

## RÉSUMÉ DIGEST

ACT 66 (HB 128)

2021 Regular Session

Zeringue

Existing law establishes the Cash Management Review Board (Board) for oversight over all state agency banking and checking accounts, including balances therein, as well as the agencies' policies and procedures for handling receipts in and disbursements from such accounts. Defines "state agency" to mean each state agency, department, board, or commission required to deposit monies in the state treasury in accordance with existing constitution (Art. VII, Section 9(A)).

New law requires each state agency to adopt a cybersecurity plan and financial security procedures relative to cash management. Further requires each agency to submit its adopted cybersecurity plan and financial security procedures to the Board within 90 days of the effective date of new law. Thereafter, requires each agency to submit any revisions to such plans or procedures to the Board. Requires the Board to review and approve such plans, procedures, and revisions. Grants the Board authority to review implementation of such plans and procedures and make ongoing assessments of the sufficiency of such plans and procedures. Provides that all discussions and records involved in such review and approval are confidential and prohibits release under existing law (La. Public Records Law-R.S. 44:1, et seq.).

Existing law establishes the Open Meetings Law (R.S. 42:11, et seq.), which requires meetings of public bodies to be open to the public. Further provides exceptions to the open meeting requirement, allowing bodies to discuss certain limited items outside of public view. One such exception in existing law is for discussion regarding the report, development, or course of action regarding security personnel, plans or devices. New law adds to this exception discussions concerning cybersecurity plans, financial security procedures, and assessment and implementation of any such plans or procedures.

Existing law (La. Public Records Law-R.S. 44:1, et seq.) generally requires all books, records, writings, or any other material, regardless of physical form or characteristic, that are or have been used in the conduct or performance of any public business to be made available for public inspection. Further provides exceptions to this public inspection requirement for certain specified public records. New law adds to these exceptions any documents involved in the review and approval of cybersecurity plans, financial security procedures, and the assessment and implementation of any such plans or procedures. This includes documents in the possession of the Board or a state agency, department, board, or commission required to deposit monies in the state treasury in accordance with existing constitution (Art. VII, Section 9(A)).

New law directs the La. State Law Institute to correct existing law references to R.S. 39:372 in the revised statutes to conform with the provisions of new law.

Effective upon signature of governor (June 4, 2021).

(Amends R.S. 39:372(D)-(H), R.S. 42:17(A)(3), and R.S. 44:4.1(B)(25); Adds R.S. 39:372(I) and R.S. 44:4(59))