

SENATE BILL NO. 150

BY SENATOR ADLEY

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

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AN ACT

To enact R.S. 40:1300.57, relative to criminal history checks on nonlicensed persons and licensed ambulance personnel; to provide with respect to an authorized agency; to provide for the application and requirements for approval as an authorized agency; and to provide for related matters.

Be it enacted by the Legislature of Louisiana:

Section 1. R.S. 40:1300.57 is hereby enacted to read as follows:

§1300.57. Application to be approved as an authorized agency

A. An individual or business entity seeking approval as an authorized agency shall submit an application to the Louisiana Bureau of Criminal Identification and Information along with the following documents to prove the individual's or business entity's qualifications:

(1) The applicant must be currently licensed in the state of Louisiana as a private investigator or detective by the Louisiana State Board of Private Investigator Examiners as evidenced by current and valid licensure issued by the Louisiana State Board of Private Investigator Examiners, or an individual employed by a business entity domiciled in the state of Louisiana and registered and in good standing with the secretary of state at the time of application whose primary source of business is background screenings.

1 **(2) The applicant must not currently be charged by bill of information**
2 **or under indictment for, or have been convicted of, any felony offense in this**
3 **state or any other jurisdiction and shall submit to a background investigation**
4 **to determine that this requirement is met.**

5 **(3) The applicant shall be domiciled in the state of Louisiana and shall**
6 **present proof of qualification to do business within the state of Louisiana, as**
7 **evidenced by a valid certificate of authority issued by the secretary of state, and**
8 **designation of an agent for service of process as required by law. If the**
9 **applicant is operating as a sole proprietorship, a current and valid occupational**
10 **license shall be presented.**

11 **(4) The applicant shall execute a written agreement whereby he agrees**
12 **to maintain the confidentiality of any and all information provided to it by the**
13 **Louisiana Bureau of Criminal Identification and Information pursuant to R.S.**
14 **40:1300.51 et seq., abide by all applicable laws, rules and regulations pertaining**
15 **to receipt and use of criminal history information, cooperate in any auditing**
16 **procedure conducted by the Louisiana Bureau of Criminal Identification and**
17 **Information, and inform the Louisiana Bureau of Criminal Identification and**
18 **Information in writing of any known violations regarding the use of criminal**
19 **history information he receives.**

20 **B. Upon receipt of a completed application for approval as an**
21 **authorized agency, the Louisiana Bureau of Criminal Identification and**
22 **Information shall review the application and conduct whatever investigation it**
23 **deems necessary to verify the information. Upon completion of this review, the**
24 **Louisiana Bureau of Criminal Identification and Information shall inform the**
25 **applicant in writing of its approval or denial of the application and, in the case**
26 **of denial, the reasons for such denial.**

27 **C. Each authorized agency shall maintain the eligibility requirements**
28 **to be approved as an authorized agency. Each authorized agency shall notify**
29 **the Louisiana Bureau of Criminal Identification and Information in writing of**
30 **a change in its qualification requirements within fifteen days of the change.**

1 Failure to continue to maintain the eligibility requirements shall result in
2 cancellation of approval as an authorized agency.

PRESIDENT OF THE SENATE

SPEAKER OF THE HOUSE OF REPRESENTATIVES

GOVERNOR OF THE STATE OF LOUISIANA

APPROVED: _____