ACT No. 394

SENATE BILL NO. 205

BY SENATORS CORTEZ, ABRAHAM, BARROW, BOUDREAUX, FIELDS, HARRIS, JACKSON, FRED MILLS, ROBERT MILLS, MIZELL, TARVER AND WHITE AND REPRESENTATIVE KNOX

Prefiled pursuant to Article III, Section 2(A)(4)(b)(i) of the Constitution of Louisiana.

| 1 | AN ACT |
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| 2 | To amend and reenact R.S. 44:4.1(B)(9) and to enact R.S. 17:3138.12, relative to |
| 3 | information technology; to provide relative to the collection of integrated data; to |
| 4 | create the Louisiana Foundational Integrated Research System for Transformation |
| 5 | (LA FIRST); to provide for individual privacy and confidentiality standards; to |
| 6 | provide for data sharing agreements; to provide for the administration of the system; |
| 7 | to provide for reporting requirements; to limit the sharing of identifiable information; |
| 8 | to provide with respect to disclosure of certain information in the possession of or |
| 9 | used by LA FIRST; and to provide for related matters. |
| 10 | Be it enacted by the Legislature of Louisiana: |
| 11 | Section 1. R.S. 17:3138.12 is hereby enacted to read as follows: |
| 12 | §3138.12. Louisiana's Foundational Integrated Research System for |
| 13 | Transformation (LA FIRST) |
| 14 | A. The Board of Regents shall establish and maintain Louisiana's |
| 15 | Foundational Integrated Research System for Transformation (LA FIRST). |
| 16 | B. LA FIRST shall be developed and maintained by the Board of Regents |
| 17 | at the University of Louisiana at Lafayette within the Kathleen Babineaux |
| 18 | Blanco Public Policy Center. |
| 19 | C.(1) Notwithstanding any provision of law to the contrary, no later |
| 20 | than December 1, 2023, data sharing agreements shall be executed by LA |
| 21 | FIRST through the Board of Regents, the office of technology services, and the |
| 22 | following state entities: |
| 23 | (a) The Louisiana Workforce Commission. |

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| 1 | (b) The Department of Children and Family Services. |
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| 2 | (c) The Department of Public Safety and Corrections. |
| 3 | (d) The office of juvenile justice. |
| 4 | (e) The Louisiana Department of Health. |
| 5 | (f) The Department of Education. |
| 6 | (2) No later than December 1, 2023, data sharing agreements shall be |
| 7 | executed by LA FIRST through the Board of Regents and each public |
| 8 | postsecondary education management board. |
| 9 | D. LA FIRST, using the data center services of the Kathleen Babineaux |
| 10 | Blanco Public Policy Center, shall develop and annually publish the following |
| 11 | reports: |
| 12 | (1) Launch Louisiana report with an in-depth analysis of the |
| 13 | elementary-and-secondary-school-to-college or -career transition. |
| 14 | (2) Louisiana's Employment Outcomes report with an in-depth analysis |
| 15 | of linkages between workforce, credit and noncredit, and postsecondary |
| 16 | training and education. |
| 17 | (3) Causes and Consequences of Criminal and Delinquent Acts report |
| 18 | with an in-depth analysis of the criminal justice system leveraging linkages |
| 19 | between education, employment, adult corrections, and juvenile justice. |
| 20 | E. Notwithstanding any provision of law to the contrary, LA FIRST, |
| 21 | through the Board of Regents, shall be provided access to all data listed in the |
| 22 | data sharing agreement developed with each state entity. Access to the data of |
| 23 | each entity listed in Paragraph (C)(1) of this Section shall be provided through |
| 24 | the office of technology services on equipment provided by the office of |
| 25 | technology services. Once the Kathleen Babineaux Blanco Public Policy Center |
| 26 | has been provided access to the data, the policy center shall comply with all |
| 27 | restrictions imposed by law on any of the data received that is deemed |
| 28 | confidential, privileged, or otherwise restricted, and any reports that use the |
| 29 | data shall be released or published only in a manner that complies with the |
| 30 | restrictions. |

