

RÉSUMÉ DIGEST

ACT 408 (SB 168)

2018 Regular Session

Thompson

Prior law (R.S. 44:3) provided an exemption to the Public Records Law for certain records held by the offices of the attorney general, district attorneys, sheriffs, police departments, Department of Public Safety and Corrections, marshals, investigators, public health investigators, correctional agencies, communications districts, intelligence agencies, Council on Peace Officer Standards and Training, Louisiana Commission on Law Enforcement and Administration of Criminal Justice, or publicly owned water districts of the state, as follows:

- (1) Records pertaining to pending criminal litigation or any criminal litigation which can be reasonably anticipated.
- (2) Records containing the identity of a confidential source of information.
- (3) Records containing security procedures, investigative training information or aids, investigative techniques, investigative technical equipment or instructions on the use thereof, or criminal intelligence information pertaining to terrorist-related activity.
- (4) Records of the arrest of a person, other than the report of the officer or officers investigating a complaint, until a final judgment of conviction or the acceptance of a plea of guilty by a court of competent jurisdiction.
- (5) Records containing the identity of an undercover police officer or records which would tend to reveal the identity of an undercover police officer.
- (6) Records concerning status offenders as defined in the Code of Juvenile Procedure.
- (7) Records collected and maintained by the Louisiana Bureau of Criminal Identification and Information, provided that this exception shall not apply to the central registry of sex offenders maintained by the bureau.
- (8) Video or audio recordings generated by law enforcement officer body-worn cameras that are found by the custodian to violate an individual's reasonable expectation of privacy.

New law provides nothing in prior law will be construed to require the disclosure of records, or the information contained therein, held by the Department of Agriculture and Forestry which records are:

- (a) Held by the forestry officers and livestock brand inspectors pertaining to pending criminal litigation or any criminal litigation which can be reasonably anticipated, until such litigation has been finally adjudicated or otherwise settled.
- (b) Pertaining to the Medical Marijuana Program containing the internal procedures, security procedures, security plans, transportation plans, and proprietary information of a licensee.
- (c) Emergency Preparedness information specifically pertaining to the location of emergency fuel and the identity of pets and pet owners during a declared emergency.

Effective upon signature of the governor (May 23, 2018).

(Adds R.S. 44:3.5)