



Bill Text Version: **ENROLLED**

Proposed Amd.:

Sub. Bill For.: HB 324

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**Dept./Agy.:** District Attorneys/Sheriffs

**Subject:** Personal Information of District Attorneys

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PUBLIC RECORDS

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Provides relative to access to personal information of district attorneys

Current law provides that a public body shall, within 10 days upon receipt of a request in writing, remove the personal information of protected individuals; provides that a third party shall, within 72 hours after receipt of a request, remove the personal information of protected individuals; provides that a protected individual may bring an action for mandamus for declaratory and injunctive relief and reasonable attorney's fees; assesses a sentence of imprisonment for up to 90 days or a fine of no more than \$1,000, or both, for a third party who violates the current law. Proposed law adds retired district attorneys, assistant district attorneys, district attorney investigators, current members of the legislature, current statewide elected officials, and current members of the public service commission to the class of persons that may request that their personal information not be published by a public body or a third party; adds the Louisiana District Attorneys Association to the list of entities that may request that personal information be removed from any existing publication and provides for the method of making the request.

### **EXPENDITURE EXPLANATION**


## Sheriffs

## District Courts

Proposed law may result in an indeterminable increase in workload in local district courts, to the extent that additional mandamus hearings are held relative to civil actions seeking declaratory and injunctive relief against persons who publish or fail to remove a protected individual's personal information from any existing publication in the public domain. The exact fiscal impact to district courts is indeterminable, because it is unknown the number of instances in which hearings on these matters will be scheduled under proposed law as a result of filings submitted by protected individuals or judicial administrators. To the extent that the workload in district courts increases, local courts may seek to secure additional personnel.

## REVENUE EXPLANATION

Proposed law may result in an indeterminable increase in local revenues as a result of convictions of publishing or failing to remove a protected individual's personal information from any existing publication in the public domain. The exact fiscal impact of the passage of this legislation on local revenue is indeterminable, as the fines that would be imposed on those convicted are optional, and the amount in fines that may be imposed may vary. The potential revenue will accrue to the local governing authority.

<p><u>Senate</u></p> <p><input type="checkbox"/> 13.5.1 &gt;= \$100,000 Annual Fiscal Cost {S &amp; H}</p> <p><input type="checkbox"/> 13.5.2 &gt;= \$500,000 Annual Tax or Fee Change {S &amp; H}</p>	<p><u>Dual Referral Rules</u></p>	<p><u>House</u></p> <p><input type="checkbox"/> 6.8(F)(1) &gt;= \$100,000 SGF Fiscal Cost {H &amp; S}</p> <p><input type="checkbox"/> 6.8(G) &gt;= \$500,000 Tax or Fee Increase or a Net Fee Decrease {S}</p>	 <b>Patrice Thomas</b> <b>Deputy Fiscal Officer</b>
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