

SENATE BILL NO. 157

BY SENATOR MILLIGAN

1 AN ACT

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

7 Be it enacted by the Legislature of Louisiana:

8 Section 1. R.S. 15:587(A)(1)(a) is hereby amended and reenacted and R.S.
9 15:587(A)(1)(m) and 587.5(B)(3) are hereby enacted to read as follows:

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

12 A.(1)(a) The bureau shall make available upon request, or at ~~such~~ other times
13 as the deputy secretary shall designate, to any eligible criminal justice agency and
14 the division of administration, office of technology services, Louisiana
15 Department of Education, the Louisiana Department of Health, the state fire marshal
16 when reviewing applications for licensure, the Louisiana Manufactured Housing
17 Commission when reviewing applications for licensure, the Department of Children
18 and Family Services, the Department of Insurance, the Louisiana State Racing
19 Commission, the Senate and Governmental Affairs Committee, the House and
20 Governmental Affairs Committee, the secretary of the Louisiana Workforce

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

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 14 (m) The division of administration, office of technology services, is
 15 entitled to the criminal history record and identification files of the bureau for
 16 any person for which a fingerprint request is submitted pursuant to R.S.
 17 15:587.5 and 587.6 and R.S. 39:15.1.2. The bureau may submit fingerprints to
 18 the Federal Bureau of Investigation to be retained in the FBI rap back system
 19 for the purpose of being searched in future submissions to the FBI rap back
 20 system, including latent fingerprint searches. The bureau shall make available
 21 to the division of administration, office of technology services, rap backs for
 22 requests made pursuant to R.S. 15:587.5 and 587.6 and R.S. 39:15.1.2.

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24 §587.5. Agencies with access to federal tax information; criminal history information

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26 B.(1)

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27 (3) In addition to the requirements of Paragraphs (1) and (2) of this
 28 Subsection, for requests made pursuant to R.S. 39:15.1.2, the bureau may
 29 submit fingerprints to the Federal Bureau of Investigation to be retained in the
 30 FBI rap back system for the purpose of being searched in future submissions to

1 the FBI rap back system, including latent fingerprint searches. The bureau shall
 2 make available to the division of administration, office of technology services,
 3 rap backs for requests made pursuant to R.S. 39:15.1.2. Any recipient of
 4 information as provided in this Paragraph shall maintain the confidentiality of
 5 the criminal history information in accordance with applicable state or federal
 6 law.

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PRESIDENT OF THE SENATE

SPEAKER OF THE HOUSE OF REPRESENTATIVES

GOVERNOR OF THE STATE OF LOUISIANA

APPROVED: _____