

Regular Session, 2010

HOUSE CONCURRENT STUDY REQUEST NO. 12
BY REPRESENTATIVE PEARSON

Approved
6-21-10

COMMITTEE STUDIES: Requests the House and Senate governmental affairs committees to study issues regarding public records, particularly fees, the impact of such fees, access, and effects of voluminous requests

1 A CONCURRENT STUDY REQUEST

2 To the House Committee on House and Governmental Affairs and the Senate Committee on
3 Senate and Governmental Affairs to meet and to function as a joint committee to
4 study issues related to public records, including the fees charged for obtaining copies
5 or reproductions of public records; the impact of such fees on the financing and
6 funding of certain public entities, particularly certain local public officials and
7 bodies; the access to and reproduction of public records in various computerized and
8 electronic formats; and voluminous public records requests and to make
9 recommendations regarding those issues no later than thirty days prior to convening
10 of the 2011 Regular Session of the Legislature of Louisiana.

11 WHEREAS, R.S. 44:31 provides that any person of the age of majority may inspect,
12 copy, or reproduce or obtain a reproduction of any public record and that any person may
13 obtain a copy or reproduction of any public record, except as otherwise provided by law; and

14 WHEREAS, R.S. 44:32 provides that for all public records, except public records of
15 state agencies, the custodian of the records may establish and collect reasonable fees for
16 making copies of such records; and

17 WHEREAS, jurisprudence related to the issue of access to public records favors a
18 liberal construction of the laws relative to public records so as to enlarge rather than restrict
19 access to public records by the public; and

1 WHEREAS, the law requires prompt response to requests for public records; and
2 WHEREAS, occasionally a public body or official receives a request for public
3 records which is so voluminous it impacts the normal operations of the office; and
4 WHEREAS, a study of the issues surrounding public records, including requests,
5 fees, format of records, and timeliness of response would be beneficial both for the citizens
6 of this state and public bodies and officials, particularly local governmental officials and
7 bodies.
8 THEREFORE, the Legislature of Louisiana requests the House Committee on House
9 and Governmental Affairs and the Senate Committee on Senate and Governmental Affairs
10 to meet and to function as a joint committee to study issues related to public records,
11 including the fees charged for obtaining copies or reproductions of public records; the
12 impact of such fees on the financing and funding of certain public entities, particularly
13 certain local public officials and bodies; the access to and reproduction of public records in
14 various computerized and electronic formats; and voluminous public records requests and
15 to make recommendations regarding those issues no later than thirty days prior to convening
16 of the 2011 Regular Session of the Legislature of Louisiana.

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)]

Pearson

HCSR No. 12

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