

ACTS OF 2024

LEGISLATURE

Acts 641-699

ACT No. 641

HOUSE BILL NO. 904 BY REPRESENTATIVE CHENEVERT AN ACT

To enact R.S. 17:2122, 2123, and 3996(B)(82) and to repeal R.S. 17:2122, 2123, and 3996(B)(82), relative to education; to require each public school and public postsecondary education institution to submit a report relative to funding and personnel used for programs related to diversity, equity, inclusion, and belonging; to provide for the content of the reports and submission either to the state Department of Education or the Board of Regents, as applicable; to require the department and the board to report to certain legislative committees relative to the reports submitted by the schools and institutions; to provide for definitions; to provide for effectiveness; and to provide for related matters.

Be it enacted by the Legislature of Louisiana:

Section 1. R.S. 17:2122, 2123, and 3996(B)(82) are hereby enacted to read as follows:

§2122. Disclosure of funding and personnel; programs related to diversity, equity, inclusion, and belonging; public elementary and secondary schools

A.(1) Each public elementary and secondary school shall submit a written report of each campus program related to diversity, equity, inclusion, and belonging for the 2021-2022, 2022-2023, and 2023-2024 fiscal years to its school board by October 31, 2024.

(2) For purposes of this Section, “program related to diversity, equity, inclusion, and belonging” means any program, activity, initiative, event, instruction, action, or policy that classifies or references individuals on the basis of race, color, sex, national origin, culture, gender identity, or sexual orientation or promotes differential or preferential treatment of individuals on the basis of such classification.

B. Each report shall include, at minimum, the following:

(1) The purpose and expected outcome of each program.

(2) A brief description of each program.

(3) The number of personnel dedicated to the program.

(4) The total amount of funding expended to support or implement the program, including salaries, stipends, and benefits.

(5) Of the total amount spent to support the program, the amount that is state-funded.

C. Each school board shall develop a written report containing the information reported by each school, disaggregated by school and by the nature of the program and the funding thereof, and shall submit its report to the state Department of Education by December 31, 2024.

D. The department shall develop a comprehensive written report containing the information reported by each board, disaggregated by school, by system, and by the nature of the program and the funding thereof, and submit its report to the House Committee on Education, Senate Committee on Education, House Committee on Appropriations, and Senate Committee on Finance by January 31, 2025.

§2123. Disclosure of funding and personnel; programs related to diversity, equity, inclusion, and belonging; public postsecondary education institutions

A.(1) Each public postsecondary education institution shall submit a written report of each campus program related to diversity, equity, inclusion, and belonging for the 2023-2024 fiscal year to its management board by October 31, 2024.

(2) For purposes of this Section, “program related to diversity, equity, inclusion, and belonging” means any program, initiative, or office related to diversity, equity, inclusion, and belonging.

B.(1) Each report shall include, at minimum, the following:

(a) The purpose and expected outcome of each program.

(b) A brief description of each program.

(c) The number of personnel dedicated to the program.

(d) The total amount of state funding expended to support or implement the program, including salaries, stipends, and benefits.

(2) Institutions shall not include programs related to sororities or fraternities, athletics, Title IX, or academic curricula in their reports.

C. Each management board shall develop a written report containing the information reported by each institution, disaggregated by institution and by the nature of the program and the funding thereof, and shall submit its report to the Board of Regents by December 31, 2024.

D. The Board of Regents shall develop a comprehensive written report containing the information reported by each management board, disaggregated by institution, by system, and by the nature of the program and the funding

thereof, and submit its report to the House Committee on Education, Senate Committee on Education, House Committee on Appropriations, and Senate Committee on Finance by January 31, 2025.

* * *

§3996. Charter schools; exemptions; requirements

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B. Notwithstanding any state law, rule, or regulation to the contrary and except as may be otherwise specifically provided for in an approved charter, a charter school established and operated in accordance with the provisions of this Chapter and its approved charter and the school’s officers and employees shall be exempt from all statutory mandates or other statutory requirements that are applicable to public schools and to public school officers and employees except for the following laws otherwise applicable to public schools with the same grades:

* * *

(82) Reports on programs related to diversity, equity, inclusion, and belonging, R.S. 17:2122.

* * *

Section 2. R.S. 17:2122, 2123, and 3996(B)(82) are hereby repealed in their entirety.

Section 3.(A) Section 1 and this Section of this Act shall become effective upon signature of this Act by the governor or, if not signed by the governor, upon expiration of the time for bills to become law without signature by the governor, as provided by Article III, Section 18 of the Constitution of Louisiana. If this Act is vetoed by the governor and subsequently approved by the legislature, Section 1 and this Section of this Act shall become effective on the day following such approval.

(B) Section 2 of this Act shall become effective on February 1, 2025.

Approved by the Governor, June 11, 2024.

A true copy:

Nancy Landry
Secretary of State

ACT No. 642

HOUSE BILL NO. 932 BY REPRESENTATIVES BOYER AND CHASSION AN ACT

To amend and reenact R.S. 4:147.1(D), 183.2(A), and 217(D)(3) and R.S. 27:438(B)(5) and to enact R.S. 27:361(B)(4)(d), relative to purse supplements; to provide for the transferring and receiving of purse funds; to provide for the disposition of accrued interest on undistributed monies at a race meeting; to provide for purse supplements designation and distribution; to provide that purse supplements interest be used for Louisiana bred races; to provide for the distribution of video draw poker device revenues; and to provide for related matters.

Be it enacted by the Legislature of Louisiana:

Section 1. R.S. 4:147.1(D), 183.2(A), and 217(D)(3) are hereby amended and reenacted to read as follows:

§147.1. Commission; purse supplements; additional or substitute races and race days; force majeure

* * *

D.(1) Notwithstanding any provision of law to the contrary and upon agreement of the Horsemen’s Benevolent and Protective Association and the involved licensed eligible facilities transferring and receiving purse funds, the commission may approve the transfer of ~~slot machine proceeds received~~ any purse funds for thoroughbred race purses from one licensed eligible facility to another licensed eligible facility to supplement thoroughbred purses at a thoroughbred race meet. Funds transferred pursuant to this Paragraph shall be awarded within one year of the date of transfer.

(2) Notwithstanding any provision of law to the contrary and upon agreement of the Horsemen’s Benevolent and Protective Association and the involved licensed eligible facilities transferring and receiving purse funds, the commission may approve the transfer of ~~slot machine proceeds received~~ any purse funds for quarter horse race purses from one licensed eligible facility to another licensed eligible facility to supplement quarter horse purses at a quarter horse race meet. Funds transferred pursuant to this Paragraph shall be awarded within one year of the date of transfer.

* * *

§183.2. Disposition of accrued interest on undistributed monies at a race meeting

A. Monies designated for purses under R.S. 4:183(A) shall be remitted to the Horsemen’s Benevolent and Protective Association within ten business days to be deposited in a separate interest-bearing account when earned and shall remain in that account until the first day of the next race meeting of the appropriate breed. Monies earned as interest on that account shall be added to those designated for Louisiana bred purses under R.S. 4:183(A) and shall be considered part of the gross purses as defined therein.

* * *

§217. Purse supplements; designation and distribution

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D.

* * *

(3) Monies designated for purse supplements ~~under~~ in accordance with this Subsection that are not used during the current race meeting shall be placed

CODING: Words in ~~struck through~~ type are deletions from existing law; words underlined (House Bills) and underscoring and **boldfaced** (Senate Bills) are additions.

in an interest bearing account and shall remain in that account until the next licensed race meeting held at the appropriate facility. At such time, the funds in that account and the interest earned thereon shall then be used for purse supplements as provided herein. All interest earned on purses and purse supplements in accordance with this Section shall be for only Louisiana bred races.

* * *

Section 2. R.S. 27:438(B)(5) is hereby amended and reenacted and R.S. 27:361(B)(4)(d) is hereby enacted to read as follows:
§361. Conduct of slot machine gaming; temporary conduct

* * *

B. As a condition of licensing and to maintain continued authority for the conduct of slot machine gaming at the licensed eligible facility, the owner of the licensed eligible facility shall:

* * *

(4) Contribute to the support of pari-mutuel wagering facilities in the state at large and the horse breeding industry by paying annually from the annual net slot machine proceeds received from slot machine gaming operations at the licensed eligible facility as provided in this Paragraph:

* * *

(d) All interest earned on funds in this Section shall be used for only Louisiana bred races.

* * *

§438. Distribution of video draw poker device revenues; particular licensed establishments; pari-mutuel wagering facilities

* * *

B. Revenues earned for purse supplements under Subsection A of this Section shall be disbursed, accounted for, and used as follows:

* * *

(5) Monies earned for purse supplements from video draw poker devices, and interest earned on such monies, shall be added to all other monies currently provided for purses and purse supplements under other provisions of law, and distributed as follows:

(a) The purses and purse supplements for thoroughbred races shall be used at the eligible facility's current live thoroughbred race meet, or if live thoroughbred racing is not being conducted, used at the eligible facility's next live thoroughbred race meet. All interest earned on purses and purse supplements in accordance with this Section shall be for only Louisiana bred races.

(b) The purses and purse supplements for quarter horse races shall be used at the eligible facility's current live quarter horse race meet, or if live quarter horse racing is not being conducted, used at the eligible facility's next live quarter horse race meet. All interest earned on purses and purse supplements in accordance with this Section shall be for only Louisiana bred races.

* * *

Approved by the Governor, June 11, 2024.
A true copy:
Nancy Landry
Secretary of State

ACT No. 643

**HOUSE BILL NO. 933
BY REPRESENTATIVE BAYHAM
AN ACT**

To amend and reenact R.S. 3:3801(A)(introductory paragraph) and (5) and (C)(2), 3805, 3806(E) through (H), and 3808(I) through (P), to enact R.S. 3:3804(B)(3), 3806(I), and 3808(Q), and to repeal R.S. 3:3801(A)(6) and (C)(3), 3804(A)(2) and (3), 3807(B)(2) and (3), and 3808(B) and (C), relative to retail and wholesale florists; to remove the regulation, examination, and licensing of retail and wholesale florists; to provide for the membership of the Horticulture Commission of Louisiana; to establish the occupation of and the requirements for floral dealers; to provide for rules and regulations of the Department of Agriculture and Forestry; to provide for an effective date; and to provide for related matters.

Be it enacted by the Legislature of Louisiana:
Section 1. R.S. 3:3801(A)(introductory paragraph) and (5) and (C)(2), 3805, 3806(E) through (H), and 3808(I) through (P) are hereby amended and reenacted and R.S. 3:3804(B)(3), 3806(I), and 3808 (Q) are hereby enacted to read as follows:

§3801. Horticulture Commission
A. The Horticulture Commission of Louisiana is hereby created within the Department of Agriculture and Forestry to be comprised of the following thirteen members:

* * *

(5) A ~~licensed retail florist~~ floral dealer.

* * *

C. The following members shall be appointed by the commissioner, subject to confirmation of the Senate, and shall serve terms of four calendar years beginning with the year of appointment in accordance with the following provisions:

* * *

(2) The ~~licensed retail florist~~ floral dealer shall be appointed during the second year of each administration from a list of three persons nominated by

the Louisiana State Florists Association, Inc.

* * *

§3804. Regulation of professions and occupations

* * *

B. The commission shall regulate the following occupations:

* * *

(3) Floral dealer.

