

2019 Regular Session

HOUSE BILL NO. 99

BY REPRESENTATIVE FALCONER AND SENATORS ALARIO, ALLAIN, APPEL, BARROW, BOUDREAUX, CLAITOR, COLOMB, DONAHUE, GATTI, HENSGENS, HEWITT, JOHNS, LONG, MARTINY, MIZELL, PRICE, GARY SMITH, TARVER, AND THOMPSON

1 AN ACT

2 To amend and reenact R.S. 15:587.3, relative to criminal identification and information; to  
3 provide relative to volunteers and employees in youth-serving institutions or  
4 organizations; to provide relative to coaches of youth athletes; to require the release  
5 of investigative records for head coaches of youth athletes; to require fingerprinting  
6 and background checks for the head coaches; to provide relative to the procedures  
7 and costs for criminal history records checks; to provide relative to training  
8 programs; and to provide for related matters.

9 Be it enacted by the Legislature of Louisiana:

10 Section 1. R.S. 15:587.3 is hereby amended and reenacted to read as follows:

11 §587.3. Volunteers and employees in youth-serving institutions or organizations;  
12 other youth coaches; criminal background information

13 A.(1) A religious, charitable, scientific, educational, athletic, or youth-  
14 serving institution or organization may require any person; who applies to work with  
15 children as a volunteer or as a paid employee; to do ~~one or more~~ of the following:

16 (1)(a) Agree to ~~the~~ release of all investigative records to such religious,  
17 charitable, scientific, educational, athletic, or youth-service institution or  
18 organization for examination for the purpose of verifying the accuracy of criminal  
19 violation information contained on an application to work for such institution or  
20 organization.

21 (2)(b) Supply fingerprint samples and submit to a criminal history records  
22 check to be conducted by the Louisiana ~~State Police~~ Bureau of Criminal  
23 Identification and Information.

1                   (2) Any head coach of youth athletes in an organized sports or recreational  
 2                   athletic contest, not as part of a religious, charitable, scientific, educational, athletic,  
 3                   or youth-serving institution or organization to which Paragraph (1) of this Subsection  
 4                   would apply and is not a parent of the child, legal guardian of the child, or is  
 5                   otherwise not a family member of the child, shall do the following:

6                   (a) Agree to release all investigative records for examination for the purpose  
 7                   of verifying the accuracy of criminal violation information.

8                   (b) Supply fingerprint samples and submit to a criminal history records  
 9                   check to be conducted by the Louisiana Bureau of Criminal Identification and  
 10                  Information.

11                  (c) Make available criminal history record information.

12                  ~~(3)~~B. Attend In addition to Subsection A, any volunteer, paid employee, or  
 13                  head coach may be required to attend a comprehensive youth protection training  
 14                  program which includes adult training on recognition, disclosure, reporting, and  
 15                  prevention of abuse and submit to character, employment, education, and reference  
 16                  checks.

17                  ~~B.C.~~ Any person who is requested to comply with the requirements set forth  
 18                  in Subsection A, and refuses to do so, shall be prohibited from working with children  
 19                  as a volunteer or as a paid employee.

20                  D. When a criminal history records check is requested pursuant to  
 21                  Subsection A of this Section, the Louisiana Bureau of Criminal Identification and  
 22                  Information shall provide the requestor with the state criminal history record  
 23                  information of the individual subject to the inquiry. In addition, the bureau shall  
 24                  forward the fingerprints to the Federal Bureau of Investigation for a national criminal  
 25                  history records check and shall provide the requestor with the national criminal  
 26                  history record information of the individual subject to the inquiry.

27                  E.(1) The costs of providing the information required under this Section shall  
 28                  be charged by the bureau, as specified in R.S. 15:587(B), to the individual subject  
 29                  to the inquiry for furnishing information contained in the bureau's criminal history

1           and identification files, including any additional costs of providing the national  
2           criminal history records check which pertains to the individual.

3                   (2) Notwithstanding Paragraph (1) of this Subsection, for paid employees of  
4           a youth-serving institution or organization, the costs of providing the information  
5           required under this Section shall be charged by the bureau, as specified in R.S.  
6           15:587(B), to the institution or organization.

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SPEAKER OF THE HOUSE OF REPRESENTATIVES

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PRESIDENT OF THE SENATE

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GOVERNOR OF THE STATE OF LOUISIANA

APPROVED: \_\_\_\_\_