

LEGISLATIVE FISCAL OFFICE
Fiscal Note



Fiscal Note On: **HB 303** HLS 20RS 710

Bill Text Version: **ORIGINAL**

Opp. Chamb. Action:

Proposed Amd.:

Sub. Bill For.:

Date: March 11, 2020 12:44 PM	Author: WRIGHT
Dept./Agy.: Statewide	Analyst: Patrice Thomas
Subject: Prohibits Disclosure of Membership in Nonprofit Organization	

PUBLIC RECORDS

OR SEE FISC NOTE GF EX

Page 1 of 1

Prohibits the disclosure of information regarding the membership of, volunteers of, or donors to a nonprofit organization

Proposed law prohibits a public body from any of the following: (1) require any person, including a nonprofit, to provide the public body with personal information or compel the release of personal information; (2) publicly disclose personal information in its custody or control; or (3) request or require any current or prospective contractor or grantee to provide a list of nonprofits to which it has provided financial or non-financial support. Proposed law provides that personal information shall not be disclosed by a public body under Public Records Law except as required by the Code by Governmental Ethics, Campaign Finance Disclosure Law, lobbyist disclosure, lawful warrants or discovery, and any other relevant evidence required in court litigation. Proposed law provides a person alleging a violation may bring civil action as well as civil penalties for damages as follows: (1) at least \$2,500 to compensate loss caused by each violation; (2) for an intentional violation, up to \$7,500; (3) reasonable attorney fees and other costs of litigation. Proposed law provides that violations are a misdemeanor and shall be punishable by imprisonment up to 90 days, a fine up to \$1,000, or both.

EXPENDITURES	2020-21	2021-22	2022-23	2023-24	2024-25	5 -YEAR TOTAL
State Gen. Fd.	SEE BELOW	SEE BELOW	SEE BELOW	SEE BELOW	SEE BELOW	
Agy. Self-Gen.	\$0	\$0	\$0	\$0	\$0	\$0
Ded./Other	\$0	\$0	\$0	\$0	\$0	\$0
Federal Funds	\$0	\$0	\$0	\$0	\$0	\$0
Local Funds	SEE BELOW	SEE BELOW	SEE BELOW	SEE BELOW	SEE BELOW	
Annual Total						

REVENUES	2020-21	2021-22	2022-23	2023-24	2024-25	5 -YEAR TOTAL
State Gen. Fd.	\$0	\$0	\$0	\$0	\$0	\$0
Agy. Self-Gen.	\$0	\$0	\$0	\$0	\$0	\$0
Ded./Other	\$0	\$0	\$0	\$0	\$0	\$0
Federal Funds	\$0	\$0	\$0	\$0	\$0	\$0
Local Funds	SEE BELOW	SEE BELOW	SEE BELOW	SEE BELOW	SEE BELOW	
Annual Total						

EXPENDITURE EXPLANATION

Proposed law may increase state and local governmental expenditures by an indeterminable amount as a result of civil suits filed by individuals, a nonprofit or a contractor against a public body alleging violations of personal information (identifying the individual as a member, supporter, or volunteer of a nonprofit or a donor of financial or nonfinancial support to a nonprofit) under this measure. To the extent that the proposed law increases the number of personal information lawsuits filed in district courts, an indeterminable increase in court costs associated with judicial workload, time and attendance (presence of judges, clerks, bailiffs, counsel, etc.) may result.

Violations of the proposed law is a misdemeanor; therefore, any persons convicted are not sentenced to the Department of Public Safety and Corrections. Local law enforcement agencies may realize an indeterminable increase in Local Funds expenditures. The cost increase will depend on the number of persons convicted and the cost per day for a local law enforcement agency to incarcerate. The proposed law imposes a maximum imprisonment term of 90 days.

REVENUE EXPLANATION

Proposed law may result in an indeterminable increase in Local Funds revenue as a result of potential fines if any person, official, or employee of a public body is convicted of knowingly violating this measure. Any person convicted may be imprisoned for up to 90 days, fined up to \$1,000, or both. Because the number of persons who may be convicted under proposed law is unknown, revenue derived from this source is indeterminable. However, in the event fines are levied for this crime, they would accrue to local governing authorities.

Senate Dual Referral Rules
 13.5.1 >= \$100,000 Annual Fiscal Cost {S & H}
 13.5.2 >= \$500,000 Annual Tax or Fee Change {S & H}

House
 6.8(F)(1) >= \$100,000 SGF Fiscal Cost {H & S}
 6.8(G) >= \$500,000 Tax or Fee Increase or a Net Fee Decrease {S}

Evan Brasseaux
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Staff Director