

2016 Regular Session

HOUSE BILL NO. 394

BY REPRESENTATIVE LOPINTO

VITAL STATS/DEATH CERT: Authorizes the disclosure of information from a death certificate to law enforcement

1 AN ACT

2 To enact R.S. 40:41(L) and (M), relative to death certificates; to require notice of the death
3 of each state resident to be provided to the public agency maintaining the State Sex
4 Offender and Child Predator Registry; to authorize the issuance of death certificates
5 for law enforcement use only; and to provide for related matters.

6 Be it enacted by the Legislature of Louisiana:

7 Section 1. R.S. 40:41(L) and (M) are hereby enacted to read as follows:

8 §41. Disclosure of records

9 * * *

10 L. The state registrar shall notify the Louisiana Bureau of Criminal
11 Identification and Information, or its successor which maintains the State Sex
12 Offender and Child Predator Registry, of the death of each state resident. The
13 information provided by the state registrar shall be limited to the deceased's name,
14 address, date of death, date of birth, and any other identifying information which
15 may be necessary to identify the deceased as a registrant.

16 M. The state registrar shall issue a certified copy of a death certificate clearly
17 marked for law enforcement use only to any member of a law enforcement agency
18 upon written request from that law enforcement agency. For the purposes of this
19 Section, "law enforcement agency" means any municipality, sheriff's office, or other
20 public agency who employs full-time employees of the state whose permanent duties

1 include but are not limited to making arrests, performing searches and seizures,
2 executing criminal warrants, preventing or detecting crime. and enforcing the penal,
3 traffic, or highway laws of this state.

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)]

HB 394 Original

2016 Regular Session

Lopinto

Abstract: Authorizes the disclosure of information from the death certificate of each state resident to law enforcement.

Present law prohibits an employee of the state from disclosing data contained in vital records, except as authorized by law.

Proposed law requires the state registrar to notify the La. Bureau of Criminal Identification and Information, or its successor which maintains the State Sex Offender and Child Predator Registry, of the death of each state resident. Proposed law limits the information provided to the deceased's name, address, date of death, date of birth, and any other identifying information which may be necessary to identify the deceased as a registrant.

Proposed law requires the state registrar to issue a certified copy of a death certificate clearly marked for law enforcement use only to any member of a law enforcement agency upon written request from that law enforcement agency. Proposed law defines "law enforcement agency" as any municipality, sheriff's office, or other public agency who employs full-time employees of the state whose permanent duties include but are not limited to making arrests, performing searches and seizures, executing criminal warrants, preventing or detecting crime and enforcing the penal, traffic, or highway laws of this state.

(Adds R.S. 40:41(L) and (M))