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DIGEST

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Buffington

SB No. 446

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". Present law establishes the 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 for a public entity or agency to provide copies to persons so requesting. Present law provides for certain exceptions, exemptions, and limitations. Present law 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 provides an exception to the Public Records Law for security surveillance video of the capitol area and grounds and any images on security surveillance video of the capitol area and grounds regardless of format. Defines "capitol area and grounds" as the state capitol and the parking areas and grounds immediately surrounding the state capitol, the capitol annex and the parking areas and grounds immediately surrounding the capitol annex, and the pentagon barracks buildings and the parking areas and grounds immediately surrounding the pentagon barracks buildings.

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

(Adds R.S. 44:4(48))

Summary of Amendments Adopted by House

Committee Amendments Proposed by House Committee on House and Governmental Affairs to the engrossed bill.

1. Removes language including the physical medium and contents of any electronic storage device in the exception.
2. Limits the exception to surveillance video of the capitol area and grounds and images on surveillance video of the capitol area and grounds regardless of format and defines capitol area and grounds.