

RÉSUMÉ DIGEST

ACT 141 (HB 781)

2018 Regular Session

Stagni

Existing law provides that an expunged record of arrest or conviction shall be confidential and no longer considered to be a public record and shall not be made available to any person or other entity.

Existing law provides exceptions for the release of such records under certain circumstances to a member of a law enforcement, criminal justice agency, prosecutor, judge, or the person whose record has been expunged, or pursuant to an order of a court of competent jurisdiction and after a contradictory hearing for good cause shown.

Existing law also provides that upon written request and on a confidential basis, the information contained in an expunged record may be released to the following entities: the Office of Financial Institutions, the Louisiana State Board of Medical Examiners, the Louisiana State Board of Nursing, the Louisiana State Board of Dentistry, the Louisiana State Board of Examiners of Psychologists, the Louisiana Board of Pharmacy, the Louisiana State Board of Social Work Examiners, the Emergency Medical Services Certification Commission, Louisiana Attorney Disciplinary Board, Office of Disciplinary Counsel, the Louisiana Supreme Court Committee on Bar Admissions, the Louisiana Department of Insurance, the Louisiana Licensed Professional Counselors Board of Examiners, or any person or entity requesting a record of all criminal arrests and convictions pursuant to existing law provisions involving the protection of children, or as otherwise provided by law.

New law retains existing law and adds the Louisiana State Board of Chiropractic Examiners to the list of entities authorized to request and receive an expunged record.

Effective August 1, 2018.

(Amends C.Cr.P. Art. 973(B))