
The original instrument and the following digest, which constitutes no part of the legislative instrument, were prepared by Christopher D. Adams.

DIGEST

Adley (SB 150)

Present law provides for criminal history checks.

Proposed law amends present law to change from "criminal history checks" to "fingerprint based criminal background checks".

Present law requires an individual seeking approval as an authorized agency shall be currently licensed in the state of Louisiana as a private investigator or detective by the Louisiana State Board of Private Investigator Examiners.

Proposed law provides an individual or business entity seeking approval as an authorized agency shall submit an application to the Louisiana Bureau of Criminal Identification and Information (Bureau) along with the following documents to prove the individual's or business entity's qualifications:

- (1) The applicant must be currently licensed in Louisiana as a private investigator or detective by the Louisiana State Board of Private Investigator Examiners as evidenced by current and valid licensure issued by the Louisiana State Board of Private Investigator Examiners, or an individual employed by a business entity domiciled in the state of Louisiana and registered and in good standing with the secretary of state at the time of application whose primary source of business is background screenings.
- (2) The applicant must not currently be charged by bill of information or under indictment for, or have been convicted of, any felony offense in this state or any other jurisdiction, and submit to a background investigation to determine that this requirement is met.
- (3) The applicant shall be domiciled into the state of Louisiana and shall present proof of qualification to do business within Louisiana as evidenced by a valid certificate of authority issued by the secretary of state, and designation of an agent for service of process as required by law. If the applicant is operating as a sole proprietorship, a current and valid occupational license shall be presented.
- (4) The applicant shall execute a written agreement whereby he agrees to maintain the confidentiality of any and all information provided to it by the Bureau pursuant to present law, abide by all applicable laws, rules and regulations pertaining to receipt and use of criminal history information, cooperate in any auditing procedure conducted by the Bureau, and inform the Bureau in writing of any known violations regarding the use of criminal history information he receives.

Proposed law provides for the application to be approved as an authorized agency.

Effective August 1, 2013.

(Amends R.S. 40:1300.51(1), 1300.52(A), (B)(1), (C), (D)(2), and (E), 1300.53(A) (intro para) and (B)(intro para),(C)(1), and 1300.55; adds R.S. 40:1300.57)

Summary of Amendments Adopted by Senate

Committee Amendments Proposed by Senate Committee on Health and Welfare to the original bill

1. Changes from "criminal history checks" to "fingerprint based criminal background checks".
2. Adds business entity to those who may seek approval as authorized agency.
3. Requires the business entity must be domiciled in Louisiana.