

Regular Session, 2013

HOUSE BILL NO. 209

BY REPRESENTATIVE GAROFALO

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

LEGISLATIVE AGENCIES: Provides authority for legislative fiscal staff to access certain information from state agencies

1 AN ACT

2 To enact R.S. 24:508, relative to the powers of the legislative fiscal division staffs; to  
3 provide for staff access to information; to provide with respect to certain confidential  
4 records or information; and to provide for related matters.

5 Be it enacted by the Legislature of Louisiana:

6 Section 1. R.S. 24:508 is hereby enacted to read as follows:

7 §508. Fiscal staff access to information

8 A. The staff of the House of Representatives and Senate fiscal divisions shall  
9 have the power to inspect and make copies of any books, records, or files of all  
10 departments, institutions and subdivisions of the state, and any and all instruments  
11 and documents pertaining to the function of the legislature.

12 (1) The staff shall have the power and authority to inspect all records, which  
13 are classified as confidential by any of the laws of the state and, except as otherwise  
14 provided for in Paragraph (2) of this Subsection, shall comply with all restrictions  
15 imposed by law on documents or information deemed confidential by law and  
16 furnished to fiscal division staff.

17 (2) The staff may use such information for the purpose of developing general  
18 statistics and program evaluations of the operations of the state agencies and policies  
19 of the state.

1           B. For the purposes of this Section, the determination of who is staff of the  
2           legislative fiscal divisions shall be made by the presiding officers of the House of  
3           Representatives and Senate, respectively.

4           C. Each officer, board, commission, council, department, and agency of the  
5           state and each political subdivision is hereby directed to make available all facts,  
6           records, information, and data requested by the staff of the House of Representatives  
7           or Senate fiscal divisions in a timely manner and in all ways cooperate with the staff  
8           in carrying out the requirements imposed by this Section.

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#### 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)]

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Garofalo

HB No. 209

**Abstract:** Provides for legislative fiscal staff to have access to certain information from state agencies.

Present law provides for the powers and duties of the legislative auditor, including the authority to compile financial statements and to examine, audit, or review the books and accounts of state agencies. The scope of the examinations may include financial accountability, legal compliance, and evaluations of the economy, efficiency, and effectiveness of the auditee's programs. Further, the legislative auditor has access to papers, books, accounts, records, files, instruments, documents, films, tapes, and any other forms of recordation, including but not limited to computers and recording devices, and all software and hardware which hold data, is part of the technical processes leading up to the retention of data, or is part of the security system. The authority is extended to confidential materials; however, the legislative auditor must comply with the restriction imposed by law on information deemed confidential. (R.S. 24:513)

Present law provides for the powers of the legislative fiscal officer and staff to inspect and make copies of any books, records, or files of state agencies as well as authority to inspect all records which are classified as confidential by any of the laws of the state. Present law further provides that the confidentiality of such records is maintained except for the purpose of developing general statistics and program evaluations of the operations of the state agencies. (R.S. 24:604)

Proposed law provides for the powers of the legislative fiscal staff similar to those of the legislative auditor and the legislative fiscal officer, including the authority to inspect and make copies of any books, records, or files of state agencies, as well as authority to inspect all records which are classified as confidential by any of the laws of the state. Proposed law further provides that the confidentiality of such records is maintained except for the purpose of developing general statistics and program evaluations of the operations of the state agencies.

(Adds R.S. 24:508)