2019 Regular Session

1

HOUSE BILL NO. 614 (Substitute for House Bill No. 388 by Representative Miguez)
BY REPRESENTATIVE MIGUEZ

AN ACT

2	To amend and reenact R.S. 44:31.2 and 33.1 and to enact R.S. 44:4(57) and (58), relative to
3	public records; to exempt certain personal information from the Public Records Law;
4	to provide exceptions; to provide relative to the public records awareness program;
5	to provide for the content of the program; to require each public body to provide
6	certain notice to the public; to provide for the protection of individual health
7	information reported to the state; and to provide for related matters.
8	Be it enacted by the Legislature of Louisiana:
9	Section 1. R.S. 44:31.2 and 33.1 are hereby amended and reenacted and R.S.
10	44:4(57) and (58) are hereby enacted to read as follows:
1	§4. Applicability
12	This Chapter shall not apply:
	* * *
13	
13	(57)(a) To the social security number, driver's license number, financial
14	(57)(a) To the social security number, driver's license number, financial
14	(57)(a) To the social security number, driver's license number, financial institution account number, credit or debit card number, or armed forces
14 15 16	(57)(a) To the social security number, driver's license number, financial institution account number, credit or debit card number, or armed forces identification number of a private person who has submitted the information to a
14 15 16	(57)(a) To the social security number, driver's license number, financial institution account number, credit or debit card number, or armed forces identification number of a private person who has submitted the information to a public body or official.
14 15 16 17	(57)(a) To the social security number, driver's license number, financial institution account number, credit or debit card number, or armed forces identification number of a private person who has submitted the information to a public body or official. (b) The provisions of Subparagraph (a) of this Paragraph shall not apply to
14 15 16 17 18	 (57)(a) To the social security number, driver's license number, financial institution account number, credit or debit card number, or armed forces identification number of a private person who has submitted the information to a public body or official. (b) The provisions of Subparagraph (a) of this Paragraph shall not apply to such information in records recorded in the mortgage or conveyance records, in
14 15 16 17 18 19	 (57)(a) To the social security number, driver's license number, financial institution account number, credit or debit card number, or armed forces identification number of a private person who has submitted the information to a public body or official. (b) The provisions of Subparagraph (a) of this Paragraph shall not apply to such information in records recorded in the mortgage or conveyance records, in records of a court, or in marriage records.

Page 1 of 3

CODING: Words in struck through type are deletions from existing law; words $\underline{\text{underscored}}$ are additions.

HB NO. 614 ENROLLED

1	in connection with claims investigation activities, antifraud activities, rating, or
2	underwriting.
3	(d) The provisions of Subparagraph (a) of this Paragraph shall not prohibit

the disclosure of the driver's license number of a person to a person or entity eligible to receive driver's license or vehicle information contained in the records of the office of motor vehicles when such person or entity is eligible to receive the information pursuant to the Federal Driver Privacy Protection Act.

(58) To any patient healthcare data required by operation of law or regulation to be reported by a healthcare provider to the state without the express written consent of the patient or the patient's parent or legal guardian.

* * *

§31.2. Public records awareness program

The attorney general shall establish a program for educating the general public, public bodies, and custodians regarding the provisions of this Chapter. Such program may include brochures, pamphlets, videos, seminars, and Internet access to information which provides training on the provisions of this Chapter, including the custodian's responsibilities in connection with a request for records, the possibility that information submitted to a public body may become public record pursuant to the provisions of this Chapter, and the right of a person to institute court proceedings if access to a record is denied by the custodian.

* * *

§33.1. Custodian; contact information; notice to public

A. Each public body that has a custodian of public records shall make the contact information of the custodian available to the public in a manner that will allow a member of the public to quickly determine the appropriate person to whom a public records request should be submitted, including by placing such information on the internet.

1	B. Each custodian shall use reasonable means to notify the public that
2	information submitted to the public body may become public record pursuant to the
3	provisions of this Chapter.
	SPEAKER OF THE HOUSE OF REPRESENTATIVES
	PRESIDENT OF THE SENATE
	GOVERNOR OF THE STATE OF LOUISIANA

ENROLLED

HB NO. 614

APPROVED: _____