

2026 Regular Session

HOUSE BILL NO. 843

BY REPRESENTATIVE BOYD

CRIMINAL/VICTIMS: Creates the Sexual Assault Survivor Empowerment and Privacy Protection Act

1 AN ACT

2 To enact R.S. 44:24, relative to public records; to provide for definitions; to create the
3 Sexual Assault Survivor Empowerment and Privacy Protection Act; to provide for
4 limited access to personal information of protected individuals; to provide for
5 injunctive or declaratory relief and attorney fees or damages; and to provide for
6 related matters.

7 Be it enacted by the Legislature of Louisiana:

8 Section 1. R.S. 44:24 is hereby enacted to read as follows:

9 §24. Sexual Assault Survivor Empowerment and Privacy Protection Act; limited
10 access to personal information for protected individuals

11 A. The legislature recognizes the importance of empowering those
12 individuals who are the victims of sexual offenses and the need to protect their
13 privacy and personal information from disclosure. It is therefore the intent of the
14 legislature to enact statutory provisions to limit public access to personal information
15 of victims of sexual offenses and to provide for legal consequences for the
16 unauthorized release of this information. Therefore, this Section shall be known as
17 "The Sexual Assault Survivor Empowerment and Privacy Protection Act."

18 B. As used in this Section, the following terms have the following meanings:

19 (1) "Criminal justice agency" means any government agency or subunit, or
20 private agency that, through statutory authorization or a legal formal agreement with

1 a governmental unit or agency, has the power of investigation, arrest, detention,
2 prosecution, adjudication, treatment, supervision, and rehabilitation or release of
3 persons suspected, charged, or convicted of a crime; or that collects, stores,
4 processes, transmits, or disseminates criminal history records, or crime information.

5 (2) "Personal information" means all of the following:

6 (a) Home address.

7 (b) Home telephone number.

8 (c) Mobile telephone number.

9 (d) Personal email address.

10 (e) Social security number.

11 (f) Driver's license number.

12 (g) Federal tax identification number.

13 (h) Bank account number, including checking and savings accounts.

14 (i) Credit or debit card number.

15 (j) License plate number or unique identifier of a vehicle.

16 (k) Marital record.

17 (l) Date of birth.

18 (m) School or daycare of a child.

19 (n) Place of worship.

20 (o) Employment location of a spouse, child, or dependent.

21 (3) "Protected individual" means a victim of a sexual offense as defined in
22 R.S. 15:541.

23 (4) "Publish" means to publicly post or publicly display on the internet
24 personal information of a protected individual who submits a request pursuant to
25 Subsection C of this Section.

26 C.(1) A protected individual may request that a public body or third party:

27 (a) Not publish the protected individual's personal information.

28 (b) Remove the protected individual's personal information from any existing
29 publication.

1 (2) A request made in accordance with this Subsection shall:

2 (a) Be in writing and contain the document type, description of the location
3 on the public body's website, date of filing, registry or docket number, and an email
4 address for correspondence.

5 (b) Be sent by certified mail or by email.

6 (c) Provide sufficient information to confirm that the requester is a protected
7 individual.

8 (d) Identify the document, posting, or other publication containing the
9 personal information.

10 (3) A request made pursuant to this Subsection may include the personal
11 information of a person who resides in the same household of the protected
12 individual who is the spouse, child, or dependent of the protected individual.

13 (4) The protected individual shall be responsible for confirming receipt of the
14 request.

15 D.(1) Not later than five days after receiving a request as provided by
16 Subsection C of this Section, a public body shall acknowledge receipt of the request
17 in writing by certified mail or by email and take steps reasonably necessary to ensure
18 that the personal information is not published.

19 (2) If the personal information is already published, the public body shall
20 remove the personal information within seventy-two hours after acknowledgment of
21 receipt of the request or provide a reason in writing why the request has not been
22 fulfilled.

23 E. On receipt of a request pursuant to Subsection C of this Section, a third
24 party to whom a request is made shall do both of the following:

25 (1) Provide for the removal of the personal information within seventy-two
26 hours after receipt of the request.

27 (2) Notify the protected individual or the judicial administrator's office by
28 certified mail or by email of the removal.

1 F. A protected individual may bring an action for mandamus due to a
2 violation of this Section against a public body or third party for all of the following:

3 (1) Declaratory relief.

4 (2) Injunctive relief.

5 (3) Reasonable attorney fees.

6 (4) For a third party, an action for a violation of this Section may also be
7 brought for damages incurred as a result of a violation of this Section.

8 G. A person shall not knowingly publish the personal information of a
9 protected individual if he knows or reasonably should know that publishing the
10 personal information poses an imminent and serious threat to the protected individual
11 and the publishing of the personal information results in any of the following:

12 (1) An assault in any degree.

13 (2) Harassment.

14 (3) Trespass.

15 (4) Malicious destruction of property.

16 H. A person who violates this Section is guilty of a misdemeanor and on
17 conviction is subject to imprisonment not exceeding eighteen months or a fine not
18 exceeding five thousand dollars, or both. Neither this provision nor any other
19 penalty provision shall apply to a public body.

20 I. Notwithstanding the provisions of this Section, an individual who is
21 recognized as a protected individual shall not be exempt from publication or removal
22 of his personal information from records publicly posted by the office of the
23 secretary of state.

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)]

HB 843 Original

2026 Regular Session

Boyd

Abstract: Enacts the Sexual Assault Survivor Empowerment and Privacy Protection Act that restricts access to the personal information of protected individuals.

Proposed law provides for definitions. Specifically defines "protected individuals" as individuals who are the victims of a sexual offense.

Proposed law permits a protected individual to request a governmental entity or third party to remove a protected individual's personal information.

Proposed law requires that a request to not publish the protected individual's personal information or to remove the protected individual's personal information from any existing publication be in writing and sent by certified mail or email. Provides further that the request provide sufficient information to confirm that the requester is a protected individual.

Proposed law provides that not later than five days after receiving a request as provided by proposed law, a governmental entity shall promptly acknowledge receipt of the request in writing by certified mail or by email and take steps reasonably necessary to ensure that the personal information is not published. Provides for the removal of the personal information within 72 hours after receipt of the request if the personal information is already published.

Proposed law provides that a third party to whom a request is made shall provide for the removal of the personal information within 72 hours after receipt of the request and notify the protected individual by certified mail or by email of the removal.

Proposed law provides for injunctive or declaratory relief, together with attorney fees for violations of proposed law by a governmental entity. Provides for injunctive or declaratory relief, together with attorney fees or damages incurred as a result of a violation of proposed law by third parties.

Proposed law provides that a person shall not knowingly publish the personal information of a protected individual if he knows or reasonably should know that publishing the personal information poses an imminent and serious threat to the protected individual, and the publishing of the personal information results in:

- (1) An assault in any degree.
- (2) Harassment.
- (3) Trespass.
- (4) Malicious destruction of property.

Proposed law provides that a person who violates proposed law is guilty of a misdemeanor and on conviction is subject to imprisonment not exceeding 18 months or a fine not exceeding \$5,000, or both.

Proposed law allows publication from records publicly posted by the office of the secretary of state.

(Adds R.S. 44:24)