
DIGEST

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HB 763 Original

2026 Regular Session

Billings

Abstract: Requires the commissioner of administration ("commissioner") to establish and maintain a public database containing information on legal settlements entered into by the state and any of its agencies on or after Jan. 1, 2027.

Present law requires the commissioner to maintain various public databases with fiscal and other information. Proposed law adds the requirement that the commissioner maintain a database for settlement agreements executed by the state or any state agency. Defines "settlement agreement" to mean a final document evidencing a compromise of a legal action related to an alleged violation of federal or state law that is entered into by a state agency, including a consent decree. Present law defines "state agency" to mean any state office, department, board, commission, institution, division, officer or other person, or functional group, authorized to exercise, or that does exercise, any functions of the executive branch of the state government, including higher education agencies and state retirement systems.

Proposed law requires each state agency to enter information into the database for each settlement agreement entered into on or after Jan. 1, 2027, including but not limited to:

- (1) The date the settlement agreement became final.
- (2) A description of the claims settled pursuant to the agreement.
- (3) The total amount the settling parties are obligated to pay pursuant to the agreement and an itemization of the amount of attorney fees and other litigation costs awarded, if any and the amount, if any, of any civil or criminal penalty or fine listed in the settlement agreement.
- (4) A copy of the agreement or a statement of confidentiality.

Proposed law authorizes a state agency to exempt disclosure of any or all of the settlement agreement information if certain conditions are met. Requires the administrative head of the state agency that is a party to the settlement agreement to execute a written statement of confidentiality that contains either a citation to the Public Records Law exception invoked for that agreement or a statement as to why withholding the information or agreement is required to protect the public interest.

Proposed law requires the information to be entered into the public database within 90 days of the settlement agreement becoming final and for each agreement to remain available on the website for five years from the later of the date of initial entry in the database or the last date the entry was

modified by the state agency.

Proposed law authorizes the commissioner to promulgate rules pursuant to the Administrative Procedure Act for implementation and administration of proposed law.

Requires the commissioner to ensure the database established pursuant to proposed law is operative by Dec. 31, 2026.

Provisions relative to establishment of the database effective upon signature of governor or lapse of time for gubernatorial action. All other provisions effective Jan. 1, 2027.

(Adds R.S. 39:16.16)