

2019 Regular Session

HOUSE BILL NO. 139

BY REPRESENTATIVE DWIGHT

CRIMINAL/RECORDS: Provides relative to fees for processing background check requests

1 AN ACT

2 To amend and reenact R.S. 15:587(D), relative to criminal history information; to provide
3 relative to processing fees charged for background checks; to provide for an
4 assessment of a technology fee; to provide for the use of the technology fee; and to
5 provide for related matters.

6 Be it enacted by the Legislature of Louisiana:

7 Section 1. R.S. 15:587(D) is hereby amended and reenacted to read as follows:

8 §587. Duty to provide information; processing fees; Louisiana Bureau of Criminal
9 Identification and Information

10 * * *

11 D.(1) Any local law enforcement agency, any Louisiana public higher
12 education institution which employs full-time police officers commissioned by the
13 Louisiana State Police, or sheriff may conduct any screening function conducted by
14 the bureau, except those screening functions conducted for entities regulated by any
15 office of the Department of Public Safety and Corrections, and also may charge a
16 reasonable processing fee of not more than ~~fifteen~~ five dollars per inquiry for
17 information provided. ~~When a sheriff conducts the screening, five dollars of the~~
18 ~~processing fee shall be remitted to the Louisiana Sheriffs' Association for the~~
19 ~~operation of the Louisiana Civil and Criminal Information Network (LACCIE). The~~
20 provisions of this Subsection shall also apply to any screening function provided for

1 ~~in R.S. 15:587.1~~ background check. A technology fee of five dollars shall be
2 assessed for each civil background check conducted, regardless of the entity, to be
3 distributed to the Louisiana Sheriffs' Association for the enhancement of criminal
4 history data collection.

5 (2) For the purposes of this Subsection, "civil background check" means a
6 background check that is used for purposes including but not limited to
7 preemployment, academic applications, or professional boards.

8 * * *

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 139 Original

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Dwight

Abstract: Provides for a processing fee of \$5 for background checks by any local law enforcement agency, public higher education institution, or sheriff.

Present law authorizes any local law enforcement agency, La. public higher education institution, which employs full-time police officers commissioned by the La. State Police, or sheriff to conduct any screening function conducted by the La. Bureau of Criminal Identification and Information, except screening functions conducted for entities regulated by any office of DPS&C, and provides for a reasonable processing fee of not more than \$15 per inquiry for information provided.

Present law further provides that when a sheriff conducts the screening, \$5 of the processing fee shall be remitted to the La. Sheriffs' Association for the operation of the La. Civil and Criminal Information Network (LACCIE).

Proposed law changes the present law processing fee from \$15 to \$5 per background check. Further requires a technology fee of \$5 to be assessed for each civil background check conducted, to be distributed to the La. Sheriffs' Association for the enhancement of criminal history data collection.

(Amends R.S. 15:587(D))