

RÉSUMÉ DIGEST

ACT 186 (HB 1012)

2026 Regular Session

Boyd

Existing law provides protections for the personal information of certain 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.

New law adds a victim of a sex offense as a protected individual.

Existing 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.

New law applies existing law to a victim of a sex offense.

Existing 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.

New law applies existing law to a request made by a victim of a sex offense and requires that a request made by a victim of a sex offense 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.

Existing 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.

New law applies existing law to a request made by a victim of a sex offense except to provide that the public body shall acknowledge receipt of a request from a victim of a sex offense within *five days* after receiving the request.

Existing 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.

New law 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.

Existing 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.

New law applies existing law to the personal information of a victim of a sex offense.

New 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.

Existing 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.

New law applies existing law to a victim of a sex offense.

Existing law provides that a person who violates existing 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.

New law retains existing law as it applies to other protected individuals, but provides that a person who violates new 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.

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

New law applies existing law to the personal information of a victim of a sex offense.

Effective August 1, 2026.

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