

2024 Regular Session

HOUSE BILL NO. 669

BY REPRESENTATIVE BOYD

1 AN ACT

2 To enact R.S. 44:11.2, relative to public records; to provide for definitions; to provide
3 relative to the judicial administrator of the supreme court; to provide for limited
4 access to personal information for protected individuals; to provide for mandamus,
5 injunctive or declaratory relief, and attorney fees or damages; and to provide for
6 related matters.

7 Be it enacted by the Legislature of Louisiana:

8 Section 1. R.S. 44:11.2 is hereby enacted to read as follows:

9 §11.2. Limited access to personal information for protected individuals

10 A. As used in this Section, the term "protected individual" shall mean:

11 (1) A current or retired justice of the Louisiana Supreme Court or a current
12 or retired judge of an appellate, district, family, juvenile, parish, city, or municipal
13 court established under the Constitution of Louisiana.

14 (2) A current or retired justice or judge of a federal court, including a United
15 States Bankruptcy Court, domiciled in the state.

16 (3) A current or retired magistrate appointed by a court of the state.

17 (4) A current or retired United States magistrate judge domiciled in the state.

18 (5) A current or retired commissioner or hearing officer of any district court
19 in the state.

20 B. As used in this Section, the term "personal information" shall mean:

21 (1) Home address.

22 (2) Home telephone number.

1 (3) Mobile telephone number.

2 (4) Personal email address.

3 (5) Social Security number.

4 (6) Driver's license number.

5 (7) Federal tax identification number.

6 (8) Bank account number, including checking and savings accounts.

7 (9) Credit or debit card number.

8 (10) License plate number or unique identifier of a vehicle.

9 (11) Marital record.

10 (12) Date of birth.

11 (13) School or daycare of a child.

12 (14) Place of worship.

13 (15) Employment location of a spouse, child, or dependent.

14 C. As used in this Section, the term "publish" shall mean to publicly post or
15 publicly display on the internet, personal information of a protected individual who
16 submits a request pursuant to Subsection E of this Section.

17 D. As used in this Section, the term "public body" refers to a "public body"
18 as defined in R.S. 44:1(A)(1).

19 E. A protected individual, or the judicial administrator's office on behalf of
20 a protected individual, may request that a public body or third party:

21 (1) Not publish the protected individual's personal information.

22 (2) Remove the protected individual's personal information from any
23 existing publication.

24 (3) A request made under this Section shall:

25 (a) Be in writing and contain the document type, description of the location
26 on the public body's website, date of filing, registry or docket number, and an
27 electronic mail address for correspondence.

28 (b) Be sent by certified mail or by electronic mail address.

29 (c) Provide sufficient information to confirm that the requester is a protected
30 individual, and that a request made by the judicial administrator's office certifies that

1 a requester is a protected individual, and no further information may be required to
 2 confirm that the requester is a protected individual.

3 (d) Identify the document, posting, or other publication containing the
 4 personal information.

5 (4) A request made under this Section may include the personal information
 6 of a person who resides in the same household of the protected individual who is the
 7 spouse, child, or dependent of the protected individual.

8 (5) The protected individual shall be responsible for confirming receipt of the
 9 request.

10 F.(1) Not later than ten days after receiving a request as provided by
 11 Subsection D of this Section, a public body shall acknowledge receipt of the request
 12 in writing by certified mail or by email and take steps reasonably necessary to ensure
 13 that the personal information is not published.

14 (2) If the personal information is already published, provide for the removal
 15 of the personal information within fifteen days after acknowledgment of receipt of
 16 the request or provide a reason in writing why the request has not been fulfilled.

17 G. On receipt of a request under Subsection D of this Section, a third party
 18 to whom a request is made shall:

19 (1) Provide for the removal of the personal information within seventy-two
 20 hours after receipt of the request.

21 (2) Notify the protected individual or the judicial administrator's office by
 22 certified mail or by email of the removal.

23 H. A protected individual or the judicial administrator's office may bring an
 24 action for mandamus due to a violation of this Section against a public body or third
 25 party for:

26 (1) Declaratory relief.

27 (2) Injunctive relief.

28 (3)(a) Reasonable attorney fees.

29 (b) For a third party, an action for a violation of this Section may also be
 30 brought for damages incurred as a result of a violation of this Section.

1 I. A person who violates this Section is guilty of a misdemeanor and on
 2 conviction is subject to imprisonment not exceeding ninety days or a fine not
 3 exceeding one thousand dollars, or both. Neither this provision nor any other penalty
 4 provision shall apply to a public body.

5 Section 2. The provisions of this Act shall become effective on February 1, 2025.

SPEAKER OF THE HOUSE OF REPRESENTATIVES

PRESIDENT OF THE SENATE

GOVERNOR OF THE STATE OF LOUISIANA

APPROVED: _____