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| 1 | F. Notwithstanding the provisions of R.S. 17:3914, or any other law to |
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| 2 | the contrary, each city, parish, or other local public school board shall directly |
| 3 | share student data with the Kathleen Babineaux Blanco Public Policy Center |
| 4 | and any department listed in Subsection C of this Section in order to carry out |
| 5 | the provisions of this Section and the goals of the data sharing agreements. |
| 6 | G. Data sharing shall commence upon execution of data sharing |
| 7 | agreements but no later than December 1, 2023. The data shall include at least |
| 8 | five years of historical data in order to establish a baseline for each data set. |
| 9 | H.(1) All data shared shall include a minimum set of personally |
| 10 | identifiable information to enable high quality matching to other records within |
| 11 | the system. |
| 12 | (2) The shared data shall be separated into two parts, personal and |
| 13 | nonpersonal information. Personal information shall be used only to generate |
| 14 | a unique identifier for each record, which shall then be combined with |
| 15 | nonpersonal information to allow for matching of records across the data |
| | |
| 16 | system. Research and analysis shall not be conducted on data that includes |
| 16 17 | system. Research and analysis shall not be conducted on data that includes personally identifiable information. |
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| 17 | personally identifiable information. |
| 17 18 | personally identifiable information. Section 2. R.S. 44:4.1(B)(9) is hereby amended and reenacted to read as follows: |
| 17 18 19 | personally identifiable information. Section 2. R.S. 44:4.1(B)(9) is hereby amended and reenacted to read as follows: §4.1. Exceptions |
| 17 18 19 20 | personally identifiable information. Section 2. R.S. 44:4.1(B)(9) is hereby amended and reenacted to read as follows: §4.1. Exceptions * * * |
| 17 18 19 20 21 | personally identifiable information. Section 2. R.S. 44:4.1(B)(9) is hereby amended and reenacted to read as follows: §4.1. Exceptions * * * B. The legislature further recognizes that there exist exceptions, exemptions, |
| 17 18 19 20 21 22 | personally identifiable information. Section 2. R.S. 44:4.1(B)(9) is hereby amended and reenacted to read as follows: §4.1. Exceptions * * * B. The legislature further recognizes that there exist exceptions, exemptions, and limitations to the laws pertaining to public records throughout the revised |
| 17 18 19 20 21 22 23 | personally identifiable information. Section 2. R.S. 44:4.1(B)(9) is hereby amended and reenacted to read as follows: §4.1. Exceptions * * * B. The legislature further recognizes that there exist exceptions, exemptions, and limitations to the laws pertaining to public records throughout the revised statutes and codes of this state. Therefore, the following exceptions, exemptions, and |
| 17 18 19 20 21 22 23 24 | personally identifiable information. Section 2. R.S. 44:4.1(B)(9) is hereby amended and reenacted to read as follows: §4.1. Exceptions * * * B. The legislature further recognizes that there exist exceptions, exemptions, and limitations to the laws pertaining to public records throughout the revised statutes and codes of this state. Therefore, the following exceptions, exemptions, and limitations are hereby continued in effect by incorporation into this Chapter by |
| 17 18 19 20 21 22 23 24 25 | personally identifiable information. Section 2. R.S. 44:4.1(B)(9) is hereby amended and reenacted to read as follows: §4.1. Exceptions * * * B. The legislature further recognizes that there exist exceptions, exemptions, and limitations to the laws pertaining to public records throughout the revised statutes and codes of this state. Therefore, the following exceptions, exemptions, and limitations are hereby continued in effect by incorporation into this Chapter by citation: |
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| 17 18 19 20 21 22 23 24 25 26 27 | personally identifiable information. Section 2. R.S. 44:4.1(B)(9) is hereby amended and reenacted to read as follows: §4.1. Exceptions * * * B. The legislature further recognizes that there exist exceptions, exemptions, and limitations to the laws pertaining to public records throughout the revised statutes and codes of this state. Therefore, the following exceptions, exemptions, and limitations are hereby continued in effect by incorporation into this Chapter by citation: * * * (9) R.S. 17:7.2, 46, 47, 81.9, 391.4, 407.28, 407.47, 407.65, 500.2, 1175, |

Section 3.(A) The provisions of Sections 1 and 2 of this Act shall become effective when an Act of the Louisiana Legislature containing a specific appropriation of monies for the implementation of the provisions of this Act becomes effective.

(B) The provisions of this Section 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, the provisions of this Section shall become effective on the day following such approval.

PRESIDENT OF THE SENATE

SPEAKER OF THE HOUSE OF REPRESENTATIVES

APPROVED:

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