

2024 Regular Session

HOUSE BILL NO. 175

BY REPRESENTATIVE MCMAKIN

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AN ACT

To amend and reenact R.S. 14:107.4(A) and (C) and to enact R.S. 14:107.4(F), relative to unlawful posting of criminal activity for notoriety and publicity; to provide relative to the elements of the offense; to provide for a definition; and to provide for related matters.

Be it enacted by the Legislature of Louisiana:

Section 1. R.S. 14:107.4(A) and (C) are hereby amended and reenacted and R.S. 14:107.4(F) is hereby enacted to read as follows:

§107.4. Unlawful posting of criminal activity for notoriety and publicity

A. It shall be unlawful for a person who is either a principal or accessory to a crime to obtain an image, live-stream, or video of the commission of the crime using any camera, videotape, photo-optical, photo-electric, or any other image recording device and to transfer that image, live-stream, or video obtained during the commission of the crime by the use of a computer online service, Internet service, or any other means of electronic communication, including but not limited to a local bulletin board service, Internet chat room, electronic mail, or online messaging service for the purpose of gaining notoriety, publicity, or the attention of the public.

* * *

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

(1) The obtaining, use, or transference of such images, live-streams, or videos by a telephone company, cable television company, or any of its affiliates, an Internet provider, or commercial online service provider, or to the carrying, broadcasting, or performing of related activities in providing telephone, cable

1 television, Internet, or commercial online services or in the production, exhibition,
2 or presentation of an audiovisual work in any medium, including but not limited to
3 a motion picture or television program.

4 (2) The obtaining, use, or transference of such images, live-streams, or
5 videos by a law enforcement officer pursuant to investigation of criminal activity.

6 (3) The obtaining, use, or transference of such images, live-stream, or video
7 by any bona fide member of the news media broadcasting a news report through
8 television, cable television, or other telecommunication.

9 (4) The obtaining, use, or transference of such images, live-streams, or
10 videos for use in a feature-length film, short subject film, video, television series,
11 television program, public service announcement, or commercial.

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13 F. For the purposes of this Section, "live-stream" shall mean a video of an
14 event distributed on the Internet while the event is taking place.

SPEAKER OF THE HOUSE OF REPRESENTATIVES

PRESIDENT OF THE SENATE

GOVERNOR OF THE STATE OF LOUISIANA

APPROVED: _____