

2020 Second Extraordinary Session

HOUSE BILL NO. 2

BY REPRESENTATIVE JAMES AND SENATORS BARROW, FIELDS, MCMATH,
FRED MILLS, PRICE, SMITH, AND WOMACK

1 AN ACT

2 To enact R.S. 15:584(C) and 587(J), relative to criminal justice system data; to provide
3 relative to the duty and authority of the Louisiana Bureau of Criminal Identification
4 and Information to cooperate with certain nonprofit entities; to provide for the
5 authority of certain nonprofit entities to obtain access to certain criminal justice
6 system data and information under certain conditions; to provide relative to the
7 nonprofit entities access to de-identified arrest and conviction information; to
8 provide relative to the execution of a nondisclosure agreement; to provide for a
9 termination date; to provide for an effective date; and to provide for related matters.

10 Be it enacted by the Legislature of Louisiana:

11 Section 1. R.S. 15:584(C) and 587(J) are hereby enacted to read as follows:

12 §584. Cooperation with federal and other state agencies

13 * * *

14 C.(1) For the sole purpose of assisting with the study and evaluation of the
15 creation and implementation of a procedure for automated criminal history record-
16 clearing in Louisiana, the bureau may cooperate with nonprofit partners providing
17 technical assistance to the Clean Slate Task Force established by House Resolution
18 No. 67 of the 2020 Regular Session of the Legislature.

19 (2) This Subsection shall cease to be effective on August 1, 2022.

20 * * *

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

23 * * *

1 J.(1) For the sole purpose of assisting with the study and evaluation of the
2 creation and implementation of a procedure for the automated criminal history
3 record-clearing in Louisiana, the bureau may provide limited access to de-identified
4 arrest and conviction information contained within the bureau's criminal history
5 record and identification files to nonprofit partners providing technical assistance to
6 the Clean Slate Task Force established by House Resolution No. 67 of the 2020
7 Regular Session of the Legislature. The bureau shall determine the scope of the
8 limited access to the de-identified arrest and conviction information provided to the
9 nonprofit partners.

10 (2) Any nonprofit partner who obtains limited access to de-identified arrest
11 and conviction information pursuant to this Subsection shall maintain the
12 confidentiality of the de-identified arrest and conviction information in accordance
13 with all applicable state and federal law and shall not disseminate the de-identified
14 arrest and conviction information to any other person or entity, including other
15 members of the Clean Slate Task Force established by House Resolution No. 67 of
16 the 2020 Regular Session of the Legislature or any nonprofit partner who did not
17 directly obtain de-identified arrest and conviction information from the bureau
18 pursuant to this Section. However, any nonprofit partner who obtains de-identified
19 arrest and conviction information from the bureau pursuant to this Subsection shall
20 provide the bureau with a report of its analysis and recommendations regarding
21 automated criminal history record-clearing as it relates to the bureau's criminal
22 history record and identification files, which the bureau may provide to the members
23 of the Clean Slate Task Force.

24 (3) Any nonprofit partner who receives de-identified arrest and conviction
25 information from the bureau pursuant to this Subsection shall execute a
26 nondisclosure agreement with the bureau and shall execute any nondisclosure
27 agreement required by the bureau's vendors that maintain the disclosed information.

28 (4) This Subsection shall cease to be effective on August 1, 2022.

1 Section 2. This Act shall become effective upon signature by the governor or, if not
2 signed by the governor, upon expiration of the time for bills to become law without signature
3 by the governor, as provided by Article III, Section 18 of the Constitution of Louisiana. If
4 vetoed by the governor and subsequently approved by the legislature, this Act shall become
5 effective on the day following such approval.

SPEAKER OF THE HOUSE OF REPRESENTATIVES

PRESIDENT OF THE SENATE

GOVERNOR OF THE STATE OF LOUISIANA

APPROVED: _____