

2018 Regular Session

HOUSE BILL NO. 166

BY REPRESENTATIVE MACK

CRIMINAL/RECORDS: Provides for the formal ratification of the National Crime Prevention and Privacy Compact Act

1 AN ACT

2 To amend and reenact R.S. 15:584, relative to criminal history record information; to
3 provide relative to the interstate exchange of criminal history record information for
4 noncriminal justice purposes; to adopt and ratify the National Crime Prevention and
5 Privacy Compact; to provide relative to the duties and authority of the Louisiana
6 Bureau of Criminal Identification and Information in this regard; to provide relative
7 to the effectiveness of the National Crime Prevention and Privacy Compact in
8 Louisiana; and to provide for related matters.

9 Be it enacted by the Legislature of Louisiana:

10 Section 1. R.S. 15:584 is hereby amended and reenacted to read as follows:

11 §584. Cooperation with federal and other state agencies

12 A. The bureau shall cooperate with the United States Department of Justice
13 and other federal criminal justice agencies and with similar agencies in other states
14 and cities toward developing a comprehensive state, interstate, national, and
15 international system of criminal information, identification, investigation, records,
16 and statistics.

17 B.(1) The Legislature of Louisiana approves and ratifies the National Crime
18 Prevention and Privacy Compact, 34 U.S.C. 40316, and the compact shall remain in
19 effect in this state until legislation is enacted renouncing the compact.

20 (2) The bureau shall execute, administer, and implement the compact on
21 behalf of the state and may adopt necessary rules, regulations, and procedures for the

1 national exchange of criminal history records for noncriminal justice purposes as
2 those terms are defined by the compact.

3 (3) Ratification of the compact does not affect the obligations and
4 responsibilities of the bureau as set forth in the provisions of this Chapter regarding
5 the dissemination of criminal history record information within the state.

DIGEST

The digest printed below was prepared by House Legislative Services. It constitutes no part of the legislative instrument. The keyword, one-liner, abstract, and digest do not constitute part of the law or proof or indicia of legislative intent. [R.S. 1:13(B) and 24:177(E)]

HB 166 Engrossed

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Abstract: Provides for the adoption and ratification of the National Crime Prevention and Privacy Compact Act of 1998 and provides for the duties of the La. Bureau of Criminal Identification and Information in this regard.

Present law requires the La. Bureau of Criminal Identification and Information (bureau) to cooperate with the U.S. Dept. of Justice and other federal criminal justice agencies and with similar agencies in other states and cities toward developing a comprehensive state, interstate, national, and international system of criminal information, identification, investigation, records, and statistics.

Proposed law retains present law and adopts and ratifies the National Crime Prevention and Privacy Compact Act of 1998 (compact) which establishes an electronic information sharing system among the federal government and the states to exchange criminal history record information for noncriminal justice purposes authorized by federal or state law, such as background checks for governmental licensing and employment, immigration and naturalization matters, and national security clearances.

Under the compact, the Federal Bureau of Investigation and the participating states agree to maintain detailed databases of their respective criminal history record information, including arrests and dispositions, and to make them available to the federal government and to the participating states for purposes authorized by law.

Proposed law provides for the following with regard to the ratification of the compact:

- (1) The compact shall remain in effect in this state until legislation is enacted renouncing the compact.
- (2) The bureau shall execute, administer, and implement the compact on behalf of the state and may adopt necessary rules, regulations, and procedures for the national exchange of criminal history records for noncriminal justice purposes.
- (3) Ratification of the compact does not affect the obligations and responsibilities of the bureau regarding the dissemination of criminal history record information within the state pursuant to present law.

(Amends R.S. 15:584)

Summary of Amendments Adopted by House

The Committee Amendments Proposed by House Committee on Administration of Criminal Justice to the original bill:

1. Update the reference in proposed law to the United States Code from 42 U.S.C. 14616 to 34 U.S.C. 40316.