

2019 Regular Session

HOUSE BILL NO. 303

BY REPRESENTATIVE COUSSAN

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

BANKS/BANKING: Provides for fingerprinting for criminal history background checks for employment in a financial institution

1 AN ACT

2 To amend and reenact R.S. 51:703(D)(5)(b) and to enact R.S. 6:121.2(F), relative to the
3 Office of Financial Institutions obtaining information for criminal background
4 checks; to provide for the application of the commissioner's authority; to provide for
5 the procedure to submit fingerprints; and to provide for related matters.

6 Be it enacted by the Legislature of Louisiana:

7 Section 1. R.S. 6:121.2(F) is hereby enacted to read as follows:

8 §121.2. Authority to obtain criminal history record information

9 * * *

10 F. The authority set forth in this Section applies to all persons seeking
11 licensure, registration, or approval by the commissioner to operate as any of the
12 following:

- 13 (1) A state bank pursuant to R.S. 6:201 et seq.
- 14 (2) A trust company pursuant to R.S. 6:571 et seq.
- 15 (3) A credit union pursuant to R.S. 6:641 et seq.
- 16 (4) A savings and loan association pursuant to R.S. 6:702 et seq.
- 17 (5) A currency exchange service or check-casher pursuant to R.S. 6:1001 et
18 seq.
- 19 (6) A sale of checks or money transmission business pursuant to R.S. 6:1031
20 et seq.

1 Section 3. This Act shall become effective upon signature by the governor or, if not
2 signed by the governor, upon expiration of the time for bills to become law without signature
3 by the governor, as provided by Article III, Section 18 of the Constitution of Louisiana. If
4 vetoed by the governor and subsequently approved by the legislature, this Act shall become
5 effective on the day following such approval.

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 303 Original

2019 Regular Session

Coussan

Abstract: Provides for applicability and procedures relative to the Office of Financial Institutions obtaining information for a criminal background check.

Proposed law provides that the authority of the commissioner of the Office of Financial Institutions to obtain criminal history record information applies to the following entities, each as provided for in present law:

- (1) A state bank.
- (2) A trust company.
- (3) A credit union.
- (4) A savings and loan association.
- (5) A currency exchange service or check-casher.
- (6) A sale of checks or money transmission business.
- (7) A mortgage broker, mortgage lender, mortgage servicer, or mortgage loan originator.
- (8) A savings bank.
- (9) A licensed lender.
- (10) A loan broker.
- (11) A pawnbroker.
- (12) A salesman or investment adviser representative.
- (13) A Louisiana capitol company.
- (14) A Louisiana business and industrial development company.
- (15) A bond for deed escrow agent.
- (16) A repossession agency and repossession agent.

Present law requires each applicant for registration as an investment adviser to submit fingerprints for a criminal background check. Proposed law retains present law.

Present law allows the fingerprints of an applicant for registration as an investment adviser representative to be submitted through any licensing system authorized by the commissioner pursuant to the provisions of present law. Proposed law repeals present law.

Effective upon signature of governor or lapse of time for gubernatorial action.

(Amends R.S. 51:703(D)(5)(b); Adds R.S. 6:121.2(F))