

2025 Regular Session

HOUSE BILL NO. 445

BY REPRESENTATIVE VILLIO

AN ACT

To amend and reenact Children's Code Article 412(M) and R.S. 15:576(2) and 579 and to enact Children's Code Article 412(P) and R.S. 15:589.1, relative to juvenile records; to provide for applicability; to provide relative to what constitutes information or record of criminal history; to provide relative to duties of the Louisiana Bureau of Criminal Identification and Information; and to provide for related matters.

Be it enacted by the Legislature of Louisiana:

Section 1. Children's Code Article 412(M) is hereby amended and reenacted and Children's Code Article 412(P) is hereby enacted to read as follows:

Art. 412. Confidentiality of records; disclosure exceptions; sanctions

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M. Records of juvenile criminal conduct shall not be ~~made a part of any state or local~~ disseminated as a criminal background check to anyone outside of the criminal justice system as defined in R.S. 15:576(5).

* * *

P. This Article shall not prohibit the creation of an interoperable set of criminal justice information systems at the state and local levels pursuant to R.S. 15:575 et seq., or preclude the dissemination of criminal history record information as defined in R.S. 15:576(2) in and to the criminal justice system as defined in R.S. 15:576(5).

Section 2. R.S. 15:576(2) and 579 are hereby amended and reenacted and R.S. 15:589.1 is hereby enacted to read as follows:

§576. Definitions

As used in this Chapter:

* * *

(2) The terms "criminal history record" or "criminal history record information" mean information collected by criminal justice agencies on individuals consisting of identifiable descriptions and notations of arrests, detentions, indictments, bills of information, or any formal criminal charges, and any disposition arising therefrom, including sentencing, correctional supervision, and release. The terms do not include intelligence or investigatory purposes, nor ~~does it~~ do they include any identification information which does not indicate involvement of the individual in the criminal justice system. ~~The terms do not include records of juvenile criminal conduct.~~

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§579. Rules and regulations

The bureau shall issue rules and regulations, consistent with United States Department of Justice requirements, the Constitution of Louisiana, the Code of Criminal Procedure, the Children's Code, and the Louisiana Revised Statutes of 1950, governing the maintenance of privacy and security of criminal history records and records of juvenile criminal conduct; governing access to and use of records maintained by the central repository; governing restrictions to access and use by authorized agencies or individuals of any state owned or operated system of communications utilized for transmitting criminal history record information to or from the bureau; and governing the purging of any information maintained by the bureau as permitted by law. Records of juvenile criminal conduct shall not be ~~made a part of any state or local~~ disseminated as a criminal background check to anyone outside of the criminal justice system as defined in R.S. 15:576(5).

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1 §589.1. Handling of information; juvenile criminal conduct

2 Any information on juvenile criminal conduct obtained by the bureau under
3 this Title shall be handled in accordance with the provisions of Children's Code
4 Articles 412, 414, and 917 through 926 and shall be made available pursuant to such
5 provisions. Such access and use shall include an audit trail to maintain the integrity
6 of the records and ensure accountability. Such trail shall include all of the following:

7 (1) Who accessed the system.

8 (2) When the system was accessed.

9 (3) What actions were performed during access.

SPEAKER OF THE HOUSE OF REPRESENTATIVES

PRESIDENT OF THE SENATE

GOVERNOR OF THE STATE OF LOUISIANA

APPROVED: _____