

2026 Regular Session

HOUSE BILL NO. 763

BY REPRESENTATIVES BILLINGS AND WALTERS

PUBLIC RECORDS: Provides for a public Settlement Agreement Information Database to contain certain information regarding settlements entered into by state agencies

1 AN ACT

2 To enact R.S. 39:16.16, relative to the reporting of settlements in certain legal actions; to  
3 provide relative to the powers and duties of the commissioner of administration; to  
4 provide for definitions; to provide for the information to be included on the website;  
5 to provide relative to information required on and timing of reports; to provide for  
6 exclusions; to provide for nondisclosure of certain information in certain  
7 circumstances; to provide for an effective date; and to provide for related matters.

8 Be it enacted by the Legislature of Louisiana:

9 Section 1. R.S. 39:16.16 is hereby enacted to read as follows:

10 §16.16. Duties of the commissioner relative to the settlement agreement database

11 A. As used in this Section, the following terms shall have the following  
12 meanings, unless the context clearly indicates otherwise:

13 (1) "Agency" means any state office, department, board, commission,  
14 institution, division, officer or other person, or other organizational unit of  
15 government within the executive branch of state government.

16 (2) "Settlement agreement" means a final document evidencing a  
17 compromise of a legal action related to an alleged violation of federal or state law  
18 that is entered into by a state agency. The term shall include a consent decree.

19 B. The commissioner shall ensure the website includes a settlement database.

20 For each settlement agreement, the database shall include each of the following:

- 1           (1) The date the settlement agreement became final.
- 2           (2) A description of the claims settled pursuant to the agreement.
- 3           (3) The total amount the settling parties are obligated to pay pursuant to the  
4 agreement and an itemization of each of the following:
  - 5           (a) The amount of attorney fees and other litigation costs awarded, if any,  
6 including a citation to the legal basis for such award.
  - 7           (b) The amount, if any, each settling party is obligated to pay that is  
8 expressly specified in the agreement as a civil or criminal penalty or fine.
  - 9           (c) The amount of each award specified in the agreement that is not  
10 otherwise covered by this Paragraph.
- 11           (4) Conditions for termination of the agreement, if applicable.
- 12           (5) A brief description of any economic data and methodology used to justify  
13 the terms of the agreement.
- 14           (6) Any modifications to the settlement agreement, if applicable.
- 15           (7) A copy of the agreement or a statement of confidentiality pursuant to  
16 Subsection C of this Section, as applicable.
- 17           C. Each agency shall provide the information required pursuant to the  
18 provisions of this Section for each settlement agreement entered into by that agency  
19 on or after January 1, 2027, within ninety days of the settlement agreement becoming  
20 final. The information shall remain available on the website for five years from the  
21 later of the date of initial entry in the database or the last date the entry was modified  
22 by the agency.
- 23           D. Pursuant to the Administrative Procedure Act, the commissioner may  
24 promulgate rules for implementation and administration of the provisions of this  
25 Section.
- 26           E. An agency may apply to the commissioner for a waiver from the  
27 requirements of this Section as long as the agency maintains a publicly accessible  
28 database or website that the commissioner deems to include information regarding  
29 settlement agreements that is substantially similar to the information required

1        pursuant to the provisions of this Section. The commissioner shall ensure that a link  
 2        to each of these publicly accessible databases and websites is included on the website  
 3        established pursuant to the provisions of this Section.

4        Section 2. By December 31, 2026, the commissioner of administration shall have  
 5        the database required pursuant to Section 1 of this Act established and ready for data input  
 6        and public access.

7        Section 3.(A) The provisions of this Section and Section 2 of this Act shall become  
 8        effective upon signature by the governor or, if not signed by the governor, upon expiration  
 9        of the time for bills to become law without signature by the governor, as provided by Article  
 10       III, Section 18 of the Constitution of Louisiana. If vetoed by the governor and subsequently  
 11       approved by the legislature, the provisions of this Section and Section 2 of this Act shall  
 12       become effective on the day following such approval.

13       (B) The provisions of Section 1 of this Act shall become effective January 1, 2027.

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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 763 Engrossed

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 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. Further defines "agency" to mean any state office, department, board, commission, institution, division, officer or other person, or organizational unit of government within the executive branch.

Proposed law requires each 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 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.

Authorizes an agency to apply to the commissioner for a waiver from the requirements of proposed law as long as the agency maintains a publicly accessible database or website that the commissioner deems to include information on settlement agreements that is substantially similar to the information required pursuant to proposed law. Requires the settlement agreement database to contain a link to each of these publicly accessible databases and websites.

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)

#### Summary of Amendments Adopted by House

The Committee Amendments Proposed by House Committee on Appropriations to the original bill:

1. Add definition of "agency".
2. Remove exception to proposed law for information protected from disclosure by the public records law and an exception for an agency head that determines disclosure pursuant to proposed law is not the public interest.
3. Add authorization for the commissioner to grant a waiver to an agency that maintains a publicly accessible database or website that the commissioner deems to include information regarding settlement agreements that is substantially similar to the information required pursuant to proposed law.