

SENATE SUMMARY OF HOUSE AMENDMENTS

SB 439

2020 Regular Session

Abraham

KEYWORD AND SUMMARY AS RETURNED TO THE SENATE

LIABILITY. Limits liability of a nonprofit organization or employee for the disclosure of certain information. (8/1/20)

SUMMARY OF HOUSE AMENDMENTS TO THE SENATE BILL

1. Adds provision that no organization is required to provide a public body with personal information or otherwise release, publicize, or publicly disclose personal information in its custody or control, excepting a lawful warrant or request.
2. Defines "personal information."

DIGEST OF THE SENATE BILL AS RETURNED TO THE SENATE

DIGEST

SB 439 Engrossed

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Proposed law provides that a nonprofit organization or employee thereof shall not be held liable for disclosing in good faith to a prospective employer information about a former employee of the organization when such information is reasonably believed to be accurate regarding the engaging by that person in acts of sexual misconduct, sexual abuse, sexual harassment, sex trafficking, sexual assault, or other sexual offenses.

Proposed law provides that no nonprofit organization shall be required to provide a public body with personal information or otherwise release, publicize, or publicly disclose personal information in its custody or control, excepting a lawful warrant or request.

Proposed law defines the following terms:

(1) "Employee" means an employee, volunteer, or independent contractor of the nonprofit.

(2) "Nonprofit" means a not for profit organization qualified as a tax exempt organization under Section 501(c) of the Internal Revenue Code of 1954, as amended.

(3) "Personal information" means any list, record, register, registry, roll, roster, or other compilation of data that directly or indirectly identifies a person as a member, supporter, donor, or volunteer of a nonprofit organization but does not include any report or disclosure required by the Campaign Finance Disclosure Act, the Code of Governmental Ethics, or the provisions of law relative to lobbyist disclosure including Part III of Chapter 1 of Title 24 of the Louisiana Revised Statutes of 1950, Part IV of Chapter 1 of Title 49 of the Louisiana Revised Statutes of 1950, and Chapter 46 of Title 33 of the Louisiana Revised Statutes of 1950.

Proposed law does not apply to damage or injury caused by gross negligence or wilful and wanton misconduct.

Effective August 1, 2020.

(Adds R.S. 9:2800.25)

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