

CONFERENCE COMMITTEE REPORT
House Bill No. 1207 By Representative Pierre

June 2, 2014

To the Honorable Speaker and Members of the House of Representatives and the Honorable President and Members of the Senate.

Ladies and Gentlemen:

We, the conferees appointed to confer over the disagreement between the two houses concerning House Bill No. 1207 by Representative Pierre, recommend the following concerning the Engrossed bill:

1. That the Senate Committee Amendment proposed by the Senate Committee on Senate and Governmental Affairs and adopted by the Senate on May 28, 2014, be rejected.
2. That the Senate Floor Amendment proposed by Senator Morrish and adopted by the Senate on May 30, 2014, be rejected.
3. That the following amendment to the Engrossed bill be adopted:

AMENDMENT NO. 1

On page 1, delete lines 15 through 18 and insert the following:

"(11) R.S. 22:2, 14, 31(~~B~~), 42.1, 88, 244, 263, 265, 461, 550.7, 571, 572, 572.1, 574, 618, 639, 691.4, 691.5, 691.6, 691.7, 691.8, 691.9, 691.10, 732, 752, 753, 771, 834, 1008, 1019.2(~~B~~)(5)(a), 1203, 1460, 1464, 1466, 1546, 1559, 1644, 1656, 1723, 1796, 1801, 1927, 1929, 1983, 1984, 2036, 2056, 2085, 2091, 2293, 2303"

Respectfully submitted,

Representative Wesley T. Bishop

Senator "Jody" Amedee

Representative Timothy G. Burns

Senator Dan "Blade" Morrish

Representative Vincent Pierre

Senator Edwin R. Murray

 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)]

CONFERENCE COMMITTEE REPORT DIGEST

House Bill No. 1207 by Representative Pierre

Keyword and oneliner of the instrument as it left the House

PUBLIC RECORDS: Provides references in the Public Records Law to exemptions applicable to certain records relative to insurance

Report rejects Senate amendments which would have:

1. Added differing lists of references to exemptions.

Report amends the bill to:

1. Reconcile the lists of references.

Digest of the bill as proposed by the Conference Committee

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 in Title 22 of the Revised Statutes (Insurance Code—R.S. 22:263 and 1008 (payments pursuant to certain health care provider contracts), 265 (medical information), 550.7 (information relative to an application for a certificate of authority), 571 (information in annual reports relative to solvency), 639 (information contained in risk-based capital reports relative to health maintenance organizations), 691.4-691.10 (insurance holding companies), 834 (records of the La. Municipal Advisory and Technical Services Bureau), 1464 (information relative to rate making), 1559 (certain information relative to terminated producers), 1796 (information from examinations), 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), 2091 (examinations of insurance insolvencies), and 2293 (certain documents relative to the La. Citizens Property Insurance Corp.)).

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