

Existing law (Public Records Law, R.S. 44:1 et seq.) provides that certain documents, data, and information, regardless of physical form or characteristics, including information contained in electronic data processing equipment, 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 establishes the 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 for a public entity or agency to provide copies to persons so requesting. Existing law provides for certain exceptions, exemptions, and limitations.

Existing law (Title 12 of La. R.S.) requires that records and documentation for corporations, limited liability companies, partnerships, and other entities be filed with the secretary of state. Existing law further provides that any email, addresses or short message service numbers submitted to or captured by the secretary of state pursuant to the provisions of existing law (Title 12) shall be confidential and shall not be disclosed by the secretary of state or any employee or official of his office. Existing law (Public Records Law) recognizes such limitation on disclosure of email addresses and short message service numbers.

New law provides that existing law shall not prohibit the disclosure of email addresses or short message service numbers by the secretary of state or any employee or official of the Dept. of State to an agency, official, or employee of state government or of a political subdivision of the state in the course of interaction of the agency, official, or employee with the Dept. of State. Provides that the agency, official, or employee shall use the information only for the governmental purposes for which it was submitted or captured. Further prohibits an agency, official, or employee that receives email addresses or short message service numbers pursuant to new law from disclosing the email addresses or short message service numbers and requires such entities and persons to maintain the confidentiality of the email addresses and short message service numbers.

Effective upon signature of governor (May 22, 2014).

(Amends R.S. 12:2.1)