
DIGEST

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HB 682 Engrossed

2025 Regular Session

Ventrella

Abstract: Authorizes expungement of records of a stipulation, agreed settlement, consent order, or proceeding related to an administrative adjudication in certain circumstances.

Present law (Administrative Procedure Act) provides for executive branch agencies to conduct adjudications for the formulation of a decision or order. Provides that adjudication proceedings are instituted by the agency and that informal disposition of such proceedings may be made by stipulation, agreed settlement, consent order, or default. Provides that adjudications may be conducted by the division of administrative law. Proposed law retains present law.

Proposed law authorizes a person to request expungement of adjudication proceeding records relative to a stipulation, agreed settlement, consent order, or default against a person in which it is alleged that the person violated one or more provisions of law if the attorney general finds that the interpretation of law relied upon by the agency and which resulted in the stipulation, agreed settlement, consent order, or default was erroneous.

Proposed law authorizes a person to request expungement of adjudication proceeding records if at the conclusion of adjudication proceedings there is no finding that the person violated the law.

Proposed law provides that a person who seeks expungement shall file with the agency a written request for expungement setting forth the facts that demonstrate that the grounds for expungement are satisfied.

Proposed law requires that if the facts stated in the request demonstrate that the grounds for expungement are satisfied, the agency order expungement of the adjudication proceeding records relative to the stipulation, agreed settlement, consent order, default, or proceeding.

Proposed law provides that if the order of expungement involves records of the division of administrative law, the agency shall ensure that the order of expungement is served on the director of the division of administrative law as soon as practicable after issuance.

Proposed law requires the agency to remove from public access all adjudication proceeding records that are ordered to be expunged, however, the records shall not be destroyed.

Proposed law provides that an expunged adjudication proceeding record shall be privileged, confidential, no longer be considered a public record, and not be made available to any person or entity other than the agency.

Proposed law provides that all records concerning a request for expungement shall be confidential and shall not be made available to any person or other entity, except that such record shall be available to the agency.

(Amends R.S. 44:4.1(B)(35); Adds R.S. 49:980.1)