SLS 20RS-491

ORIGINAL

2020 Regular Session

SENATE BILL NO. 364

BY SENATOR BERNARD

PUBLIC SFTY/CORRECT DEPT. Requires the Bureau of Criminal Identification and Information to provide criminal history information regarding employees or potential employees to juvenile detention facilities. (gov sig)

1	AN ACT
2	To enact R.S. 15:587(A)(1)(j), relative to the Louisiana Bureau of Criminal Identification
3	and Information; to provide relative to the duty of the bureau to provide information
4	to certain entities; to provide that the bureau is to provide certain information
5	regarding employees and potential employees upon request to juvenile detention
6	facilities; and to provide for related matters.
7	Be it enacted by the Legislature of Louisiana:
8	Section 1. R.S. $15:587(A)(1)(j)$ is hereby enacted to read as follows:
9	§587. Duty to provide information; processing fees; Louisiana Bureau of Criminal
10	Identification and Information
11	A.(1)(a) * * *
12	* * *
13	(j) Any juvenile detention facility, including facilities owned or operated
14	by any governmental, profit, nonprofit, private, or public agency or authority,
15	may submit fingerprint cards or other identifying information of a person
16	employed by, or seeking employment with, the facility or the governing
17	authority of the facility and whose duties include, or may include, supervisory

Page 1 of 3 Coding: Words which are struck through are deletions from existing law; words in **boldface type and underscored** are additions.

1	or disciplinary authority over children, direct care of a child, or directly or
2	indirectly providing, or with the potential of providing, daily care or
3	supervision to any child or youth in the custody of or under the supervision of
4	any Louisiana state government agency or facility or agency licensed by the
5	state. The bureau shall, upon request, and after receipt of fingerprint cards or
6	other identifying information from the facility or the governing authority of the
7	facility, make available to the facility or the governing authority of the facility
8	all arrest and conviction information contained in the bureau's criminal history
9	record and identification files that pertain to the employee or potential
10	employee. In addition, in order to determine an employee or potential
11	employee's eligibility or suitability, the fingerprints shall be forwarded by the
12	bureau to the Federal Bureau of Investigation for a national criminal history
13	record check.
14	* * *
15	Section 2. This Act shall become effective upon signature by the governor or, if not
16	signed by the governor, upon expiration of the time for bills to become law without signature
17	by the governor, as provided by Article III, Section 18 of the Constitution of Louisiana. If
18	vetoed by the governor and subsequently approved by the legislature, this Act shall become
19	effective on the day following such approval.

The original instrument and the following digest, which constitutes no part of the legislative instrument, were prepared by Alden A. Clement Jr.

SB 364 Original

DIGEST 2020 Regular Session

Bernard

<u>Present law</u> creates and provides relative to the powers and duties of the La. Bureau of Criminal Identification and Information. <u>Present law</u> further provides that, among other functions, the bureau is to establish and maintain a central repository of criminal history record information and to adopt regulations and procedures to prescribe the terms and conditions under which eligible individuals or agencies may gain access to such information.

Proposed law retains present law.

<u>Proposed law</u> provides that any juvenile detention facility, including facilities owned or operated by any governmental, profit, nonprofit, private, or public agency or authority, may submit fingerprint cards or other identifying information of a person employed by, or seeking employment with, the facility or the governing authority of the facility and whose duties include, or may include, supervisory or disciplinary authority over children, direct

Page 2 of 3 Coding: Words which are struck through are deletions from existing law; words in **boldface type and underscored** are additions. care of a child, or directly or indirectly providing, or with the potential of providing, daily care or supervision to any child or youth in the custody of or under the supervision of any state government agency or facility or agency licensed by the state. Proposed law further provides that the bureau must, upon request and after receipt of fingerprint cards or other identifying information from the facility or the governing authority of the facility, make available to the facility or the governing authority of the facility all arrest and conviction information contained in the bureau's criminal history record and identification files that pertain to the employee or potential employee. Proposed law further provides that, in order to determine an employee or potential employee's eligibility or suitability, the fingerprints are to be forwarded by the bureau to the FBI for a national criminal history record check.

Effective upon signature of the governor or lapse of time for gubernatorial action.

(Adds R.S. 15:587(A)(1)(j))