

2023 Regular Session

SENATE BILL NO. 205

BY SENATORS CORTEZ, ABRAHAM, BARROW, BOUDREAUX, FIELDS, HARRIS,
JACKSON, FRED MILLS, ROBERT MILLS, MIZELL, TARVER AND
WHITE

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

INFORMATION TECHNOLOGY. Creates the Louisiana Foundational Integrated Research System for Transformation (LA FIRST). (gov sig)

1 AN ACT

2 To enact R.S. 17:3138.12, relative to information technology; to provide relative to the
3 collection of integrated data; to create the Louisiana Foundational Integrated
4 Research System for Transformation (LA FIRST); to provide for individual privacy
5 and confidentiality standards; to provide for data sharing agreements; to provide for
6 the administration of the system; to provide for reporting requirements; to limit the
7 sharing of identifiable information; and to provide for related matters.

8 Be it enacted by the Legislature of Louisiana:

9 Section 1. R.S. 17:3138.12 is hereby enacted to read as follows:

10 §17:3138.12. Louisiana's Foundational Integrated Research System for
11 Transformation (LA FIRST)

12 A. The Board of Regents shall establish and maintain Louisiana's
13 Foundational Integrated Research System for Transformation (LA FIRST).

14 B. LA FIRST shall be developed and maintained by the Board of Regents
15 at the University of Louisiana at Lafayette within the Kathleen Babineaux
16 Blanco Public Policy Center, which shall serve as the data center administrator.

17 C. No later than December 1, 2023, data sharing agreements shall be

1 executed by LA FIRST through the Board of Regents and the following state
2 entities:

3 (1) Each public postsecondary education management board.

4 (2) The Louisiana Workforce Commission.

5 (3) The Department of Children and Family Services.

6 (4) The Department of Public Safety and Corrections.

7 (5) The office of juvenile justice.

8 (6) The Louisiana Department of Health.

9 D. LA FIRST, using the data center services of the Kathleen Babineaux
10 Blanco Public Policy Center, shall develop and annually publish the following
11 reports:

12 (1) Launch Louisiana report with an in-depth analysis of the
13 elementary-and-secondary-school-to-college or -career transition.

14 (2) Louisiana's Employment Outcomes report with an in-depth analysis
15 of linkages between workforce, credit and noncredit, and postsecondary
16 training and education.

17 (3) Causes and Consequences of Criminal and Delinquent Acts report
18 with an in-depth analysis of the criminal justice system leveraging linkages
19 between education, employment, adult corrections, and juvenile justice.

20 E. Notwithstanding any provision of law to the contrary, LA FIRST,
21 through the Board of Regents, shall be provided access to all data listed in the
22 data sharing agreement developed with each state entity. Once the Kathleen
23 Babineaux Blanco Public Policy Center has been provided access to the data,
24 the policy center shall comply with all restrictions imposed by law on any of the
25 data received that is deemed confidential, privileged, or otherwise restricted,
26 and any reports that use the data shall be released or published only in a
27 manner that complies with the restrictions.

28 F. Notwithstanding the provisions of R.S. 17:3914, or any other law to
29 the contrary, the state Department of Education and any city, parish, or other

1 local school board shall directly share student data with the Kathleen
2 Babineaux Blanco Public Policy Center and any department listed in Subsection
3 C of this Section in order to carry out the provisions of this Section and the
4 goals of the data sharing agreements.

5 G. Data sharing shall commence upon execution of data sharing
6 agreements but no later than December 1, 2023. The data shall include at least
7 five years of historical data in order to establish a baseline for each data set.

8 H.(1) All data shared shall include a minimum set of personally
9 identifiable information to enable high quality matching to other records within
10 the system.

11 (2) The shared data shall be separated into two parts, personal and
12 nonpersonal information. Personal information shall be used only to generate
13 a unique identifier for each record, which shall then be combined with
14 nonpersonal information to allow for matching of records across the data
15 system. Research and analysis shall not be conducted on data that includes
16 personally identifiable information.

17 * * *

18 Section 2. The provisions of this Act shall only become effective upon an
19 appropriation by the Legislature.

20 Section 3. This Act shall become effective upon signature by the governor or, if not
21 signed by the governor, upon expiration of the time for bills to become law without signature
22 by the governor, as provided by Article III, Section 18 of the Constitution of Louisiana. If
23 vetoed by the governor and subsequently approved by the legislature, this Act shall become
24 effective on the day following such approval.

The original instrument was prepared by Tracy Sabina Sudduth. The following digest, which does not constitute a part of the legislative instrument, was prepared by LG Sullivan.

DIGEST

SB 205 Re-Reengrossed

2023 Regular Session

Cortez

Proposed law provides for the creation of the Louisiana Foundational Integrated Research System for Transformation (LA FIRST) by the Board of Regents.

Proposed law requires LA FIRST be developed and maintained by the Board of Regents at the Kathleen Babineaux Blanco Public Policy Center located at Univ. of La.-Lafayette.

Proposed law directs LA FIRST to enter into data sharing agreement with certain state entities. Requires agreements to be executed and for data sharing to begin no later than December 1, 2023, with the following state entities:

- (1) Each public postsecondary education management board.
- (2) The Louisiana Workforce Commission.
- (3) The Department of Children and Family Services.
- (4) The Department of Public Safety and Corrections.
- (5) The office of juvenile justice.
- (6) The La. Department of Health.

Notwithstanding present law, proposed law requires LA FIRST, through the Board of Regents, to be provided access to all data listed in the data sharing agreement developed with each state entity. Requires that once access to the data has been provided to the policy center, the policy center must comply with all confidentiality, privilege, privacy, and other legal restrictions.

Proposed law provides that notwithstanding present law the state Department of Education and any city, parish, or other local school board shall directly share student data with the policy center and any department listed in proposed law in order to carry out the provisions of proposed law.

Proposed law directs LA FIRST to develop and annually publish the Launch Louisiana report, the Louisiana's Employment Outcomes report, and the Causes and Consequences of Criminal and Delinquent Acts report.

Proposed law provides data sharing commencement to occur no later than December 1, 2023, and provides for a minimum number of five years for a historical baseline.

Proposed law provides that all data shared will include a minimum set of personally identifiable information and will be separated into personal and nonpersonal information.

Proposed law provides personal information will be used only to generate a unique identifier for each record.

Proposed law prohibits research and analysis may from being conducted on data that includes personally identifiable information.

Proposed law becomes effective only upon an appropriation by the legislature.

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

(Adds R.S. 17:3138.12)

Summary of Amendments Adopted by Senate

Committee Amendments Proposed by Senate Committee on Education to the original bill

1. Specify that the Board of Regents is the entity charged with developing and maintaining LA FIRST.
2. Provide for the data sharing agreements with state agencies to be executed by LA FIRST through the Board of Regents.
3. Clarify that once access to the data has been provided to the policy center, the policy center must comply with all confidentiality, privilege, privacy, and other legal restrictions.

Committee Amendments Proposed by Senate Committee on Finance to the engrossed bill

1. Provide proposed law shall become effective only upon an appropriation by the legislature.

Summary of Amendments Adopted by Senate

Senate Floor Amendments to reengrossed bill

1. Make technical changes.