

SENATE BILL NO. 416

BY SENATOR WHITE

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AN ACT

To enact R.S. 51:703(D)(5), relative to investment adviser representatives; to provide for criminal background checks; to provide for exceptions; to provide for terms, conditions, and procedures; and to provide for related matters.

Be it enacted by the Legislature of Louisiana:

Section 1. R.S. 51:703(D)(5) is hereby enacted to read as follows:

§703. Registration of dealers, salesmen, and investment advisers and adviser representatives; surety bonds; records; disclosures

* * *

D. * * *

(5)(a) Pursuant to the provisions of R.S. 6:121.2, the commissioner has the authority to request and obtain criminal history record information from the Federal Bureau of Investigation, Louisiana Bureau of Criminal Identification and Information, and any other governmental agency or entity.

(b) As directed by the commissioner, each applicant for registration as an investment adviser representative shall submit fingerprints for a criminal background check. The fingerprints may be submitted through any licensing system authorized by the commissioner pursuant to the provisions of R.S. 6:121.8.

(c) The costs of fingerprint processing shall be borne by the person subject to the criminal background check.

(d) The provisions of this Paragraph shall not apply to either of the following:

(i) A person who has submitted an application for registration in Louisiana with a Financial Industry Regulatory Authority (FINRA) member

1 firm, provided fingerprints were submitted and processed by FINRA on behalf
 2 of the member firm with which such associated person is pending registration,
 3 pursuant to the provisions of the United States Securities and Exchange
 4 Commission rule 17 C.F.R. 240.17f-2, as amended.

5 (ii) A person who is registered with the commissioner as an investment
 6 adviser representative on January 1, 2019, unless such person subsequently
 7 applies for registration with a different investment adviser.

8 * * *

9 Section 2. This Act shall become effective on January 1, 2019.

 PRESIDENT OF THE SENATE

 SPEAKER OF THE HOUSE OF REPRESENTATIVES

 GOVERNOR OF THE STATE OF LOUISIANA

APPROVED: _____