

ACT No. 154

2020 Regular Session

HOUSE BILL NO. 602

BY REPRESENTATIVE BRYANT AND SENATOR BARROW

1 AN ACT

2 To amend and reenact R.S. 15:587(A)(1)(a) and 587.1(B)(1) and to enact R.S. 15:576(6) and
3 587(A)(1)(j) and (I), relative to criminal identification and information; to provide
4 relative to the Louisiana Bureau of Criminal Identification and Information; to
5 provide relative to definitions; to require the bureau to make available to the
6 Louisiana Department of Education criminal history record and identification files;
7 to provide relative to latent fingerprint searches; to provide for an effective date; and
8 to provide for related matters.

9 Be it enacted by the Legislature of Louisiana:

10 Section 1. R.S. 15:587(A)(1)(a) and 587.1(B)(1) are hereby amended and reenacted
11 and R.S. 15:576(6) and 587(A)(1)(j) and (I) are hereby enacted to read as follows:

12 §576. Definitions

13 As used in this Chapter:

14 * * *

15 (6) The term "FBI rap back system" means a service maintained by the
16 Federal Bureau of Investigation to provide authorized noncriminal and criminal
17 justice agencies ongoing status notifications of any criminal history subsequently
18 reported to the FBI in its criminal history system after the initial criminal or civil
19 transaction.

20 * * *

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

23 A.(1)(a) The bureau shall make available upon request, or at such other times
24 as the deputy secretary shall designate, to any eligible criminal justice agency and
25 the Louisiana Department of Education, the Louisiana Department of Health, the

1 state fire marshal when reviewing applications for licensure, the Department of
 2 Children and Family Services, the Department of Insurance, the Louisiana State
 3 Racing Commission, the Senate and Governmental Affairs Committee, the House
 4 and Governmental Affairs Committee, the secretary of the Louisiana Workforce
 5 Commission or his designee, the Board of River Port Pilot Commissioners, the
 6 Office of Financial Institutions in the office of the governor, the office of the
 7 disciplinary counsel of the Louisiana Attorney Disciplinary Board of the Louisiana
 8 State Bar Association; however, as to any licensed attorney such information shall
 9 be provided only after the issuance of a formal charge against the attorney, the
 10 Louisiana Supreme Court Committee on Bar Admissions, the municipal or parish
 11 department or personnel responsible for reviewing applications for alcoholic
 12 beverage outlet permits, and the legislative auditor any information contained in the
 13 criminal history record and identification files of the bureau. The Department of
 14 Children and Family Services may provide information secured pursuant to this
 15 Subsection to all federal and state agencies providing child support enforcement
 16 services.

* * *

18 (i)(i) The Louisiana Department of Education shall be entitled to the criminal
 19 history record and identification files of the bureau of any person who has submitted
 20 a fingerprint request pursuant to R.S. 15:587.1, R.S. 17:407.42 and 407.71. The
 21 bureau is authorized to submit fingerprints to the Federal Bureau of Investigation to
 22 be retained in the FBI rap back system for the purpose of being searched by future
 23 submissions to the FBI rap back system, including latent fingerprint searches. The
 24 bureau shall make available to the Louisiana Department of Education rap backs for
 25 requests made pursuant to R.S. 17:407.42 and 407.71.

26 (ii) The Louisiana Department of Education shall be entitled to criminal
 27 history record and identification files of the bureau of any person who has submitted
 28 a fingerprint request pursuant to R.S. 15:587.1 and R.S. 17:15. The bureau is
 29 authorized to submit fingerprints to the Federal Bureau of Investigation to be
 30 retained in the FBI rap back system for the purpose of being searched by future

