

Regular Session, 2010

HOUSE BILL NO. 1463 (Substitute for House Bill No. 1183 by Representative Ritchie)

BY REPRESENTATIVE RITCHIE

1 AN ACT

2 To enact R.S. 3:3419.1 and R.S. 6:333(F)(17), relative to the communication of certain  
3 producer information; to provide for disclosure of certain financial records; and to  
4 provide for related matters.

5 Be it enacted by the Legislature of Louisiana:

6 Section 1. R.S. 3:3419.1 is hereby enacted to read as follows:

7 §3419.1. Communication of producer information

8 A. Notwithstanding any other law or contractual provision to the contrary,  
9 a grain dealer and agriculture lender may communicate, either orally or in writing,  
10 information related to an agricultural commodities booking or contract concerning  
11 a producer with whom the parties have a mutual business relationship. Information  
12 concerning the producer that may be shared shall be limited to the following:

13 (1) Name, address, phone number, and Farm Service Agency number.

14 (2) The amount of agricultural commodities booked or contracted by the  
15 producer and prices contracted for.

16 (3) Grain dealer or marketer expenses, carrying costs, hedging expenses, and  
17 the amount of agricultural commodities actually delivered by a producer on a  
18 production contract.

19 (4) The amount of crop loans made to a producer and any loan balances  
20 outstanding with respect to the producer for such crop loans and any collateral and  
21 security interests applicable to such crop loans.

22 B. Notwithstanding any other law or contractual provision to the contrary,  
23 any grain dealer or agriculture lender that communicates information provided for  
24 under Subsection A of this Section shall be held harmless and shall not be liable to

1 the producer or any other party under any theory of law for communicating such  
2 information.

3 C. A grain dealer or agriculture lender receiving information relative to a  
4 producer under the provisions of this Section shall not share the information with any  
5 persons not authorized in this Section to receive such information.

6 D. The provisions of this Section shall only be applicable during the duration  
7 of a gubernatorially or presidentially declared disaster which includes the parish or  
8 parishes where a producer, with whom a lender and elevator have a mutual business  
9 relationship under the provisions of this Section, farms or produces agricultural  
10 commodities.

11 Section 2. R.S. 6:333(F)(17) is hereby enacted to read as follows:

12 §333. Disclosure of financial records; reimbursement of costs

13 \* \* \*

14 F. The following disclosures by a bank or any affiliate are hereby  
15 specifically authorized and, except as otherwise provided in this Subsection, nothing  
16 in this Section shall prohibit, restrict, or otherwise apply to:

17 \* \* \*

18 (17) A bank that makes agriculture loans that communicates information,  
19 either orally or in writing, in accordance with R.S. 3: 3419.1.

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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: \_\_\_\_\_