

2023 Regular Session

HOUSE BILL NO. 213

BY REPRESENTATIVE BRASS

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

PUBLIC RECORDS: Exempts certain school surveillance and security video from the Public Records Law

1 AN ACT

2 To enact R.S. 44:4(64), relative to public records; to exempt certain surveillance and
3 security video in and around buildings owned, operated, or maintained by a public
4 school board or a charter school from the Public Records Law; to provide for an
5 effective date; and to provide for related matters.

6 Be it enacted by the Legislature of Louisiana:

7 Section 1. R.S. 44:4(64) is hereby enacted to read as follows:

8 §4. Applicability

9 This Chapter shall not apply:

10 * * *

11 (64) To any surveillance and security video of the inside of or covering the
12 area immediately surrounding a building owned, operated, or maintained by a public
13 school board or a charter school.

14 Section 2. This Act shall become effective upon signature by the governor or, if not
15 signed by the governor, upon expiration of the time for bills to become law without signature
16 by the governor, as provided by Article III, Section 18 of the Constitution of Louisiana. If
17 vetoed by the governor and subsequently approved by the legislature, this Act shall become
18 effective on the day following such approval.

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 213 Original

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Brass

Abstract: Exempts surveillance and security video of the inside of or covering the area immediately surrounding a building owned, operated, or maintained by a public school board or a charter school from the Public Records Law.

Present law (R.S. 44:1 et seq.-Public Records Law) provides that all types of documentary materials, regardless of format, having been used, being in use, or prepared, possessed, or retained for use in the conduct, transaction, or performance of any business, transaction, work, duty, or function which was conducted, transacted, or performed by or under the authority of the constitution or laws of the state, or by or under the authority of any ordinance, regulation, mandate, or order of any public body or concerning the receipt or payment of any money received or paid by or under the authority of the constitution or the laws of the state are "public records". Present law excludes from the definition of "public record" any documentary material of a security feature of a public body's electronic data processing system, information technology system, telecommunications network, or electronic security system. Present law establishes a framework for the ready availability of public records to requesting persons and specifically provides that it is the duty of the custodian of the public records of a public entity or agency to provide copies to persons so requesting. Provides for certain exceptions, exemptions, and limitations.

Present law further exempts blueprints and floor plans of the interior of a public school building or facility from the Public Records Law.

Proposed law additionally exempts surveillance and security video of the inside of or covering the area immediately surrounding a building owned, operated, or maintained by a public school board or a charter school.

Effective upon signature of governor or lapse of time for gubernatorial action.

(Adds R.S. 44:4(64))