

ACT No. 244

2019 Regular Session

HOUSE BILL NO. 550

BY REPRESENTATIVE TURNER

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AN ACT

To amend and reenact R.S. 17:407.47 and 407.65 and R.S. 44:4.1(B)(9) and to enact R.S. 17:407.28(E), relative to certain child care providers and child care assistance; to provide relative to the identity of a person making a complaint relative to certain programs; to provide for confidentiality; to provide for exemptions from the Public Records Law; and to provide for related matters.

Be it enacted by the Legislature of Louisiana:

Section 1. R.S. 17:407.47 and 407.65 are hereby amended and reenacted and R.S. 17:407.28(E) is hereby enacted to read as follows:

§407.28. Federal Funds for the Child Care and Development Fund Programs; state Department of Education's authority to receive; complaints

* * *

E. The identity of a person making a complaint about fraud in the Child Care Assistance Program shall be confidential and shall not be subject to the Public Records Law.

* * *

§407.47. Complaints against centers

A. It shall be the duty of the department, through its duly authorized agents, to report all complaints, including but not limited to complaints alleging child abuse

1 or the prevention or spread of communicable diseases, against any early learning
2 center to the appropriate agencies for investigation and disposition.

3 B. The identity of a person making a complaint against an early learning
4 center shall be confidential and shall not be subject to the Public Records Law.

5 * * *

6 §407.65. Inspections; complaints

7 A. The department, through its duly authorized agents, shall reserve the right
8 to visit and inspect each registered family child care provider and in-home provider
9 as deemed necessary by the department.

10 B. Any residence or home in which care is provided by a registered family
11 child care provider or in-home provider shall be open to inspection by the
12 department, parents of children in care, and by other authorized inspection personnel
13 during normal working hours or when children are in care.

14 C. The identity of a person making a complaint against a family child care
15 or in-home provider and shall be confidential and shall not be subject to the Public
16 Records Law.

17 Section 2. R.S. 44:4.1(B)(9) is hereby amended and reenacted to read as follows:

18 §4.1. Exceptions

19 * * *

20 B. The legislature further recognizes that there exist exceptions, exemptions,
21 and limitations to the laws pertaining to public records throughout the revised
22 statutes and codes of this state. Therefore, the following exceptions, exemptions, and
23 limitations are hereby continued in effect by incorporation into this Chapter by
24 citation:

25 * * *

1 (9) R.S. 17:7.2, 46, 47, 81.9, 391.4, 407.28, 407.47, 407.65, 500.2, 1175,
 2 1202, 1237, 1252, 1952, 1989.7, 2047, 2048.31, 3099, 3100.8, 3136, 3390, 3773,
 3 3884

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SPEAKER OF THE HOUSE OF REPRESENTATIVES

PRESIDENT OF THE SENATE

GOVERNOR OF THE STATE OF LOUISIANA

APPROVED: _____