

2020 Regular Session

HOUSE BILL NO. 45

BY REPRESENTATIVE GREGORY MILLER

BOARDS/COMMISSIONS: Provides relative to certain licensing boards

1 AN ACT

2 To amend and reenact R.S. 37:23.2, relative to certain licensing boards and commissions;  
3 to provide relative to complaints about actions and procedures of such boards and  
4 commissions; to provide relative to reports regarding such complaints; and to  
5 provide for related matters.

6 Be it enacted by the Legislature of Louisiana:

7 Section 1. R.S. 37:23.2 is hereby amended and reenacted to read as follows:

8 §23.2. Legislative report requirements; notification requirements

9 A.(1) Each board or commission authorized to issue a license, permit, or  
10 certificate under this Title shall submit quarterly reports to the appropriate legislative  
11 oversight committees and to the ~~House Committee on House and Governmental~~  
12 ~~Affairs and the Senate Committee on Senate and Governmental Affairs~~ legislative  
13 auditor. The reports required by this Subsection shall be submitted no later than the  
14 fifteenth day of the month following the end of the respective quarter and shall  
15 contain:

16 (a) The number of complaints received regarding board actions or  
17 procedures.

18 (b) A summary of each such complaint and the disposition of each  
19 complaint.

1           (2) If any of the information required to be submitted pursuant to Paragraph  
2           (1) of this Subsection contains confidential, personally identifiable, or otherwise  
3           sensitive information, the board or commission shall clearly mark such information  
4           as confidential, personally identifiable, or sensitive information, and the legislative  
5           committees, members, officers, and employees having access to the identified  
6           information shall not publicly disclose the information and shall protect the  
7           information from unauthorized use and disclosure.

8           B.(1) Each board or commission authorized to issue a license, permit, or  
9           certificate under this Title shall give notice to each applicant and licensee in or with  
10          each correspondence from the board or commission that the applicant or licensee  
11          may submit complaints about actions or procedures of the board or commission to  
12          the board or commission or directly to the ~~House Committee on House and~~  
13          ~~Governmental Affairs and the Senate Committee on Senate and Governmental~~  
14          ~~Affairs~~ legislative auditor.

15          (2) Each board or commission authorized to issue a license, permit, or  
16          certificate under this Title shall post a notice of the ability to submit complaints  
17          about the actions or procedures of the board or commission to the board or  
18          commission or to the ~~House Committee on House and Governmental Affairs and the~~  
19          ~~Senate Committee on Senate and Governmental Affairs~~ legislative auditor in a  
20          conspicuous place on the website of the board or commission.

21          (3) Each notice required by this Subsection shall contain at a minimum the  
22          mailing address, email address, and telephone number of the board or commission  
23          and the mailing address, email address, and telephone number of ~~each legislative~~  
24          ~~committee listed in Paragraph (2) of this Subsection~~ the legislative auditor.

25          Section 2. This Act shall become effective on January 1, 2021.

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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)]

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HB 45 Original

2020 Regular Session

Gregory Miller

**Abstract:** Relative to certain notice and reporting requirements relative to complaints regarding actions and procedures applicable to Title 37 licensing boards and commissions, provides a deadline for such reports to be submitted and shifts the receipt of reports and complaints to the legislative auditor instead of the House and Senate governmental affairs committees.

Present law requires boards or commissions authorized to issue a license, permit, or certificate pursuant to provisions in Title 37 of the La. Revised Statutes of 1950 to notify licensees and applicants for licenses that complaints about actions or procedures of the board or commission may be submitted to the board or commission or to the House and Senate governmental affairs committees. Proposed law provides instead that the notice provide that those types of complaints may be submitted to the board or commission or to the legislative auditor.

Present law further requires each such board or commission to submit quarterly reports to the House and Senate governmental affairs committees and to the appropriate legislative oversight committees containing specified information regarding complaints. Further requires the reports to contain certain information about the complaints received regarding board actions or procedures. Present law requires the legislative committees, members, and employees having access to confidential, personally identifiable, or sensitive information as contained in those reports to protect the information from unauthorized use and disclosure.

Proposed law requires that the reports regarding complaints be sent to the legislative auditor instead of the House and Senate governmental affairs committees. Requires those reports to be submitted no later than the 15th day of the month following the end of the respective quarter. Additionally requires legislative officers having access to confidential, personally identifiable, or sensitive information contained in those reports to protect the information from unauthorized use and disclosure.

Effective January 1, 2021.

(Amends R.S. 37:23.2)