

2019 Regular Session

HOUSE BILL NO. 99

BY REPRESENTATIVE FALCONER

Prefiled pursuant to Article III, Section 2(A)(4)(b)(i) of the Constitution of Louisiana.

CRIMINAL/RECORDS: Provides relative to background checks for certain volunteers and employees working with children

1 AN ACT

2 To amend and reenact R.S. 15:587.3, relative to criminal identification and information; to
3 provide relative to volunteers and employees in youth-serving organizations; to
4 provide relative to coaches of youth athletes; to require the release of investigative
5 records; to require fingerprinting and background checks; to provide relative to the
6 procedures and costs for criminal history records checks; to provide relative to
7 training programs; and to provide for related matters.

8 Be it enacted by the Legislature of Louisiana:

9 Section 1. R.S. 15:587.3 is hereby amended and reenacted to read as follows:

10 §587.3. Volunteers and employees in youth-serving organizations; other youth
11 coaches; criminal background information

12 A.(1) A religious, charitable, scientific, educational, athletic, or youth-
13 serving institution or organization ~~may~~ shall require any person; who applies to work
14 with children as a volunteer or as a paid employee; to do ~~one or more of~~ the
15 following:

16 ~~(1)(a)~~ Agree to ~~the~~ release of all investigative records to such religious,
17 charitable, scientific, educational, athletic, or youth-service institution or
18 organization for examination for the purpose of verifying the accuracy of criminal
19 violation information contained on an application to work for such institution or
20 organization.

1 ~~(2)~~(b) Supply fingerprint samples and submit to a criminal history records
2 check to be conducted by the Louisiana State Police.

3 (2) Any person who coaches youth athletes, not as part of a religious,
4 charitable, scientific, educational, athletic, or youth-serving institution or
5 organization for which Paragraph (1) of this Subsection would apply, shall do the
6 following:

7 (a) Agree to release all investigative records for examination for the purpose
8 of verifying the accuracy of criminal violation information.

9 (b) Supply fingerprint samples and submit to a criminal history records
10 check to be conducted by the Louisiana State Police.

11 (c) Make available criminal history record information.

12 ~~(3)~~B. ~~Attend~~ In addition to the requirements in Subsection A, the person may
13 be required to attend a comprehensive youth protection training program which
14 includes adult training on recognition, disclosure, reporting, and prevention of abuse
15 and submit to character, employment, education, and reference checks.

16 ~~B.C.~~ Any person who is requested to comply with the requirements set forth
17 in Subsection A, and refuses to do so, shall be prohibited from working with children
18 as a volunteer or as a paid employee.

19 D. When a criminal history records check is requested pursuant to
20 Subsection A of this Section, the Louisiana Bureau of Criminal Identification and
21 Information shall provide the requestor with the state criminal history record
22 information of the individual subject to the inquiry. In addition, the bureau shall
23 forward the fingerprints to the Federal Bureau of Investigation for a national criminal
24 history records check and shall provide the requestor with the national criminal
25 history record information of the individual subject to the inquiry.

26 E. The costs of providing the information required under this Section shall
27 be charged by the bureau, as specified in R.S. 15:587(B), to the individual subject
28 to the inquiry for furnishing information contained in the bureau's criminal history

- 1 and identification files, including any additional costs of providing the national
2 criminal history records check which pertain to the individual.
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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 99 Engrossed

2019 Regular Session

Falconer

Abstract: Requires certain volunteers and employees working with children to release investigative records for the purpose of verifying the accuracy of criminal violation information on a work application and to submit to a criminal background check.

Present law provides that a religious, charitable, scientific, educational, athletic, or youth-serving institution or organization may require any person, who applies to work with children as a volunteer or as a paid employee, to do the following:

- (1) Agree to release all investigative records for the purpose of verifying the accuracy of criminal violation information.
- (2) Supply fingerprints and submit to a criminal history records check.
- (3) Attend a comprehensive youth protection training program.

Proposed law requires the release of investigative records and the criminal history records check for any person who applies to work with children as a volunteer or paid employee.

Proposed law further requires any person who coaches youth athletes, not as part of a religious, charitable, scientific, educational, athletic, or youth-serving institution, to do the following:

- (1) Agree to release all investigative records for the purpose of verifying the accuracy of criminal violation information.
- (2) Supply fingerprints and submit to a criminal history records check.
- (3) Make available criminal history record information.

Proposed law provides that when a criminal history records check is requested, the La. Bureau of Criminal Identification and Information shall provide the requestor with the state criminal history record information of the individual subject to the inquiry. Proposed law further requires the bureau to forward the fingerprints to the FBI for a national criminal history records check and provide the requestor with the national criminal history record information of the individual subject to the inquiry.

Proposed law requires the bureau to charge the individual subject to the background check for furnishing information contained in the criminal history and identification files, including any additional costs.

(Amends R.S. 15:587.3)

Summary of Amendments Adopted by House

The Committee Amendments Proposed by House Committee on Administration of Criminal Justice to the original bill:

1. Remove the requirement that a parent or legal guardian request the criminal history record information from the coach.