

2021 Regular Session

HOUSE BILL NO. 456

BY REPRESENTATIVES EDMONDS AND DAVIS

Prefiled pursuant to Article III, Section 2(A)(4)(b)(i) of the Constitution of Louisiana.

ECONOMIC DEVELOPMENT: Provides relative to protection of employee data submitted to Louisiana Economic Development as a condition of business incentive program verification

1 AN ACT

2 To amend and reenact R.S. 44:4.1(B)(22) and to enact R.S. 36:104.1(H), relative to  
3 employee data provided for compliance with the Department of Economic  
4 Development; to require such employee data to be redacted by the department; to  
5 exempt such data from Public Records Law, to provide for exceptions; and to  
6 provide for related matters.

7 Be it enacted by the Legislature of Louisiana:

8 Section 1. R.S. 36:104.1(H) is hereby enacted to read as follows:

9 §104.1. Fee for independent certified public accountant or tax attorney verification  
10 reports required for certain Department of Economic Development programs;  
11 protection of employee information; applicability

12 \* \* \*

13 H.(1) The department shall redact the following employee data submitted by  
14 an applicant in accordance with the provisions this Section, and such information  
15 shall be exempt from the Public Records Law, R.S. 44:1 et seq.:

16 (a) Social security number.

17 (b) Name.

18 (c) Job title.

19 (d) Wages.

- 1           (e) Street name and house number.
- 2           (f) Employee payroll information and tax withholding information.
- 3           (g) Bank information.
- 4           (h) Unemployment number.
- 5           (i) Louisiana Department of Revenue account number.
- 6           (j) FastLane code.
- 7           (2) The provisions of Paragraph (1) of this Subsection shall apply to the
- 8           following Department of Economic Development incentive programs and forms:
- 9           (a) The Industrial Tax Exemption Program annual certification of
- 10           compliance.
- 11           (b) The Louisiana Quality Jobs Program annual certification report.
- 12           (c) The Louisiana Enterprise Zone Program employee certification report.
- 13           (d) The Retention and Modernization Tax Credit baseline jobs worksheet
- 14           and new job worksheet.

Section 2. R.S. 44:4.1(B)(22) is hereby amended and reenacted to read as follows:

§4.1. Exceptions

\*       \*       \*

B. The legislature further recognizes that there exist exceptions, exemptions, and limitations to the laws pertaining to public records throughout the revised statutes and codes of this state. Therefore, the following exceptions, exemptions, and limitations are hereby continued in effect by incorporation into this Chapter by citation:

\*       \*       \*

(22) R.S. ~~36:108~~ 36:104.1(H), 108

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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 456 Original

2021 Regular Session

Edmonds

**Abstract:** Requires some employee data be redacted from required verification reports for certain economic development programs and exempts such data from Public Records Law.

Present law requires a verification report to be submitted by an independent certified public accountant or tax attorney to certify compliance with certain Department of Economic Development tax credit programs.

Present law requires an applicant seeking to certify eligibility to make any records related to the application for the program available to the accountant or tax attorney for the preparation of the required verification report.

Proposed law retains present law and requires the Department of Economic Development to redact the following information from the records required to be submitted by the applicant to comply with present law:

- (1) Social security number.
- (2) Name.
- (3) Job title.
- (4) Wages.
- (5) Street name and house number.
- (6) Employee payroll information and tax withholding information.
- (7) Bank information.
- (8) Unemployment number.
- (9) Louisiana Department of Revenue account number.
- (10) FastLane code.

Proposed law exempts such data from Public Records Law.

Proposed law makes the following programs and forms exempt from proposed law:

- (1) The Industrial Tax Exemption Program annual certification of compliance.
- (2) The Louisiana Quality Jobs Program annual certification report.
- (3) The Louisiana Enterprise Zone Program employee certification report.
- (4) The Retention and Modernization Tax Credit baseline jobs worksheet and new job worksheet.

(Amends R.S. 44:4.1(B)(22); Adds R.S. 36:104.1)