

2026 Regular Session

HOUSE BILL NO. 622

BY REPRESENTATIVE COATES

CRIMINAL/RECORDS: Provides relative to the confidentiality of criminal history records

1 AN ACT

2 To amend and reenact R.S. 40:1203.4(B) and (C) and to enact R.S. 40:1203.4(D) and (E),
3 relative to criminal history records; to provide for confidentiality of criminal history
4 records; to provide relative to the dissemination of criminal history records; to
5 provide relative to duties of employers; to provide relative to compliance regarding
6 applicable state law and federal regulations and policies; and to provide for related
7 matters.

8 Be it enacted by the Legislature of Louisiana:

9 Section 1. R.S. 40:1203.4(B) and (C) are hereby amended and reenacted and R.S.
10 40:1203.4(D) and (E) are hereby enacted to read as follows:

11 §1203.4. Confidentiality of criminal history records

12 * * *

13 B. Except by a court order ~~or with the written consent of the person being~~
14 ~~investigated~~ that directs the appropriate law enforcement agency to disseminate such
15 information, the criminal history records or information obtained from or regarding
16 the records of an employee shall not be released or otherwise disclosed ~~to any other~~
17 ~~person or agency~~.

18 C. ~~The records shall be destroyed after one year from the termination of~~
19 ~~employment of the person to whom such records relate. However, upon receipt of~~
20 ~~written consent by an applicant for employment with a health provider, the~~ No

1 employer in receipt of a criminal history check ~~may~~ shall send a copy to ~~the~~ an
2 employer seeking the referral of a potential applicant.

3 D. Each employer subject to this Section shall obtain his own state and
4 national criminal history record check in accordance with R.S. 15:587 and any other
5 applicable provisions of law.

6 E. The provisions of this Section are intended to ensure compliance with
7 applicable state and federal laws and regulations governing criminal history record
8 information, including 28 CFR Part 20 and the Federal Bureau of Investigation
9 Criminal Justice Information Services Security Policy. Nothing in this Section shall
10 be construed to authorize the redissemination of criminal history record information
11 obtained from the Federal Bureau of Investigation.

DIGEST

The digest printed below was prepared by House Legislative Services. It constitutes no part of the legislative instrument. The keyword, one-liner, abstract, and digest do not constitute part of the law or proof or indicia of legislative intent. [R.S. 1:13(B) and 24:177(E)]

HB 622 Engrossed

2026 Regular Session

Coates

Abstract: Provides relative to the confidentiality of criminal history records.

Present law provides relative to the confidentiality of criminal history records.

Proposed law generally retains present law.

Present law prohibits the release or disclosure of the records or information obtained by an employer unless directed by court order or with the written consent of the person being investigated.

Proposed law amends present law to remove the exception of written consent of the person being investigated and provides that the court order has to direct the appropriate law enforcement agency to disseminate the criminal history records or information of an employee.

Present law provides for destruction of the employee's criminal history records or information after one year from the termination of employment.

Proposed law removes this provision of present law.

Present law permits an employer in receipt of a criminal history check to send a copy to the employer seeking the referral upon receipt of written consent by an applicant for employment with a health provider.

Proposed law amends present law to remove the exception of written consent by an applicant and prohibits an employer in receipt of a criminal history check from sending a copy to an employer seeking the referral of a potential applicant.

Proposed law requires each employer subject to present law to obtain his own state and national criminal history record check in accordance with present law (R.S. 15:587) and any other applicable provisions of law.

Proposed law is intended to ensure compliance with applicable federal and state laws and regulations governing criminal history record information, including particular federal regulations and of the Federal Bureau of Investigations (FBI).

Proposed law does not authorize the redissemination of criminal history record information obtained from the FBI.

(Amends R.S. 40:1203.4(B) and (C); Adds R.S. 40:1203.4(D) and (E))