* * *

§3805. Applications
Each application to take an examination and each application for a license or permit shall be in writing and shall be on forms which shall be prescribed by the commission. Each application shall be accompanied by the appropriate fee and by such documents as the commission may require. Each applicant shall indicate on the application the street address of his residence and the street address of his place of business. If the residence or place of business does not have a street address, the applicant shall provide sufficient information to establish the physical location of the residence or place of business. Each applicant for a nursery stock ~~dealer's permit dealer~~, ~~or a cut flower dealer's permit dealer~~, or floral dealer permit shall have an identifying sales tax number issued by the secretary of revenue and taxation and shall indicate that number on the application. A floral dealer permit shall be issued based on a simple registration application without requiring an examination of any kind.

* * *

§3806. Fees

E. The permit fee for each floral dealer's permit which is issued or renewed by the commissioner shall not be less than seventy dollars nor more than one hundred dollars per permit.

~~E. F.~~ In addition to the fees provided for in Subsections B, C, and D of this Section, each applicant who applies for the renewal of a license or permit more than fifteen working days after his license or permit has expired shall pay a late fee of twenty-five dollars for each late application.

~~F. G.~~ The fees established in this Section shall not be refundable except under such conditions as the commission may establish.

~~G. H.~~(1) All assessments, fees, penalties, and all other funds received under the provisions of this Chapter, subject to the exceptions contained in Article VII, Section 9 of the Constitution of Louisiana, shall be deposited immediately upon receipt into the state treasury and shall be credited to the Bond Security and Redemption Fund.

(2) Out of the funds remaining in the Bond Security and Redemption Fund after a sufficient amount is allocated from that fund to pay all obligations secured by the full faith and credit of the state which become due and payable within any fiscal year, the treasurer, prior to placing the remaining funds in the state general fund, shall pay an amount equal to the total amount of funds paid into the state treasury under the provisions of this Chapter into a special fund which is hereby created in the state treasury and designated as the Horticulture and Quarantine Fund.

(3) All unexpended and unencumbered monies in the fund at the end of the fiscal year shall remain in the fund. The state treasurer shall invest monies in the fund in the same manner as monies in the state general fund. All interest earned on monies from the fund invested by the state treasurer shall be deposited in the fund.

(4) Subject to appropriation, the monies in the fund shall be used for the following purposes:

(a) To provide for the expenses of the program established by this Chapter and the expenses of the office of agricultural and environmental sciences, as determined by the commissioner.

(b) To fund any and all costs related to the purposes of this Chapter and to carrying out the powers and duties granted the commission and the commissioner under this Chapter.

~~H. I.~~ The commission is authorized to promulgate rules and regulations, in accordance with the Administrative Procedure Act, necessary to implement the provisions of this Section.

* * *

§3808. Terms and conditions of licenses and permits

* * *

I. A cut flower dealer's permit authorizes the holder to ~~do any of the following:~~ ~~(1) Sell sell~~ cut flowers either singly or in bunches, or both. ~~However, the holder of a cut flower permit may not sell cut flowers within three hundred feet of the place of business of another person engaged in the profession of retail florist.~~

~~(2) Operate under that permit a vending machine for the sale of cut flowers and floral design in accordance with the provisions of this Chapter and the rules and regulations adopted pursuant to this Chapter, if the holder is engaged in the profession of retail florist.~~

J. A floral dealer permit authorizes the holder to sell cut flowers and ornamental plants in pots. The commission shall ensure that all regulations and requirements for the issuance of a floral dealer permit are free of examination or testing requirements to ensure that barriers to entry into the profession are minimized. Each person engaged in the occupation of a floral dealer may operate a vending machine at a location remote from the individual's place of business for the sale of cut flowers. The permittee shall obtain a floral dealer permit for each vending machine.

~~J. K.~~ Each person issued a permit ~~under pursuant to~~ the provisions of this Chapter shall meet the occupational standards determined by the commission for each occupation and shall notify the commission of each change in the

address of the permit holder.

~~K. L.~~ Each person who holds a valid Louisiana Nursery Certificate Permit may use that permit in lieu of a nursery stock dealer's dealer permit, or a cut flower dealer's dealer permit, or both, at any one outlet.

~~L. M.~~ Each nursery stock dealer and cut flower dealer shall secure an appropriate permit for each outlet operated by the dealer.

~~M. N.~~ Each license and permit issued ~~under pursuant to~~ the provisions of this Chapter shall expire on January thirty-first of each year and may be renewed in accordance with rules adopted by the commission.

~~N. O.~~ Each holder of a license or permit issued ~~under pursuant to~~ the provisions of this Chapter shall present such license or permit upon demand of any authorized agent of the horticulture commission.

~~O. P.~~ Utility arborists shall be subject to the following provisions:

(1) A utility arborist's license authorizes the holder thereof to recommend or execute the removal of trees or portions of trees along utility rights of way.

(2) For license renewal, each utility arborist is required to attend a continuing training seminar as determined by rule by the commission.

~~P. Q.~~ Landscape irrigation contractors shall be subject to the following provisions:

(1) Notwithstanding any other law to the contrary, a landscape irrigation contractor's license authorizes the holder to construct, install, connect, repair, maintain, improve, or alter any portion of a landscape irrigation system, including the required wiring within that system, and to install and connect the landscape irrigation system to the required power supply and to a public or private water supply system.

(2) For license renewal, each landscape irrigation contractor shall obtain continuing training as determined by rule of the commission.

(3) He shall request and be issued any necessary permits from any governing authority.

(4) Prior to connecting to a public or private water supply system, a licensed landscape irrigation contractor shall obtain a water supply protection specialist endorsement from the State Plumbing Board. The State Plumbing Board shall issue a special endorsement of a water supply protection specialist to any licensed landscape irrigation contractor who completes the training required by the State Plumbing Board as provided for in R.S. 37:1368(H)(1); however, neither a journeyman plumber's license nor a master plumber's license shall be required.

(5) Backflow prevention devices shall be installed in accordance with the provisions of Part XIV of the Louisiana State Sanitary Code by a person holding a water supply protection specialist endorsement.

(6) Nothing in this Subsection shall permit any licensed landscape irrigation contractor to perform any electrical or plumbing services not provided for in this Subsection, for which a license is required from any other regulatory board. Nothing in this Subsection shall prohibit a licensed electrician or plumber from providing electrical or plumbing services necessary to make or keep an irrigation system operational.

Section 2. R.S. 3:3801(A)(6) and (C)(3), 3804(A)(2) and (3), 3807(B)(2) and (3), and 3808(B) and (C) are hereby repealed in their entirety.

Section 3. Any rule or regulation promulgated by the Department of Agriculture and Forestry providing for the regulation, examination, and licensing of retail florists and wholesale florists shall be null, void, and without effect upon the effective date of this Act. The Department of Agriculture and Forestry shall issue a notice of intent to amend its rules and regulations in conformity with this Act on or before September 1, 2024 and adopt the amended rules and regulations on or before December 1, 2024.

Section 4. This Act shall become effective upon signature by the governor or, if not signed by the governor, upon expiration of the time for bills to become law without signature by the governor, as provided by Article III, Section 18 of the Constitution of Louisiana. If vetoed by the governor and subsequently approved by the legislature, this Act shall become effective on the day following such approval.

Approved by the Governor, June 11, 2024.

A true copy:

Nancy Landry
Secretary of State

ACT No. 644

HOUSE BILL NO. 954
BY REPRESENTATIVES MENA AND CHASSION
AN ACT

To amend and reenact R.S. 37:698(A)(3), 711.23(A)(3), 846(A)(9), 1061(A)(4), 1241(A)(4), 1360.108(A)(2), 1437(B)(introductory paragraph) and (1), 1437.1(B)(introductory paragraph) and (2), 1450(A)(3), 1526(A)(5), 1554(A)(9), 2585(2), 2838(1), 2848(e), 3396(D)(3), 3409(E)(3), 3429(A)(1), 3449(A)(1), and 3507(A)(3), to enact R.S. 37:2950(C), and to repeal R.S. 37:921(8), 1360.33(7), 1565(A)(2), 2453(1), and 2557(A)(1)(b), relative to licensing boards and occupations; to provide for licenses, certificates, and permits of certain professions; to provide for disciplinary proceedings and disciplinary action; to provide for certain offenses and violations; to remove moral turpitude convictions from occupational licensing disqualifications; and to provide for related matters.

Be it enacted by the Legislature of Louisiana:

Section 1. R.S. 37:698(A)(3), 711.23(A)(3), 846(A)(9), 1061(A)(4), 1241(A)(4), 1360.108(A)(2), 1437(B)(introductory paragraph) and (1), 1437.1(B)(introductory paragraph) and (2), 1450(A)(3), 1526(A)(5), 1554(A)(9), 2585(2), 2838(1), 2848(e),

3396(D)(3), 3409(E)(3), 3429(A)(1), 3449(A)(1), and 3507(A)(3) are hereby amended and reenacted and R.S. 37:2950(C) is hereby enacted to read as follows:

§698. Disciplinary proceedings against licensees and certificate holders; procedure

A. The board shall have the power to take disciplinary action against any licensee or certificate holder found by the board to be guilty of any of the following acts or offenses:

* * *

(3) Conviction of a felony ~~or of any crime of moral turpitude~~ or entry of a plea of guilty or nolo contendere to a felony charge ~~or to a crime of moral turpitude~~ under the laws of the United States or any state, territory, or district of the United States.

* * *

§711.23. Disciplinary proceedings against licensees and certificate holders; procedure

A. The board shall have the power to take disciplinary action against any licensee or certificate holder found by the board to be guilty of any of the following acts or offenses:

* * *

(3) Conviction of a felony ~~or of any crime of moral turpitude~~ or entry of a plea of guilty or nolo contendere to a felony charge ~~or to a crime of moral turpitude~~ under the laws of the United States or any state, territory, or district of the United States.

* * *

§846. Refusal to grant or renew licenses; revocation or suspension; grounds; hearings

A. The board may refuse to grant, refuse to renew, suspend, or revoke any license, or impose a sanction or fine in keeping with the penalty provision of this Part for any licensee or registrant when he is found guilty of any of the following acts or omissions:

* * *

(9) Conviction of any felony ~~or of any offense involving moral turpitude~~.

* * *

§1061. Violations and causes for refusal, suspension, or revocation of certificate

A. The board may, after due notice and hearing, assess a fine not to exceed the sum of five thousand dollars for each offense, refuse to license, register, certify, or permit any applicant, refuse to renew the license or permit of any person, or may revoke, summarily suspend, suspend, place on probation, reprimand, issue a warning against the person who was issued the license, registration, certificate, permit, or any other designation deemed necessary to engage in the practice of optometry upon proof that the person:

* * *

(4) Has been convicted of a felony that the board finds is directly related to the practice of optometry pursuant to R.S. 37:2950 ~~or other public offense involving moral turpitude~~ in the courts of any state, territory or country. Conviction, as used in this Paragraph, shall include a finding or verdict of guilty, an admission of guilt, or plea of nolo contendere.

* * *

§1241. Refusal, restriction, suspension, or revocation of license

A. The board may, after due notice and hearing, assess a fine not to exceed the sum of five thousand dollars for each offense, refuse to license, register, certify, or permit any applicant, refuse to renew the license or permit of any person, or may revoke, summarily suspend, suspend, place on probation, reprimand, issue a warning against the person who was issued the license, registration, certificate, permit, or any other designation deemed necessary to engage in the practice of pharmacy upon proof that the person:

* * *

(4) Has been convicted of a felony that the board finds is directly related to the practice of pharmacy pursuant to R.S. 37:2950 ~~or other public offense involving moral turpitude~~ in the courts of any state, territory, or country. Conviction, as used in this Paragraph, shall include a finding or verdict of guilty, an admission of guilt, or a plea of nolo contendere.

