

2025 Regular Session

HOUSE BILL NO. 445

BY REPRESENTATIVE VILLIO

Prefiled pursuant to Article III, Section 2(A)(4)(b)(i) of the Constitution of Louisiana.

CRIMINAL/RECORDS: Provides relative to juvenile records

1 AN ACT

2 To amend and reenact R.S. 15:576(2) and to enact Children's Code Article 412(P), relative
3 to juvenile records; to provide for applicability; to provide relative to what
4 constitutes information or record of criminal history; and to provide for related
5 matters.

6 Be it enacted by the Legislature of Louisiana:

7 Section 1. Children's Code Article 412(P) is hereby enacted to read as follows:

8 Art. 412. Confidentiality of records; disclosure exceptions; sanctions

9 * * *

10 P. Nothing in this Article shall be construed to limit the creation of an
11 interoperable set of criminal justice information systems at the state and local levels
12 to ensure that all necessary, accurate, and complete information is obtained for the
13 proper identification, investigation, processing, prosecution, adjudication, and
14 sentencing of an offender.

15 Section 2. R.S. 15:576(2) is hereby amended and reenacted to read as follows:

16 §576. Definitions

17 As used in this Chapter:

18 * * *

19 (2) The terms "criminal history record" or "criminal history record
20 information" mean information collected by criminal justice agencies on individuals

1 consisting of identifiable descriptions and notations of arrests, detentions,
 2 indictments, bills of information, or any formal criminal charges, and any disposition
 3 arising therefrom, including sentencing, correctional supervision, and release. The
 4 terms do not include intelligence or investigatory purposes, nor does it include any
 5 identification information which does not indicate involvement of the individual in
 6 the criminal justice system. ~~The terms do not include records of juvenile criminal~~
 7 ~~conduct.~~

8 * * *

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)]

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Abstract: Provides relative to juvenile records.

Present law (Ch.C. Art. 412) relative to confidentiality of juvenile records, provides that records and reports concerning all matters or proceedings before the juvenile court, except traffic violations, are confidential and shall not be disclosed except as expressly authorized by present law.

Proposed law retains present law and provides that nothing in present law shall be construed to limit the creation of an interoperable set of criminal justice information systems at the state and local levels to ensure that all necessary, accurate, and complete information is obtained for the proper identification, investigation, processing, prosecution, adjudication, and sentencing of an offender.

Present law (R.S. 15:576) provides for definitions relative to the La. Bureau of Criminal Identification and Information.

Proposed law retains present law generally.

Present law (R.S. 15:576(2)) defines the terms "criminal history record" or "criminal history record information" and further specifies that these terms do not include intelligence or investigatory purposes, nor any identification information which does not indicate involvement of the individual in the criminal justice system, or records of juvenile criminal conduct.

Proposed law amends present law to remove the reference to records of juvenile criminal conduct as information that is not included within the terms "criminal history record" or "criminal history record information".

(Amends R.S. 15:576(2); Adds Ch.C. Art. 412(P))