
DIGEST

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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.