* * *

§1360.108. Improper and unprofessional conduct

A. The board may, after a hearing conducted pursuant to the Administrative Procedure Act or by consent of the parties, deny or refuse to issue, revoke, suspend, or cancel a license or place on probation, reprimand, censure, or otherwise discipline a licensee upon proof satisfactory to the board that the person has done or been any of the following:

* * *

(2) He has been convicted of a felony under state or federal law ~~or committed any other offense involving moral turpitude~~.

* * *

§1437. Application for license

* * *

B. Licenses shall be granted only to persons, partnerships, limited liability companies, associations, corporations, or other legal entities ~~that bear a good reputation for honesty, trustworthiness, integrity, and competence~~ to transact the real estate activities defined in this Chapter, in such a manner as to safeguard the interest of the public, and only after satisfactory proof of such qualifications has been presented to the commission.

(1) When an applicant has been convicted of forgery, embezzlement, obtaining money under false pretenses, larceny, extortion, conspiracy to defraud, or theft, or has been convicted of a felony that the commission finds is directly related to real estate activity pursuant to R.S. 37:2950, ~~or~~

CODING: Words in ~~struck through~~ type are deletions from existing law; words underlined (House Bills) and underscored and **boldfaced** (Senate Bills) are additions.

~~a crime involving moral turpitude in any court of competent jurisdiction, such untrustworthiness of the applicant, and the conviction, may in itself be sufficient grounds for refusal of a license.~~

§1437.1. Timeshare registration

B. The application for registration shall be in such form as may be required by the commission and in accordance with R.S. 9:1131.9 ~~so that only persons who have a good reputation for honesty, trustworthiness, and integrity may be so registered.~~

(2) When an applicant has been convicted of forgery, embezzlement, obtaining money under false pretenses, larceny, extortion, conspiracy to defraud, or theft, or has been convicted of a felony that the commission finds is directly related to real estate activity pursuant to R.S. 37:2950, ~~or a crime involving moral turpitude in any court of competent jurisdiction, such untrustworthiness of the applicant, and the conviction, may in itself be sufficient grounds for refusal of a timeshare interest sales registration.~~

§1450. Duty of licensees, registrants, and certificate holders to report legal action pertaining to real estate activities

A. It shall be the duty of every licensee, registrant, and certificate holder to notify the commission within ten days by registered or certified mail or by hand delivery of the following actions:

(3) Any final conviction of him by a court of competent jurisdiction for forgery, embezzlement, obtaining money under false pretenses, larceny, extortion, conspiracy to defraud, theft, or any other felony, ~~or any crime involving moral turpitude.~~

§1526. Discipline of licensees

A. Upon written complaint sworn to by any person, the board may, after a hearing held pursuant to R.S. 37:1518(5) and by a concurrence of three members, assess a fine not to exceed the sum of one thousand dollars, revoke or suspend for a specified time the license of or otherwise discipline, any licensed veterinarian for any of the following reasons:

(5) Conviction or cash compromise of a felony, ~~or other public offense involving moral turpitude.~~

§1554. Discipline of CAETS

A. After a hearing held in compliance with the Administrative Procedure Act, the board may deny, suspend, or revoke the certificate of approval held by any technician or impose any other penalty authorized by this Chapter, when it finds that the provisions of this Chapter or any of the rules and regulations adopted by the board are not being complied with or upon the grounds that the certified animal euthanasia technician has:

(9) Been convicted of or entered a plea of nolo contendere to a felony ~~or other offense involving moral turpitude~~ or controlled dangerous substances under state or federal law.

§2585. Qualifications for license

Upon the filing of the application and the approval of such bond and the payment of the specified fees, if the director shall, upon investigation, find:

(2) That the applicant, if an individual, and the members thereof, if the applicant be a partnership or association, and the officers and directors thereof, if the application be a corporation, ~~has not been convicted of any crime involving moral turpitude,~~ or if such person or persons have not had a record of having defaulted in the payment of money collected for others, including the discharge of such debts through bankruptcy proceedings; the director shall thereupon issue and deliver a license to the applicant to engage in the financial planning and management service business in accordance with the provisions of this Chapter at the location specified in the said application, which license shall remain in full force and effect until it is surrendered by the licensee or revoked by the director as hereinafter provided, however, that each license shall expire by the terms hereof on January 1 first next following the issuance thereof unless the same be renewed as hereinafter provided.

§2838. Polygraphist's certification qualifications

A person shall be qualified to receive a certificate as a polygraphist, upon satisfying the following:

(1) Has not been convicted of a felony that the board finds is directly related to work as a certified polygraphist pursuant to R.S. 37:2950 ~~or misdemeanor involving moral turpitude.~~

§2848. Refusal, suspension, revocation; grounds

The board may refuse to issue, or may suspend or revoke a certificate on any one or more of the following grounds:

(e) If the holder of any certificate has been adjudged guilty of the commission of a felony that the board finds is directly related to work as a certified polygraphist pursuant to R.S. 37:2950 ~~or misdemeanor involving moral turpitude.~~

§2950. Criminal record effect on trade, occupational, and professional licensing

C. Licensing boards shall not use vague or generic terms including but not limited to the phrases “moral turpitude” and “good character”.

§3396. Applications

D.

(3) When an applicant has been convicted of forgery, embezzlement, obtaining money under false pretense, larceny, extortion, conspiracy to defraud, or theft, or has been convicted of a felony that the board finds is directly related to the practice of real estate appraisal pursuant to R.S. 37:2950, ~~or a crime of moral turpitude in any court of competent jurisdiction, such untrustworthiness of the applicant or the conviction itself may be sufficient grounds for refusal to issue a license.~~

§3409. Disciplinary proceedings

E. It shall be the duty of each registered or licensed real estate appraiser to notify the board within ten days by registered or certified mail or by hand delivery of the following actions:

(3) Any conviction of the appraiser by a court of competent jurisdiction for forgery, embezzlement, obtaining money under false pretenses, larceny, extortion, conspiracy to defraud, theft, or any other felony, ~~or any crime involving moral turpitude.~~

§3429. Denial, revocation, or suspension of license

A. The board may withhold, suspend, restrict, revoke, or refuse to issue or renew any license issued or applied for in accordance with this Chapter or otherwise discipline a licensed clinical exercise physiologist after notice and opportunity for hearing pursuant to the Administrative Procedure Act, upon proof that the applicant or licensed clinical exercise physiologist:

(1) Has been convicted in a court of competent jurisdiction of a felony that the board finds is directly related to the practice of clinical exercise physiology pursuant to R.S. 37:2950 ~~or any offense involving moral turpitude, the record of conviction being conclusive evidence thereof.~~

§3449. Denial, revocation, or suspension of license

A. The board, by affirmative vote of at least four of its five members, shall withhold, deny, revoke, or suspend any license issued or applied for in accordance with the provisions of this Chapter or otherwise discipline a licensed professional vocational rehabilitation counselor upon proof that the applicant or licensed professional vocational rehabilitation counselor:

(1) Has been convicted in a court of competent jurisdiction of a felony that the board finds is directly related to the practice of rehabilitation counseling pursuant to R.S. 37:2950 ~~or any offense involving moral turpitude, the record of conviction being conclusive evidence thereof.~~

§3507. Qualifications of licensee

A. The board shall base the determination of the satisfactory minimum qualifications for licensing on whether or not the applicant satisfies the following criteria:

(3) Has not been convicted in any jurisdiction of any felony that the board finds is directly related to the private investigator practice pursuant to R.S. 37:2950 ~~or of any crime involving moral turpitude.~~

Section 2. R.S. 37:921(8), 1360.33(7), 1565(A)(2), 2453(1), and 2557(A)(1)(b) are hereby repealed in their entirety.

Approved by the Governor, June 11, 2024.

A true copy:
Nancy Landry
Secretary of State

ACT No. 645

HOUSE BILL NO. 966

(Substitute for House Bill No. 696 by Representative Geymann)

BY REPRESENTATIVE GEYMANN

AN ACT

To amend and reenact R.S. 30:28(D)(2), (3), (4), and (7) and (E) and 1104(A) (1) and to enact R.S. 30:1104.2 and 1113, relative to unitization for carbon dioxide sequestration; to provide definitions; to provide for notification requirements; to provide for the issuance of drilling permits; to provide for the authority of the commissioner of conservation; to authorize unitization for carbon dioxide storage; to provide for public hearings; to provide required findings; to provide for terms of the unitization order and compensation for owners in interest; to require certain determinations by the commissioner; to provide for a method for determining fair and just compensation; to provide relative to venue; to provide relative to owners rights; and to provide for related matters.

Be it enacted by the Legislature of Louisiana:

CODING: Words in ~~struck through~~ type are deletions from existing law; words underlined (House Bills) and underscoring and **boldfaced** (Senate Bills) are additions.

Section 1. R.S. 30:28(D)(2), (3), (4) and (7) and (E) and 1104(A)(1) are hereby amended and reenacted and R.S. 30:1104.2 and 1113 are hereby enacted to read as follows:

§28. Drilling permits; issuance; fees; location plat; notice and hearing; funds from drilling permit fees

* * *

D. The commissioner of conservation shall not issue a permit to drill a well or a test well pursuant to Subsection A, B, or C of this Section until the provisions of this Subsection have been satisfied:

* * *

(2) The commissioner of conservation shall review the location plat and make a determination as to whether any residential or commercial structure or area of review for a carbon dioxide storage facility not owned by the applicant, his lessor, or other predecessor in interest is situated within a five hundred foot radius of the proposed drilling site. For purposes of this Section, “carbon dioxide storage facility” shall include any current or proposed project for which a Class VI permit has been applied or issued and “area of review” shall have the same meaning as that term is defined in administrative rules regarding Class VI injection wells.

(3) Upon a determination by the commissioner that a residential or commercial structure or area of review for a carbon dioxide storage facility is located within five hundred feet of the proposed drilling site, he shall convey that information, together with written notice of a public hearing thereon, by means of an official notice delivered by first class mail, to any person owning a residential or commercial structure within a five hundred foot radius of the proposed site, the operator of a carbon dioxide storage facility whose area of review is within a five hundred foot radius of the proposed site, and to the local governing authority in whose jurisdiction the property is located.

(4) Any property owner, carbon dioxide storage facility operator, or local governing authority so notified shall have the right within ten days of the mailing of such notice to request a public hearing concerning the issuance of such permit.

* * *

(7) If the commissioner, in his review of the location plat required by Paragraph (2) of this Subsection, determines that no residential or commercial structure or area of review for a carbon dioxide storage facility not owned by the applicant, his lessor, or other predecessor in interest falls within five hundred feet of the proposed well site, he shall issue the permit required for such drilling in accordance with the provisions of Subsections A, B, C, and F of this Section and any rules and regulations issued thereunder.

* * *

E. Any permit issued to drill an oil or gas well or test well to a depth of less than ten thousand feet shall not be subject to the provisions of Subsection D of this Section other than those requirements regarding carbon dioxide storage facilities.

* * *

§1104. Duties and powers of the commissioner; rules and regulations; permits

A. The office of conservation’s actions under this Chapter shall be directed and controlled by the commissioner. The commissioner shall have authority to:

(1) Regulate the development and operation of storage facilities and pipelines transmitting transporting carbon dioxide to storage facilities, including unitization in accordance with the provisions of R.S. 30:1107, 30:1104.2 and the issuance of certificates of public convenience and necessity for storage facilities and pipelines in accordance with the provisions of R.S. 30:1107 serving such projects approved hereunder.

