

2026 Regular Session

HOUSE BILL NO. 98

BY REPRESENTATIVE MIKE JOHNSON

CRIMINAL/VICTIMS: Provides a penalty for the unlawful disclosure of confidential information relating to victims of domestic violence, sexual assault, and human trafficking

1 AN ACT

2 To amend and reenact R.S. 40:2024.5(F) and to enact R.S. 22:1078(F) and (G), R.S.  
3 40:2024.5(H), and R.S. 46:1844(W)(6), 1862(E), and 2124.1(E) and (F), relative to  
4 the confidential information of individuals who are victims of certain offenses; to  
5 provide for penalties for the unlawful release, disclosure, transfer, or dissemination  
6 of certain information; to provide for a limitation of liability; and to provide for  
7 related matters.

8 Be it enacted by the Legislature of Louisiana:

9 Section 1. R.S. 22:1078(F) and (G) are hereby enacted to read as follows:

10 §1078. Protections required for victims of the crime of domestic violence

11 \* \* \*

12 F. Whoever intentionally releases, discloses, transfers, or disseminates for  
13 publication any information related to the abuse status of an applicant or insured for  
14 any purpose not provided in Subsection D of this Section shall be imprisoned with  
15 or without hard labor for not more than one year, fined not more than two thousand  
16 five hundred dollars, or both.

17 G. No community-based shelter that provides services to a subject of abuse  
18 shall be liable for any unlawful release, disclosure, transfer, or dissemination of  
19 information that is made by an individual in violation of Subsection F of this Section.

1 Section 2. R.S. 40:2024.5(F) is hereby amended and reenacted and R.S.  
2 40:2024.5(H) is hereby enacted to read as follows:

3 §2024.5. Records; confidentiality; prohibited disclosure and discovery

4 \* \* \*

5 F. A member of the review panel, or any local or regional panel or agent of  
6 a local or regional panel, ~~may~~ shall not disclose any information that is confidential  
7 ~~under~~ pursuant to this Section. A person who appears before, participates in, or  
8 provides information to the review panel, or any local or regional panel or agent of  
9 a local or regional panel, shall sign a confidentiality notice to acknowledge that any  
10 information he provides to the review panel, or any local or regional panel or agent  
11 of a local or regional panel, shall be confidential. Information identifying a victim  
12 of domestic violence whose case is being reviewed, or that victim's family members,  
13 or an alleged or suspected perpetrator of abuse upon the victim, or regarding the  
14 involvement of any agency with the victim or victim's family members, shall not be  
15 disclosed in any report that is available to the public. Nothing in this Section ~~shall~~  
16 ~~prohibit~~ prohibits the publishing by the review panel, or any local or regional panel  
17 or agent of a local or regional panel, of statistical compilations relating to domestic  
18 abuse fatalities which do not identify a person's case or person's healthcare provider,  
19 law enforcement agency, or organization who provides services to victims.

20 \* \* \*

21 H. Whoever violates the provisions of Subsection F of this Section shall be  
22 imprisoned with or without hard labor for not more than one year, fined not more  
23 than two thousand five hundred dollars, or both.

24 Section 3. R.S. 46:1844(W)(6), 1862(E), and 2124.1(E) and (F) are hereby enacted  
25 to read as follows:

26 §1844. Basic rights for victim and witness

27 \* \* \*

28 W. Confidentiality of crime victims who are minors, victims of sex offenses,  
29 and victims of human trafficking-related offenses.

30 \* \* \*



Present law (R.S. 22:1078) provides for protections required for victims of the crime of domestic violence. Prohibits the unlawful transfer of victims' health insurance and medically-related information.

Proposed law retains present law and provides for a penalty consisting of imprisonment with or without hard labor for not more than one year, a fine of not more than \$2,500, or both for any person who intentionally releases, discloses, transfers, or disseminates for publication any information related to the abuse status of an applicant or insured for any purpose not provided in present law.

Proposed law provides that community-based shelters that serve victims of abuse are not liable for any unlawful release, disclosure, transfer, or dissemination of information that is made by an individual in violation of proposed law.

Present law (R.S. 40:2024.5) provides for the confidentiality and prohibited disclosure of records in the possession of the La. Domestic Abuse Battery Fatality Review Panel.

Proposed law generally retains present law.

Present law provides that a member of the review panel, or any local or regional panel or agent of a local or regional panel, may not disclose any information that is confidential under present law.

Proposed law amends present law to make this prohibition restrictive, rather than permissive, and provides for a penalty consisting of imprisonment with or without hard labor for not more than one year, a fine of not more than \$2,500, or both for any person who violates the provisions of present law. Otherwise retains present law.

Present law (R.S. 46:1844) provides for basic rights for victims and witnesses and provides for confidentiality of crime victims who are minors, victims of sex offenses, and victims of human trafficking-related offenses.

Proposed law retains present law and provides for a penalty consisting of imprisonment with or without hard labor for not more than one year, a fine of not more than \$2,500, or both for any person who intentionally releases, discloses, transfers, or disseminates for publication any information contained in present law.

Present law (R.S. 46:1862) provides for the confidentiality and prohibited disclosure of records in the possession of multi-disciplinary team conferences and family justice centers.

Proposed law retains present law and provides for a penalty consisting of imprisonment with or without hard labor for not more than one year or a fine of not more than \$2,500, or both, for any person who intentionally releases, discloses, transfers, or disseminates for publication any information contained in present law.

Present law (R.S. 46:2124.1) provides for the confidentiality and prohibited disclosure of records in the possession of a community shelter.

Proposed law retains present law and provides for a penalty consisting of imprisonment with or without hard labor for not more than one year or a fine of not more than \$2,500, or both, for any person who intentionally releases, discloses, transfers, or disseminates for publication any information contained in present law.

Proposed law provides that a community shelter is not liable for any unlawful release, disclosure, transfer, or dissemination of information that is made by an individual in violation of proposed law.

(Amends R.S. 40:2024.5(F); Adds R.S. 22:1078(F) and (G), R.S. 40:2024.5(H), and R.S. 46:1844(W)(6), 1862(E), and 2124.1(E) and (F))