

2021 Regular Session

HOUSE BILL NO. 438

BY REPRESENTATIVE MIGUEZ

1 AN ACT

2 To enact R.S. 44:31(C), relative to public records; to allow a custodian to require sufficient
3 information to establish a requestor's identity; and to provide for related matters.

4 Be it enacted by the Legislature of Louisiana:

5 Section 1. R.S. 44:31(C) is hereby enacted to read as follows:

6 §31. Right to examine records

7 * * *

8 C.(1) Notwithstanding any provision of this Section or of R.S. 44:32 or 33
9 to the contrary, a custodian or his employees may require any person electronically
10 requesting to inspect, copy, or reproduce any public record to provide sufficient
11 information to establish the age and identification of the person unless the requestor
12 is known to the custodian or his employees. For purposes of this Subsection,
13 "sufficient information" shall include any electronic or physical document or
14 identification card which includes name and other identifying information, and if the
15 person is a legal entity or acting as the agent of a legal entity, "sufficient
16 information" shall also include the legitimate name and physical address for the legal
17 entity.

18 (2) If a person electronically requesting to inspect, copy, or reproduce any
19 public record fails to provide sufficient information to establish the age and
20 identification of the person after being requested to do so, neither the custodian or
21 his employees shall be required to produce the requested records in accordance with
22 the provisions of this Chapter.

1 (3) Any document submitted to establish the age and identification of the
2 person pursuant to this Subsection shall not be a public record pursuant to the
3 provisions of this Chapter.

4 (4) This Subsection shall not apply to any person actually confined in a
5 correctional facility pursuant to an order of imprisonment or making a lawful request
6 pursuant to the provisions of R.S. 44:31.1.

SPEAKER OF THE HOUSE OF REPRESENTATIVES

PRESIDENT OF THE SENATE

GOVERNOR OF THE STATE OF LOUISIANA

APPROVED: _____