

2022 Regular Session

HOUSE BILL NO. 848

BY REPRESENTATIVE BRYANT

1 AN ACT

2 To amend and reenact Children's Code Article 615(E)(introductory paragraph) and to enact  
3 Children's Code Article 615(E)(4) and (G), relative to the disposition of reports of  
4 child abuse; to provide for the release of inconclusive or not justified reports to  
5 certain entities when in the course of investigation or legal proceedings; to provide  
6 for confidentiality; and to provide for related matters.

7 Be it enacted by the Legislature of Louisiana:

8 Section 1. Children's Code Article 615(E)(introductory paragraph) is hereby  
9 amended and reenacted and Children's Code Article 615(E)(4) and (G) are hereby enacted  
10 to read as follows:

11 Art. 615. Disposition of reports

12 \* \* \*

13 E. When after the investigation of a report, the determination is made that  
14 the report is inconclusive or not justified, as provided in Subparagraphs (B)(4) and  
15 (5) of this Article, the files, records, and pertinent information regarding the report  
16 and investigation shall be strictly confidential, shall not become part of the central  
17 registry except as otherwise provided in Subparagraph (1) of this Paragraph or in  
18 Article 616(F), shall not be disclosed or ordered to be produced in conjunction with  
19 any legal proceeding or other matter except as provided in Subparagraph (4) of this  
20 Paragraph, and shall be maintained only for the following purposes:

21 \* \* \*

1           (4)(a) All files, records, and information regarding a report that has been  
2           determined to be inconclusive or not justified shall be released to local, state, and  
3           federal law enforcement agencies, military authorities, prosecuting authorities, and  
4           coroners upon request when such entity is in the course of investigations or legal  
5           proceedings and the requesting entity has good cause to believe that the files,  
6           records, or information contain information which may be constitutionally required  
7           to be disclosed pursuant to Brady v. Maryland, 373 U.S. 83 (1963) and its progeny.  
8           The requesting agency shall request the information in writing and state the purpose  
9           for which the information is being requested.

10           (b) Files, records, and information released pursuant to this Subsection shall  
11           be confidential and shall not be further disclosed except as expressly authorized by  
12           Article 412. Notwithstanding any other provision of law to the contrary, files,  
13           records, and information released pursuant to this Subsection shall not be subject to  
14           disclosure pursuant to R.S. 44:1 et seq.

\* \* \*

16           G. Except as provided in Subparagraph (B)(6) of this Article, the name of  
17           the reporter shall not be disclosed.

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SPEAKER OF THE HOUSE OF REPRESENTATIVES

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PRESIDENT OF THE SENATE

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GOVERNOR OF THE STATE OF LOUISIANA

APPROVED: \_\_\_\_\_