* * *

§1104.2. Unitization

A. In order to promote the orderly development of the state’s geologic storage resources, to ensure that these resources are developed in an efficient, fair, and equitable manner, and to prevent waste thereof, upon the application of a storage operator, the commissioner is authorized and empowered to enter an order requiring the unit operation of a storage unit, as that term is defined in this Section, in addition to any reasonable and necessary areal buffer and subsurface monitoring zones, and in connection with such an order of unit operation, the commissioner shall have the right to unitize, pool, and consolidate all separately owned tracts and other property interests within a storage unit for geologic storage.

B. An order for unit operation shall be issued only after notice, public hearing, and a finding by the commissioner that it is for a public and necessary purpose. In order to consider a unit application, the commissioner shall find that at least three-fourths of the owners in interest within the proposed storage unit have consented in writing to geologic storage. The required three-fourths of the owners in interest shall be on the basis of, and in proportion to, the surface acreage content of the entire storage unit and, if a tract within the storage unit is subject to ownership in indivision, credited by multiplying the acreage of the tract by the undivided ownership interest of the parties who have consented in writing to geologic storage.

C. An order for unit operation shall provide for just and equitable sharing of the benefits generated from use of such tracts for geologic storage, and shall provide for just and equitable compensation to all owners in interest, including the storage operator, other owners in interest who consented in writing to geologic storage, and owners in interest who did not consent in writing to geologic storage, except that the order shall not vary, alter, or otherwise apply a standard of benefit sharing or compensation to, the terms

of any contracts between the storage operator and any owner in interest. The order shall set forth the method, formula, or other basis by which the just and equitable sharing of the benefits shall be determined, including the timing of payments thereof. In determining the method, formula, or other basis, the commissioner may take into consideration such factors that include but are not limited to the computational modeling submitted by an existing or proposed storage operator, whether there is an impact to a tract, the extent of any impact to a tract, each separately owned tract’s proportionate share of the total surface acreage contributed to the storage unit, the costs required to perform the unit operation, and the viability of any third-party geologic storage projects within the storage unit and any associated third-party contracts executed by an owner in interest.

D. Judicial review of orders, rules, and regulations issued by the commissioner pursuant to this Section shall be conducted pursuant to the provisions and requirements of R.S. 30:12. Additionally, subject to timely filing for court review pursuant to R.S. 30:12, the proposed storage unit operator or any owner in interest who has not entered into an agreement for geologic storage with the proposed storage unit operator shall have the right to have the reviewing court determine whether the purpose for the storage unit is public and necessary, whether the compensation provided for is just, and, if not, the amount of just compensation due. As to any owner in interest having the right to have a reviewing court determine whether the compensation is just under this Subsection, the court’s review in those instances shall be limited to the compensation affecting that specific owner in interest. The review of whether the compensation is just may be heard through a trial by jury if timely requested by any party. Judicial reviews conducted under this Subsection shall be tried by preference and shall be conducted with the greatest possible dispatch.

E. Upon application by the storage operator or at the commissioner’s discretion and after notice, public hearing, and consideration of available geological, engineering, and other relevant evidence, the commissioner, to the extent required by such evidence, may by order revise, amend, enlarge, reduce, confirm or dissolve any storage unit provided for under this Section or modify any provision of any order issued pursuant to this Section, without the consent required by Subsection B of this Section. An order enlarging or reducing the areal extent of an existing storage unit shall provide for just and equitable compensation to all owners in interest as to any acreage added to the storage unit and may also provide for adjustments to compensation and the sharing of benefits as are just and equitable for all owners in interest as to the area encompassed by the enlarged or reduced storage unit. In any order issued pursuant to this Subsection providing for compensation, the commissioner shall use the same method, formula, or other basis used to determine the just and equitable share pursuant to Subsection C of this Section. However, no order issued pursuant to this Subsection shall vary, alter, or otherwise apply a standard of benefit sharing or compensation to, the terms of any contracts between the storage operator and any owner in interest.

F. Operations on or injection in the storage unit for geologic storage shall be considered operations on or injection in each separate tract in the storage unit.

G. The commissioner shall prescribe, issue, amend, and rescind such orders, rules, and regulations as he may find necessary or appropriate to carry out the provisions of this Section, including establishing the methodology for determining or adjusting just and equitable compensation to owners in interest that have not entered into a contract with the storage operator, including the storage operator, other owners in interest who consented in writing to geologic storage and owners in interest who did not consent in writing to geologic storage, including in the event a storage unit is enlarged or reduced. However, no order, rule, or regulation issued pursuant to this Subsection shall vary, alter, or otherwise apply a standard of benefit sharing or compensation to, the terms of any contracts between the storage operator and any owner in interest. The same requirements and procedures to challenge such an order, rule, or regulation that are stated in Subsection D of this Section shall also apply to this Subsection.

H. For the purposes of this Section, the following terms shall have the following meanings:

(1) “Owner in interest” shall mean any party who owns or otherwise has the right to use the subsurface of a tract within the storage unit for geologic storage, regardless of whether such party is the surface owner of the tract or has acquired the right from the surface owner, or is a successor or assign of such right.

(2) “Storage unit” shall mean the area encompassing the underground reservoir or portion thereof, and all associated top and bottom seals, which comprise the carbon dioxide plume, as that term is defined in administrative rules and regulations providing for Class VI injection wells, based on computational modeling submitted in the unit application by the existing or proposed storage operator, as approved by the commissioner.

I. Except as provided in R.S. 30:1108(B)(2), nothing in this Section shall prevent persons having the right to do so from drilling through the storage unit in such manner as shall comply with the rules of the commissioner issued for the purpose of protecting the storage unit or an associated storage facility against pollution or invasion and against the escape or migration of carbon dioxide.

J. No Class VI injection wellhead shall be located within five hundred feet of any inhabited dwelling not owned by the storage operator or any owner in interest bound by a contract with the storage operator that allows for

the location of a Class VI injection wellhead within five hundred feet of an inhabited dwelling.

K. If this Section, or the application thereof to any person or circumstance, is finally determined by a court of law to be unconstitutional or otherwise invalid, the right to exercise the power of eminent domain and expropriate reservoir storage rights for geologic storage shall be reinstated, subject to the storage operator obtaining a certificate of public convenience and necessity from the commissioner pursuant to R.S. 30:1107(A).

* * *

§1113. Notifications regarding applications

A. Within thirty days of receiving notice of an application for a Class VI injection well being deemed administratively complete, the owner or operator shall make a good faith effort to provide notice of the submission of the application via United States mail to all of the following:

(1) The last operator of record for any oil or gas well located within the area of review delineated in the application.

(2) Any person known to the applicant after reasonable search, including owners and operators, acting on behalf of the person, that presently has the right to drill into and produce from a pool and to appropriate production either for himself or others within the predicted or modeled carbon dioxide plume, as that term is defined in administrative rules and regulations providing for Class VI injection wells.

B. Within ten days of filing an application with the commissioner for a Class V stratigraphic test well, the owner or operator shall make a good faith effort to provide notice of the submission of the application via United States mail to all of the following:

(1) The last operator of record for any oil or gas well located within five hundred feet of the proposed Class V stratigraphic test well location.

(2) Any person known to the applicant after reasonable search, including owners and operators, acting on behalf of the person, that presently has the right to drill into and produce from a pool and to appropriate production either for himself or others within five hundred feet of the proposed Class V stratigraphic test well location.

Approved by the Governor, June 11, 2024.

A true copy:

Nancy Landry
Secretary of State

ACT No. 646

HOUSE BILL NO. 972

(Substitute for House Bill No. 959 by Representative Deshotel)
BY REPRESENTATIVES DESHOTEL, BAGLEY, BERAULT, CARVER,
CHASSION, DOMANGUE, EGAN, FREIBERG, GREEN, MIKE JOHNSON,
LACOMBE, MCFARLAND, NEWELL, OWEN, SELDERS, STAGNI,
WILDER, AND WYBLE
AN ACT

To enact R.S. 37:1275.2, relative to licenses authorized by certain departments, boards, commissions, and offices; to allow the Louisiana State Board of Medical Examiners to grant certain licenses; to provide for requirements for international medical graduates; to limit certain practices; to provide for licensure of certain physicians; to require rule promulgation; and to provide for related matters.

Be it enacted by the Legislature of Louisiana:

Section 1. R.S. 37:1275.2 is hereby enacted to read as follows:

§1275.2. International physicians; licensure

A. The board may grant a license to practice medicine in this state to an international medical graduate who satisfies all of the following criteria:

(1) Has been granted a medical doctorate or substantially similar degree by an international medical program of good standing. For the purposes of this Section, “international medical program” means a medical school, residency program, medical internship program, or entity that provides physicians with a medical education or training outside of the United States that is substantially similar to the medical education or training required to practice as a physician in this state. The international medical graduate shall submit documentation or a certification from a medical school whose curriculum is judged to be acceptable by the board.

(2) Is in good standing with the medical licensing or regulatory institution of the individual’s licensing country.

(3) Has completed a residency or substantially similar post-graduate medical training in the individual’s licensing country or practiced as a medical professional performing the duties of a physician in the individual’s licensing country for no less than five years.

(4) Is a citizen of the United States or Canada or legally entitled to live or work in the United States and possesses basic fluency in the English language.

(5) Has submitted sufficient evidence to the board that the applicant has an offer for employment as a physician at a facility owned or operated by a hospital licensed in this state.

B. An international medical graduate who is granted a license pursuant to this Section shall provide medical services only at a facility owned or operated by a hospital licensed by this state until the completion of two years from the date of original licensure and after such time the licensee is no longer subject to this limitation.

C. The board may revoke a license issued pursuant to this Section based upon a finding that clear and convincing evidence exists that a license

holder’s medical services violated medical safety, competency, or conduct standards established by the board.

D. The board shall promulgate any rules and regulations pursuant to the Administrative Procedure Act that may be necessary to effectuate the provisions of this Section.

Approved by the Governor, June 11, 2024.

A true copy:

Nancy Landry
Secretary of State

ACT No. 647

HOUSE BILL NO. 974

(Substitute for House Bill No. 168 by Representative Carlson)
BY REPRESENTATIVE CARLSON

AN ACT

To amend and reenact R.S. 25:215(A), to enact R.S. 25:214(D), and to repeal R.S. 33:1415(C), relative to library boards of control; to provide relative to the duties, membership, and powers of the boards; to provide relative to the employment of library directors and head librarians; to provide for qualifications; and to provide for related matters.

Be it enacted by the Legislature of Louisiana:

Section 1. R.S. 25:215(A) is hereby amended and reenacted and R.S. 25:214(D) is hereby enacted to read as follows:

§214. Board of control; members; appointment and terms of office

* * *

D. The provisions of R.S. 33:1415(A) shall apply to the appointment of all members of the boards of control created pursuant to Subsections A and B of this Section.

§215. Duties and powers of the board; employment of librarian, assistants, and other employees

A.(1) The board of control shall meet and organize immediately after their its appointment and annually thereafter and elect a president, vice-president, secretary, and treasurer, whose duties shall be those customarily exercised by such officers. The board of control shall have authority to establish rules and regulations for its own government and that of the library not inconsistent with law; and to elect and employ a librarian, and, upon the recommendation and approval of the latter, to employ assistant librarians and other employees and fix their salaries and compensation; provided that no. No contract of employment shall be made for a longer period than four years nor with any person as head librarian who has not been certified by the State Board of Library Examiners as provided in R.S. 25:222. The head librarian may be appointed or elected secretary of the board of control.

