
HOUSE COMMITTEE AMENDMENTS

2016 Regular Session

Amendments proposed by House Committee on Health and Welfare to Reengrossed Senate Bill No. 271 by Senator Mills

1 AMENDMENT NO. 1

2 On page 1, line 5, after "history;" delete the remainder of the line

3 AMENDMENT NO. 2

4 On page 1, delete line 6 in its entirety

5 AMENDMENT NO. 3

6 On page 1, line 7, delete "Enforcement Administration;"

7 AMENDMENT NO. 4

8 On page 1, delete lines 12 through 17 in their entirety and delete pages 2 through 9 in their
9 entirety

10 AMENDMENT NO. 5

11 On page 10, delete lines 1 through 26 in their entirety

12 AMENDMENT NO. 6

13 On page 17, delete lines 20 through 29 in their entirety and insert in lieu thereof the
14 following:

15 **"§1047. Louisiana Department of Agriculture and Forestry;**
16 **authorization to obtain criminal history record information**

17 **A. As used in this Section, the following terms shall have the**
18 **following meaning:**

19 **(1) "Applicant" means a natural person, a corporation, limited**
20 **liability company, partnership, joint stock association, sole**
21 **proprietorship, joint venture, business association, cooperative**
22 **association, professional corporation or any other legal entity or**
23 **organization through which business is conducted.**

24 **(2) "Bureau" means the Louisiana Bureau of Criminal**
25 **Identification and Information of the office of state police within the**
26 **Department of Public Safety and Corrections.**

27 **(3) "Criminal history record information" means information**
28 **collected by state and federal criminal justice agencies on individuals**
29 **consisting of identifiable descriptions and notations of arrests,**
30 **detentions, indictments, bills of information, or any formal criminal**
31 **charges, and any disposition arising therefrom, including sentencing,**
32 **criminal correctional supervision, and release. It shall not include**
33 **intelligence information gathered for investigatory purposes or any**
34 **identification information which does not indicate involvement of the**
35 **individual in the criminal justice system.**

1 (4) "Department" means Louisiana Department of Agriculture
2 and Forestry.

3 (5) "FBI" means the Federal Bureau of Investigation of the
4 United States Department of Justice.

5 (6) "Licensure" means any license or permit that the department
6 is authorized to issue for the production of prescribed therapeutic
7 marijuana and the facility producing therapeutic marijuana.

8 B. In addition to any other requirements established by
9 department rules, the department shall require an applicant, as a
10 condition of eligibility for licensure, to do all of the following:

11 (1) Submit a full set of fingerprints, in a form and manner
12 prescribed by the department.

13 (2) Permit the department to request and obtain state and
14 national criminal history record information on the applicant.

15 (3) Pay the reasonable costs to be incurred by the department in
16 requesting and obtaining state and national criminal history record
17 information on the applicant.

18 C. In accordance with the provisions and procedure prescribed
19 by this Section, the department shall request and obtain state and
20 national criminal history record information from the bureau and the
21 FBI relative to any applicant for licensure whose fingerprints the
22 department has obtained pursuant to this Section for the purpose of
23 determining the applicant's suitability and eligibility for licensure.

24 D. Upon request by the department and upon submission of an
25 applicant's fingerprints, and such other identifying information as may
26 be required, the bureau shall survey its criminal history records and
27 identification files and make a simultaneous request of the FBI for like
28 information from other jurisdictions. The bureau may charge the
29 department a reasonable processing fee for conducting and reporting on
30 any such search.

31 E. Any and all state or national criminal history record
32 information obtained by the department from the bureau or FBI which
33 is not already a matter of public record shall be deemed nonpublic and
34 confidential information restricted to the exclusive use by the
35 department in evaluating the applicant's eligibility or disqualification for
36 licensure. No such information or records related thereto shall, except
37 with the written consent of the applicant or by order of a court of
38 competent jurisdiction, be released or otherwise disclosed by the
39 department to any other person or agency.

40 Section 2. This Act shall become effective upon signature by the
41 governor or, if not signed by the governor, upon expiration of the time for
42 bills to become law without signature by the governor, as provided by Article
43 III, Section 18 of the Constitution of Louisiana. If vetoed by the governor
44 and subsequently approved by the legislature, this Act shall become effective
45 on the day following such approval."