HLS 19RS-542 **ENGROSSED**

2019 Regular Session

HOUSE BILL NO. 139

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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 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; to 5 provide for an effective date; and to provide for related matters.

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

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D.(1) Any local law enforcement agency, any Louisiana public higher education institution which employs full-time police officers commissioned by the Louisiana State Police, or sheriff may conduct any screening function conducted by the bureau, except those screening functions conducted for entities regulated by any office of the Department of Public Safety and Corrections, and also may charge a reasonable processing fee of not more than fifteen five dollars per inquiry for information provided. When a sheriff conducts the screening, five dollars of the processing fee shall be remitted to the Louisiana Sheriffs' Association for the operation of the Louisiana Civil and Criminal Information Network (LACCIE). The provisions of this Subsection shall also apply to any screening function provided for in R.S. 15:587.1 background check. A technology fee of five dollars shall be

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CODING: Words in struck through type are deletions from existing law; words underscored are additions.

1 assessed for each civil background check conducted, regardless of the entity, to be 2 distributed to the Louisiana Sheriffs' Association for the enhancement of criminal 3 history data collection. 4 (2) For the purposes of this Subsection, "civil background check" means a background check that is used for purposes including but not limited to 5 6 preemployment, academic applications, or professional boards. 7 8 Section 2. This Act shall become effective upon completion or substantial 9 completion of a statewide civil scan applicant processing solution or March 31, 2020, 10 whichever is earlier.

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 Engrossed

2019 Regular Session

Dwight

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

<u>Present law</u> 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.

<u>Present law</u> 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).

<u>Proposed law</u> changes the <u>present law</u> processing fee <u>from</u> \$15 <u>to</u> \$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.

Effective upon completion or substantial completion of a statewide civil scan applicant processing solution or March 31, 2020, whichever is earlier.

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

Summary of Amendments Adopted by House

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

1. Provide that the Act becomes effective upon completion or substantial completion of a statewide civil scan applicant processing solution or March 31, 2020, whichever is earlier.