

Existing law (R.S. 41:1609) provides that records of the division of archaeology within the Dept. of Culture, Recreation and Tourism which specify the specific location of archaeological sites, including but not limited to the state archaeological site files shall not be public information and that access to such records shall be restricted to individuals who have a legitimate research or management need as determined by the division.

Existing law (Public Records Law, R.S. 44:1, et seq.) provides that all books, records, writings, accounts, letters and letter books, maps, drawings, photographs, cards, tapes, recordings, memoranda, and papers, and all copies, duplicates, photographs, including microfilm, or other reproductions thereof, or any other documentary materials, regardless of physical form or characteristics, including information contained in electronic data processing equipment, having been used, being in use, or prepared, possessed, or retained for use in the conduct, transaction, or performance of any business, transaction, work, duty, or function which was conducted, transacted, or performed by or under the authority of the constitution or laws of the state, or by or under the authority of any ordinance, regulation, mandate, or order of any public body or concerning the receipt or payment of any money received or paid by or under the authority of the constitution or the laws of the state, are "public records". Existing law establishes the framework for the ready availability of public records to requesting persons, and specifically provides that it is the duty of the custodian of the public records for a public entity or agency to provide copies to persons so requesting. Existing law provides for certain exceptions, exemptions, and limitations. Existing law further specifies that any exception, exemption, and limitation to the laws pertaining to public records not provided for in the Public Records Law or in the constitution shall have no effect.

New law recognizes in the Public Records Law the existing law limitation on access to the records the division of archaeology which specify the location of archaeological sites.

Effective upon signature of governor (June 7, 2012).

(Adds R.S. 44:4.1(B)(37))