## **ACT No. 220**

HOUSE BILL NO. 378

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BY REPRESENTATIVES JAMES, ADAMS, AMEDEE, ANDERS, ARMES, BACALA, BAGLEY, BAGNERIS, BERTHELOT, BILLIOT, BISHOP, BOUIE, BOURRIAQUE, CHAD BROWN, TERRY BROWN, CARMODY, STEVE CARTER, COUSSAN, COX, CREWS, DAVIS, DEVILLIER, DUBUISSON, DUPLESSIS, EDMONDS, EMERSON, FALCONER, GISCLAIR, JIMMY HARRIS, LANCE HARRIS, HODGES, HORTON, HOWARD, HUVAL, IVEY, JACKSON, JEFFERSON, MIKE JOHNSON, ROBERT JOHNSON, JONES, JORDAN, LACOMBE, NANCY LANDRY, TERRY LANDRY, LARVADAIN, LYONS, MARCELLE, MARINO, MCFARLAND, MIGUEZ, MOORE, PIERRE, POPE, PUGH, RICHARD, SCHEXNAYDER, SEABAUGH, SMITH, STAGNI, STEFANSKI, STOKES, TALBOT, AND TURNER

2	To enact Subpart E of Part I of Chapter 1 of Subtitle I of Title 39 of the Louisiana Revised
3	Statutes of 1950, to be comprised of R.S. 39:17.1 through 17.5, relative to digitized
4	identification and credentials; to authorize entities to submit credentials for use in an
5	electronic wallet; to authorize the promulgation of rules and regulations; to provide
6	for a fee; to provide definitions; to provide for privacy; and to provide for related
7	matters.
8	Be it enacted by the Legislature of Louisiana:
9	Section 1. Subpart E of Part I of Chapter 1 of Subtitle I of Title 39 of the Louisiana
10	Revised Statutes of 1950, comprised of R.S. 39:17.1 through 17.5, is hereby enacted to read
11	as follows:

AN ACT

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## SUBPART E. DIGITIZED CREDENTIALS

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2	§17.1. Definitions
3	As used in this Subpart, the following terms shall have the meanings ascribed
4	as follows:
5	(1) "Credential" means any document, certificate, identification, license,
6	permit, or card indicating the user's status, right, privilege, classification, permission,
7	entitlement, authority, or coverage.
8	(2) "Current status" includes but is not limited to valid, expired, cancelled,
9	suspended, disqualified, active, inactive, member, nonmember, eligible, or ineligible.
10	(3) "Digitized credential" means a credential relayed in a data file available
1	on any mobile device which has connectivity to the internet through an application
12	that allows the mobile device to download the data file from the department, office,
13	agency, company, division, university, school, board, commission, or other
14	applicable entity and contains all of the data elements visible on the face and back
15	of the credential, and also displays the current status of the credential.
16	(4) "Electronic wallet" refers to an electronic or online service or application
17	that allows an individual to store credentials in order to access the credentials from
18	a mobile device.
19	§17.2. Digitized credentials; authorization; implementation; validity
20	A. Any credential authorized or required by the state may be made available
21	in digitized format on a program which a user can utilize through an electronic
22	wallet.
23	B. Any digitized credential downloaded through an application on a mobile
24	device as provided by this Subpart shall be as valid as a tangible credential.
25	C. A digital copy, photograph, or image of a credential which is not
26	downloaded through the application on a mobile device shall not be a valid digitized
27	credential.
28	D. The commissioner of administration shall promulgate rules and
29	regulations to implement the program and to develop the accessibility of any
30	digitized credential available for use in an electronic wallet.

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1	§17.3.	Fee

	The fee to	install t	he applica	ation to	display	a digitized	credential	shall	not
excee	ed six dollars	per cred	ential.						

## §17.4. Privacy

The display of a credential shall not serve as consent or authorization for a law enforcement officer or any other person to search, view, or access any other data or application on the mobile device. If a person presents his mobile device to a law enforcement officer or any other person for purposes of displaying his digitized credential, the law enforcement officer or other person shall promptly return the mobile device to the person once he has had an opportunity to verify the credential. §17.5. Renewals

A. Each agency which has a credential available on an electronic device through the electronic wallet may make the renewal of such credential available through the electronic wallet.

- B. Prior to making a renewal available through the electronic wallet, each agency shall determine that the renewal process may be accomplished as provided by law and in accordance with agency rules.
- C. If the person is otherwise prohibited or blocked from renewal of a credential by law or agency rules, this Section shall not create an additional or alternative means to renew a credential.
- D. Prior to making renewal of a credential available through the electronic wallet, each agency shall adopt rules and regulations to implement the renewal process through the electronic wallet in accordance with the Administrative Procedure Act.

Section 2. This Act shall become effective upon signature by the governor or, if not signed by the governor, upon expiration of the time for bills to become law without signature by the governor, as provided by Article III, Section 18 of the Constitution of Louisiana. If vetoed by the governor and subsequently approved by the legislature, this Act shall become effective on the day following such approval.

SPEAKER OF THE HOUSE OF REPRESENTATIVES

PRESIDENT OF THE SENATE

GOVERNOR OF THE STATE OF LOUISIANA

**ENROLLED** 

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APPROVED: \_\_\_\_\_

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