

2016 Regular Session

HOUSE BILL NO. 135

BY REPRESENTATIVES TERRY LANDRY AND SMITH

1 AN ACT

2 To enact R.S. 46:56.1, relative to records of persons prohibited from possessing firearms;  
3 to provide relative to determinations which would prohibit persons from possessing,  
4 shipping, transporting, or receiving firearms pursuant to state and federal law; to  
5 require the submission of certain records to the Louisiana Supreme Court; to provide  
6 that the release of such information does not violate patient confidentiality; and to  
7 provide for related matters.

8 Be it enacted by the Legislature of Louisiana:

9 Section 1. R.S. 46:56.1 is hereby enacted to read as follows:

10 §56.1. Reporting of certain case records; confidentiality waiver

11 A.(1) Notwithstanding any other provision of law to the contrary, the  
12 Department of Health and Hospitals or the office of elderly affairs, for the purpose  
13 of adult protective services, shall report upon request to the Louisiana Supreme  
14 Court for reporting to the National Instant Criminal Background Check System  
15 database the name and any other identifying information contained in case records  
16 of any adult that may be prohibited from possessing a firearm pursuant to the laws  
17 of this state or 18 U.S.C. 922(d)(4) and (g)(4).

18 (2)(a) The department shall provide the Louisiana Supreme Court with the  
19 name of the court which issued the commitment order and the docket number of the  
20 proceeding if that information is in the possession of the department.

21 (b) In addition, the department shall provide the following available  
22 information regarding the client:

23 (i) Name.

1                    (ii) Date of birth.

2                    (iii) Alias names, if any.

3                    (iv) Social security number.

4                    (v) Sex.

5                    (vi) Race.

6                    B. The department shall provide all documents in its possession as  
7                    authorized by the provisions of this Section upon request of the court and within a  
8                    reasonable time period regardless of when the court proceedings occurred.

9                    C. The providing of the information as required by the provisions of this  
10                   Section shall not be construed to violate the confidentiality provisions of R.S. 46:56  
11                   or any other law regarding client confidentiality.

12                   D. For the purposes of this Section, "department" means the Department of  
13                   Health and Hospitals and the office of elderly affairs, for the purposes of adult  
14                   protection services as provided in R.S. 15:1503(4).

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SPEAKER OF THE HOUSE OF REPRESENTATIVES

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PRESIDENT OF THE SENATE

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GOVERNOR OF THE STATE OF LOUISIANA

APPROVED: \_\_\_\_\_