

CONFERENCE COMMITTEE REPORT

HB 96

2020 Second Extraordinary Session

Freeman

October 23, 2020

To the Honorable Speaker and Members of the House of Representatives and the Honorable President and Members of the Senate.

Ladies and Gentlemen:

We, the conferees appointed to confer over the disagreement between the two houses concerning House Bill No. 96 by Representative Freeman, recommend the following concerning the Engrossed bill:

1. That the set of Senate Floor Amendments by Senator Fields (#715) be rejected.
2. That the following amendments to the Engrossed bill be adopted:

AMENDMENT NO. 1

On page 1, delete lines 2 through 7 and insert the following:

"To enact R.S. 17:3914(M) and to repeal R.S. 17:3914(M), relative to student information; to require school governing authorities to share certain student information with the Department of Children and Family Services for the purpose of facilitating the administration of the pandemic electronic benefits transfer program; to provide exceptions; and to provide for related matters."

AMENDMENT NO. 2

On page 1, delete lines 13 through 20 and on page 2, delete lines 1 through 7 and insert the following:

"M.(1) Notwithstanding any provision of law to the contrary and except as provided in Paragraph (2) of this Subsection, the governing authority of each public or nonpublic school or other entity that participates in a meal program through which students are eligible for the pandemic electronic benefits transfer program shall share student information with the Department of Children and Family Services for the purpose of facilitating program administration, including but not limited to the automatic issuance of benefits to eligible families. Such information shall be limited to the first name, last name, address, and date of birth of each student eligible for free or reduced price meals at school.

"(2) Such a governing authority shall not share a student's information if his parent or legal guardian has chosen not to share information pursuant to the policy of the governing authority."

Section 2. R.S. 17:3914(M) is hereby repealed in its entirety.

Section 3.(A) Section 1 and this Section of this Act shall become effective upon signature of this Act 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 this Act is vetoed by the governor and subsequently approved by the legislature, Section 1 and this Section of this Act shall become effective on the day following such approval.

(B) Section 2 of this Act shall become effective on June 10, 2021."

Respectfully submitted,

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Representative Aimee Adatto Freeman

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Senator Cleo Fields

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Representative Raymond E. Garofalo, Jr.

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Senator Kirk Talbot

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Representative Stephanie Hilferty

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Senator Beth Mizell

DIGEST

The digest printed below was prepared by House Legislative Services. It constitutes no part of the legislative instrument. The keyword, one-liner, abstract, and digest do not constitute part of the law or proof or indicia of legislative intent. [R.S. 1:13(B) and 24:177(E)]

**CONFERENCE COMMITTEE REPORT DIGEST**

**HB 96**

**2020 Second Extraordinary Session**

**Freeman**

**Keyword and oneliner of the instrument as it left the House**

STUDENTS: Provides relative to sharing of student information for the purpose of administering the pandemic electronic benefits transfer (P-EBT) program (Item #28)

**Report rejects Senate amendments which would have:**

1. Limited application of proposed law to public schools.

**Report amends the bill to:**

1. Except a student if his parent has chosen not to share information pursuant to school board policy instead of making the requirement that schools share a student's information contingent upon the request of that student's parent.
2. Limit shareable student information to first name, last name, address, and date of birth.
3. Provide for transfer of information from a school governing authority to the Dept. of Children and Family Services instead of from a school to the state Dept. of Education to the Dept. of Children and Family Services.
4. Specify that proposed law applies to both public and nonpublic schools.
5. Provide for repeal of proposed law on June 10, 2021.

**Digest of the bill as proposed by the Conference Committee**

Present law prohibits any employee of a public school system from providing a student's personally identifiable information to any person or public or private entity. Provides exceptions to this prohibition and authorizes sharing student information under certain circumstances. Proposed law requires, notwithstanding present law, each public or nonpublic school or other entity that participates in a meal program through which students are eligible for the pandemic electronic benefits transfer (known as P-EBT) program to share student information with the Dept. of Children and Family Services for the purpose of facilitating program administration, including but not limited to the automatic issuance of benefits to eligible families. Provides that such information shall be limited to the first name, last name, address, and date of birth of each student eligible for free or reduced price meals at school. Proposed law excepts any student whose parent has chosen not to share information pursuant to the policy of the governing authority of the school or other entity.

Effective upon signature of governor or lapse of time for gubernatorial action; Repeal of proposed law effective June 10, 2021.

(Adds R.S. 17:3914(M); Repeals R.S. 17:3914(M))