

2026 Regular Session

SENATE BILL NO. 288

BY SENATOR REESE

IDENTITY DATA. Provides relative to background checks. (8/1/26)

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AN ACT

To amend and reenact R.S. 15:587(A)(1)(b) and (F)(1), 587.2(B), and 587.7(B)(3), relative to criminal history background checks; to provide for the Louisiana Bureau of Criminal Identification and Information; to provide for the duty to provide certain information to the Louisiana State Board of Private Security Examiners and employers; to provide for the release of expunged criminal history record information under certain circumstances; and to provide for related matters.

Be it enacted by the Legislature of Louisiana:

Section 1. R.S. 15:587(A)(1)(b) and (F)(1), 587.2(B), and 587.7(B)(3) are hereby amended and reenacted to read as follows:

§587. Duty to provide information; processing fees; Louisiana Bureau of Criminal Identification and Information

A.(1) * * *

(b) The Louisiana State Board of Private Security Examiners shall be entitled to the criminal history record and identification files of the bureau on those persons seeking to be licensed ~~or registered~~ by the board as a means of performing background checks on those individuals. In addition, in order to determine an

1 applicant's eligibility or suitability for licensure ~~or registration~~ under the provisions
2 of the Private Security Regulatory and Licensing Law, each applicant shall be
3 fingerprinted, and the fingerprints shall be forwarded by the bureau to the Federal
4 Bureau of Investigation for a national criminal history record check.

5 * * *

6 F.(1) An employer or his representative shall be entitled to obtain conviction
7 records of an applicant seeking employment, directly from the Bureau of Criminal
8 Identification and Information in order to further qualify the applicant for the
9 position being sought, if the applicant has signed a consent form authorizing the
10 employer to obtain such conviction records. Upon written request and upon
11 presentation of a consent form prepared by the bureau and executed by the applicant,
12 the bureau shall provide conviction records of the applicant to the employer or his
13 representative in a timely manner. In addition, each applicant shall be fingerprinted;
14 ~~and the fingerprints shall be forwarded by the bureau to the Federal Bureau of~~
15 ~~Investigation for a national criminal history check~~ **or shall submit fingerprints to**
16 **the bureau.** Records obtained pursuant to the provisions of this Subsection shall not
17 include those records which have been ordered expunged pursuant to R.S. 44:9. The
18 provisions of Subsection B of this Section shall apply to any request made pursuant
19 to this Subsection. The bureau shall not be liable civilly or criminally for the release
20 of information released pursuant to the provisions of this Subsection.

21 * * *

22 §587.2. Institutions of postsecondary education; criminal history information

23 * * *

24 B. When a criminal history records check is requested pursuant to Subsection
25 A of this Section, the institution of postsecondary education shall be provided with
26 state ~~or~~ **and** national criminal history record information, ~~or both,~~ from the Louisiana
27 Bureau of Criminal Identification and Information and **from** the Federal Bureau of
28 Investigation relative to the applicant prospective employee whose fingerprints have
29 been obtained by the institution pursuant to this Section. The Bureau of Criminal

1 Identification and Information shall, upon request and after receipt of fingerprint
 2 cards and other identifying information as required by the bureau from the
 3 institution, make available to the institution all prior arrests for any sex offense,
 4 aggravated offense, or any sexual offense against a victim who is a minor as defined
 5 in R.S. 15:541 or any crime of violence as enumerated in R.S. 14:2(B) and
 6 conviction information for any offense contained in the bureau's criminal history
 7 record and identification files, which pertains to the applicant or prospective
 8 employee, including convictions dismissed pursuant to Code of Criminal Procedure
 9 Article 893 or 894. In addition, when the institution of postsecondary education
 10 requests such criminal history record information, the bureau shall forward the
 11 fingerprints to the Federal Bureau of Investigation for a national criminal history
 12 check and make such conviction information available to the institution, which
 13 pertains to the applicant or prospective employee.

14 * * *

15 §587.7. Volunteer and employee criminal history system

16 * * *

17 B. * * *

18 (3)(a) When a criminal history records check is requested by a qualified
 19 entity pursuant to Paragraph (1) of this Subsection, the bureau shall provide the
 20 qualified entity with the state criminal history record information of the individual
 21 subject to the inquiry. In addition, when the qualified entity requests national
 22 criminal history records checks, the bureau shall forward the fingerprints to the
 23 Federal Bureau of Investigation for a national criminal history records check and
 24 shall provide the qualified entity with the national criminal history record
 25 information of the individual subject to the inquiry.

26 **(b) The bureau may provide expunged criminal history record**
 27 **information from the state's criminal history record repository to public**
 28 **qualified entities at its discretion based upon strong evidence provided by the**
 29 **public qualified entity that its possessing of the expunged information would be**

Summary of Amendments Adopted by Senate

Committee Amendments Proposed by Senate Committee on Judiciary B to the original bill

1. Adds requirement that applicants submit fingerprints to the bureau.