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

DIGEST

SB 502 Original | 2024 Regular Session | Miguez

Present law provides that all books, records, writings, accounts, letters and letter books, maps, drawings, photographs, cards, tapes, recordings, memoranda, and papers, and all copies, duplicates, photographs, including microfilm, or other reproductions thereof, or any other documentary materials, regardless of physical form or characteristics, including information contained in electronic data processing equipment, having been used, being in use, or prepared, possessed, or retained for use in the conduct, transaction, or performance of any business, transaction, work, duty, or function which was conducted, transacted, or performed by or under the authority of the constitution or laws of the state, or by or under the authority of any ordinance, regulation, mandate, or order of any public body or concerning the receipt or payment of any money received or paid by or under the authority of the constitution or the laws of the state are "public records".

Present law establishes a framework for the ready availability of public records to requesting persons and specifically provides that it is the duty of the custodian of the public records of a public entity or agency to provide copies to persons requesting the records. Provides for certain exceptions, exemptions, and limitations.

Present law provides that a custodian shall make no inquiry of any person who applies for a public record, except an inquiry as to the age and identification of the person and may require the person to sign a register and shall not review, examine or scrutinize any copy, photograph, or memoranda in the possession of any such person.

Proposed law authorizes a custodian or his employees to require any Louisiana citizen requesting to inspect, copy, or reproduce any public record to provide sufficient information to establish the age and identification of the citizen. Defines "sufficient information" as any electronic or physical document or identification card which includes a name, photograph and other identifying information, and if the requestor is a legal entity or acting as the agent of a legal entity, "sufficient information" also includes the legitimate name and physical address for the legal entity. Specifies that any document submitted to establish the age and identification of the person pursuant to proposed law shall not be a public record.

Proposed law specifies that if a Louisiana citizen requesting to inspect, copy, or reproduce any public record fails to provide sufficient information to establish the age and identification as required by law, neither the custodian or his employees shall be required to produce records in accordance with the provisions of present law and otherwise retains present law.

Effective August 1, 2024.

(Adds R.S. 44:31(C))