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DIGEST

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SB 289 Reengrossed

2026 Regular Session

Abraham

Present law (Public Records Law) generally provides that any person of the age of majority may inspect, copy, or reproduce any public record, and places certain duties on the custodian of a public record to make such records available upon request.

Proposed law exempts the following records of public postsecondary education institutions from disclosure pursuant to the Public Records Law:

- (1) Applications, resumes, or the personally identifiable information of an applicant for president, chancellor, senior vice chancellor, or athletic coach at the public postsecondary education institution, unless the applicant has authorized the disclosure of such records and information. The records of the applicant selected by the institution's governing board as the finalist for the position and records of the remaining top two finalists shall be subject to once the board selects the finalist. This exemption shall continue for any applicant that is not among the top three finalists for the position, unless the applicant has authorized the disclosure of such records and information.
- (2) Any portion of a record that identifies the name of a donor to the public postsecondary education institution or its affiliated foundation if the donor has requested that his name remain confidential.
- (3) Records that contain proprietary, unpublished, or incomplete academic research and unsubmitted grant applications. This exception shall expire upon the disclosure, publication, public announcement, or public knowledge of the research or the grant application, upon the submission of the related grant application, or upon the grant or denial of related intellectual property rights.
- (4) Records of negotiations for industry partnerships with the institution upon a determination by the custodian of records that disclosure of the information would have a detrimental effect on the negotiations. The custodian's determination shall be disclosed in response to a request for the records. No information made confidential pursuant to this Paragraph shall remain confidential for more than twelve months from the date of the custodian's determination that disclosure would be detrimental; however, if the negotiation remains active and the custodian makes a new determination that the disclosure of the information would be detrimental to the negotiations, such information shall remain confidential while the negotiation remains active, not to exceed an additional six months.

Present law (R.S. 44:4(56)) provides for the confidentiality of the personally identifiable information of any person who reports a violation of a student code of conduct or other policy intended for the safety of students or employees of a postsecondary education institution, personally identifiable information of any reported witness to the reported violation, and, if the reported violation involves violence or abuse, personally identifiable information of any person who may be a victim of violence or abuse directly related to the reported violation.

Proposed law retains present law.

Effective August 1, 2026.

(Adds R.S. 44:3.7; Repeals R.S. 44:4(56))

Summary of Amendments Adopted by Senate

Committee Amendments Proposed by Senate Committee on Senate and Governmental Affairs to the original bill

1. Changes "executive level or high impact" language to "executive".
2. Removes "deans" from bill language.
3. Changes "a finalist" to "any finalist".

Senate Floor Amendments to engrossed bill

1. Adds senior vice chancellors to list of positions.
2. Changes language from "officially named" to "approved".
3. Removes "and anyone else" from language of bill.
4. Clarifies that the exemption for public records shall continue for any applicant who is not named a finalist for the position.
5. Provides that donor records of a foundation of a postsecondary institution shall remain confidential and exempt from disclosure when that postsecondary institution receives those records.

Summary of Amendments Adopted by House

The Committee Amendments Proposed by House Committee on House and Governmental Affairs to the reengrossed bill:

1. Remove authorization to keep confidential the records of applicants other than president, chancellor, senior vice chancellor, or athletic coach.
2. Provide for an applicant to authorize the disclosure of his records and information.
3. Provide for the disclosure of records and information of the remaining two finalists for a position.
4. Provide that the name of a donor remains confidential only upon request by the donor.
5. Revise provisions for the confidentiality of certain records related to academic research and grant applications and for disclosure of such records upon the occurrence of specific events.
6. Provide for the confidentiality of the records of negotiations for industry partnerships with an institution upon a determination by the custodian of records that disclosure of the information would have a detrimental effect on the negotiations.