

GREEN SHEET REDIGEST

HB 622

2026 Regular Session

Coates

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

DIGEST

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 deletes present law 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 a criminal history and security check in accordance with present law (R.S. 15:587(B) and (F), R.S. 40:1203.2), 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 those of the Federal Bureau of Investigations (FBI).

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

Proposed law requires that state criminal history record information be maintained and disseminated in accordance with present law.

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

Summary of Amendments Adopted by House

The House Floor Amendments to the engrossed bill:

1. Clarify the provisions of present law to be followed by employers when obtaining criminal history and security check information.

Summary of Amendments Adopted by Senate

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

1. Add provision that requires that state criminal history record information be maintained and disseminated in accordance with present law.