

SECRETARY OF STATE
STATE OF LOUISIANA



R. KYLE ARDOIN
SECRETARY OF STATE

P.O. Box 94125
BATON ROUGE, LA 70804-9125

October 27, 2023

Senate and Governmental Affairs Committee
P.O. Box 94183
Baton Rouge, LA 70804

Via email:
apa.s-s&g@legis.la.gov

House and Governmental Affairs Committee
P.O. Box 94062
Baton Rouge, LA 70804

Via email:
apa.h-hg@legis.la.gov

Re: Department of State, Department Non-Statutory Fees (LAC 4:1.401)

Chairwoman Hewitt and Chairman Stefanski:

On October 10, 2023, pursuant to R.S. 49:966(D)(1)(b), the Department of State submitted a summary report with respect to a proposed rule change related to the Louisiana State Archives. We rescind that previous summary report and resubmit the following report:

On August 3, 2023, a copy of the Notice of Intent issued by the Department of State for adjusting archives fees on the Department's Non-Statutory Fee Schedule was sent to your committee for review. The primary reason for the change to the fee schedule is to offset and recoup the increase costs of microfilming/imaging projects, which have now been passed on to the agency's contracted vendor for overflow work, as the contracted vendor's fees have increased over what the Department is allowed to charge.

The proposed rule will not result in any costs to the Department of State, although other state agencies and local governmental entities may be impacted to the extent they are subject to the fee increases. The Department of State does not anticipate the potential increases to be significant.

Further, the Department of State believes there will be an increase in revenue collections due to the proposed rule change; however, the actual amount of increased revenue cannot be projected due to the nature of the requested materials.

Additionally, there may be an increase in costs to persons, small businesses, or non-governmental groups; however, as the fees are increased to more competitive rates, it is reasonable to expect there will be associated increases in costs for these businesses.

The Notice of Intent was posted on the Department of State's website on September 18, 2023. In addition to the Notice of Intent, the Department of State provided a brief description of the proposed change, the current fee schedule, and contact information for anyone wishing to request a public hearing or submit comments. There were no requests for public hearing and no written comments were submitted to the department. Therefore, no revisions to the proposed rule were needed and no changes were made.

Unless otherwise directed, the proposed rule will be submitted for publication as a final rule in the December 2023 edition of the *Louisiana Register*.

Should you have any questions please contact me at (225) 922-0547.

Sincerely,



Charlton J. Meginley
General Counsel
Secretary of State, R. Kyle Ardoin