

2026 Regular Session

HOUSE BILL NO. 91

BY REPRESENTATIVE WILEY

CRIMINAL/PROCEDURE: Provides relative to disclosure of criminal records during trial

1 AN ACT

2 To enact Code of Criminal Procedure Article 717(E) and (F), relative to discovery in
3 criminal cases; to provide for information that is excluded from disclosure; to
4 prohibit disclosure of certain information outside of trial; and to provide for related
5 matters.

6 Be it enacted by the Legislature of Louisiana:

7 Section 1. Code of Criminal Procedure Article 717(E) and (F) are hereby enacted
8 to read as follows:

9 Art. 717. Disclosure by the state; criminal records of defendant and witnesses;
10 inducements to the state's witnesses

11 * * *

12 E. The provisions of this Article do not authorize the disclosure of
13 information that is directly derived from either of the following:

14 (1) The criminal history databases maintained by the Criminal Justice
15 Information Services Division of the Federal Bureau of Investigation.

16 (2) The Louisiana Computerized Criminal History System operated by the
17 Department of Public Safety and Corrections if the witness is an employee of a
18 criminal justice agency and his identity is exempt from disclosure in accordance with
19 R.S. 44:3(A)(4)(a) and Article 729.7(A) of this Code.

1 F. In accordance with the provisions of R.S. 15:579 and 584, R.S.
2 44:3(A)(4)(a), and the National Crime Prevention and Privacy Compact, 34 U.S.C.
3 40316, any information described in Paragraph E of this Article that is obtained for
4 use at trial and pertains to the criminal history of any witness shall not be
5 disseminated outside the purview of the presiding court nor included in any court
6 record that may be subject to public disclosure.

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 91 Original

2026 Regular Session

Wiley

Abstract: Prohibits the disclosure of certain information outside of trial.

Present law requires the district attorney to disclose certain information to the defendant upon written motion of the defendant. Further provides for timelines and procedures for the protection of a witness's identity.

Proposed law retains present law.

Proposed law provides that present law does not authorize the disclosure of information that is directly derived from any of the following:

- (1) The criminal history databases maintained by the FBI Criminal Justice Information Services Division.
- (2) The La. Computerized Criminal History System operated by the Dept. of Public Safety and Corrections if the witness is an employee of a criminal justice agency and his identity is exempt from disclosure in accordance with present law.

Proposed law provides that in accordance with present law, any information described in proposed law that is obtained for use at trial and pertains to the criminal history of any witness shall not be disseminated outside the purview of the presiding court nor included in any court record that may be subject to public disclosure.

(Adds C.Cr.P. Art. 717(E) and (F))