
DIGEST

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HB 614 Reengrossed

2019 Regular Session

Miguez

Abstract: Provides that certain information is not subject to the Public Records Law, requires each public body to notify the public of the possibility that information submitted to the public body could become public, and provides that this possibility may be included as part of the public records awareness program.

Present law (R.S. 44:1 et seq.—Public Records Law) provides for access and retention of public records. Establishes a framework for the ready availability of public records to requesting persons.

Proposed law provides that present law does not apply to the social security number, driver's license number, financial institution account number, credit or debit card number, or armed forces identification number of a private person who has submitted the information to a public body or official. Provides, however, that proposed law does not apply to records recorded in the mortgage or conveyance records, records of a court, or marriage records. Additionally provides that proposed law does not prohibit the disclosure of the driver's license number of a person to an insurer or insurance support organization, or a self-insured entity, or its agents, employees, or contractors, in connection with claims investigation activities, antifraud activities, rating, or underwriting.

Present law (R.S. 44:31.2) requires the attorney general to establish a program for educating the general public, public bodies, and custodians regarding the provisions of present law (the Public Records Law). Provides that the program may include brochures, pamphlets, videos, seminars, and Internet access to information which provides training on the provisions of present law, including the custodian's responsibilities in connection with a request for records and the right of a person to institute court proceedings if access to a record is denied by the custodian.

Proposed law retains present law. Additionally provides that the possibility that information submitted to a public body may become public record may be included in the public records awareness program.

Proposed law requires each custodian to use reasonable means to notify the public that information submitted to the public body may become public record pursuant to the provisions of present law.

(Amends R.S. 44:31.2 and 33.1; Adds R.S. 44:4(57))

Summary of Amendments Adopted by House

The House Floor Amendments to the engrossed bill:

1. Provide that proposed law does not prohibit the disclosure of the driver's license number of a person to an insurer or insurance support organization, or a self-insured entity, or its agents, employees, or contractors, in connection with claims investigation activities, antifraud activities, rating, or underwriting.