

2026 Regular Session

HOUSE BILL NO. 622

BY REPRESENTATIVE COATES

1 AN ACT

2 To amend and reenact R.S. 40:1203.4(B) and (C) and to enact R.S. 40:1203.4(D) and (E),
3 relative to criminal history records; to provide for confidentiality of criminal history
4 records; to provide relative to the dissemination of criminal history records; to
5 provide relative to duties of employers; to provide relative to compliance regarding
6 applicable state law and federal regulations and policies; and to provide for related
7 matters.

8 Be it enacted by the Legislature of Louisiana:

9 Section 1. R.S. 40:1203.4(B) and (C) are hereby amended and reenacted and R.S.
10 40:1203.4(D) and (E) are hereby enacted to read as follows:

11 §1203.4. Confidentiality of criminal history records

12 * * *

13 B. Except by a court order ~~or with the written consent of the person being~~
14 ~~investigated~~ that directs the appropriate law enforcement agency to disseminate such
15 information, the criminal history records or information obtained from or regarding
16 the records of an employee shall not be released or otherwise disclosed ~~to any other~~
17 ~~person or agency~~.

18 C. ~~The records shall be destroyed after one year from the termination of~~
19 ~~employment of the person to whom such records relate. However, upon receipt of~~
20 ~~written consent by an applicant for employment with a health provider, the~~ No
21 employer in receipt of a criminal history check ~~may~~ shall send a copy to ~~the~~ an
22 employer seeking the referral of a potential applicant.

1 D. Each employer subject to this Section shall obtain a criminal history and
2 security check in accordance with R.S. 15:587(B) and (F), R.S. 40:1203.2, or any
3 other applicable provisions of law.

4 E. The provisions of this Section are intended to ensure compliance with
5 applicable state and federal laws and regulations governing criminal history record
6 information, including 28 CFR Part 20 and the Federal Bureau of Investigation
7 Criminal Justice Information Services Security Policy. Nothing in this Section shall
8 be construed to authorize the redissemination of criminal history record information
9 obtained from the Federal Bureau of Investigation. State criminal history record
10 information shall be maintained and disseminated in accordance with applicable state
11 law.

SPEAKER OF THE HOUSE OF REPRESENTATIVES

PRESIDENT OF THE SENATE

GOVERNOR OF THE STATE OF LOUISIANA

APPROVED: _____