
SENATE FLOOR AMENDMENTS

2020 Regular Session

Amendments proposed by Senator Cathey to Reengrossed House Bill No. 843 by Representative Schexnayder

1 AMENDMENT NO. 1

2 On page 1, line 4, after "1472," insert "1473,"

3 AMENDMENT NO. 2

4 On page 2, line 4, after "1472," insert "1473,"

5 AMENDMENT NO. 3

6 On page 1, line 9, after "orders;" insert "to authorize the Department of Agriculture and
7 Forestry to obtain certain criminal history record information;"

8 AMENDMENT NO. 4

9 On page 5, between lines 11 and 12, insert the following:

10 "§1473. Authorization to obtain criminal history record information

11 A. As used in this Section, the following terms shall have the following
12 meaning:

13 (1) "Applicant" means a natural person, a corporation, limited liability
14 company, partnership, joint stock association, sole proprietorship, joint venture,
15 business association, cooperative association, professional corporation, or any other
16 legal entity or organization through which business is conducted.

17 (2) "Bureau" means the Louisiana Bureau of Criminal Identification and
18 Information of the office of state police within the Department of Public Safety and
19 Corrections.

20 (3) "Criminal history record information" means information collected by
21 state and federal criminal justice agencies on individuals consisting of identifiable
22 descriptions and notations of arrests, detentions, indictments, bills of information,
23 or any formal criminal charges, and any disposition arising therefrom, including
24 sentencing, criminal correctional supervision, and release. It shall not include
25 intelligence information gathered for investigatory purposes or any identification
26 information which does not indicate involvement of the individual in the criminal
27 justice system.

28 (4) "Department" means Louisiana Department of Agriculture and Forestry.

29 (5) "FBI" means the Federal Bureau of Investigation of the United States
30 Department of Justice.

31 (6) "Licensure" means any license or permit that the department is authorized
32 to issue for the production of industrial hemp and the facility producing industrial
33 hemp.

34 B. In addition to any other requirements established by department rules, the
35 department shall require an applicant, as a condition of eligibility for licensure:

36 (1) To submit a full set of fingerprints, in a form and manner prescribed by
37 the department.

38 (2) To permit the department to request and obtain state and national criminal
39 history record information on the applicant.

40 (3) To pay the reasonable costs to be incurred by applicant in requesting and
41 obtaining state and national criminal history record information on the applicant to
42 be directed to the department.

43 C. In accordance with the provisions and procedure prescribed by this
44 Section, the department shall request and obtain state and national criminal history
45 record information from the bureau and the FBI relative to any applicant for

1 licensure whose fingerprints the department has obtained pursuant to this Section for
2 the purpose of determining the applicant's suitability and eligibility for licensure.

3 D. Upon request by the department and upon submission of an applicant's
4 fingerprints, and such other identifying information as may be required, the bureau
5 shall survey its criminal history records and identification files and make a
6 simultaneous request of the FBI for like information from other jurisdictions. The
7 bureau may charge the department a reasonable processing fee for conducting and
8 reporting on any such search.

9 E. Any and all state or national criminal history record information obtained
10 by the department from the bureau or FBI which is not already a matter of public
11 record shall be deemed nonpublic and confidential information restricted to the
12 exclusive use by the department in evaluating the applicant's eligibility or
13 disqualification for licensure. No such information or records related thereto shall,
14 except with the written consent of the applicant or by order of a court of competent
15 jurisdiction, be released or otherwise disclosed by the department to any other person
16 or agency."