(2) In addition to librarians as provided in Paragraph (1) of this Subsection, the board of control may hire a library director and establish qualifications for the position. The board of control may but is not required to provide that a certificate or permit from the State Board of Library Examiners is a qualification for the library director position. The board of control may provide that the library director shall serve as the head librarian. The requirement in Paragraph (1) of this Subsection for certification by the State Board of Library Examiners is not applicable to a head librarian who is also serving as a library director.

* * *

Section 2. R.S. 33:1415(C) is hereby repealed.

Approved by the Governor, June 11, 2024.

A true copy:

Nancy Landry
Secretary of State

ACT No. 648

SENATE BILL NO. 413
BY SENATOR MILLER

AN ACT

To amend and reenact Code of Criminal Procedure Articles 893(I)(4) and 897(A)(introductory paragraph) and (B)(introductory paragraph), relative to probation; to provide that terms for probation or parole cannot be reduced for persons convicted of certain offenses; and to provide for related matters.

Be it enacted by the Legislature of Louisiana:

Section 1. Code of Criminal Procedure Articles 893(I)(4) and 897(A) (introductory paragraph) and (B)(introductory paragraph) are hereby amended and reenacted to read as follows:

Art. 893. Suspension and deferral of sentence and probation in felony cases

* * *

I.

* * *

(4) The **Notwithstanding the provisions of Article 897(A),** the court may terminate probation at any time as “satisfactorily completed” upon the final determination that the defendant is in compliance with the terms and conditions of probation.

* * *

Art. 897. Termination of probation or suspended sentence; discharge of defendant

A. In a felony case, **other than for a conviction of operating a vehicle while**

intoxicated, vehicular homicide, or first degree vehicular negligent injuring, the court may terminate the defendant’s probation, early or as unsatisfactory, and discharge him at any time after the expiration of one year of probation when either of the following occur:

B. In a misdemeanor case, **other than for a conviction of vehicular negligent injuring,** the court may terminate the defendant’s suspended sentence or probation and discharge him at any time when all of the following conditions are met:

Approved by the Governor, June 10, 2024.
A true copy:
Nancy Landry
Secretary of State

ACT No. 649

HOUSE BILL NO. 244
BY REPRESENTATIVES HUGHES, CARLSON, CARVER, FREIBERG,
SCHLEGEL, TAYLOR, AND YOUNG
AN ACT

To amend and reenact Part III of Chapter 43 of Title 17 of the Louisiana Revised Statutes of 1950, comprised of R.S. 17:4032.1, relative to academic assistance for certain public school students; to provide for student and service provider eligibility, program administration, payment amounts and uses, notifications, reports, and funding; to provide for an effective date contingent on necessary appropriations; and to provide for related matters. Be it enacted by the Legislature of Louisiana:

Section 1. Part III of Chapter 43 of Title 17 of the Louisiana Revised Statutes of 1950, comprised of R.S. 17:4032.1, is hereby amended and reenacted to read as follows:

PART III. STEVE CARTER ~~LITERACY~~ **EDUCATION** PROGRAM
§4032.1. Steve Carter ~~Literacy Education~~ Program; establishment; student eligibility; service provider eligibility and approval; administration; payment amounts and uses; notifications; reports; funding

A. The Steve Carter ~~Literacy Education~~ Program, referred to in this Part as the “program”, is hereby established for the purpose of providing funds for supplemental educational services for eligible students.

B. A public school student who falls into one of the following categories is eligible to participate in the program:

(1) He is in kindergarten or the first, second, or third grade and is determined to read below grade level or be at risk for reading ~~or mathematics~~ difficulties according to the results of a literacy ~~assessment or mathematics assessment approved by the state Department of Education.~~

(2) He is in the fourth ~~or fifth~~ **through twelfth** grade and scored below mastery in English language arts ~~or mathematics~~ on the state assessment administered the prior school year.

(3) His eligibility cannot be determined according to the measures provided in Paragraphs (1) and (2) of this Subsection due to the lack of ~~a department-approved literacy or mathematics assessment or state assessment results~~ but he is recommended by his English language arts ~~or mathematics~~ teacher for participation in the program due to the student’s ~~reading academic~~ difficulties.

C. The state Department of Education shall administer and provide for the implementation of the program pursuant to rules and regulations developed and adopted for such purpose by the State Board of Elementary and Secondary Education in accordance with the Administrative Procedure Act.

D. In administering the program, the department shall:
(1) Evaluate ~~student’s~~ **students’** eligibility for the program.
(2) Develop an application process for students and providers and accept applications.

(3) Evaluate ~~and publish a list of approved~~ providers of supplemental educational services including but not limited to those with expertise in early literacy ~~or mathematics~~ to determine their initial and continued eligibility for program payments. ~~The department shall establish~~

(4) ~~Establish~~ minimum criteria by which approved providers shall be evaluated to ensure program effectiveness in improving students’ reading ~~and mathematics~~ abilities, including but not limited to performance on ~~approved department-approved~~ literacy ~~and mathematics~~ assessments and the Louisiana Educational Assessment Program state assessment ~~and the results of a parental satisfaction survey.~~ Providers that fail to demonstrate improvement in students’ reading ~~or mathematics~~ abilities for two consecutive years shall be deemed ineligible to participate in the program.

(4) (5) Remit payments to such providers for services rendered to students in the program with the lowest-performing economically disadvantaged students given the highest priority.

(5) (6) Notify the governing authority of each public school of the application process, requirements, and deadlines for parents and legal guardians.

E. By not later than September thirtieth of each year, or as soon as practicable if a student’s reading ~~or mathematics~~ deficiency is identified after this date, each public school governing authority shall notify the parent or legal guardian of each student who is eligible to participate in the program of the process for applying for the program and other information provided by the department pursuant to Paragraph ~~(D)(5)~~ **(D)(6)** of this Section.

F.(1) The department shall remit payment for services provided, up to a

maximum of one thousand five hundred dollars per student per school year. ~~A participating student may receive tutoring services in both reading and mathematics, but the total for all services shall not exceed one thousand five hundred dollars.~~ Program money may be used for any of the following eligible purposes that are designed to improve ~~reading or literacy~~ **reading, literacy, or mathematics** skills:

(a) Books for home use; ~~chosen from a list developed by the department,~~ including electronic or digital books and subscriptions to online book clubs; however, such costs shall not exceed two hundred fifty dollars per school year.

(b) Instructional materials and curriculum, including but not limited to online materials, that have been reviewed in accordance with R.S. 17:351.1 and have been determined to fully align with state academic content standards.

(c)(i) Tutoring services provided by a person who is trained in the state standards for English language arts ~~or mathematics~~ and who holds a valid ~~teaching certificate in either elementary education or reading or holds a baccalaureate or graduate degree in education, English, or another subject area indicative of expertise in reading and literacy.~~ **meets one of the following criteria:**

(aa) He holds a valid teaching certificate in elementary education, reading, ~~or mathematics~~ or holds an associate or baccalaureate degree.

(bb) He is employed as a paraprofessional by a public school governing authority.

(cc) He is a student pursuing a degree at a postsecondary education institution.

(ii) ~~In addition to the requirements provided in Item (i) of this Subparagraph, a person providing tutoring services in reading shall have successfully completed a department-approved science of reading training.~~

(d) Summer education programs.

(e) After-school education programs.

(2) The department shall remit payments to approved providers on behalf of eligible students.

(3) Any expenses above the limit established in Paragraph (1) of this Subsection shall be the responsibility of the student’s parent or legal guardian.

(4) The department shall develop a procedure for verification that students in the program received the services for which payments were made.

G. The department shall submit a report to the House Committee on Education and the Senate Committee on Education by not later than April thirtieth of each year regarding the implementation of the program. The report shall include, at a minimum, the following information for that year:

(1) The total number of students on whose behalf payments were remitted.

(2) The public schools in which such students are enrolled and the number of students on whose behalf payments were remitted in each school.

(3) The total dollar amount of payments remitted to approved providers.

(4) A list of the approved providers to which payments were remitted and the supplemental educational services provided to each student.

(5) ~~A report~~ **Information** relative to the performance of each provider and overall program performance with respect to improving participants’ reading ~~abilities and mathematics abilities as provided in Paragraph (D)(4) of this Section.~~

H. Implementation of the program is subject to the appropriation of funds or the availability of any local funds for the purposes of this Part. The department may use any federal or state funds appropriated for the purpose of increasing early ~~literacy literacy, improving students’ mathematics~~ abilities, or supporting academic achievement among ~~elementary public~~ school students to make program payments.

Section 2. The provisions of this Act shall become effective when an Act of the Louisiana Legislature containing a specific appropriation of monies for the implementation of the provisions of this Act becomes effective.

Approved by the Governor, June 11, 2024.
A true copy:
Nancy Landry
Secretary of State

ACT No. 650

HOUSE BILL NO. 267
BY REPRESENTATIVES CARVER, ADAMS, BAYHAM, BERAULT,
BUTLER, CARLSON, CARPENTER, WILFORD CARTER, CHASSION,
COATES, COX, DEWITT, EDMONSTON, FISHER, FREEMAN, FREIBERG,
GREEN, HUGHES, ILLG, MIKE JOHNSON, KERNER, KNOX, LAFLEUR,
MANDIE LANDRY, LARVADAIN, MACK, MARCELLE, MELERINE,
MILLER, NEWELL, OWEN, SCHLEGEL, STAGNI, TAYLOR, THOMAS,
THOMPSON, WYBLE, YOUNG, AND ZERINGUE
AN ACT

To amend and reenact R.S. 17:24.10(A)(4)(a), (F), and (G) and to enact R.S. 17:24.10(H) through (K), relative to public education in kindergarten through third grade; to provide for annual numeracy assessment of certain students; to provide numeracy support to certain students; to require numeracy improvement plans; to authorize consolidation of certain academic plans for certain students; and to provide for related matters.

Be it enacted by the Legislature of Louisiana:
Section 1. R.S. 17:24.10(A)(4)(a), (F), and (G) are hereby amended and reenacted and R.S. 17:24.10(H) through (K) are hereby enacted to read as follows:

§24.10. Early literacy instruction and screening; foundational numeracy skills instruction and screening; parental notification; reporting
A. Each public school shall:

* * *

(4)(a) Ensure, pursuant to R.S. 17:351.1, that all textbooks and instructional materials used to teach students to read are ~~high-quality~~; high-quality; fully aligned to state content ~~standards~~; standards; and based on literacy strategies that are scientifically researched with proven results in teaching phonological awareness, letter formation, phonics, decoding, fluency, vocabulary, and comprehension.

* * *

F. A student in ~~grades~~ kindergarten through ~~three~~ third grade, within thirty days of being identified as having literacy skills that are below grade level based on the results of the literacy screener, shall receive an individual reading improvement plan. The plan shall be created by the teacher, principal, other pertinent school personnel, and the parent or legal ~~guardian~~; guardian; shall describe the evidence-based reading intervention services the student will ~~receive~~; receive; and shall give suggestions for strategies parents can use at home.

G. Each public school shall:

(1) Provide each student in kindergarten through third grade age-appropriate systematic foundational numeracy skills with instruction based on methods proven to provide a strong numeracy foundation.

(2) Within the first thirty days of each school year, administer a numeracy screener; in December, administer a numeracy development progress monitoring tool; and in April, administer an end-of-grade numeracy assessment, all of which shall be developed or selected and provided by the state Department of Education to each student in kindergarten through third grade to measure each student's development of foundational numeracy.

