

HOUSE COMMITTEE AMENDMENTS

2026 Regular Session

Substitute for Original House Bill No. 91 by Representative Wiley as proposed by the House Committee on Administration of Criminal Justice

This document reflects the content of a substitute bill but is not in a bill form; page numbers in this document DO NOT correspond to page numbers in the substitute bill itself.

To amend and reenact R.S. 44:4.1(B)(30) and to enact R.S. 44:3(A)(9) and 4(65), relative to disclosure of certain records; to prohibit the disclosure of certain records pertaining to law enforcement; to provide for a limitation of liability; to provide for a public records exception; and to provide for related matters.

Be it enacted by the Legislature of Louisiana:

Section 1. R.S. 44:4.1(B)(30) is hereby amended and reenacted and R.S. 44:3(A)(9) and 4(65) are hereby enacted to read as follows:

§3. Records of prosecutive, investigative, and law enforcement agencies and communications districts

A. Nothing in this Chapter shall be construed to require disclosures of records, or the information contained therein, held by the offices of the attorney general, district attorneys, sheriffs, police departments, Department of Public Safety and Corrections, Department of Wildlife and Fisheries, marshals, investigators, public health investigators, correctional agencies, communications districts, intelligence agencies, Council on Peace Officer Standards and Training, Louisiana Commission on Law Enforcement and Administration of Criminal Justice, or publicly owned water districts of the state, which records are:

* * *

(9)(a) Records concerning any information, if indicated, that is directly derived from either the criminal history databases maintained by the Criminal Justice Information Services Division of the Federal Bureau of Investigation or the Louisiana Computerized Criminal History System operated by the Department of Public Safety and Corrections of a witness that is indicated by the filer to be an

1 employee of a criminal justice agency, unless such information is voluntarily
2 released, otherwise available to the general public, or released by court order.

3 (b) Notwithstanding any provision of law to the contrary, the clerks of court
4 and their employees and agents and the Louisiana Clerks' Remote Access Authority,
5 including its board members, employees, and agents, are immune from liability
6 arising from any acts or omissions related to compliance with the provisions of this
7 Section. The provisions of this Section shall not be construed to limit, withdraw, or
8 overturn any other applicable defense or immunity available to public officials or
9 public entities.

10 * * *

11 §4. Applicability

12 This Chapter shall not apply:

13 * * *

14 (65) To any records concerning any information, if indicated, that is directly
15 derived from the criminal history databases maintained by the Criminal Justice
16 Information Services Division of the Federal Bureau of Investigation or the
17 Louisiana Computerized Criminal History System operated by the Department of
18 Public Safety and Corrections of a witness that is indicated by the filer to be an
19 employee of a criminal justice agency, unless such information is voluntarily
20 released, otherwise available to the general public, or released by court order.

21 * * *

22 §4.1. Exceptions

23 * * *

24 B. The legislature further recognizes that there exist exceptions, exemptions,
25 and limitations to the laws pertaining to public records throughout the revised
26 statutes and codes of this state. Therefore, the following exceptions, exemptions, and
27 limitations are hereby continued in effect by incorporation into this Chapter by
28 citation:

29 * * *

30 (30) R.S. 44:~~3~~,19, 408, 425

CODING: Words in ~~struck through~~ type are deletions from existing law; words underscored are additions.

 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 Draft

2026 Regular Session

Abstract: Provides relative to the disclosure of certain law enforcement records.

Present law (R.S. 44:3) exempts records of prosecutive, investigative, and law enforcement agencies and communications districts from disclosures.

Proposed law retains present law and adds records concerning any information, if indicated, that is directly derived from either the criminal history databases maintained by the Criminal Justice Information Services (CJIS) Division of the Federal Bureau of Investigation or the La. Computerized Criminal History System (LCCHS) operated by the Dept. of Public Safety and Corrections (DPS&C) of a witness that is indicated by the filer to be an employee of a criminal justice agency, unless such information is voluntarily released, otherwise available to the general public, or released by court order.

Proposed law provides a limitation of liability for the clerks of court and their employees and agents and the La. Clerks' Remote Access Authority, including its board members, employees, and agents for any acts or omissions related to compliance with the provisions of present law.

Present law (R.S. 44:4) provides for applicability of the Public Records Law. Further provides for a list of public records exceptions (R.S. 44:4.1).

Proposed law retains present law and provides an exception for certain records concerning any information, if indicated, that is directly derived from either the criminal history databases maintained by the CJIS Division of the FBI or the LCCHS operated by the DPS&C of a witness that is indicated by the filer to be an employee of a criminal justice agency, unless such information is voluntarily released, otherwise available to the general public, or released by court order.

(Amends R.S. 44:4.1(B)(30); Adds R.S. 44:3(A)(9) and 4(65))