

RÉSUMÉ DIGEST

ACT 659 (HB 622)

2026 Regular Session

Coates

Existing law provides relative to the confidentiality of criminal history records.

Existing law prohibits the release or disclosure of the records or information obtained by an employer unless directed by court order or with the consent of the person being investigated. Prior law required written consent.

New law removes the exception of written consent of the person being investigated as prescribed in prior law and provides that the court order has to direct the appropriate law enforcement agency to disseminate the criminal history records or information of an employee.

Prior law provided for destruction of the employee's criminal history records or information after one year from the termination of employment.

New law repeals prior law.

Prior law authorized the employer in receipt of a criminal history check, upon receipt of written consent by an applicant for employment with a health provider, to send a copy to the employer seeking the referral.

New law repeals prior law and further prohibits an employer in receipt of a criminal history check from sending a copy to an employer seeking the referral of a potential applicant.

New law requires each employer subject to existing law to obtain a criminal history and security check in accordance with existing law (R.S. 15:587(B) and (F) and R.S. 40:1203.2), and any other applicable provisions of law.

New law is intended to ensure compliance with applicable federal and state laws and regulations governing criminal history record information, including particular federal regulations and those of the Federal Bureau of Investigations (FBI).

New law does not authorize the redissemination of criminal history record information obtained from the FBI.

New law requires that state criminal history record information be maintained and disseminated in accordance with existing law.

Effective August 1, 2026.

(Amends R.S. 40:1203.4(B) and (C); Adds R.S. 40:1203.4(D) and (E))