

2018 Regular Session

HOUSE BILL NO. 458

BY REPRESENTATIVE JAMES

PUBLIC HEALTH/OFFICE: Requires state participation in the National Violent Death Reporting System

1 AN ACT

2 To amend and reenact R.S. 44:4.1(B)(26) and to enact R.S. 40.3.2, relative to state  
3 participation in the National Violent Death Reporting System; to provide for duties  
4 of coroners and law enforcement agencies in submitting reports of violent deaths to  
5 the office of public health; to provide for a time delay in which reports will be  
6 received; to provide for liability protection for entities submitting certain reports to  
7 the office of public health; to provide for a public records exception; and to provide  
8 for related matters.

9 Be it enacted by the Legislature of Louisiana:

10 Section 1. R.S. 40:3.2 is hereby enacted to read as follows:

11 §3.2. Investigation of violent deaths

12 A. The legislature finds that violence is a public health concern that  
13 negatively impacts the health of Louisiana residents, the quality of life in Louisiana  
14 communities, and Louisiana's economy. Accordingly, the office of public health is  
15 hereby authorized to participate in and submit data to the National Violent Death  
16 Reporting System, referred to hereafter in this section as the "NVDRS", operated  
17 by the United States Centers for Disease Control and Prevention, referred to  
18 hereafter in this Section as the "CDC".

19 B. Notwithstanding any other provision of law to the contrary, each coroner  
20 in this state shall submit to the office of public health, within thirty days of request,

1 subject to reasonable extension, entire copies of all reports and records, including  
2 any autopsy reports, toxicology reports, and investigative narratives, in their then-  
3 existing level of completeness, prepared or compiled in connection with the death  
4 of an individual who has suffered a violent death.

5 C. Notwithstanding any other provision of law to the contrary, each law  
6 enforcement agency in this state shall submit to the office of public health, within  
7 thirty days of request, subject to reasonable extension, entire copies of all  
8 investigative reports, investigative narratives, and crime laboratory data, in their  
9 then-existing level of completeness, prepared or compiled in connection with the  
10 death of an individual who has suffered a violent death.

11 D. Notwithstanding any other provision of law to the contrary, each  
12 department, agency, office, and political subdivision of the state, including each  
13 parish or municipality, shall submit to the office of public health, within thirty days  
14 of request, subject to reasonable extension, entire copies of any records in its  
15 possession, in their then-existing level of completeness, related to the death of an  
16 individual who has suffered a violent death.

17 E. Notwithstanding any other provision of law to the contrary, any individual  
18 or entity not required by this Section to provide to the office of public health records  
19 related to the death of an individual who has suffered a violent death may, at such  
20 individual's or entity's discretion, provide such records.

21 F. Nothing in this Section shall be construed to require that crime scene  
22 photos or any audio or video recordings be submitted to the office of public health.

23 G. Records required to be submitted to the office of public health by this  
24 Section shall be unredacted, except that information concerning social security  
25 numbers, names and identifying information of witnesses and the victim's family  
26 members, and any information that the office of public health determines, in its sole  
27 discretion, is not needed to fulfill the mission of the office of public health or  
28 NVDRS, may be redacted.



1 1379.1.1(D), 1379.3, 2009.8, 2009.14, 2010.5, 2017.9, 2018, 2019, 2020, 2106,  
2 2138, 2532, 2845.1.

3 \* \* \*

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 458 Original

2018 Regular Session

James

**Abstract:** Requires coroners and law enforcement agencies to report violent deaths to the office of public health and authorizes state participation in the National Violent Death Reporting System.

Proposed law authorizes the office of public health to participate and submit data to the National Violent Death Reporting System (NVDRS).

Proposed law requires coroners and law enforcement agencies to report violent deaths to the office of public health.

Proposed law requires coroners and law enforcement agencies to report violent deaths to the office of public health within 30 days of incident.

Proposed law defines "violent death" as any death listed or classified on a death certificate or coroner's autopsy report or investigative narrative as a homicide, suicide, death of undetermined intent, death due to legal intervention, unintentional firearm death, or death due to terrorism.

Proposed law adds a public records exception for NVDRS.

(Amends R.S. 44:4.1(B)(26); Adds R.S. 40:3.2)