

HOUSE SUMMARY OF SENATE AMENDMENTS

HB 339

2026 Regular Session

Chassion

PUBLIC RECORDS: Provides relative to access to personal information of protected individuals

Synopsis of Senate Amendments

1. Changes the definition of "publish" to mean to publicly post or publicly display on the internet personal information of a protected individual without any legitimate political, economic, or societal interest, or with the intent to publicly intimidate or harass the protected individual.
2. Repeals provisions authorizing a person to request that a third party to not publish personal information of a protected individual or to remove personal information from an existing publication.
3. Repeals provisions authorizing an action against a third party who violates present law.
4. Repeals penalty provision that provides that anyone who violates present law is guilty of a misdemeanor and on conviction subject to imprisonment not exceeding 90 days or a fine not exceeding \$1,000 or both.
5. Repeals provision that provides that the penalty provisions do not apply to a public body.
6. Makes technical changes.

Digest of Bill as Finally Passed by Senate

Present law defines "protected individual" to mean a current or retired justice of the La. Supreme Court or a current or retired judge of an appellate, district, family, juvenile, parish, city, or municipal court established under the Constitution of La., a current or retired justice or judge of a federal court domiciled in the state, a current or retired magistrate appointed by a state court, a current or retired U.S. magistrate judge domiciled in the state, a current or retired commissioner or hearing officer of any district court in the state, a current or retired district attorney, assistant district attorney, district attorney investigator, a current member of the legislature, a current statewide elected official, or a current member of the public service commission.

Proposed law retains present law and further includes current law enforcement officers and current and retired administrative law judges as protected individuals.

Present law defines "personal information" as the home address, home and mobile telephone number, personal email address, social security number, driver's license number, federal tax identification number, bank account numbers, credit or debit card number, license plate number or unique identifier of a vehicle, marital record, date of birth, school or daycare of a child, or place of worship of a protected individual and the employment location of a spouse, child, or dependent of a protected individual. Proposed law retains present law.

Present law provides that present law does not apply to personal information on records publicly posted by the office of the secretary of state. Proposed law retains present law.

Present law provides that the term "publish" means to publicly post or publicly display on the internet personal information of a protected individual who submits a request pursuant to present law.

Proposed law instead provides that the term "publish" means to publicly post or publicly display on the internet personal information of a protected individual without any legitimate political, economic, or societal interest, or with the intent to publicly intimidate or harass the protected individual.

Present law provides that a protected individual, or the judicial administrator's office on behalf of a protected individual identified in present law or the La. District Attorneys Association on behalf of a protected individual identified in present law may request that a public body or third party:

- (1) Not publish the protected individual's personal information.
- (2) Remove the protected individual's personal information from any existing publication.

Proposed law removes authorization to request that a third party either not publish or remove the personal information of the protected individual. Proposed law otherwise retains present law.

Present law requires a public body to take certain actions upon receiving a request pursuant to present law. Proposed law retains present law.

Present law requires a third party to take certain actions on receipt of a request pursuant to present law.

Proposed law repeals present law.

Present law provides that a protected individual, the judicial administrator's office, or the La. District Attorneys Association may bring an action for mandamus due to a violation of present law against a public body or third party for:

- (1) Declaratory relief.
- (2) Injunctive relief.
- (3) Reasonable attorney fees.

Proposed law removes actions against a third party. Proposed law otherwise retains present law.

Present law authorizes an action for damages against a third party who violates present law.

Proposed law repeals present law.

Present law provides that a person who violates present law is guilty of a misdemeanor and on conviction is subject to imprisonment not exceeding 90 days or a fine not exceeding \$1,000, or both. Further provides that neither the penalty provisions of present law nor any other penalty provision shall apply to a public body.

Proposed law repeals present law.

(Amends R.S. 44:11.2(C), (E)(1)(intro. para.), (H)(intro. para.), and (3); Adds R.S. 44:11.2(A)(10) and (11); Repeals R.S. 44:11.2(G) and (I))