

2022 Regular Session

HOUSE BILL NO. 377

BY REPRESENTATIVE HUVAL

CRIMINAL/RECORDS: Provides relative to fingerprinting all persons arrested for any offense involving operating a motor vehicle while intoxicated

1 AN ACT

2 To amend and reenact R.S. 15:590(7) and to enact R.S. 15:545(A)(3), relative to
3 fingerprinting persons arrested for operating a motor vehicle while intoxicated; to
4 provide for duties of law enforcement in every parish, municipality, and the state; to
5 provide for additional offenses that require fingerprint and identification data; and
6 to provide for related matters.

7 Be it enacted by the Legislature of Louisiana:

8 Section 1. R.S. 15:590(7) is hereby amended and reenacted and R.S. 15:545(A)(3)
9 is hereby enacted to read as follows:

10 §545. Duty of law enforcement

11 A.(1)

12 * * *

13 (3) It shall be the duty of the sheriff of every parish, the chief of police of
14 each municipality, and every chief officer of every other law enforcement agency
15 operating within this state to record the fingerprints of all persons arrested for any
16 offense involving the operation of a vehicle while intoxicated, including local
17 ordinances.

18 * * *

1 §590. Obtaining and filing fingerprint and identification data

2 The bureau shall obtain and file the name, fingerprints, description,
3 photographs, and any other pertinent identifying data as the deputy secretary deems
4 necessary, of any person who meets any of the following:

5 * * *

6 (7) Has been arrested, or has been issued a summons, for a violation of R.S.
7 14:98, 98.1, 98.2, 98.3, 98.4, 98.6, or any offense for operation of a vehicle while
8 intoxicated, including local ordinances pertaining to operating a motor vehicle while
9 intoxicated.

10 * * *

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 377 Engrossed 2022 Regular Session Huval

Abstract: Requires the fingerprinting of persons arrested for any offense that involves the operation of a motor vehicle while intoxicated.

Present law (R.S. 15:545) provides for the duty of law enforcement to record the fingerprints of all persons in their custody who have been convicted of any sex offense or any criminal offense against a victim who is a minor for which the penalty of imprisonment might be imposed.

Proposed law provides for the duty of law enforcement to record the fingerprints of all persons arrested for any offense involving the operation of a vehicle while intoxicated, including local ordinances.

Present law (R.S. 15:590) provides for the obtaining and filing of fingerprint and identification data of any person who commits certain offenses.

Proposed law retains present law and expands the list of offenses that involves the operation of a motor vehicle while intoxicated, including local ordinances pertaining to operating a motor vehicle while intoxicated.

(Amends R.S. 15:590(7); Adds R.S. 15:545(A)(3))

Summary of Amendments Adopted by House

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

1. Relative to the requirement of the bureau to obtain and file fingerprints for offenses involving the operation of a motor vehicle while intoxicated, specify

that violations of local ordinances pertain to the operation of a motor vehicle while intoxicated.