

Regular Session, 2012

HOUSE BILL NO. 86

BY REPRESENTATIVE LOPINTO

CRIMINAL/PROCEDURE: Provides relative to requests of criminal history information from the FBI on certain individuals considered for involvement with the CASA program

1 AN ACT

2 To amend and reenact R.S. 15:587.1(J), relative to criminal history information; to provide
3 relative to the provision of information to protect children; to amend provisions
4 relative to criminal history requests made to the Federal Bureau of Investigation; and
5 to provide for related matters.

6 Be it enacted by the Legislature of Louisiana:

7 Section 1. R.S. 15:587.1(J) is hereby amended and reenacted to read as follows:

8 §587.1. Provision of information to protect children

9 * * *

10 J. Any Court Appointed Special Advocate program as defined in Children's
11 Code Article 116(2.1) shall be entitled to information from the bureau to ascertain
12 whether a person being considered for involvement with the CASA program has
13 been arrested for, or convicted of, or pled guilty or nolo contendere to, any criminal
14 offense. The bureau shall, upon request and after receipt of fingerprint cards or other
15 identifying information from the CASA program, survey its criminal history records
16 and identification files, ~~and~~ The Court Appointed Special Advocate program may
17 request the bureau to make a simultaneous request of the Federal Bureau of
18 Investigation for like information from other jurisdictions. The Louisiana Bureau
19 of Criminal Identification and Information shall provide a report promptly and in

1 writing, but provide only such information as is necessary to specify whether or not
 2 that person has been arrested for or convicted of or pled guilty or nolo contendere to
 3 any crime or crimes, the crime or crimes of which he has been arrested for or
 4 convicted or to which he has pled guilty or nolo contendere, and the date or dates on
 5 which they occurred. The report provided pursuant to the provisions of this
 6 Subsection shall include arrests, convictions, or other dispositions, including
 7 convictions dismissed pursuant to Code of Criminal Procedure Articles 893 and 894.

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)]

Lopinto

HB No. 86

Abstract: Amends provisions relative to requests by the bureau for information from the FBI on persons being considered for involvement with the CASA program.

Present law provides that any Court Appointed Special Advocate program is entitled to criminal history information from the bureau on any person being considered for involvement with the CASA program.

Present law further provides that the bureau, upon request after receipt of fingerprint cards or other identifying information from the CASA program, in addition to a survey of its criminal history records and identification files, shall also make a simultaneous request to the FBI for like information from other jurisdictions.

Proposed law amends present law to make the simultaneous request for criminal information by the bureau to the FBI permissive and not mandatory.

(Amends R.S. 15:587.1(J))

Summary of Amendments Adopted by House

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

1. Removed proposed law provision which authorized the sharing of criminal history information among DOE, DCFS, and certain governing authorities of elementary and secondary schools.
2. Added provision which amends present law relative to requests made by the bureau to the FBI for criminal information on an individual being considered for involvement with the CASA program.