2022 Regular Session

SENATE BILL NO. 157

BY SENATOR MILLIGAN

AN ACT

To amend and reenact R.S. 15:587(A)(1)(a) and to enact R.S. 15:587(A)(1)(m) and 587.5(B)(3), relative to criminal history records and identification files; to provide for access to criminal history records and identification files by the office of technology services; to provide for responsibilities of division of administration, office of technology services; and to provide for related matters.

Be it enacted by the Legislature of Louisiana:

Section 1. R.S. 15:587(A)(1)(a) is hereby amended and reenacted and R.S. 15:587(A)(1)(m) and 587.5(B)(3) are hereby enacted to read as follows:

§587. Duty to provide information; processing fees; Louisiana Bureau of Criminal Identification and Information

A.(1)(a) The bureau shall make available upon request, or at such other times as the deputy secretary shall designate, to any eligible criminal justice agency and the division of administration, office of technology services, Louisiana Department of Education, the Louisiana Department of Health, the state fire marshal when reviewing applications for licensure, the Louisiana Manufactured Housing Commission when reviewing applications for licensure, the Department of Children and Family Services, the Department of Insurance, the Louisiana State Racing Commission, the Senate and Governmental Affairs Committee, the House and Governmental Affairs Committee, the secretary of the Louisiana Workforce Coding: Words which are struck through are deletions from existing law; words in boldface type and underscored are additions.
Commission or his designee, the Board of River Port Pilot Commissioners, the Office of Financial Institutions in the office of the governor, the office of the disciplinary counsel of the Louisiana Attorney Disciplinary Board of the Louisiana State Bar Association; however, as to any licensed attorney such information shall be provided only after the issuance of a formal charge against the attorney, the Louisiana Supreme Court Committee on Bar Admissions, the municipal or parish department or personnel responsible for reviewing applications for alcoholic beverage outlet permits, and the legislative auditor any information contained in the criminal history record and identification files of the bureau. The Department of Children and Family Services may provide information secured pursuant to this Subsection to all federal and state agencies providing child support enforcement services.

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(m) The division of administration, office of technology services, is entitled to the criminal history record and identification files of the bureau for any person for which a fingerprint request is submitted pursuant to R.S. 15:587.5 and 587.6 and R.S. 39:15.1.2. The bureau may submit fingerprints to the Federal Bureau of Investigation to be retained in the FBI rap back system for the purpose of being searched in future submissions to the FBI rap back system, including latent fingerprint searches. The bureau shall make available to the division of administration, office of technology services, rap backs for requests made pursuant to R.S. 15:587.5 and 587.6 and R.S. 39:15.1.2.

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§587.5. Agencies with access to federal tax information; criminal history information

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B.(1) * * *

(3) In addition to the requirements of Paragraphs (1) and (2) of this Subsection, for requests made pursuant to R.S. 39:15.1.2, the bureau may submit fingerprints to the Federal Bureau of Investigation to be retained in the FBI rap back system for the purpose of being searched in future submissions to
the FBI rap back system, including latent fingerprint searches. The bureau shall
make available to the division of administration, office of technology services,
rap backs for requests made pursuant to R.S. 39:15.1.2. Any recipient of
information as provided in this Paragraph shall maintain the confidentiality of
the criminal history information in accordance with applicable state or federal
law.

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PRESIDENT OF THE SENATE

SPEAKER OF THE HOUSE OF REPRESENTATIVES

GOVERNOR OF THE STATE OF LOUISIANA

APPROVED: ____________