HLS 21RS-170 ORIGINAL

2021 Regular Session

HOUSE BILL NO. 56

1

BY REPRESENTATIVE BAGLEY

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

SEX OFFENSE/REGISTRY: Provides relative to identifying a sex offender through driver's licenses and identification cards

AN ACT

2	To amend and reenact R.S. 32:412(I) and 40:1321(J), relative to sex offenders; to provide
3	relative to the driver's license of sex offenders; to provide relative to the
4	identification card of sex offenders; to provide relative to the period of validity of the
5	sex offender's identification card and driver's license; and to provide for related
6	matters.
7	Be it enacted by the Legislature of Louisiana:
8	Section 1. R.S. 32:412(I) is hereby amended and reenacted to read as follows:
9	§412. Amount of fees; credit or refund; duration of license; veteran designation;
10	disabled veteran designation; university logo; "I'm a Cajun" designation;
11	needs accommodation designation; autism spectrum disorder designation;
12	disbursement of funds; renewal by mail or electronic commerce of Class "D"
13	or "E" drivers' licenses; disposition of certain fees; exception
14	* * *
15	(I)(1)(a) The Louisiana driver's license, regardless of its class, issued to any
16	person who is required to register as a sex offender pursuant to R.S. 15:542 and R.S.
17	15:542.1 shall contain a restriction code which declares that the license holder is a
18	sex offender. The secretary of the Department of Public Safety and Corrections shall
19	comply with the provisions of this Subsection and the driver's license shall include
20	the words "sex offender" classification T1, T2, or T3 which shall be orange in color.

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2	register for fifteen years; T2 classification is for persons required to register for
3	twenty-five years; and T3 classification is for persons required to register for life.
4	(2) Any person to whom this Subsection applies shall carry upon his person
5	the last driver's license issued to him.
6	(3) The department shall issue a license required pursuant to this Subsection
7	for a period of one year. When the department issues a license pursuant to this
8	Subsection the license shall be valid for a period of one year from the date of
9	<del>issuance.</del>
10	(4) Any person to whom this Subsection applies shall personally appear at
11	a motor vehicle field office to renew his driver's license every year, in addition to the
12	yearly reregistration pursuant to R.S. 15:542 et seq. Reregistration shall include the
13	submission of current information to the department and the verification of
14	registration information, including the street address and telephone number of the
15	registrant; name, street address and telephone number of the registrant's employer,
16	and any other registration information that may need to be verified. Upon successful
17	completion of reregistration, the bureau shall electronically transmit this fact to the
18	office of motor vehicles which may then proceed to renew the driver's license. In
19	order to reimburse the office of motor vehicles for the cost of a yearly issuance, the
20	regular renewal fee shall be collected at each renewal pursuant to this Subsection.
21	(5) The provisions of this Subsection shall apply to all registered sex
22	offenders regardless of the date of conviction.
23	* * *
24	Section 2. R.S. 40:1321(J) is hereby amended and reenacted to read as follows:
25	§1321. Special identification cards; issuance; veteran designation; disabled veteran
26	designation; university logo; "I'm a Cajun" designation; needs
27	accommodation designation; fees; expiration and renewal; exceptions;
28	promulgation of rules; promotion of use; persons less than twenty-one years

(b) Pursuant to R.S. 15:544, T1 classification is for persons required to

of age; the Protect and Save our Children Program; Selective Service Registration

3 \* \* \*

J.(1)(a) Any person required to register as a sex offender with the Louisiana Bureau of Criminal Identification and Information, as required by R.S. 15:542 et seq., shall obtain, only if the individual does not have a valid license in accordance with R.S. 32:412(I), a special identification card issued by the Department of Public Safety and Corrections which shall contain a restriction code declaring that the holder is a sex offender. This special identification card shall include the words "sex offender" in all capital letters classification T1, T2, or T3 which are orange in color and shall be valid for a period of one year from the date of issuance. This special identification card shall be carried on the person at all times by the individual required to register as a sex offender.

- (b) Pursuant to R.S. 15:544, T1 classification is for persons required to register for fifteen years; T2 classification is for persons required to register for twenty-five years; and T3 classification is for persons required to register for life.
- (2) Each person required to carry a special identification card pursuant to this Subsection shall personally appear, annually, at a field office of the office of motor vehicles to renew his or her special identification card but only after he or she has registered as an offender pursuant to R.S. 15:542 et seq. Reregistration shall include the submission of current information to the department and the verification of this information, which shall include the street address and telephone number of the registrant; the name, street address and telephone number of the registrant's employer, and any registration information that may need to be verified by the bureau. No special identification card shall be issued or renewed until the office of motor vehicles receives confirmation from the bureau, electronically or by other means, that the reregistration of the sex offender has been completed.
- (3) The provisions of this Subsection shall apply to all sex offenders required to register pursuant to R.S. 15:542 et seq., regardless of the date of conviction.

1 (4)(3) Whoever violates this Subsection shall be fined not less than one
2 hundred dollars and not more than five hundred dollars, or imprisoned for not more
3 than six months, or both.
4 \* \* \* \*

## **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 56 Original

2021 Regular Session

Bagley

**Abstract:** Replaces the words "sex offender" with tier classifications on the driver's license or identification card of a registered sex offender and removes the one-year period of validity.

<u>Present law</u> provides a La. driver's license issued to a registered sex offender shall contain a restriction code which declares that the license holder is a sex offender, and <u>present law</u> requires the secretary of the Dept. of Public Safety and Corrections to comply with the provisions of <u>present law</u>.

<u>Present law</u> (R.S. 32:412(I)) requires that the driver's license of a registered sex offender include the words "sex offender" written in orange.

<u>Present law</u> also requires that a registered sex offender obtain a special identification card that contains a restriction code declaring that the holder is a sex offender.

<u>Present law</u> provides that when the Dept. of Public Safety and Corrections issues a driver's license pursuant to <u>present law</u>, the license is only valid for one year from the date of issuance.

<u>Present law</u> (R.S. 40:1321(J)) provides that the identification card shall include the words "sex offender" in all capital letters written in orange and shall be valid for a period of one year from the date of issuance. <u>Present law</u> further provides that the special identification card shall be carried on the person at all times by the individual required to register as a sex offender.

<u>Proposed law</u> retains <u>present law</u>. <u>Proposed law</u> replaces the words "sex offender" with tier classifications on the driver's license and identification card of a registered sex offender.

<u>Proposed law</u> provides that the T1 classification is for persons required to register for 15 years; T2 classification is for persons required to register for 25 years; and T3 classification is for persons required to register for life.

<u>Proposed law</u> specifies that an identification card shall be obtained if the person required to register as a sex offender does not have a driver's license.

<u>Proposed law</u> removes the one-year period of validity for the registered sex offender's identification card and driver's license and <u>proposed law</u> removes any <u>present law</u> provision referencing the one year period of validity.

(Amends R.S. 32:412(I) and 40:1321(J))

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