

2020 Regular Session

SENATE BILL NO. 191

BY SENATOR WHITE

PUBLIC RECORDS. Provides relative to confidentiality of certain information contained in contracts with the Department of Economic Development. (gov sig)

1 AN ACT

2 To enact R.S. 44:4(59) and 22.2, relative to public records; to provide for contracts with the
3 Department of Economic Development; to provide for confidentiality of certain
4 information submitted pursuant to a contract with the Department of Economic
5 Development; to provide for terms and conditions; and to provide for related matters.

6 Be it enacted by the Legislature of Louisiana:

7 Section 1. R.S. 44:4(59) and 22.2 are hereby enacted to read as follows:

8 §4. Applicability

9 This Chapter shall not apply:

10 * * *

11 **(59) To personally identifiable information, defined in R.S. 44:22.2, of**
12 **any person whose information is required to be submitted pursuant to a**
13 **contract with the Department of Economic Development for any purpose and**
14 **any program, including but not limited to any incentive or loan guarantee**
15 **program. Such information shall be confidential pursuant to R.S. 44:22.2.**

16 * * *

17 **§22.2. Economic development contracts**

1 **A. Notwithstanding any other provision of this Chapter to the contrary,**
 2 **any personally identifiable information of any person whose information is**
 3 **required to be submitted to the Department of Economic Development pursuant**
 4 **to a contract with the department for any purpose or for any program,**
 5 **including but not limited to any incentive or loan forgiveness program, shall be**
 6 **confidential and shall not be subject to the provisions of R.S. 44:31, 32, or 33.**

7 **B. For the purpose of this Section, "personally identifying information"**
 8 **means information about an individual that can be used on its own or with**
 9 **other information to identify, contact, or locate a single individual, including**
 10 **but not limited to the following information:**

11 **(1) Any information that can be used to distinguish or trace an**
 12 **individual's identity such as full or partial name, job title, full or partial social**
 13 **security number, personnel number, home address, or date and place of birth.**

14 **(2) Any other information that is linked or linkable to an individual such**
 15 **as medical, educational, financial, and employment information.**

16 Section 2. This Act shall become effective upon signature by the governor or, if not
 17 signed by the governor, upon expiration of the time for bills to become law without signature
 18 by the governor, as provided by Article III, Section 18 of the Constitution of Louisiana. If
 19 vetoed by the governor and subsequently approved by the legislature, this Act shall become
 20 effective on the day following such approval.

The original instrument and the following digest, which constitutes no part
 of the legislative instrument, were prepared by Michelle Ridge.

DIGEST

SB 191 Original 2020 Regular Session White

Present law provides relative to the Public Records Law.

Present law defines the term "public records" and provides for exemptions to the public records law.

Proposed law provides that any personally identifiable information of any person whose information is submitted to the Department of Economic Development (department) pursuant to a contract with the department for any purpose or for any program, including but not limited to any incentive or loan forgiveness program shall be confidential and shall not be subject to the Public Records Law.

Proposed law defines "personally identifiable information" as information about an individual that can be used on its own or with other information to identify, contact, or locate a single individual, including but not limited to the following:

- (1) Any information that can be used to distinguish or trace an individual's identity such as full or partial name, job title, full or partial social security number, personnel number, home address, or date and place of birth.
- (2) Any other information that is linked or linkable to an individual such as medical, educational, financial, and employment information.

Effective upon signature of the governor or lapse of time for gubernatorial action.

(Adds R.S. 44:4(59) and 22.2)