

## RÉSUMÉ DIGEST

ACT 301 (HB 213)

2023 Regular Session

Brass

Existing 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". Existing 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.

Existing 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 to provide copies to persons so requesting. Provides for certain exceptions, exemptions, and limitations.

Existing law exempts security-related information and blueprints and floor plans of the interior of a public school building or facility from the Public Records Law.

New law additionally exempts surveillance and security video of the inside of or the area immediately surrounding a building owned, operated, or maintained by a school board or a charter school from the Public Records Law, but requires the governing authority of each public elementary and secondary school, including charter schools, to adopt a policy to govern the video. Requires that the policy contain provisions relative to the retention of the video for at least 30 days, protecting student privacy, determining to whom and under what circumstances the recordings may be disclosed, and procedures for how a parent or legal guardian or a bona fide news gathering organization may request to review a recording and any limitations relative thereto. Further specifies that new law does not affect a parent's or legal guardian's right to access video recordings in accordance with existing law (R.S. 17:1948) provisions for videos in a special education setting.

Effective upon signature of governor (June 13, 2023).

(Adds R.S. 44:3.1.1)