(3) Provide numeracy interventions and supports designed to improve the foundational numeracy skills of any student identified as having numeracy skills below grade level. The supports may include daily targeted small-group interventions, web-based and other individual supports, before- and after-school numeracy intervention provided by a teacher or tutor with specialized numeracy training, at-home numeracy programs that include numeracy workshops for the parents and legal guardians of students and web-based or parent-guided home numeracy activities, and summer learning opportunities.

(4)(a) Ensure, pursuant to R.S. 17:351.1, that all textbooks and instructional materials used to teach mathematics are ~~high-quality~~; fully aligned to state content standards; and based on numeracy strategies that are researched with proven results in teaching counting strategies, fluency, magnitude comparison, and simple problem solving.

H.(1) Within fifteen days of identifying that a student in kindergarten through third grade has numeracy skills below grade level, based on the results of the numeracy screener, progress monitoring tool, or end-of-grade numeracy assessment, the school shall notify the student's parent or legal guardian in writing that the student has been identified as having numeracy skills below grade level and shall provide the student's parent with the following:

(a) Information regarding the importance of being proficient in certain numeracy concepts by the end of the third grade.

(b) Activities that may be used at home to improve numeracy proficiency.

(c) Information regarding the specific interventions and supports that the school will provide to improve the student's numeracy skills.

(2) Each school shall provide mid-year and end-of-the-year updates to the parent or legal guardian of each student identified as having numeracy skills below grade level detailing the student's progress in gaining numeracy skills and providing the parent with additional tools to use at home to improve the student's numeracy proficiency.

I. A student in kindergarten through third grade, within thirty days of being identified as being below grade level in numeracy based on the results of the numeracy screener, progress monitoring tool, or end-of-grade numeracy assessment, shall receive an individual numeracy improvement plan. The plan shall be created by the teacher, principal, other pertinent school personnel, and the parent or legal guardian; shall describe the evidence-based intervention services the student will receive; and shall give suggestions for strategies parents can use at home.

J. The following plans may be consolidated into a single plan for each student, as applicable:

(1) Individual reading improvement plans as provided for in Subsection F of this Section.

(2) Individual numeracy improvement plans as provided for in Subsection I of this Section.

(3) Individual reading plans as provided for in R.S. 17:24.11.

(4) Plans for accelerated instruction as provided for in R.S. 17:100.13(H).

K. The State Board of Elementary and Secondary Education shall adopt rules in accordance with the Administrative Procedure Act to implement the provisions of this Section.

Section 2. The provisions of this Act shall be implemented beginning no later than the beginning of the 2026-2027 school year.

Section 3. The provisions of this Act shall become effective when an Act of the Louisiana Legislature containing a specific appropriation of monies for the implementation of the provisions of this Act becomes effective.

Approved by the Governor, June 11, 2024.

A true copy:

Nancy Landry

THE ADVOCATE
PAGE 8

* As it appears in the enrolled bill

Secretary of State

ACT No. 651

SENATE BILL NO. 371

BY SENATOR BARROW AND REPRESENTATIVE BOYD

AN ACT

To amend and reenact the introductory paragraph of R.S. 14:91.2(B) and to enact R.S. 14:43.7, relative to sentencing for certain sex offenses; to provide relative to the administration of surgical castration for sex offenses when the victim is under the age of thirteen at the time of the offense; to provide for medical evaluations of the offender conducted prior to treatment; to provide an exception; to provide relative to the crime of unlawful presence of a sex offender; to raise the maximum age of the victim of the underlying offense under certain circumstances; and to provide for related matters.

Be it enacted by the Legislature of Louisiana:

Section 1. The introductory paragraph of R.S. 14:91.2(B) is hereby amended and reenacted and R.S. 14:43.7 is hereby enacted to read as follows:

§43.7. Administration of surgical castration for certain sex offenders; failure to comply with court order

A. Notwithstanding any other provision of law to the contrary, upon conviction of any sex offense as defined in R.S. 15:541 that is also an aggravated offense as defined in R.S. 15:541, except sexual battery prosecuted under R.S. 14:43.1(C)(2) and second degree sexual battery, occurring on or after August 1, 2024, when the victim is under the age of thirteen at the time of the offense, in addition to any other sentence imposed for the offense, the court may sentence the offender to be surgically castrated, to be administered by the Department of Public Safety and Corrections by a licensed physician. The department shall provide the services necessary to perform the castration.

B.(1) An order of the court sentencing an offender to surgical castration under this Section shall be contingent upon a determination by a court appointed medical expert that the offender is an appropriate candidate for surgery. Notwithstanding Paragraph (2) of this Subsection, this determination shall be made not later than sixty days from the imposition of sentence.

(2) In all cases involving an offender sentenced to a period of incarceration or confinement in an institution, the procedure shall be performed not later than one week prior to the offender's release from the institution.

(3) If an offender fails to appear as required by court order for purposes of the procedure, or refuses to allow the procedure, then the offender shall be charged with a violation of the provisions of this Section. Upon conviction, the offender shall be imprisoned, with or without hard labor, for not less than three years nor more than five years without benefit of probation, parole, or suspension of sentence.

C. Nothing in this Section shall be construed to require the surgical castration when it is not medically appropriate.

D. The provisions of this Section shall not apply to an offender who is under the age of seventeen years.

* * *

§91.2. Unlawful presence of a sex offender

* * *

B. The following acts, when committed by a person convicted of ~~either~~ an aggravated offense as defined in R.S. 15:541 when the victim is under the age of ~~thirteen~~ **fifteen** years, ~~or pornography involving juveniles as defined in R.S. 14:81.1 when the victim is under the age of fifteen years~~, shall constitute the crime of unlawful residence or presence of a sex offender:

* * *

Approved by the Governor, June 11, 2024.

A true copy:

Nancy Landry

Secretary of State

ACT No. 652

SENATE BILL NO. 466

BY SENATORS EDMONDS, ABRAHAM, CLOUD, CONNICK, FESI, HENRY, KLEINPETER, MIGUEZ, MORRIS, SEABAUGH, STINE, TALBOT AND WOMACK AND REPRESENTATIVES BAYHAM, KNOX, LAFLEUR,

ROMERO AND WILDER

AN ACT

To amend and reenact R.S. 14:63(C)(2) and Code of Civil Procedure Art. 3601(E) and to enact Code of Civil Procedure Art. 3601(F) and 3603(D), relative to criminal trespass; to provide that occupants who fail to obey an order to vacate within five days commit criminal trespass; to provide that a squatter commits criminal trespass if he fails to vacate after being directed to do so by a lawful possessor; to provide for injunctive relief; and to provide for related matters.

Be it enacted by the Legislature of Louisiana:

Section 1. R.S. 14:63(C)(2) is hereby amended and reenacted to read as follows:

§63. Criminal trespass; squatters

* * *

C.

* * *

(2) For purposes of this Subsection, ~~the phrase:~~

CODING: Words in ~~struck through~~ type are deletions from existing law; words underlined (House Bills) and underscored and **boldfaced** (Senate Bills) are additions.

(a)“remain **Remain** in or upon property” as used in this Subsection, in addition to its common meaning, signification, and connotation, shall include **includes**:

(i) **The continued presence of an occupant, as defined by Code of Civil Procedure Article 4704, for longer than five days after being served with written notice to vacate in accordance with Code of Civil Procedure Articles 4702 or 4703.**

(ii) **The continued presence of a squatter who has been directed to vacate by a lawful possessor either verbally, by written notice, or by posting of conspicuous signage advising that the property is privately owned and unlawful trespass is prohibited.**

(iii) **The continued presence of a person in violation of a temporary restraining order, preliminary injunction, or a permanent injunction.**

(iv) ~~the~~ **The** operation of an unmanned aircraft system as defined by R.S. 14:337 in the air space over immovable property owned by another with the intent to conduct surveillance of the property or of any individual lawfully on the property.

~~(3) The provisions of This Subparagraph Item (4) of this Subsection shall not apply to any person operating an unmanned aircraft system in compliance with federal law or Federal Aviation Administration regulations or authorization.~~

(b) “Squatter” means any person who remains in or upon property to which he lacks a right of possession, ownership, occupancy, or a lease interest.

* * *

Section 2. Code of Civil Procedure Art. 3601(E) is hereby amended and reenacted and Code of Civil Procedure Art. 3601(F) and 3603(D) are hereby enacted to read as follows:

Art. 3601. Injunction, grounds for issuance; preliminary injunction; temporary restraining order

* * *

E. The irreparable injury, loss, or damage enumerated in Paragraph A of this Article may result from:

(1) the ~~The~~ isolation of an individual over the age of eighteen years by any other individual, curator, or mandatary, including but not limited to violations of Civil Code Article 2995 or Code of Civil Procedure Article 4566(J).

(2) A person being denied the use or enjoyment of immovable property in which he has an ownership, possessory, or lease interest by a person who does not have a legal interest in the property.

E.(1) Notwithstanding the provisions of Code of Civil Procedure Article 3610, security shall not be required for a temporary restraining order or preliminary injunction seeking removal of a person from immovable property in which he does not have a legal interest.

(2) Nothing in this Section shall prohibit a petitioner from pursuing any other remedy provided by law.

* * *

Art. 3603. Temporary restraining order; affidavit or affirmation of irreparable injury and notification efforts

* * *

D. The plaintiff’s assertion by affidavit that he is being denied the use or enjoyment of immovable property in which he has an ownership, possessory, or lease interest by a person without a legal interest in the property shall be sufficient to justify the issuance of a temporary restraining order without notice.

Approved by the Governor, June 11, 2024.

A true copy:

Nancy Landry
Secretary of State

ACT No. 653

HOUSE BILL NO. 400

BY REPRESENTATIVES RISER, BRYANT, CARRIER, ROBBY CARTER, CHASSION, FISHER, FREEMAN, GLORIOSO, GREEN, JACKSON, LAFLEUR, OWEN, SELTERS, VENTRELLA, AND WALTERS

AN ACT

To amend and reenact R.S. 56:649.7 and 3005, relative to lifetime combination hunting and fishing licenses; to establish resident and nonresident infant lifetime licenses; to establish fees for infant lifetime licenses; and to provide for related matters.

Be it enacted by the Legislature of Louisiana:

Section 1. R.S. 56:649.7 and 3005 are hereby amended and reenacted to read as follows:

§649.7. Infant combination lifetime hunting and fishing license

~~Beginning January 1, 2025, the department shall make available for persons under the age of three years a combination lifetime hunting and fishing license which shall entitle the licensee to all of the privileges conferred by basic hunting, deer, waterfowl, and turkey hunting licenses; basic fishing, saltwater, crab, and recreational fishing gear licenses; and basic wildlife management area access permits. Until June 1, 2022, the department shall make available for persons from birth to five years old who were born in Louisiana a combination lifetime hunting and fishing license. Any such license purchased prior to June 1, 2022, shall entitle the licensee to all of the privileges of both lifetime hunting and lifetime sports fishing licenses provided in R.S. 56:649.1 and 649.2. After June 1, 2022, the license shall be in lieu of basic hunting, deer, waterfowl, and turkey hunting licenses, basic, saltwater, crab, and recreational fishing gear licenses, and shall permit WMA access:~~

* * *

§3005. Lifetime licenses

A. Louisiana resident Resident	\$500.00
(1) Infant (under three years)	\$500.00
(2) Adult (ages three through sixty-four years)	\$500.00
(3) Senior (sixty-five years or older)	\$100.00
B. Nonresident	\$4,000.00
(1) Infant (under three years)	\$1,000.00
(2) Adult (three years and older)	\$4,000.00
C. Youth resident (any resident under the age of eighteen)	\$500.00
D. Senior (any resident sixty five years or older)	\$100.00

Approved by the Governor, June 18, 2024.

