

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 amend and reenact R.S. 24:654, relative to the powers of the legislative fiscal division
3 staffs; to provide for staff access to information; to provide with respect to certain
4 confidential records or information; and to provide for related matters.

5 Be it enacted by the Legislature of Louisiana:

6 Section 1. R.S. 24:654 is hereby amended and reenacted to read as follows:

7 §654. State agencies, political subdivisions; assistance to committee; legislative
8 fiscal division staff

9 A. All agencies, boards, commissions, and departments of the state, whether
10 budget or nonbudget units, and of any of its political subdivisions, including the
11 Louisiana Insurance Guaranty Association as created by R.S. 22:2056 et seq., shall
12 assist the committee in its work and furnish such information, reports, books,
13 records, files, aid, services, and assistance in a timely and cooperative manner as
14 may be requested by the committee or legislative fiscal division staff assigned to the
15 committee on matters related to the budget, all without any cost or charge of any
16 nature to the committee.

17 B. The legislative fiscal division staff assigned to the committee shall have
18 the power and authority to inspect all records and matters related to the budget which
19 are classified as confidential by any of the laws of the state but shall be required to
20 maintain the confidentiality of such records except for the purpose of developing

1 general statistics and program evaluations of the operations of state agencies and
2 policies of the state. Under no circumstances shall the legislative fiscal division staff
3 share any records which are classified as confidential by any of the laws of the state
4 with any individual, including the elected members of the Louisiana Legislature.

5 Such provisions to inspect confidential records shall not apply to those
6 confidential records as provided in R.S. 44:22, relative to economic development
7 negotiations, or those confidential records as provided in R.S. 46:1071 through 1076,
8 relative to hospital service districts.

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)]

Garofalo

HB No. 209

Abstract: Provides for legislative fiscal division staff assigned to the Joint Legislative Committee on the Budget to have access to certain information from state agencies subject to certain restrictions.

Present law (R.S. 24:654) requires all agencies, boards, commissions, and departments of the state, whether budget or nonbudget units, and of any of its political subdivisions, including the Louisiana Insurance Guaranty Association as created by present law (R.S. 22:2056 et seq.), to assist the Joint Legislative Committee on the Budget in its work and furnish such information, reports, aid, services, and assistance as may be requested by the committee, all without any cost or charge of any nature to the committee.

Proposed law retains present law and additionally provides that the specified materials and resources may be requested by legislative fiscal division staff assigned to the committee on matters related to the budget. Adds books, records, and files to the materials that must be furnished upon request. Requires all such resources and materials to be furnished in a timely and cooperative manner.

Proposed law additionally authorizes the legislative fiscal division staff assigned to the committee to inspect all records and matters related to the budget which are classified as confidential by any of the laws of the state, but requires that the confidentiality of such records be maintained, except for the purpose of developing general statistics and program evaluations of the operations of state agencies and policies of the state. Provides that under no circumstances shall the legislative fiscal division staff share any records which are classified as confidential by any of the laws of the state with any individual, including the elected members of the La. Legislature. Proposed law provides that the ability to inspect confidential records shall not apply to those confidential records as provided in present law (R.S. 44:22) relative to economic development negotiations or those confidential records as provided in present law (R.S. 46:1071-1076), relative to hospital service districts.

(Amends R.S. 24:654)

Summary of Amendments Adopted by House

Committee Amendments Proposed by House Committee on House and Governmental Affairs to the original bill.

1. Removes provisions of proposed law relative to the power and authority of legislative fiscal division staff to inspect and make copies of certain materials pertaining to the function of the legislature, relative to determining who is considered legislative fiscal division staff, and relative to the manner in which materials must be provided pursuant to proposed law.
2. Provides instead relative to legislative fiscal division staff assigned to the Joint Legislative Committee on the Budget authorizing such staff to request certain materials and resources specified in present law on matters related to the budget.
3. Adds books, records, and files to the materials specified in present law that must be furnished upon request of the committee or legislative fiscal division staff and requires all such resources and materials to be furnished in a timely and cooperative manner.
4. Authorizes the legislative fiscal division staff assigned to the committee to inspect confidential records, but requires that the confidentiality of such records be maintained, except for the purpose of developing general statistics and program evaluations of the operations of state agencies. Provides that under no circumstances shall the legislative fiscal division staff share any records which are classified as confidential.

House Floor Amendments to the engrossed bill.

1. Restricts the power of the legislative fiscal division staff to examine confidential records to records and matters related to the budget.
2. Provides that the provision to inspect confidential records shall not apply to records regarding economic development negotiations made confidential pursuant to present law nor to certain records related to market strategies and strategic plans of hospital service districts made confidential pursuant to present law.
3. Further authorizes the use of the confidential information to develop general statistics and program evaluations of policies of the state.