
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 327 Original

2019 Regular Session

James

Abstract: Prohibits law enforcement officers or employees of law enforcement agencies from disclosing or disseminating information relating to arrests that do not result in convictions and certain misdemeanor and felony arrest and convictions.

Present law provides that any person who acquires or distributes any criminal history record in violation of law or rules by the La. Bureau of Criminal Identification and Information to be fined not less than \$500 and not more than \$1,000, and may be imprisoned for up to three months, or both.

Present law further provides that any person who transmits false information, withholds information, or prevents the transmission of information shall be fined not less than \$500 and not more than \$1,000, and may be imprisoned for not more than five years, with or without hard labor, or both.

Proposed law retains present law and provides that no law enforcement officer or employee of a law enforcement agency shall disclose or disseminate outside of law enforcement any information relating to any of the following:

- (1) An arrest that did not result in a conviction and the time limitations on the institution of prosecution have barred prosecution for that offense.
- (2) A misdemeanor arrest and conviction if five years have passed since the most recent felony or misdemeanor arrest or conviction on a person's state criminal history record.
- (3) A felony arrest and conviction if 10 years have passed since the most recent felony or misdemeanor arrest or conviction, including periods of incarceration or supervision, on a person's state criminal history record.

Proposed law further provides that any person who violates proposed law shall be subject to removal or a fine of not less than \$2,000 and not more than \$5,000 for each offense, or both.

(Amends R.S. 15:596(B), (C), and (D); Adds R.S. 15:596(E))