

Regular Session, 2013

HOUSE BILL NO. 184

BY REPRESENTATIVE HONORE

Prefiled pursuant to Article III, Section 2(A)(4)(b)(i) of the Constitution of Louisiana.

CRIMINAL/BUREAU CRIML ID: Authorizes certain nonprofit organizations to obtain criminal history record and identification files for applicants seeking to serve in certain programs

1 AN ACT

2 To enact R.S. 15:587(H), relative to criminal background checks; to authorize the Volunteer
3 Louisiana Commission and the recipient of any AmeriCorps funds administered by
4 the Volunteer Louisiana Commission to obtain criminal history record and
5 identification files for certain applicants; to provide for the procedure by which such
6 information is obtained; to provide for the cost of obtaining such information; to
7 provide relative to the confidentiality of such information; and to provide for related
8 matters.

9 Be it enacted by the Legislature of Louisiana:

10 Section 1. R.S. 15:587(H) is hereby enacted to read as follows:

11 §587. Duty to provide information; processing fees; Louisiana Bureau of Criminal
12 Identification and Information

13 * * *

14 H.(1) The Volunteer Louisiana Commission and the recipient of any federal
15 AmeriCorps funds administered by the Volunteer Louisiana Commission shall be
16 entitled to the criminal history record and identification files maintained by the
17 bureau for any applicant seeking to serve in a program that receives assistance under
18 the national service laws to determine whether the applicant meets the eligibility

1 requirements set forth in the Serve America Act, Public Law 111-13, and any
2 associated federal regulations.

3 (2) In addition to the information provided for in Paragraph (1) of this
4 Subsection, the Volunteer Louisiana Commission shall be entitled to any national
5 criminal history information maintained by the Federal Bureau of Investigation for
6 any applicant seeking to serve in a program that receives assistance under the
7 national service laws.

8 (3)(a) Upon receiving a written request, which shall include fingerprint cards
9 or other identifying information for the applicant and a consent form signed by the
10 applicant authorizing the criminal background check, the bureau shall survey its
11 criminal history records and identification files.

12 (b) If requested by the Volunteer Louisiana Commission pursuant to
13 Paragraph (2) of this Subsection, the bureau shall make a simultaneous request of the
14 Federal Bureau of Investigation for a national criminal history record check.

15 (4) The bureau shall present the requested information promptly and in
16 writing to the requesting entity and shall charge the requesting entity the cost of
17 providing such information pursuant to Subsection B of this Section.

18 (5) The requesting entity shall maintain the confidentiality of the information
19 received in accordance with applicable federal and state laws.

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)]

Honore

HB No. 184

Abstract: Authorizes the Volunteer La. Commission and the recipient of any AmeriCorps funds administered by the Volunteer La. Commission to obtain criminal history record and identification files for any applicant seeking to serve in a program receiving assistance under the national service laws.

Present law authorizes certain entities to request and obtain, and requires the Bureau of Criminal Identification and Information to provide, criminal history record and identification files for persons seeking employment, licensing, or seeking to volunteer with those entities.

Proposed law retains present law and authorizes the Volunteer La. Commission and the recipient of any federal AmeriCorps funds administered by the Volunteer La. Commission

to obtain the criminal history record and identification files maintained by the bureau for any applicant seeking to serve in a program that receives assistance under the national service laws.

Proposed law also authorizes the Volunteer La. Commission to obtain national criminal history information maintained by the FBI and requires the bureau to make a simultaneous request for such information from the FBI when requested to do so by the Volunteer La. Commission.

Proposed law further provides for the procedure by which such information is requested and obtained by the entity and requires the requesting entity to maintain the confidentiality of the information in accordance with federal and state laws.

(Adds R.S. 15:587(H))