

ACT No. 453

HOUSE BILL NO. 937 (Substitute for House Bill No. 838 by Representative Havard)

BY REPRESENTATIVE HAVARD

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AN ACT

To amend and reenact R.S. 15:587(A)(1)(e)(iv) and (v), relative to background checks required for persons who perform certain services relating to motor vehicles; to provide for limitations on background checks required of certain persons who have or are seeking a contract or license with the Department of Public Safety and Corrections, public safety services, to perform certain services relative to motor vehicles; to provide for an effective date; and to provide for related matters.

Be it enacted by the Legislature of Louisiana:

Section 1. R.S. 15:587(A)(1)(e)(iv) and (v) are hereby amended and reenacted to read as follows:

§587. Duty to provide information; processing fees; Louisiana Bureau of Criminal

Identification and Information

A.(1)

* * *

(e)

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(iv) The office of motor vehicles shall submit fingerprint cards or other identifying information to the bureau of any person who applies to be an auto title company or a public license tag agent pursuant to R.S. 32:735 et seq. and R.S. 47:532.1 and of any person who works for any such business who will process transactions for ~~such office~~ the office of motor vehicles. Upon request and after receipt of fingerprint cards or other identifying information from the office of motor vehicles, the bureau shall provide any arrest and conviction information contained in the bureau's criminal history record and identification files for the principal of

1 such applicants. Additionally, the bureau shall forward the fingerprints of such
 2 applicants' principal to the Federal Bureau of Investigation for a national criminal
 3 history record check. Fingerprint cards shall be submitted to the bureau pursuant to
 4 this Item only upon initial application and shall not be required to be submitted
 5 annually. After initial fingerprints are submitted pursuant to this Item, the arrest and
 6 conviction record for the principal of any such public license tag agent, the principal
 7 of any such auto title company, or person who works for any such business who will
 8 process transactions for the office of motor vehicles shall be monitored in the same
 9 manner the arrest and conviction record is monitored for employees of the office of
 10 motor vehicles.

11 (v) The office of motor vehicles shall submit fingerprint cards or other
 12 identifying information to the bureau of any person who applies to or contracts with
 13 ~~such office~~ the office of motor vehicles to handle or process any transaction or
 14 inquiry. Upon request and after receipt of fingerprint cards or other identifying
 15 information from the office of motor vehicles, the bureau shall provide to such office
 16 any arrest and conviction information contained in the bureau's criminal history
 17 record and identification files for the principal of such applicants or contractors.
 18 Additionally, the bureau shall forward the fingerprints of such applicant or
 19 contractor's principal to the Federal Bureau of Investigation for a national criminal
 20 history record check. Fingerprint cards shall be submitted to the bureau pursuant to
 21 this Item only upon initial application and shall not be required to be submitted
 22 annually. After initial fingerprints are submitted pursuant to this Item, the arrest and
 23 conviction record for any person who contracts with the office of motor vehicles to
 24 handle or process any transaction or inquiry shall be monitored in the same manner
 25 the arrest and conviction record is monitored for employees of the office of motor
 26 vehicles.

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 28 Section 2. This Act shall become effective upon signature by the governor or, if not
 29 signed by the governor, upon expiration of the time for bills to become law without signature
 30 by the governor, as provided by Article III, Section 18 of the Constitution of Louisiana. If

1 vetoed by the governor and subsequently approved by the legislature, this Act shall become
2 effective on the day following such approval.

SPEAKER OF THE HOUSE OF REPRESENTATIVES

PRESIDENT OF THE SENATE

GOVERNOR OF THE STATE OF LOUISIANA

APPROVED: _____