
DIGEST

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Huval

HB No. 517

Abstract: Requires the reporting of certain information relative to persons with mental illness by each district clerk of court and the La. Supreme Court.

Proposed law requires each district clerk of court to report to the La. Supreme Court the name and other identifying information of any adult who is issued a court order doing one of the following:

- (1) Ordering a person who pled guilty to or who was convicted of a crime of violence to receive a mental health evaluation or to receive treatment for mental illness.
- (2) Ordering the conditional release of a person who received a verdict of acquittal of a crime of violence by reason of insanity.
- (3) A court determination that a person does not have the mental capacity to proceed with a criminal trial for certain crimes.
- (4) A court order requiring that a person be involuntarily committed to an inpatient mental health treatment facility.

Proposed law requires the report to be submitted to the La. Supreme Court within ten business days of the date of conviction, adjudication, or order of involuntary commitment and in the manner and form as directed by the supreme court.

Proposed law requires the supreme court to submit the information in the report to the National Instant Criminal Background Check System database within 15 business days of receipt.

Proposed law prohibits any district clerk of court from being held civilly or criminally liable on the basis of the accuracy, availability, or unavailability of any information reported or required to be reported, except in the case of willful or wanton misconduct or gross negligence.

Proposed law requires each mental health court to adhere to the proposed law reporting requirements in the event that the person is dismissed from the program and then pleads guilty or is convicted of the crime for which he was admitted.

Proposed law authorizes a person to petition the court for a judgment to revise or remove a record in any information database that the La. Supreme Court makes available to the National

Instant Criminal Background Check System.

(Adds R.S. 13:754 and 5358(C)(3))