

ACT No. 638

2024 Regular Session

HOUSE BILL NO. 767

BY REPRESENTATIVE EMERSON

1 AN ACT

2 To amend and reenact R.S. 44:31.1 and to enact R.S. 44:5.1, relative to the public records
3 law; to provide for the qualifications of those eligible to request records of the office
4 of the governor; to provide for proof of identity, age, and residency; to provide for
5 the confidentiality of certain records of the office of a statewide elected official; to
6 provide for records related to the official's schedule, meetings, events, and
7 transportation; and to provide for related matters.

8 Be it enacted by the Legislature of Louisiana:

9 Section 1. R.S. 44:31.1 is hereby amended and reenacted and R.S. 44:5.1 is hereby
10 enacted to read as follows:

11 §5.1. Records of the office of a statewide elected official

12 A. Any record of the office of a statewide elected official that pertains to the
13 schedule of the official or of an employee of the office and that contains security
14 details that if made public may impair the safety of the official may be held
15 confidential for a period of seven days following a scheduled event. However,
16 nothing in this Section shall be interpreted or construed in a manner to make
17 confidential all records concerning the schedule of the official or of an employee of
18 the office nor alter any legal deadlines contained in this Chapter.

19 B. For purposes of this Section, "statewide elected official" means the
20 lieutenant governor, secretary of state, attorney general, treasurer, commissioner of
21 agriculture, and commissioner of insurance.

22 * * *

23 §31.1. Exceptions; authority of the custodian

24 A.(1) For the purposes of this Chapter, person does not include an individual
25 in custody after sentence following a felony conviction who has exhausted his
26 appellate remedies when the request for public records is not limited to grounds upon
27 which the individual could file for post-conviction relief under Code of Criminal
28 Procedure Article 930.3.

1 (2) Notwithstanding the provisions contained in R.S. 44:32, the custodian
 2 may make an inquiry of any individual who applies for a public record to determine
 3 if ~~such~~ the individual is in custody after sentence following a felony conviction who
 4 has exhausted his appellate remedies and the custodian may determine if the request
 5 of any ~~such~~ individual in custody for a felony conviction is limited to grounds upon
 6 which ~~such~~ the individual may file for post-conviction relief under Code of Criminal
 7 Procedure Article 930.3.

8 B.(1) For the purposes of this Chapter, as it relates to requests for records of
 9 the office of the governor, only a person who resides in the state of Louisiana and
 10 who otherwise meets the qualifications required by this Chapter may inspect, copy,
 11 reproduce, or obtain a copy or reproduction of a public record or seek to enforce the
 12 provisions of this Chapter pursuant to R.S. 44:35. For purposes of this Subsection,
 13 "office of the governor" shall have the same meaning as provided in R.S. 44:5.

14 (2) Notwithstanding the provisions of R.S. 44:32, a custodian of a record of
 15 the office of the governor may require a person to provide sufficient information to
 16 establish the person's identity, age, and residency within the state of Louisiana. For
 17 purposes of this Subsection, "sufficient information" may include any government-
 18 issued document showing the person's name, age, or residential address. A custodian
 19 may deny the request of a person who does not meet the requirements of this
 20 Subsection.

21 (3) Any document submitted to a custodian to establish a person's identity,
 22 age, or residency pursuant to this Subsection shall not be a public record pursuant to
 23 this Chapter and shall be destroyed within one year of the final disposition of the
 24 public record request.

SPEAKER OF THE HOUSE OF REPRESENTATIVES

PRESIDENT OF THE SENATE

GOVERNOR OF THE STATE OF LOUISIANA

APPROVED: _____