

Regular Session, 2008
HOUSE BILL NO. 632

ACT No. 86

BY REPRESENTATIVE SCHRODER

1 AN ACT

2 To enact R.S. 14:81.5, relative to new crimes; to create the crime of unlawful possession of
3 videotapes of protected persons under R.S. 15:440.1 et seq.; to provide for
4 definitions; to provide for penalties; and to provide for related matters.

5 Be it enacted by the Legislature of Louisiana:

6 Section 1. R.S. 14:81.5 is hereby enacted to read as follows:

7 §81.5. Unlawful possession of videotape of protected persons under R.S. 15:440.1
8 et seq.

9 A. It is unlawful for any person to knowingly and intentionally possess, sell,
10 duplicate, distribute, transfer, or copy any films, recordings, videotapes, audio tapes,
11 or other visual, audio, or written reproductions, of any recording of videotapes of
12 protected persons provided in R.S. 15:440.1 through 440.6.

13 B. For purposes of this Section, "videotape" means the visual recording on
14 a magnetic tape, film, videotape, compact disc, digital versatile disc, digital video
15 disc, audio tape, written visual or audio reproduction or by other electronic means
16 together with the associated oral record.

17 C. The provisions of this statute shall not apply to persons acting pursuant
18 to a court order or exempted by R.S. 15:440.5 or by persons who in the course and
19 scope of their employment are in possession of the videotape, including the office
20 of community services, any law enforcement agency or its authorized agents and
21 personnel, the office of the district attorney and its assistant district attorneys and
22 authorized personnel, and the agency or organization producing the videotape,
23 including Children Advocacy Centers.

1 D. Whoever violates the provisions of this Section shall be fined not more
2 than five hundred dollars or imprisoned for not more than six months, or both.

SPEAKER OF THE HOUSE OF REPRESENTATIVES

PRESIDENT OF THE SENATE

GOVERNOR OF THE STATE OF LOUISIANA

APPROVED: _____