

Regular Session, 2013

HOUSE BILL NO. 167

BY REPRESENTATIVE CHAMPAGNE

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

CRIMINAL/PROCEDURE: Provides relative to the type of information provided to an institution of postsecondary education requesting criminal history information for an applicant or prospective employee

1 AN ACT

2 To amend and reenact R.S. 15:587.2(B), relative to criminal history information; to provide
3 relative to the type of information provided to an institution of postsecondary
4 education requesting criminal history information for an applicant or prospective
5 employee; and to provide for related matters.

6 Be it enacted by the Legislature of Louisiana:

7 Section 1. R.S. 15:587.2(B) is hereby amended and reenacted to read as follows:

8 §587.2. Institutions of postsecondary education; criminal history information

9 * * *

10 B. When a criminal history records check is requested pursuant to
11 Subsection A of this Section, the institution of postsecondary education shall be
12 provided with state or national criminal history record information, or both, from the
13 Louisiana Bureau of Criminal Identification and Information and the Federal Bureau
14 of Investigation relative to the applicant prospective employee whose fingerprints
15 have been obtained by the institution pursuant to this Section. The Bureau of
16 Criminal Identification and Information shall, upon request and after receipt of
17 fingerprint cards and other identifying information as required by the bureau from
18 the institution, make available to the institution all prior arrests for any felony
19 offense and conviction information for any offense contained in the bureau's criminal

1 history record and identification files, which pertains to the applicant or prospective
 2 employee, including convictions dismissed pursuant to Code of Criminal Procedure
 3 Article 893 or 894. In addition, when the institution of postsecondary education
 4 requests such criminal history record information, the bureau shall forward the
 5 fingerprints to the Federal Bureau of Investigation for a national criminal history
 6 check and make such conviction information available to the institution, which
 7 pertains to the applicant or prospective employee.

8 * * *

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)]

Champagne

HB No. 167

Abstract: Provides that information concerning arrests for felony offenses and convictions for any offenses as well as convictions dismissed pursuant to C.Cr.P. Arts. 893 and 894 shall be provided to an institution of postsecondary education that requests the criminal history information of an applicant or prospective employee.

Present law provides that each institution of postsecondary education may require any applicant or prospective employee to submit to a criminal history records check conducted by the Bureau of Criminal Identification and Information which shall provide the institution of postsecondary education with state or national criminal history information, including all conviction information contained in the bureau's criminal history record and identification files which pertain to the applicant or prospective employee.

Proposed law adds arrests for felony offenses and convictions for all offenses including convictions dismissed pursuant to C.Cr.P. Art. 893 or 894 to the criminal history information that the bureau is required to provide to the institution of postsecondary education.

(Amends R.S. 15:587.2(B))

Summary of Amendments Adopted by House

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

1. Required the reporting of felony arrests to institutions of postsecondary education.