

2025 Regular Session

HOUSE BILL NO. 324

BY REPRESENTATIVE BRYANT

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

DISTRICT ATTORNEYS: Provides relative to access to certain records

1 AN ACT

2 To enact R.S. 44:11.3, relative to public records; to provide for definitions; to provide
3 relative to the Louisiana District Attorneys Association; to provide for limited access
4 to personal information for protected individuals; to provide for mandamus,
5 injunctive or declaratory relief, and attorney fees or damages; to provide for an
6 effective date; and to provide for related matters.

7 Be it enacted by the Legislature of Louisiana:

8 Section 1. R.S. 44:11.3 is hereby enacted to read as follows:

9 §11.3. Limited access to personal information for protected individuals

10 A. As used in this Section, the term "protected individual" shall mean a
11 current or retired district attorney or a current or retired assistant district attorney or
12 a current or retired district attorney investigator.

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

- 14 (1) Home address.
- 15 (2) Home telephone number.
- 16 (3) Mobile telephone number.
- 17 (4) Personal electronic mail address.
- 18 (5) Social Security number.
- 19 (6) Driver's license number.
- 20 (7) Federal tax identification number.

1 (8) Bank account number, including checking and saving accounts.

2 (9) Credit or debit card number.

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

4 (11) Marital record.

5 (12) Date of birth.

6 (13) School or daycare of a child.

7 (14) Place of worship.

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

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

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

14 E. A protected individual, or the Louisiana District Attorneys Association
15 on behalf of a protected individual, may request that a public body or third party:

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

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

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

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

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

24 (c) Provide sufficient information to confirm that the requester is a protected
25 individual, and that a request made by the Louisiana District Attorneys Association
26 certifies that a requester is a protected individual, and no further information may be
27 required to confirm that the requester is a protected individual.

28 (d) Identify the document, posting, or other publication containing the
29 personal information.

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

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

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

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

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

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

17 (2) Notify the protected individual or the judicial administrator's office by
18 certified mail or by electronic mail of the removal.

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

22 (1) Declaratory relief.

23 (2) Injunctive relief.

24 (3)(a) Reasonable attorney fees.

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

27 I. A person who violates this Section is guilty of a misdemeanor and on
28 conviction is subject to imprisonment not exceeding ninety days or a fine not

1 exceeding one thousand dollars, or both. Neither this provision nor any other penalty
 2 provision shall apply to a public body.
 3 Section 2. The provisions of this Act shall become effective on February 1, 2026.

DIGEST

The digest printed below was prepared by House Legislative Services. It constitutes no part of the legislative instrument. The keyword, one-liner, abstract, and digest do not constitute part of the law or proof or indicia of legislative intent. [R.S. 1:13(B) and 24:177(E)]

HB 324 Original

2025 Regular Session

Bryant

Abstract: Requires a public body or third party to remove from publication or not publish the personal information of certain persons upon a request by that person, and provides for penalties upon a failure to do so.

Proposed law provides for definitions.

Proposed law provides that protected individuals (current or retired district attorneys, assistant district attorneys, and district attorney investigators) may request that their personal information not be published by a public body or third party.

Proposed law provides that protected individuals may request that their personal information be removed from any existing publication.

Proposed law provides for the method of making such a request.

Proposed law provides that a public body shall, within 10 days, remove the personal information.

Proposed law provides that a third party shall, within 72 hours, remove the personal information.

Proposed law provides that a protected individual may bring an action for mandamus for declaratory and injunctive relief and reasonable attorney fees.

Proposed law provides that a third party who violates proposed law is guilty of a misdemeanor punishable by up to 90 days imprisonment or a fine not to exceed \$1,000, or both.

Effective February 1, 2026.

(Adds R.S. 44:11.3)