2022 Regular Session

HOUSE BILL NO. 848

BY REPRESENTATIVE BRYANT

ENROLLED

ACT No. 232

AN ACT

To amend and reenact Children's Code Article 615(E)(introductory paragraph) and to enact

Children's Code Article 615(E)(4) and (G), relative to the disposition of reports of child abuse; to provide for the release of inconclusive or not justified reports to certain entities when in the course of investigation or legal proceedings; to provide for confidentiality; and to provide for related matters.

Be it enacted by the Legislature of Louisiana:

Section 1. Children's Code Article 615(E)(introductory paragraph) is hereby amended and reenacted and Children's Code Article 615(E)(4) and (G) are hereby enacted to read as follows:

Art. 615. Disposition of reports

*          *          *

E. When after the investigation of a report, the determination is made that the report is inconclusive or not justified, as provided in Subparagraphs (B)(4) and (5) of this Article, the files, records, and pertinent information regarding the report and investigation shall be strictly confidential, shall not become part of the central registry except as otherwise provided in Subparagraph (1) of this Paragraph or in Article 616(F), shall not be disclosed or ordered to be produced in conjunction with any legal proceeding or other matter except as provided in Subparagraph (4) of this Paragraph, and shall be maintained only for the following purposes:

*          *          *

CODING: Words in struck through type are deletions from existing law; words underscored are additions.
(4)(a) All files, records, and information regarding a report that has been
determined to be inconclusive or not justified shall be released to local, state, and
federal law enforcement agencies, military authorities, prosecuting authorities, and
coroners upon request when such entity is in the course of investigations or legal
proceedings and the requesting entity has good cause to believe that the files,
records, or information contain information which may be constitutionally required
to be disclosed pursuant to Brady v. Maryland, 373 U.S. 83 (1963) and its progeny.
The requesting agency shall request the information in writing and state the purpose
for which the information is being requested.

(b) Files, records, and information released pursuant to this Subsection shall
be confidential and shall not be further disclosed except as expressly authorized by
Article 412. Notwithstanding any other provision of law to the contrary, files,
records, and information released pursuant to this Subsection shall not be subject to
disclosure pursuant to R.S. 44:1 et seq.

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G. Except as provided in Subparagraph (B)(6) of this Article, the name of
the reporter shall not be disclosed.

SPEAKER OF THE HOUSE OF REPRESENTATIVES

PRESIDENT OF THE SENATE

GOVERNOR OF THE STATE OF LOUISIANA

APPROVED: ____________________

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