
DIGEST

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HB 669 Original

2024 Regular Session

Boyd

Abstract: Restricts access to the personal information of protected individuals.

Proposed law provides for definitions.

Proposed law permits a protected individual or the judicial administrator's office on behalf of a protected individual to request a governmental entity or third party to remove a judge's personal information.

Proposed law requires that a request to not publish the protected individual's personal information or to remove the protected individual's personal information from any existing publication be in writing and sent by certified mail or email. Provides further that the request provide sufficient information to confirm that the requester is a protected individual unless the request is made by the judicial administrator's office.

Proposed law provides that not later than five days after receiving a request as provided by proposed law a governmental entity shall promptly acknowledge receipt of the request in writing by certified mail or by email and take steps reasonably necessary to ensure that the personal information is not published. Provides further that if the personal information is already published, provide for the removal of the personal information within 72 hours after receipt of the request.

Proposed law provides that a third party to whom a request is made shall provide for the removal of the personal information within 72 hours after receipt of the request and notify the protected individual or the judicial administrator's office by certified mail or by email of the removal.

Proposed law provides for injunctive or declaratory relief, together with attorneys' fees for violations of proposed law by a governmental entity. Provides for injunctive or declaratory relief, together with attorney fees or damages incurred as a result of a violation of proposed law by third parties.

Proposed law provides that in addition to the relief provided by proposed law, if a court finds that a person willfully refused to provide for the removal of personal information knowing that the individual on behalf of whom the request was made was a protected individual, the court may award punitive damages.

Proposed law provides that a person shall not knowingly publish the personal information of a protected individual if he knows or reasonably should know that publishing the personal information poses an imminent and serious threat to the protected individual, and the publishing of the personal

information results in:

- (1) An assault in any degree.
- (2) Harassment.
- (3) Trespass.
- (4) Malicious destruction of property.

Proposed law provides that a person who violates proposed law is guilty of a misdemeanor and on conviction is subject to imprisonment not exceeding eighteen months or a fine not exceeding \$5,000, or both.

(Adds R.S. 44:11.2)