

Regular Session, 2014

SENATE BILL NO. 276

BY SENATOR PERRY

CRIMINAL RECORDS. Provides relative to obtaining and filing fingerprint and identification data. (8/1/14)

1 AN ACT

2 To enact R.S. 15:590(6) and (7), relative to the Louisiana Bureau of Criminal Identification

3 and Information; to add to the list of those persons whose information is to be

4 obtained and filed by the bureau; and to provide for related matters.

5 Be it enacted by the Legislature of Louisiana:

6 Section 1. R.S. 15:590(6) and (7) are hereby enacted to read as follows:

7 §590. Obtaining and filing fingerprint and identification data

8 The bureau shall obtain and file the name, fingerprints, description,

9 photographs, and any other pertinent identifying data as the deputy secretary deems

10 necessary, of any person who:

11 \* \* \*

12 **(6) Has been arrested, or has been issued a summons, for any offense that**

13 **requires the collection of a DNA sample pursuant to R.S. 15:609.**

14 **(7) Has been arrested, or has been issued a summons, for a violation of**

15 **R.S. 14:98.**

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The original instrument and the following digest, which constitutes no part of the legislative instrument, were prepared by Alden A. Clement Jr.

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## DIGEST

Perry (SB 276)

Present law creates and provides relative to the Louisiana Bureau of Criminal Identification and Information within the Dept. of Public Safety and Corrections.

Present law provides that the bureau is to obtain and file the name, fingerprints, description, photographs, and any other pertinent identifying data as the deputy secretary deems necessary, of any person who:

- (1) Has been arrested, formally indicted, or taken into custody for any offense that is a felony, for certain misdemeanor offenses designated by the deputy secretary, for any violation of any ordinance that the bureau determines to be substantially related to or the equivalent of any offense described under present law as a felony offense, or for any other offense that the deputy secretary may designate.
- (2) Is or becomes confined to any prison, penal institution, correctional facility, or institution for the criminally insane.
- (3) After death, has become a human corpse that is unidentified or involved in any autopsy or inquest by a coroner.
- (4) Is a fugitive from justice.
- (5) Is or has been a habitual offender.

Proposed law retains present law and adds to this list the following:

- (1) Any person who has been arrested, or has been issued a summons, for any offense that requires the collection of a DNA sample pursuant to present law.
- (2) Any person who has been arrested, or has been issued a summons, for a violation of the present law crime of operating a vehicle while intoxicated.

Present law requires the taking of a DNA sample from certain persons, including a person who is arrested for a felony or certain other specified offenses on or after 9/1/99, and a person who is convicted or enters into a plea agreement resulting in a conviction on or after 9/1/99 for a felony or certain other specified offenses.

Proposed law retains present law.

Effective August 1, 2014.

(Adds R.S. 15:590(6) and (7))