

2019 Regular Session

HOUSE BILL NO. 388

BY REPRESENTATIVE MIGUEZ

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

PUBLIC RECORDS: Prohibits disclosure of certain personal information in public records

1 AN ACT

2 To enact R.S. 44:24, relative to public records; to provide that certain personal information
3 in such records is not subject to inspection, copying, or reproduction pursuant to the
4 Public Records Law; to require redaction of such information; to provide for
5 penalties; and to provide for related matters.

6 Be it enacted by the Legislature of Louisiana:

7 Section 1. R.S. 44:24 is hereby enacted to read as follows:

8 §24. Personal information

9 A. The following information of any person is not subject to inspection,
10 copying, or reproduction pursuant to the provisions of this Chapter:

- 11 (1) Social security number.
- 12 (2) Driver's license number.
- 13 (3) Financial institution account number.
- 14 (4) Credit or debit card number.
- 15 (5) Electronic identification number.
- 16 (6) Date of birth.
- 17 (7) Mother's maiden name.
- 18 (8) Armed forces identification number.
- 19 (9) Government issued identification number.
- 20 (10) Personal telephone number.

- 1 (11) Personal electronic mail address.
- 2 (12) Personal short message service number.
- 3 B. The custodian shall redact information listed in Subsection A of this
- 4 Section from a record that is to be inspected, copied, or reproduced to the provisions
- 5 of this Chapter.
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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 388 Original

2019 Regular Session

Miguez

Abstract: Provides that certain personal information is confidential and requires the custodian to redact such information from public records that are to be inspected, copied, or reproduced pursuant to the Public Records Law.

Present law (R.S.44:1 et seq.—Public Records Law) provides for access and retention of public records. Establishes a framework for the ready availability of public records to requesting persons.

Proposed law provides that the following information of any person is not subject to inspection, copying, or reproduction pursuant to the provisions of present law (Public Records Law): social security number, driver's license number, financial institution account number, credit or debit card number, electronic identification number, date of birth, mother's maiden name, armed forces identification number, government issued identification number, personal telephone number, personal electronic mail address, and personal short message service number.

Proposed law requires the custodian to redact this information from a record that is to be inspected, copied, or reproduced pursuant to present law (Public Records Law).

Present law (R.S. 44:37) provides that any person having custody or control of a public record, who violates any of the provisions of present law, or any person not having such custody or control who, by any conspiracy, understanding, or cooperation with any other person, hinders or attempts to hinder the inspection of any public record declared by present law to be subject to inspection, shall upon first conviction be fined not less than \$100, and not more than \$1,000, or shall be imprisoned for not less than one month, nor more than six months. Provides that upon any subsequent conviction such person shall be fined not less than \$250, and not more than \$2,000, or imprisoned for not less than two months, nor more than six months, or both.

Proposed law retains present law and makes present law applicable to proposed law.

(Adds R.S. 44:24)