities of
8 persons required to register as a sex offender; to provide for procedures by which this
9 information is to be requested; to define "static internet protocol address"; and to
10 provide for related matters.

11 Be it enacted by the Legislature of Louisiana:

12 Section 1. R.S. 15:542(C)(1)(m) and 542.1.5(A)(2)(b)(iv) and (vi) are hereby
13 amended and reenacted and R.S. 15:542.1.5(A)(2)(d) is hereby enacted to read as follows:

14 §542. Registration of sex offenders and child predators

15 * * *

16 C.(1) The offender shall register and provide all of the following information
17 to the appropriate law enforcement agencies listed in Subsection B of this Section
18 in accordance with the time periods provided for in this Subsection:

19 * * *

1 (m) Every e-mail address, online screen name, or other online identifiers
 2 used by the offender to communicate on the ~~Internet~~ internet. If the offender uses
 3 a static internet protocol address, that address shall also be provided to the
 4 appropriate law enforcement agency. Required notice must be given before any
 5 online identifier or static internet protocol address is used to communicate on the
 6 ~~Internet~~ internet. For purposes of this Subparagraph, "static internet protocol
 7 address" is a numerical label assigned to a computer by an internet service provider
 8 to be the computer's permanent address on the internet.

9 * * *

10 §542.1.5. State Sex Offender and Child Predator Registry; duties of the Louisiana
 11 Bureau of Criminal Identification and Information

12 A.

13 * * *

14 (2)

15 * * *

16 (b) Notwithstanding the provisions of Subparagraph (2)(a) of this
 17 Subsection, the following information shall be exempt from public access as well as
 18 any other mandatory exemptions which are required by the federal Adam Walsh
 19 Child Protection and Safety Act of 2006 and any federal guidelines adopted pursuant
 20 thereto:

21 * * *

22 (iv) Telephone numbers, subject to the provisions of Subparagraphs (b) and
 23 (c) of this Paragraph.

24 * * *

25 (vi) E-mail addresses, online screen names, or other online identities used
 26 by offenders to communicate on the Internet, subject to the provisions of
 27 Subparagraphs (b) and (c) of this Paragraph.

28 * * *

1 (d) Notwithstanding the provisions of Subparagraphs (2)(b) and (c) of this
 2 Subsection, the bureau shall, upon request by any person or entity pursuant to the
 3 provisions of this Subparagraph, provide a list of telephone numbers, e-mail
 4 addresses, online screen names, static internet protocol addresses, or other online
 5 identities of persons in the State Sex Offender and Child Registry for the purpose of
 6 identifying and monitoring a registered user associated with the telephone number,
 7 e-mail address, online screen name, static internet protocol address, or other online
 8 identity. The information provided to the person or entity shall not disclose the name
 9 or other identifying information of the sex offender that is associated with, or who
 10 is using, any of the telephone numbers, e-mail addresses, online screen names, static
 11 internet protocol addresses, or other online identities in the provided list. Any person
 12 or entity requesting this information shall provide the bureau with all of the
 13 following:

14 (i) The name, address, and telephone number of the person or entity
 15 requesting the information.

16 (ii) A statement signed by person or entity requesting the information
 17 indicating that the information obtained from the bureau pursuant to the provisions
 18 of this Subparagraph shall not be disclosed for any purpose other than identifying
 19 and monitoring a registered user associated with the telephone number, e-mail
 20 address, online screen name, static internet protocol address, or other online identity
 21 and that disclosure of this information for any other purpose may be unlawful.

22 (iii) The name, address, and telephone number of a natural person who is
 23 authorized to receive service of process for the entity requesting the information.

24 * * *

DIGEST

The digest printed below was prepared by House Legislative Services. It constitutes no part of the legislative instrument. The keyword, one-liner, abstract, 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)]

HB 1146 Engrossed

2016 Regular Session

Henry

Abstract: Authorizes limited disclosure of telephone numbers, e-mail addresses, online screen names, static internet protocol addresses, and other online identities associated with a person who is required to register as a sex offender.

Present law provides for the registration and notification of sex offenders and requires that a sex offender submit to law enforcement every e-mail address, online screen name, or other online identifiers used by the offender to communicate on the internet.

Proposed law provides that if the offender uses a "static internet protocol address", he shall also provide that address to the appropriate law enforcement agency prior to its use. Further defines "static internet protocol address".

Present law prohibits public access to certain information contained in the State Sex Offender and Child Predator Registry including any telephone numbers, e-mail addresses, online screen names, or other online identities associated with a registering sex offender.

Proposed law retains present law but authorizes limited disclosure of such information to any person or entity who requests such information for the purpose of identifying or monitoring a registered user associated with the telephone number, e-mail address, online screen name, static internet protocol address, or other online identity. Proposed law prohibits disclosure of such information for any other purpose.

Proposed law prohibits disclosure of the name or other identifying information of the sex offender that is associated with, or who is using, any of the telephone numbers, e-mail addresses, online screen names, static internet protocol addresses, or other online identities in the provided list.

Proposed law provides for the procedure by which such information may be requested by any person or entity and requires the requesting party to sign a statement indicating that the information obtained from the bureau pursuant to the provisions of proposed law shall not be disclosed for any purpose other than identifying and monitoring a registered user associated with the telephone number, e-mail address, online screen name, static internet protocol address, or other online identity and that disclosure of this information for any other purpose may be unlawful.

(Amends R.S. 15:542(C)(1)(m) and 542.1.5(A)(2)(b)(iv) and (vi); Adds R.S. 15:542.1.5(A)(2)(d))