

2021 Regular Session

HOUSE BILL NO. 394

BY REPRESENTATIVE RISER AND SENATORS BARROW AND WARD

Prefiled pursuant to Article III, Section 2(A)(4)(b)(i) of the Constitution of Louisiana.

HIGHER EDUCATION: Requires postsecondary education institutions to post reports relative to campus security policies and campus crime statistics on their websites

1 AN ACT

2 To enact R.S. 17:3399.18, relative to campus safety and accountability; to require
3 postsecondary education institutions to post security reports on their websites; to
4 provide relative to the information contained in the security reports; to provide for
5 compliance monitoring relative to the security reports by the Board of Regents; to
6 provide for penalties and enforcement; and to provide for related matters.

7 Be it enacted by the Legislature of Louisiana:

8 Section 1. R.S. 17:3399.18 is hereby enacted to read as follows:

9 §3399.18. Disclosure of campus security policies and campus crime statistics

10 A.(1) Each campus of each public postsecondary education institution shall
11 publish on its website a quarterly security report that contains updated campus
12 security policies and campus crime statistics. The information in the report shall
13 include, at a minimum, all of the information relative to such policies and statistics
14 specified in the Jeanne Clery Disclosure of Campus Security Policy and Campus
15 Crime Statistics Act, 20 U.S.C. 1092, referred to in this Section as the Clery Act.

16 (2) The report shall be posted in a prominent location that is readily
17 accessible from the main landing page of each campus's website. If an individual
18 campus does not have its own website, it shall be posted on the main website of the
19 institution with the campus clearly indicated.

- 1 B.(1) The Board of Regents shall monitor websites for compliance with this
 2 Section. The board shall notify the House Committee on Education, the Senate
 3 Committee on Education, and the State Bond Commission upon an institution's
 4 failure to comply with this Section. For a period of two years following such a
 5 notification, the State Bond Commission shall not authorize the institution to incur
 6 any debt that is subject to the commission's approval.
- 7 (2) Any person may commence a suit in the district court for the parish in
 8 which an action in violation of this Section occurred for the issuance of a writ of
 9 mandamus or injunctive or declaratory relief to require compliance with the
 10 provisions of this Section, together with reasonable attorney fees and costs.

DIGEST

The digest printed below was prepared by House Legislative Services. It constitutes no part of the legislative instrument. The keyword, one-liner, abstract, and digest do not constitute part of the law or proof or indicia of legislative intent. [R.S. 1:13(B) and 24:177(E)]

HB 394 Engrossed

2021 Regular Session

Riser

Abstract: Requires public postsecondary education institutions to post reports relative to campus security policies and campus crime statistics on their websites.

Proposed law requires each public postsecondary education institution to publish on its website a quarterly security report that contains updated campus security policies and campus crime statistics. Requires reports to contain, at a minimum, all information relative to such policies and statistics specified in federal law commonly known as the "Clery Act".

Proposed law provides for compliance monitoring and notification by the Bd. of Regents of the legislative education committees and the State Bond Commission for failure to comply. Prohibits the Bond Commission, for a period of two years following such a notification, from authorizing the institution to incur any debt that is subject to the commission's approval. Also authorizes any person to commence a suit in the district court for the parish in which an action in violation of proposed law occurred for the issuance of a writ of mandamus or injunctive or declaratory relief to require compliance with proposed law together with reasonable attorney fees and costs.

(Adds R.S. 17:3399.18)

Summary of Amendments Adopted by House

The Committee Amendments Proposed by House Committee on Education to the original bill:

1. Remove provisions relative to mandatory reporting of incidents of sexual misconduct.

2. Instead of providing for a TOPS reduction for an institution's failure to comply, provides a prohibition against the Bond Commission's approving an institution's debt incurrence for a two-year period.
3. Limit applicability of proposed law to public institutions.