

**ACT No. 629**

Regular Session, 2014

HOUSE BILL NO. 616

BY REPRESENTATIVE ABRAMSON

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AN ACT

To amend and reenact R.S. 44:35(A) and (D), relative to public records; provides with respect to in-person, written, and electronic requests for a public record; to provide an enforcement mechanism if the custodian fails to respond to a written or electronic request within a certain number of days; to assign costs and attorney fees against the custodian in certain cases; and to provide for related matters.

Be it enacted by the Legislature of Louisiana:

Section 1. R.S. 44:35(A) and (D) are hereby amended and reenacted to read as follows:

§35. Enforcement

A. Any person who has been denied the right to inspect, ~~or copy, reproduce,~~ or obtain a copy or reproduction of a record under the provisions of this Chapter, either by a ~~final~~ determination of the custodian or by the passage of five days, exclusive of Saturdays, Sundays, and legal public holidays, from the date of his in-person, written, or electronic request without receiving a ~~final~~ determination in writing by the custodian or an estimate of the time reasonably necessary for collection, segregation, redaction, examination, or review of a records request, may institute proceedings for the issuance of a writ of mandamus, injunctive or declaratory relief, together with ~~attorney's~~ attorney fees, costs and damages as provided for by this Section, in the district court for the parish in which the office of the custodian is located.

\* \* \*

D. If a person seeking the right to inspect, copy, or reproduce a record or to receive or obtain a copy or reproduction of a public record prevails in such suit, he

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

