

2026 Regular Session

HOUSE BILL NO. 1071

BY REPRESENTATIVE MCFARLAND

PUBLIC RECORDS: Provides for an exception to the Public Records Law for records of aerospace facilities or activities

1 AN ACT

2 To enact R.S. 44:3.7, relative to public records; to provide an exception for certain records  
3 of critical infrastructure of aerospace facilities or aerospace activities; to provide  
4 conditions; to provide for effectiveness; and to provide for related matters.

5 Be it enacted by the Legislature of Louisiana:

6 Section 1. R.S. 44:3.7 is hereby enacted to read as follows:

7 §3.7. Aerospace facility and activity records

8 A. Notwithstanding any other provision of law to the contrary, blueprints,  
9 plans, designs, technical data, operational documents, security information, and any  
10 other records related to the design, operation, flights, transportation, or security of  
11 critical infrastructure of aerospace facilities or aerospace activity shall be  
12 confidential if either of the following applies to the entity with custody of the  
13 records:

14 (1) The entity maintains information subject to the International Traffic in  
15 Arms Regulations (ITAR) (22 CFR Parts 120 through 130).

16 (2) The entity holds a current contract with the United States Department of  
17 Defense or any agency within the United States intelligence community.

18 B. Nothing in this Chapter shall be construed to require the inspection,  
19 examination, copying, or reproduction of any record made confidential pursuant to  
20 this Section.

1 Section 2. This Act shall become effective upon signature by the governor or, if not  
2 signed by the governor, upon expiration of the time for bills to become law without signature  
3 by the governor, as provided by Article III, Section 18 of the Constitution of Louisiana. If  
4 vetoed by the governor and subsequently approved by the legislature, this Act shall become  
5 effective on the day following such approval.

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#### 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)]

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HB 1071 Engrossed

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McFarland

**Abstract:** Provides an exception to the Public Records Law for records related to the design, operation, flights, transportation, or security of critical infrastructure of aerospace facilities or aerospace activity in certain circumstances.

Present law (Public Records Law, R.S. 44:1, et seq.) generally provides for access to public records.

Proposed law provides that blueprints, plans, designs, technical data, operational documents, security information, and any other records related to the design, operation, flights, transportation, or security of critical infrastructure of aerospace facilities or aerospace activity shall be confidential if the entity with custody of the records either maintains information subject to the federal International Traffic in Arms Regulations or holds a current contract with the U.S. Department of Defense or any agency within the U.S. intelligence community.

Proposed law provides that the Public Records Law shall not be construed to require the inspection, examination, copying, or reproduction of any record made confidential pursuant to proposed law.

Present law (R.S. 44:4.1) provides that the Public Records Law shall not apply to information that constitutes critical infrastructure information as defined in present federal law regardless of whether the information has been shared with any federal governmental agency.

Proposed law retains present law.

Present federal law (6 U.S.C. 671) defines "critical infrastructure information" as information not customarily in the public domain and related to the security of critical infrastructure or protected systems.

Present federal law (42 U.S.C. 5195c) defines "critical infrastructure" as systems and assets, whether physical or virtual, so vital to the United States that the incapacity or destruction of such systems and assets would have a debilitating impact on security, national economic security, national public health or safety, or any combination of those matters.

Effective upon signature of governor or lapse of time for gubernatorial action.

(Adds R.S. 44:3.7)