

Regular Session, 2010  
HOUSE BILL NO. 795

# ACT No. 833

BY REPRESENTATIVE WOOTON

1 AN ACT

2 To amend and reenact R.S. 15:587(F), relative to criminal background information; to  
3 provide relative to an employer's access to criminal background information of a  
4 potential employee; to provide for duties of the Louisiana Bureau of Criminal  
5 Identification and Information; and to provide for related matters.

6 Be it enacted by the Legislature of Louisiana:

7 Section 1. R.S. 15:587(F) is hereby amended and reenacted to read as follows:

8 §587. Duty to provide information; processing fees; Louisiana Bureau of Criminal  
9 Identification and Information

10 \* \* \*

11 F.(1) An employer or his representative shall be entitled to obtain conviction  
12 records of an applicant seeking employment, directly from the Bureau of Criminal  
13 Identification and Information in order to further qualify the applicant for the  
14 position being sought, if the applicant has signed a consent form authorizing the  
15 employer to obtain such conviction records. Upon written request and upon  
16 presentation of a consent form prepared by the bureau and executed by the applicant,  
17 the bureau shall provide any conviction records of the applicant to the employer or  
18 his representative in a timely manner. For the purposes of this Subsection  
19 "conviction records" shall include only those records which are electronically  
20 maintained by the bureau, and are records of a finding of guilty, a plea of guilty or  
21 nolo contendere, including those which have been set aside or dismissed pursuant to  
22 Code of Criminal Procedure Article 893 or 894, or for which an individual has  
23 received an automatic first offender pardon. It shall not include those records which  
24 have been ordered expunged pursuant to R.S. 44:9. The provisions of Subsection B

CODING: Words in ~~struck through~~ type are deletions from existing law; words underscored are additions.

1 of this Section shall apply to any request made pursuant to this Subsection. The  
2 bureau shall not be liable civilly or criminally for the release of information released  
3 pursuant to the provisions of this Subsection.

4 (2)(a) Upon receiving a request pursuant to the provisions of this Subsection,  
5 the bureau shall simultaneously request criminal history from the Corrections and  
6 Justice Unified Network (CAJUN) maintained by the Department of Public Safety  
7 and Corrections via the Louisiana Civil and Criminal Information Exchange  
8 (LACCIE) network maintained by the Louisiana Sheriffs' Association.

9 (b) Fingerprints provided pursuant to this Subsection shall be submitted to  
10 the Bureau of Criminal Identification and Information in an electronic format.

11 (c) The provisions of this Paragraph shall become effective upon the  
12 establishment of an electronic method of performing such requests for criminal  
13 history.

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SPEAKER OF THE HOUSE OF REPRESENTATIVES

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PRESIDENT OF THE SENATE

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GOVERNOR OF THE STATE OF LOUISIANA

APPROVED: \_\_\_\_\_