
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)]

Arnold

HB No. 888

Abstract: Provides for the creation of the Louisiana Clerks' Remote Access Authority.

Proposed law creates the Louisiana Clerks' Remote Access Authority (LCRAA) for the purpose of providing infrastructure, governance, standard operating procedures, technology, and training to support a statewide portal for secure remote access of certain records maintained by LCRAA members to internet users and for document preservation.

Proposed law provides for the membership of the authority to be composed of district clerks of court who enroll on or before Sept. 1, 2014, and provides the LCRAA with secure remote access to their indices and electronic images of certain records. Proposed law further provides for the adoption of rules permitting additional clerks of court to enroll as members on a schedule which should include at least one enrollment period per fiscal year.

Proposed law provides for a five member board of commissioners whose members are to be elected by a majority vote of the membership and further provides for the terms, vacancy, and officers of the board.

Proposed law provides for the domicile of the authority to be East Baton Rouge Parish.

Proposed law provides for certain powers and duties of the LCRAA.

Proposed law requires the collection of a \$5 fee per recording, of which \$3 shall be remitted to the LCRAA and \$2 to be retained by the member to fund certain costs related to the statewide portal and requires such fees to be remitted to the LCRAA by the 10th day of each month following collection. A pro rata share of the fees may be paid to the members by the LCRAA based upon public access.

Proposed law provides for immunity for the LCRAA from suits arising from any acts or omissions related to providing remote access unless the LCRAA was grossly negligent or engaged in willful misconduct.

Proposed law prohibits the sale or posting of any records accessed through the statewide portal on any public or private website or in any way redistributed to any third party by a user and authorizes the LCRAA to deny remote access when necessary to ensure compliance.

Proposed law authorizes data from records accessed by secure remote access may be included in

products or services provided to a third party of a user provided compliance with the following:

- (1) Records used to compile the data is not made available to the general public.
- (2) The user maintains administrative, technical, and security safeguards to protect integrity and limited access of the records.
- (3) The user discloses that user is not the official custodian of the records used to compile the data.

Effective upon signature of governor or lapse of gubernatorial action.

(Adds R.S. 13:754)