

SENATE BILL NO. 151

BY SENATOR ADLEY

1 AN ACT

2 To amend and reenact R.S. 14:73.1(11), (12), and (13) and to enact R.S. 14:73.1(14) and
3 73.9, relative to computer aided crime; to prohibit the use of an Internet, virtual,
4 street-level map in the commission of a crime; to prohibit the use of an Internet,
5 virtual, street-level map in the commission or attempted commission of an act of
6 terrorism; to provide for enhanced penalties; to provide for definitions; and to
7 provide for related matters.

8 Be it enacted by the Legislature of Louisiana:

9 Section 1. R.S. 14:73.1(11), (12), and (13) are hereby amended and reenacted and
10 R.S. 14:73.1(14) and 73.9 are hereby enacted to read as follows:

11 §73.1. Definitions

12 As used in this Subpart unless the context clearly indicates otherwise:

13 * * *

14 **(11) "Internet, virtual, street-level map" means any map or image that**
15 **contains the picture or pictures of homes, buildings, or people that are taken**
16 **and dispensed, electronically, over the Internet or by a computer network,**
17 **where the picture can be accessed by entering the address of the home, building,**
18 **or person.**

19 ~~(11)~~**(12)** "Proper means" includes:

20 (a) Discovery by independent invention.

21 (b) Discovery by "reverse engineering", that is by starting with the known
22 product and working backward to find the method by which it was developed. The
23 acquisition of the known product must be by lawful means.

24 (c) Discovery under license or authority of the owner.

25 (d) Observation of the property in public use or on public display.

26 (e) Discovery in published literature.

27 ~~(12)~~**(13)** "Property" means property as defined in R.S. 14:2(8) and shall

1 specifically include but not be limited to financial instruments, electronically stored
2 or produced data, and computer programs, whether in machine readable or human
3 readable form.

4 ~~(13)~~**(14)** "Unsolicited bulk electronic mail" means any electronic message
5 which is developed and distributed in an effort to sell or lease consumer goods or
6 services and is sent in the same or substantially similar form to more than one
7 thousand recipients.

8 * * *

9 **§73.9. Criminal use of Internet, virtual, street-map; enhanced penalties**

10 **A. When an Internet, virtual, street-level map is used in the commission**
11 **of a criminal offense against a person or against property, an additional**
12 **sentence for a period of not less than one year shall be imposed. The additional**
13 **penalty imposed pursuant to this Subsection shall be served consecutively with**
14 **the sentence imposed for the underlying offense.**

15 **B. When an Internet, virtual, street-level map is used in the commission**
16 **or attempted commission of an act of terrorism, as is defined in R.S.**
17 **14:100.12(1), an additional sentence for a period of not less than ten years shall**
18 **be imposed without the benefit of parole, probation, or suspension of the**
19 **sentence. The additional penalty imposed pursuant to this Subsection shall be**
20 **served consecutively with the sentence imposed for the underlying offense.**

PRESIDENT OF THE SENATE

SPEAKER OF THE HOUSE OF REPRESENTATIVES

GOVERNOR OF THE STATE OF LOUISIANA

APPROVED: _____