A true copy:

Nancy Landry
Secretary of State

ACT No. 654

HOUSE BILL NO. 443

BY REPRESENTATIVES COATES, AMEDEE, BERAULT, BILLINGS, BRAUD, BUTLER, ROBBY CARTER, CHENEVERT, DAVIS, DEWITT, DICKERSON, DOMANGUE, EDMONSTON, FIRMENT, FISHER, FREEMAN, FREIBERG, MIKE JOHNSON, LAFLEUR, MACK, MOORE, OWEN, PHELPS, TAYLOR, WALTERS, WYBLE, AND ZERINGUE

AN ACT

To amend and reenact R.S. 44:4.1(B)(8) and (39) and to enact R.S. 15:440.7 and 440.8 and Children’s Code Articles 328.1 and 328.2, relative to records of protected persons; to provide procedures for subpoenas of videos of protected persons; to provide an exception to the Public Records Law; and to provide for related matters.

Be it enacted by the Legislature of Louisiana:

Section 1. R.S. 15:440.7 and 440.8 and hereby enacted to read as follows:

§440.7. Admissibility in civil, family, and administrative proceedings; discovery; confidentiality

~~A.(1) Courts with civil or family jurisdiction or administrative law judges may authorize the issuance of a subpoena duces tecum for the production of a videotape of a protected person made pursuant to this Section for good cause shown. The subpoena duces tecum shall order the videotape of the protected person be returnable to the court for inspection. If the court determines that the videotape is relevant and necessary to the case under review, the court may order in writing the videotape be disclosed to the attorneys of record for each party subject to a protective order pursuant to Paragraph (2) of this Subsection.~~

~~(2) The protective order shall include all of the following information:~~

~~(a) Names of the attorneys of record in the case and their regularly employed staff, paralegal, or expert witnesses who are the only individuals permitted to view or be in possession of the videotape.~~

~~(b) The videotape is in the exclusive custody of the court and that the videotape shall not be copied, photographed, duplicated, or otherwise reproduced except as a written transcript that protects the identity of the protected person by the use of initials.~~

~~(c) If the party is not represented by an attorney, the party and the employees or retained expert witnesses of the party shall not be given a copy of the videotape but shall be given reasonable access to view the recording by the custodian of the recording.~~

~~(d) Attorneys and custodians of the videotape shall file their copy of the videotape under seal into the record of the proceedings upon termination of representation or upon disposition of the matter at the trial level.~~

~~(e) The unlawful possession, selling, duplicating, distributing, transferring, or copying of any videotape of protected persons is punishable pursuant to R.S. 14:81.5.~~

~~B. Any violation of this Section shall be punishable as contempt of court.~~

~~C. Nothing in this Section shall prevent the Department of Children and Family Services or law enforcement from sharing information as authorized or required by state or federal law.~~

§440.8. Confidentiality of records; child advocacy centers

~~The files, reports, records, communications, working papers, or videotaped interviews used or developed in providing services under Title V, Part II of the Children’s Code are confidential and not subject to the Public Records Law. Disclosure of any files, reports, records, communications, or working papers of a child advocacy center may be made only pursuant to Children’s Code Article 525 or by order of the juvenile court of competent jurisdiction pursuant to Children’s Code Article 412. Disclosure of videotaped interviews of protected persons shall be disclosed either pursuant to R.S. 15:440.1, et seq., or Children’s Code Article 322, et seq.~~

Section 2. Children’s Code Articles 328.1 and 328.2 are hereby enacted to read as follows:

Art. 328.1. Admissibility in civil, family, and administrative proceedings; discovery; confidentiality

~~A.(1) A court with civil or family jurisdiction or an administrative law judge may authorize the issuance of a subpoena duces tecum for the production of a videotape of a protected person made pursuant to this Article for good cause shown. The subpoena duces tecum shall order the videotape of the protected person be returnable to the court for inspection. If the court determines that the videotape is relevant and necessary to the case under review the court may order in writing that the videotape be disclosed to the attorneys of~~

CODING: Words in ~~struck through~~ type are deletions from existing law; words under scored (House Bills) and underscored and **boldfaced** (Senate Bills) are additions.

record for each party subject to a protective order pursuant to Subparagraph (2) of this Paragraph.

(2) The protective order shall include all of the following information:
(a) Names of the attorneys of record in the case and their regularly employed staff, paralegal, or expert witnesses who are the only individuals permitted to view or be in possession of the videotape.

(b) The videotape is in the exclusive custody of the court and that the videotape shall not be copied, photographed, duplicated, or otherwise reproduced except as a written transcript that protects the identity of the protected person by the use of initials.

(c) If the party is not represented by an attorney, the party and the employees or retained expert witnesses of the party shall not be given a copy of the videotape but shall be given reasonable access to view the recording by the custodian of the recording.

(d) Attorneys and custodians of the videotape shall file their copy of the videotape under seal into the record of the proceedings upon termination of representation or upon disposition of the matter at the trial level.

(e) The unlawful possession, selling, duplicating, distributing, transferring, or copying of any videotape of protected persons is punishable pursuant to R.S. 14:81.5.

B. Any violation of this Article shall be punished as contempt of court.

C. Nothing in this Article is intended to restrict the ability of the Department of Children and Family Services or law enforcement from sharing information as authorized or required by state or federal law.

Art. 328.2. Confidentiality of records; child advocacy centers
The files, reports, records, communications, working papers, or videotaped interviews used or developed in providing services under Title V, Part II of the Children’s Code are confidential and not subject to the Public Records Law. Disclosure of any files, reports, records, communications, or working papers of a child advocacy center may be made only pursuant to Children’s Code Article 525 or by order of the juvenile court of competent jurisdiction pursuant to Children’s Code Article 412. Disclosure of videotaped interviews of protected persons shall be disclosed either pursuant to R.S. 15:440.1, et seq. or Children’s Code Article 322, et seq.

Section 3. R.S. 44:4.1(B)(8) and (39) are hereby amended and reenacted to read as follows:

§4.1. Exceptions

* * *

B. The legislature further recognizes that there exist exceptions, exemptions, and limitations to the laws pertaining to public records throughout the revised statutes and codes of this state. Therefore, the following exceptions, exemptions, and limitations are hereby continued in effect by incorporation into this Chapter by citation:

* * *

(8) R.S. 15:242, 440.6, 440.8, 477.2, 549, 570, 574.12, 578.1, 587, 587.1.2, 616, 660, 840.1, 1176, 1204.1, 1212.1(E), 1507

* * *

(39) Children’s Code Articles 328, 328.2, 404, 412, 424.6, 424.9, 441, 543, 545, 615, 616, 616.1, 663, 737, 793, 888, 891, 893, 920, 921, 922, 1007, 1106, 1107, 1185, 1186, 1187, 1207, 1213, 1229, 1235, 1252, 1273, 1283.5, 1283.10, 1416, 1453, 1568

* * *

Approved by the Governor, June 18, 2024.

A true copy:

Nancy Landry
Secretary of State

ACT No. 655

HOUSE BILL NO. 566

BY REPRESENTATIVES MCMAKIN, BAYHAM, BILLINGS, BROWN,
CHASSION, DAVIS, EGAN, FARNUM, GADBERRY, KNOX, OWEN,
SCHAMERHORN, AND WYBLE

AN ACT

To enact R.S. 42:36, relative to eligibility for state employment; to prohibit the requirement of a baccalaureate degree for employment with a state agency; to prohibit certain experience requirements for employment with a state agency; to provide exceptions; and to provide for related matters.

Be it enacted by the Legislature of Louisiana:

Section 1. R.S. 42:36 is hereby enacted to read as follows:

§36. Limitation on prerequisites for state employment

A. A state agency shall not require as a condition of eligibility for hire to a position in state employment that an applicant have a baccalaureate degree or more than three years of relevant experience.

B. Subsection A of this Section does not apply if the knowledge, skills, or abilities required for the position for which an applicant is applying can only reasonably be obtained through a course of study in pursuit of, and culminating in the award of, a baccalaureate degree, as determined by the Department of State Civil Service or the State Police Commission for classified positions or the appointing authority for unclassified positions or to management, higher-level positions, or positions in a career progression group as defined by a Department of State Civil Service or State Police Commission rule.

Section 2. This Act shall become effective on January 1, 2025; if vetoed by the governor and subsequently approved by the legislature, this Act shall become effective on the day following such approval by the legislature or January 1, 2025, whichever is later.

Approved by the Governor, June 18, 2024.

A true copy:

Nancy Landry
Secretary of State

ACT No. 656

HOUSE BILL NO. 577

BY REPRESENTATIVES CARVER, BAYHAM, BERAULT, BILLINGS,
BUTLER, CARRIER, WILFORD CARTER, CHASSION, COX, DAVIS,
DESHOTEL, DEWITT, DOMANGUE, EDMONSTON, EGAN, FIRMENT,
FISHER, FREIBERG, GALLE, GLORIOSO, GREEN, HILFERTY, HUGHES,
JACKSON, MIKE JOHNSON, KNOX, LAFLEUR, JACOB LANDRY,
LYONS, MYERS, OWEN, SCHLEGEL, SELDERS, TAYLOR, VILLIO,
WILDER, WYBLE, AND ZERINGUE AND SENATORS ABRAHAM, BOUIE,
CATHEY, CLOUD, CONNICK, DUPLESSIS, EDMONDS, HENRY, HODGES,
JACKSON-ANDREWS, JENKINS, MCMATH, MIGUEZ, MIZELL, PRICE,
STINE, AND WHEAT

AN ACT

To amend and reenact Section 3 of Act No. 456 of the 2023 Regular Session and to enact Chapter 20-A of Title 51 of the Louisiana Revised Statutes of 1950, to be comprised of R.S. 51:1761 through 1763, relative to data collection of minors; to provide for definitions; to provide for legislative findings; to provide for prohibitions; to provide for protection from liability under certain circumstances; to provide for civil fines; to provide for enforcement; to provide for an effective date; and to provide for related matters.

Be it enacted by the Legislature of Louisiana:

Section 1. Section 3 of Act No. 456 of the 2023 Regular Session is hereby amended and reenacted to read as follows:

Section 3. This Act shall become effective on July 1, 2024 2025.

Section 2. Chapter 20-A of Title 51 of the Louisiana Revised Statutes of 1950, comprised of R.S. 51:1761 through 1763, is hereby enacted to read as follows:

CHAPTER 20-A. PROTECTION OF CHILDREN’S INTERNET DATA

§1761. Legislative findings

The legislature hereby finds and declares all of the following:

(1) Technological advances over the past ten years and the advent of social media have opened the door to children for learning and exposure to cultures and interests worldwide.

(2) Unfortunately, data shows that over that same ten-year period, American teenagers, ages twelve through fifteen, who use social media over three hours each day faced twice the risk of having negative mental health outcomes, including depression and anxiety symptoms.

(3) The American Academy of Pediatrics declared a national emergency in child and adolescent mental health recognizing that the use of social media can result in poor mental health, poor general health outcomes, cyberbullying-related depression, body image and disordered eating behaviors, poor sleep, and most tragically, death.

(4) The main social media platforms are well aware of the damage they are doing to our children, but they have largely been held unaccountable and have little desire to self-regulate as their manipulative targeted advertising to children generated an estimated eleven billion dollars in advertising revenue in just one year.

(5) The children of Louisiana deserve better, and since the federal government has failed to take the necessary action to stop data sharing, selling, and targeted advertising, it is incumbent upon Louisiana to protect our children and hold the major social media platforms accountable.

