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March 20, 2025
OPINION 24-0152

Mr. Brad Hassert
Executive Director
State Licensing Board
for Contractors
600 North Street
Baton Rouge, LA 70802

12-A CONTRACTORS

La. R.S. 37:2150 *et seq.* La. R.S. 44:1 *et seq.*
La. R.S. 37:2156.1 La. R.S. 44:4.1

Certificates of general liability and workers' compensation insurance submitted to the State Licensing Board for Contractors as required by La. R.S. 37:2156.1 are considered a public record under Louisiana's Public Records Law.

Dear Mr. Hassert:

You have asked for an opinion addressing whether certificates of general liability and workers' compensation insurance, as required by La. R.S. 37:2150, *et seq.*, for certain contractor license classifications, are considered a public record?

Question: Are certificates of general liability and workers' compensation insurance submitted to the State Licensing Board for Contractors ("the Board") as required by La. R.S. 37:2156.1 considered a public record under Louisiana's Public Records Law?

Conclusion: Certificates of general liability and workers' compensation insurance submitted to the Board as required by La. R.S. 37:2156.1 are considered a public record under Louisiana's Public Records Law.

Pursuant to La. R.S. 37:2156.1, a certificate of both general liability and workers' compensation insurance coverage is required to be submitted to the Board for all residential, home improvement, and mold remediation applicants or licensees. Pursuant to La. R.S. 44:1(A)(2)(a), public records encompass, "except as otherwise provided in [the Public Records Law, La. R.S. 44:1, *et seq.*] or the Constitution of Louisiana," the following:

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 this 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 this state....

This definition expressly includes "documentary materials ... 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 this state" Certificates of insurance provided to the Board for licensure fall within this definition, as they are materials used, submitted, and retained by the Board for the purpose of conducting public business under the authority of La. R.S. 37:2156.1. Specifically, it is required for the issuance of a contractor's license and serves as proof that the applicant meets the state's legal and financial responsibility requirements.

No exemption under La. R.S. 44:4.1 or elsewhere appears to categorically exclude from disclosure insurance information submitted for contractor licensure. Unlike financial statements, which are explicitly deemed confidential under La. R.S. 37:2156.1(C)(1), insurance certificates are not identified as exempt. Accordingly, such records should be considered public and subject to disclosure upon request.

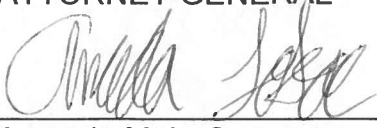
Considering the foregoing, it is the opinion of this office that certificates of general liability and workers' compensation insurance submitted to the Board as required by La. R.S. 37:2156.1 are considered a public record under Louisiana's Public Records Law.

We trust this adequately responds to your request. However, if our office can be of further assistance, please do not hesitate to contact us.

With best regards,

LIZ MURRILL
ATTORNEY GENERAL

BY: _____


Amanda M. LaGroue
Assistant Attorney General

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