

ACT No. 426

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).

SPEAKER OF THE HOUSE OF REPRESENTATIVES

PRESIDENT OF THE SENATE

GOVERNOR OF THE STATE OF LOUISIANA

APPROVED: _____