

Regular Session, 2012

HOUSE BILL NO. 249

BY REPRESENTATIVE THOMPSON

SEX OFFENSE/REGISTRY: Provides relative to sex offender notification requirements

1 AN ACT

2 To enact R.S. 15:542.1(D), relative to sex offender registration and notification; to provide  
3 relative to sex offender notification requirements; to require certain sex offenders  
4 and child predators to provide notification for certain networking websites; to  
5 provide for the contents of such notification; to provide for definitions; and to  
6 provide for related matters.

7 Be it enacted by the Legislature of Louisiana:

8 Section 1. R.S. 15:542.1(D) is hereby enacted to read as follows:

9 §542.1. Notification of sex offenders and child predators

10 \* \* \*

11 D.(1) Any person who is required to register pursuant to the provisions of  
12 this Chapter, who is otherwise not prohibited from using a networking website, and  
13 who creates a profile or who uses the functionality of a networking website to  
14 contact or attempt to contact other networking website users shall include in his  
15 profile for the networking website an indication that he is a sex offender or child  
16 predator and shall include notice of the crime for which he was convicted, the  
17 jurisdiction of conviction, a description of his physical characteristics as required by  
18 this Section, and his residential address. The person shall ensure that this  
19 information is displayed in his profile for the networking website and that such  
20 information is visible to, or is able to be viewed by, other users and visitors of the  
21 networking website.

1           (2)(a) For purposes of this Subsection, "networking website" means an  
2           Internet website, the purpose of which is social interaction with other networking  
3           website users, which contains profile web pages of the members of the website that  
4           include the names or nicknames of such members, that allows photographs and any  
5           other personal or personally identifying information to be placed on the profile web  
6           pages by such members, and which provides links to other profile web pages on the  
7           networking website of friends or associates of such members that can be accessed  
8           by other members or visitors to the website. A networking website provides  
9           members of, or visitors to, such website the ability to leave messages or comments  
10           on the profile web page that are visible to all or some visitors to the profile web page  
11           and may also include a form of electronic mail for members of the networking  
12           website.

13           (b) For purposes of this Subparagraph, "networking website" shall not  
14           include any of the following:

15           (i) An Internet website the primary purpose of which is the facilitation of  
16           commercial transactions involving goods or services between its members or  
17           visitors.

18           (ii) An Internet website the primary purpose of which is the dissemination  
19           of news.

20           (iii) An Internet website of a governmental entity.

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#### 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)]

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Thompson

HB No. 249

**Abstract:** Requires sex offenders and child predators to provide notification on certain networking websites of their status as sex offenders or child predators.

Present law provides that sex offenders and child predators are required to provide certain notifications to local law enforcement and the community.

Present law provides certain penalties for the failure to comply with sex offender registration and notification requirements.

Proposed law retains present law and adds notification on a networking website for any sex offender or child predator, who is otherwise not prohibited from accessing the networking website pursuant to present law, who creates a profile or who uses the functionality of the networking website to contact other networking website users to the list of present law notification requirements. Provides for the contents of proposed law notification.

Proposed law defines "networking website".

(Adds R.S. 15:542.1(D))

#### Summary of Amendments Adopted by House

Committee Amendments Proposed by House Committee on Administration of Criminal Justice to the original bill.

1. Added provision which states that the provisions of proposed law do not apply to an offender who is otherwise prohibited from accessing networking websites pursuant to present law.

#### House Floor Amendments to the engrossed bill.

1. Clarified that the provisions of proposed law also apply to child predators who are required to register pursuant to present law.
2. Amended the definition of "networking website" to exclude certain commercial websites, news websites, and websites of governmental entities.