
DIGEST

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Pierre

HB No. 1207

Abstract: Provides references in the Public Records Law to exemptions applicable to certain records relative to insurance.

Present law (Public Records Law, R.S. 44:1, et seq.) 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". Establishes the framework for the availability of public records to requesting persons, and specifically provides that it is the duty of the custodian of the public records for a public entity or agency to provide copies to persons so requesting.

Present law provides for certain exceptions, exemptions, and limitations. Further specifies that any exception, exemption, and limitation to the laws pertaining to public records not provided for in the Public Records Law or in the constitution shall have no effect.

Proposed law retains present law and provides references in the Public Records Law to certain present law exemptions (R.S. 22:263 and 1008 (payments pursuant to certain health care provider contracts), 834 (records of the La. Municipal Advisory and Technical Services Bureau), 1464 (information submitted to the commissioner of insurance relative to insurance rates), 1801 (information concerning suspected or actual fraudulent viatical settlement acts), 2056 (records relative to certain insolvent insurers), 2085 (records relative to life and health insurance policies and annuity contracts involving insolvent insurers), and 2293 (certain documents relative to the La. Citizens Property Insurance Corp.)).

(Amends R.S. 44:4.1(B)(11))