

2023 Regular Session

SENATE BILL NO. 213

BY SENATOR DUPLESSIS

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

PUBLIC RECORDS. Provides relative to the costs for public records. (8/1/23)

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AN ACT

To amend and reenact R.S. 44:32(C)(1)(a), relative to examination of public records; to provide for a fee schedule; to provide for notification; to provide for the collection of fees; to provide for challenges of fees; to provide for the award of attorney fees; and to provide for related matters.

Be it enacted by the Legislature of Louisiana:

Section 1. R.S. 44:32(C)(1)(a) is hereby amended and reenacted to read as follows:

§32. Duty to permit examination; prevention of alteration; payment for overtime; copies provided; fees

* * *

C.(1)(a) For all public records, except public records of state agencies, it shall be the duty of the custodian of such public records to provide copies to persons so requesting, unless the requestor fails to pay the applicable copying fees after being notified of the amount in advance of production or the requestor has an outstanding balance from a prior request. The custodian may establish and collect reasonable fees for making copies of public records, which may include the transmission of electronic copies of public records. Any custodian who elects to establish and

1 **collect such fees shall establish a reasonable fee schedule and post the schedule**
2 **where it can be readily accessed by the public.** The custodian may request
3 payment of fees in advance of production. Copies of records may be furnished
4 without charge or at a reduced charge to indigent citizens of this state.

5 * * *

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

DIGEST

SB 213 Engrossed

2023 Regular Session

Duplessis

Present law allows a custodian of public records to establish and collect reasonable fees for making copies of public records, including the transmission of electronic copies. Requires adoption of a uniform fee schedule for copying public records of state agencies.

Proposed law retains present law and further requires a custodian of public records that are not public records of a state agency to set and publicly post a reasonable fee schedule.

Effective August 1, 2023.

(Amends R.S. 44:32(C)(1)(a))

Summary of Amendments Adopted by SenateCommittee Amendments Proposed by Senate Committee on Senate and
Governmental Affairs to the original bill

1. Make technical changes.
2. Remove enforcement provisions for challenges to fees.