

Existing law (R.S. 44:1, et. seq. – Public Records Law) 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 a 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 of a public entity or agency to provide copies to persons so requesting. Provides for certain exceptions, exemptions, and limitations.

New law adds an exception to the Public Records Law covering records, writings, accounts, recordings, letters, exhibits, pictures, drawings, charts, photographs, or copies thereof, and reports or examinations or evaluations or any other information or data that concerns the fitness of a person to receive or continue to hold a license or certificate to practice counseling and therapy and that is in the custody or control of the La. Licensed Professional Counselors Board of Examiners. However, new law authorizes release of a final action taken by the board relative to the fitness of a person to receive or to continue to hold such a license or certificate and any legal grounds upon which such an action is based.

Existing law provides for the confidentiality of certain Dept. of Public Safety and Corrections records relative to arrests and dispositions. Provides for the confidentiality of expunged records. Notwithstanding the confidentiality of such records, existing law provides that such records remain available to law enforcement agencies, criminal justice agencies, and specified licensing agencies. New law adds the La. Licensed Professional Counselors Board of Examiners to the list of entities eligible to receive such confidential information.

Effective August 1, 2012.

(Amends R.S. 44:9(F) and (G); Adds R.S. 44:4(45))