
 DIGEST

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SB 205 Re-Reengrossed

2023 Regular Session

Cortez

Proposed law (R.S. 17:3138.12) requires the Bd. of Regents (Regents) to establish, develop, and maintain the La. Foundational Integrated Research System for Transformation (LA FIRST) at the Univ. of La. at Lafayette within the Kathleen Babineaux Blanco Policy Center (policy center).

Proposed law requires that, notwithstanding any provision of law to the contrary, no later than Dec. 1, 2023, LA FIRST execute data sharing agreements through Regents with the office of technology services (OTS) and the following state entities:

- (1) The La. Workforce Commission.
- (2) The Dept. of Children and Family Services.
- (3) The Dept. of Public Safety and Corrections.
- (4) The office of juvenile justice.
- (5) The La. Dept. of Health.
- (6) The Dept. of Education.

Further requires that no later than Dec. 1, 2023, LA FIRST execute data sharing agreements through Regents with each public postsecondary education management board.

Proposed law requires LA FIRST to develop and annually publish three reports relative to education, employment, and the criminal justice system, respectively.

Notwithstanding present law, proposed law:

- (1) Requires LA FIRST, through Regents, to be provided access to all data listed in the data sharing agreement developed with each state entity. For certain state entities listed in proposed law, provides that such access be provided through OTS on equipment provided by OTS.
- (2) Requires the policy center, once it has accessed the data, to comply with all restrictions imposed by present law with respect to confidentiality and privilege.
- (3) Requires that any reports using the data be released or published only in a manner that complies with such restrictions.
- (4) Requires city, parish, and other local public school boards to directly share student data with the policy center and any department listed in proposed law relative to data sharing agreements.

Proposed law further:

- (1) Requires data sharing to commence upon execution of data sharing agreements but not later than Dec. 1, 2023, and requires that the data include at least five years of historical data.
- (2) Requires shared data to include a minimum set of personally identifiable information.

- (3) Requires separation of shared data between personal information and nonpersonal information, the former of which shall be used only for generating a unique identifier for each record to be combined with nonpersonal information in order to match records.
- (4) Prohibits the conduct of research and analysis on data that include personally identifying information.

Present law (R.S. 44:1 et seq.) establishes laws relative to public access of records in the possession of a public body. Further provides exceptions to such access.

Present law (R.S. 44:4.1) provides for effectiveness of any exception to the public records law that is contained outside of the public records law. Proposed law adds the exception for LA FIRST in proposed law (R.S. 17:3138.12) to this list of applicable public records exceptions.

Effective upon appropriation of monies by the legislature for the implementation of proposed law.

(Amends R.S. 44:4.1(B)(9); Adds R.S. 17:3138.12)

Summary of Amendments Adopted by Senate

Committee Amendments Proposed by Senate Committee on Education to the original bill

- 1. Specify that the Board of Regents is the entity charged with developing and maintaining LA FIRST.
- 2. Provide for the data sharing agreements with state agencies to be executed by LA FIRST through the Board of Regents.
- 3. Clarify that once access to the data has been provided to the policy center, the policy center must comply with all confidentiality, privilege, privacy, and other legal restrictions.

Committee Amendments Proposed by Senate Committee on Finance to the engrossed bill

- 1. Provide proposed law shall become effective only upon an appropriation by the legislature.

Senate Floor Amendments to reengrossed bill

- 1. Make technical changes.

Summary of Amendments Adopted by House

The Committee Amendments Proposed by House Committee on Education to the re-engrossed bill:

- 1. Provide that proposed law shall be implemented only upon an appropriation by the legislature rather than becoming effective only upon such appropriation.

The Committee Amendments Proposed by House Committee on Appropriations to the re-engrossed bill:

- 1. Make effectiveness of proposed law subject to appropriation of monies by the legislature for the implementation of proposed law.
- 2. Remove provision making the policy center the data center administrator for LA FIRST.

3. Add provision requiring OTS to be a party to any data sharing agreement with the following entities:
 - (a) The La. Workforce Commission.
 - (b) The Dept. of Children and Family Services.
 - (c) The Dept. of Public Safety and Corrections.
 - (d) The office of juvenile justice.
 - (e) The La. Dept. of Health.
 - (f) The Dept. of Education.
4. Add public records exception in proposed law to applicable exceptions in present law (R.S. 44:4.1).
5. Make technical changes.