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## DIGEST

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HB 1012 Reengrossed

2026 Regular Session

Boyd

**Abstract:** Adds a victim of a sex offense as a protected individual, adds additional protections for victims of a sex offense, shortens the delays for the acknowledgment of receipt of a request for removal and the removal of protected information of a victim of a sex offense, and increases the criminal penalties for violations related to the protected information of a victim of a sex offense.

Present law provides protections for the personal information of protected individuals, including a current or retired justice of the La. Supreme Court; a current or retired judge of an appellate, district, family, juvenile, parish, city, or municipal court established under the Constitution of La.; a current or retired justice or judge of a federal court domiciled in the state; a current or retired magistrate appointed by a state court; a current or retired U.S. magistrate judge domiciled in the state; a current or retired commissioner or hearing officer of any district court in the state; a current or retired district attorney, assistant district attorney, district attorney investigator; a current member of the legislature; a current statewide elected official; and a current member of the public service commission.

Proposed law retains present law and adds victims of a sex offense as protected individuals.

Present law protects the home address, home and mobile telephone number, personal email address, social security number, driver's license number, federal tax identification number, bank account numbers, credit or debit card number, license plate number or unique identifier of a vehicle, marital record, date of birth, school or daycare of a child, or place of worship of a protected individual and the employment location of a spouse, child, or dependent of a protected individual.

Proposed law retains present law and applies the same to victims of a sex offense.

Present law authorizes and provides the method for a protected individual to request that a public body or third party not publish the protected individual's personal information and remove the personal information from any existing publication.

Proposed law retains present law, applies the same to victims of a sex offense and provides that a request made by a victim of a sex offense shall include with it a police report, protective order, or final judgment indicating that the person is or is alleged to be a victim of a sex offense.

Present law provides that not later than 10 days after receiving a request, a public body shall acknowledge receipt of the request in writing by certified mail or by email and take steps reasonably necessary to ensure that the personal information is not published.

Proposed law retains present law as it applies to other protected individuals, but provides that the public body shall acknowledge receipt of a request from a victim of a sex offense within five days after receiving the request.

Present law provides that if the personal information is already published, the public body shall provide for the removal of the personal information within 15 days after acknowledgment of receipt of the request or provide a reason in writing why the request has not been fulfilled.

Proposed law retains present law as it applies to other protected individuals, but provides that the public body shall provide for the removal of personal information of a victim of a sex offense within 72 hours after acknowledgment of receipt of the request or provide a reason in writing why the request has not been fulfilled.

Present law provides that a third party to whom a request is made shall provide for the removal of the personal information within 72 hours after receipt of the request and notify the protected individual or the judicial administrator's office by certified mail or by email of the removal.

Proposed law retains present law and applies the same to the personal information of a victim of a sex offense.

Proposed law provides that a person shall not knowingly publish the personal information of a victim of a sex offense if he knows or reasonably should know that publishing the personal information poses an imminent and serious threat to the protected individual and the publishing of the personal information results in an assault in any degree, harassment, trespass, or the malicious destruction of property.

Present law authorizes a protected individual to bring an action for mandamus against a public body or third party for declaratory relief, injunctive relief, and reasonable attorney fees. Further authorizes a protected individual to bring an action against a third party for damages.

Proposed law retains present law and applies the same to a victim of a sex offense.

Present law provides that a person who violates present law is guilty of a misdemeanor and on conviction is subject to imprisonment not exceeding 90 days or a fine not exceeding \$1,000, or both.

Proposed law retains present law as it applies to other protected individuals, but provides that a person who violates proposed law is guilty of a misdemeanor and on conviction is subject to imprisonment not exceeding 18 months or a fine not exceeding \$5,000, or both.

Present law does not apply to personal information on records publicly posted by the office of the secretary of state.

Proposed law retains present law and applies the same to the personal information of a victim of a sex offense.

(Adds R.S. 44:11.2(A)(10) and (K))

Summary of Amendments Adopted by House

The House Floor Amendments to the engrossed bill:

1. Require a victim of a sex offense to include a police report, protective order, or final judgment indicating that the person is or is alleged to be a victim of a sex offense in a request to not publish the victim's personal information.