

2020 Regular Session

HOUSE BILL NO. 510

BY REPRESENTATIVE JAMES

CRIMINAL/RECORDS: Provides relative to the availability of certain criminal justice system data to certain nonprofit entities

1 AN ACT

2 To amend and reenact R.S. 15:587(A)(1)(a) and to enact R.S. 15:584(C) and 587(I), relative
3 to criminal justice system data; to provide relative to the duty and authority of the
4 Louisiana Bureau of Criminal Identification and Information to cooperate with
5 certain nonprofit entities; to provide for the authority of certain nonprofit entities to
6 obtain access to certain criminal justice system data and information under certain
7 conditions; to provide for a termination date; and to provide for related matters.

8 Be it enacted by the Legislature of Louisiana:

9 Section 1. R.S. 15:587(A)(1)(a) is hereby amended and reenacted and R.S.
10 15:584(C) and 587(I) are hereby enacted to read as follows:

11 §584. Cooperation with federal and other state agencies

12 * * *

13 C. The bureau shall cooperate with nonprofit partners that provide technical
14 assistance to study groups, task forces, and commissions legislatively established to
15 study and evaluate certain processes and procedures involving criminal history
16 records. This Subsection shall cease to be effective beginning August 1, 2022.

17 * * *

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

20 A.(1)(a) The bureau shall make available upon request, or at such other times
21 as the deputy secretary shall designate, to any eligible criminal justice agency and

1 the Louisiana Department of Health, the state fire marshal when reviewing
 2 applications for licensure, the Department of Children and Family Services, the
 3 Department of Insurance, the Louisiana State Racing Commission, the Senate and
 4 Governmental Affairs Committee, the House and Governmental Affairs Committee,
 5 the secretary of the Louisiana Workforce Commission or his designee, the Board of
 6 River Port Pilot Commissioners, the Office of Financial Institutions in the office of
 7 the governor, the office of the disciplinary counsel of the Louisiana Attorney
 8 Disciplinary Board of the Louisiana State Bar Association; however, as to any
 9 licensed attorney such information shall be provided only after the issuance of a
 10 formal charge against the attorney, the Louisiana Supreme Court Committee on Bar
 11 Admissions, the municipal or parish department or personnel responsible for
 12 reviewing applications for alcoholic beverage outlet permits, and the legislative
 13 auditor, and, pursuant to the provisions of Subsection I of this Section, to nonprofit
 14 technical assistance providers any information contained in the criminal history
 15 record and identification files of the bureau. The Department of Children and Family
 16 Services may provide information secured pursuant to this Subsection to all federal
 17 and state agencies providing child support enforcement services.

* * *

19 I. Nonprofit partners providing technical assistance to study groups, task
 20 forces, and commissions legislatively established to study and evaluate certain
 21 processes and procedures involving criminal history records shall be entitled to all
 22 criminal justice system data, including any and all information that would be
 23 available to any eligible criminal justice agency, provided that the data is de-
 24 identified and a non-disclosure agreement signed by both the bureau and the
 25 technical assistance provider is executed. This Subsection shall be cease to be
 26 effective beginning August 1, 2022.

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 510 Original

2020 Regular Session

James

Abstract: Provides relative to the duty and authority of the La. Bureau of Criminal Identification and Information to cooperate with and provide certain de-identified information to certain nonprofit entities providing technical assistance to legislatively established entities that are studying certain processes and procedures involving criminal history records.

Present law provides that the La. Bureau of Criminal Identification and Information (bureau) shall make available upon request, or at such other times as the deputy secretary shall designate, to any eligible criminal justice agency and certain other entities any information contained in the criminal history record and identification files of the bureau.

Proposed law retains present law and adds that nonprofit partners providing technical assistance to study groups, task forces, and commissions legislatively established to study and evaluate certain processes and procedures involving criminal history records shall be entitled to all criminal justice system data, including any and all information that would be available to any eligible criminal justice agency, provided that the data is de-identified and a non-disclosure agreement signed by both the bureau and the technical assistance provider is executed.

Proposed law further requires the La. Bureau of Criminal Identification and Information to cooperate with nonprofit partners that provide technical assistance to study groups, task forces, and commissions legislatively established to study and evaluate certain processes and procedures involving criminal history records.

Proposed law shall be cease to be effective beginning Aug. 1, 2022.

(Amends R.S. 15:587(A)(1)(a); Adds R.S. 15:584(C) and 587(I))