§1762. Prohibitions; data collection; targeted advertising

A. As used in this Chapter, the following terms have the following meanings:

(1) “Account holder” means a person who has, or opens, an account or profile to use a social media company’s platform and who is a resident of this state, including a minor account holder.

(2) “Application” means a software application or electronic service that may be run or directed by a user on a computer, a mobile device, or any other general purpose computing device.

(3) “Child”, unless otherwise specified, means a consumer who is under sixteen years of age.

(4) “Minor” means an individual under circumstances where a social media platform has actual knowledge that the individual is under the age of eighteen and is not emancipated or married.

(5) “Minor account holder” means an account holder who is a minor.

(6) “Online service, product, or feature” does not mean any of the following:

(a) Internet access and broadband service.

(b) A telecommunications service, as defined in 47 U.S.C. 153.

(c) The delivery or use of a physical product.

(7) “Resident” means an individual who currently resides in this state.

(8) “Sensitive personal data” means data collected directly from an account holder online that provides any of the following:

(a) Information that reveals any of the following about the account holder:

(i) Racial or ethnic origin.

(ii) Religious beliefs.

(iii) Gender.

(iv) Citizenship or immigration status.

(b) Information regarding an individual’s medical history, mental or physical health condition, or medical treatment or diagnosis by a healthcare professional.

(c) Genetic personal data or biometric data, if the processing is for the purpose of identifying a specific account holder.

(d) Specific geolocation data.

(9) “Social media platform” has the same meaning as provided for in R.S. 51:1751.

(10)(a) “Targeted advertising” means displaying an advertisement to an account holder where the advertisement is selected based on personal data obtained from the account holder’s activities over time and across non-affiliated websites or online applications to predict the account holder’s preferences or interests.

(b) “Targeted advertising” does not include any of the following:

(i) Advertising based on an account holder’s activities within a controller’s website or online application or any affiliated website or online application.

(ii) Advertising based on the context of an account holder’s current search query or visit to a website or online application.

(iii) Advertising directed to an account holder in response to the account holder’s request for information, products, services, or feedback.

(iv) Processing personal data solely to measure or report on advertising performance, advertising reach, or advertising frequency or the prevention of fraud and abuse.

B.(1) Any social media platform with more than one million account holders globally that is operating in this state is prohibited from displaying targeted advertising at a minor account holder.

(2) Any social media platform with more than one million account holders globally that is operating in this state is prohibited from selling sensitive personal data of a minor account holder.

C. Nothing in this Section prohibits a social media platform from doing any of the following:

(1) Allowing user-generated content to appear in a chronological manner for a minor account holder.

(2) Displaying user-generated content that has been selected or followed by a minor account holder.

(3) Providing search results to a minor account holder, if the search results are in response to a specific and immediately preceding query by the account holder.

D. If a social media platform makes reasonable efforts to determine whether an account holder is a resident, a social media platform will not be liable for data processing undertaken for that purpose, or for an erroneous determination with respect to residency.

E. If a social media platform chooses to conduct age estimation to determine which users are under eighteen, the social media platform will not be liable for data processing undertaken during the period in which it is estimating age, or for an erroneous estimation, or for data processing in the absence of reasonable evidence that the account holder is a minor.

§1763. Enforcement; penalties

A. The attorney general may bring a civil action to enforce any violations of this Chapter.

B. A social media platform that violates the provisions of this Chapter shall be subject to a civil fine of up to ten thousand dollars per violation.

C.(1) At least forty-five days before the day on which the attorney general initiates an enforcement action against a person who is subject to the requirements of this Chapter, the attorney general shall provide the person with a written notice that identifies each alleged violation and an explanation of the basis for each allegation.

(2) Except as provided in Paragraph (3) of this Subsection, the attorney general shall not initiate an action if the person cures the notice violation within forty-five days after the date on which the person receives the notice by providing the attorney general with a written statement indicating that the violation is cured and no further violations will occur.

(3) The attorney general may initiate a civil action against a person who does either of the following:

(a) Fails to cure a violation after receiving the written notice described in Paragraph (1) of this Subsection.

(b) Commits another violation of the same provision after curing a violation and providing a written statement in accordance with Paragraph (2) of this Subsection.

(4) If a court of competent jurisdiction grants judgment or injunctive relief to the attorney general, the court shall award the attorney general reasonable attorney fees, court costs, and investigative costs.

(5) A person who violates an administrative order or court order issued for a violation of this Chapter shall be subject to a civil penalty of not more than five thousand dollars for each violation. A civil penalty in accordance with this Section may be imposed in any civil action brought by the attorney general.

(6) All monies received from the payment of a fine or civil penalty imposed and collected pursuant to the provisions of this Section shall be used by the attorney general to promote consumer protection and education.

Section 3. This Act shall become effective on July 1, 2025.

Approved by the Governor, June 18, 2024.

A true copy:

Nancy Landry
Secretary of State

ACT No. 657

HOUSE BILL NO. 602
BY REPRESENTATIVES DAVIS AND CHASSION
AN ACT

To enact R.S. 40:1142, relative to stock emergency medications; to provide for definitions; to deem certain medications as life-saving; to identify which entities may be considered qualified entities; to establish certain provisions for qualified entities; to establish a protocol; to provide for a standing order; and to provide for related matters.

Be it enacted by the Legislature of Louisiana:

Section 1. R.S. 40:1142 is hereby enacted to read as follows:

§1142. Allowance to stock emergency medication; definitions

A. For the purposes of this Section, the following definitions apply:

(1)(a) “Life-saving medications” means any medication recognized by the Louisiana Department of Health as a medication that can be administered to treat a life-threatening condition.

(b) Such medications may include but not be limited to the following:

(i) Epinephrine.

(ii) Naloxone.

(iii) Albuterol.

(iv) Glucagon.

(2) “Qualified entity” means any public or private entity that is associated with a location where a medical emergency can occur, including licensed early learning centers, colleges and universities, places of employment, restaurants, amusement parks, recreation camps, after-school programs, sports playing fields and arenas, and other similar locations, except that “qualified entity” does not include public or non-public elementary or secondary schools.

(3) “Trained personnel” means an employee, agent, or volunteer of an entity who has received training on the medications that include but are not limited to the following:

(a) Techniques on how to recognize signs of life-threatening emergency standards and procedures for the storage and administration of life-saving medication.

(b) Emergency follow-up procedures including the requirement to summon emergency services either immediately before or immediately after administering life-saving medication.

B. Notwithstanding any other provision of law to the contrary, licensed healthcare professionals authorized to prescribe such medication may prescribe life-saving medications maintained in the name of a qualified entity for use in accordance with this Section.

C. Notwithstanding any other provision of law to the contrary, licensed pharmacists and physicians may dispense life-saving medications in accordance with a prescription issued pursuant to this Section.

D. Notwithstanding any other provision of law to the contrary, a qualified entity may maintain a stock supply of life-saving medications in accordance with a prescription issued pursuant to this Section.

E.(1) The qualified entity may authorize trained personnel to administer life-saving medications to an individual on the qualified entity’s premises or during a qualified entity-affiliated activity with whom the trained personnel as defined in this Section believes in good faith is experiencing a medical emergency, in accordance with this Section. There shall be a standing protocol for a licensed healthcare professional authorized to dispense or prescribe the necessary medication, regardless of whether the individual has a prescription for a life-saving medication.

(2) Training may be performed by a medical emergency training organization, a registered nurse, or a licensed physician.

F. The qualified entity may enter into arrangements with manufacturers of life-saving medications or third-party suppliers of life-saving medications to obtain life-saving medications at fair-market, free, or reduced prices.

G. A person or entity shall not be liable for damages in a civil action for injury, death, or loss to person or property that allegedly arises from an act or omission associated with administration or self-administration of a life-saving medication, unless the act or omission constitutes willful or wanton misconduct. The limitation of liability provided for in this Subsection shall apply to the following:

(1) A qualified entity.

(2) A qualified entity’s employee, agent, or volunteer.

(3) A licensed healthcare professional authorized to prescribe or dispense life-saving medications.

(4) A training organization and its personnel.

H. The administration of life-saving medications pursuant to this Section is not the practice of medicine or nursing.

I.(1) Notwithstanding any other provision of law to the contrary, the secretary of the Louisiana Department of Health is authorized to issue a standing order for the prescription of life-saving medications on a statewide basis under certain conditions that he shall determine to be in the best interest of the people in this state.

(2) If the secretary of the department is not a physician, the secretary may appoint a designee who is a physician employed by the department to issue the standing order provided for in this Subsection.

J. The Louisiana Department of Health shall promulgate rules in accordance with the Administrative Procedure Act to implement the provisions of this Section. The rules shall include the list of life-saving medications that can be prescribed, dispensed, and maintained pursuant to the provisions of this Section.

Approved by the Governor, June 18, 2024.

A true copy:
Nancy Landry
Secretary of State

ACT No. 658

HOUSE BILL NO. 603
BY REPRESENTATIVE FIRMENT
AN ACT

To amend and reenact R.S. 22:1852(introductory paragraph) and (7) and 1856.1(B)(2)(b) and to enact R.S. 22:1856.1(H), relative to claims of pharmacies and pharmacists; to modify definitions; to provide relative to pharmacy record audits; and to provide for related matters.

Be it enacted by the Legislature of Louisiana:

Section 1. R.S. 22:1852(introductory paragraph) and (7) and 1856.1(B)(2)(b) are hereby amended and reenacted and R.S. 22:1856.1(H) is hereby enacted to read as follows:

§1852. Definitions
As used in this Subpart, the following terms ~~shall be~~ are defined as follows:

(7) “Health insurance issuer” means an insurance company, including a health maintenance organization as defined and licensed pursuant to Subpart I of Part I of Chapter 2 of this Title, unless preempted as an employee benefit plan under the Employee Retirement Income Security Act of 1974. For purposes of this Subpart, a “health insurance issuer” ~~shall include~~ includes the Office of Group Benefits, a pharmacy benefit manager, and any person acting on behalf of a pharmacy benefit manager.

§1856.1. Pharmacy record audits; recoupment; appeals

B. Notwithstanding any other provision of law to the contrary, when an audit of the records of a pharmacy is conducted by an entity, the audit shall be conducted in accordance with the following criteria:

(2)
(b) Nothing in this Paragraph ~~shall prohibit~~ prohibits review of a claim filed by a pharmacy to determine if the claim is payable or is paid correctly. ~~Such~~ The review may require the submission of prescription copies and other documentation related to the specific claims under review but shall not require the pharmacy to provide any additional information not related to those specific claims.

H. The commissioner shall formulate and promulgate a set of standards for policies and procedures governing the performance of pharmacy record audits, claims reviews and quality assurance reviews, and fraud or willful misrepresentation audits.

Approved by the Governor, June 18, 2024.

A true copy:
Nancy Landry
Secretary of State

ACT No. 659

HOUSE BILL NO. 708
BY REPRESENTATIVE FREIBERG
AN ACT

To amend and reenact R.S. 17:3973(2)(b)(v)(aa), 3983(F)(1), 3991(B)(1)(a)(i), (3), (6), and (7), (C)(1)(a), (b), and (c)(i) and (iii), and (E)(6), and 3991.1(E)(2) and to enact R.S.17:3991(B)(1)(f) and 3991(C)(1)(e), relative to charter schools; to provide relative to charter school proposals and applications; to provide relative to admissions lotteries; and to provide for related matters.

Be it enacted by the Legislature of Louisiana:

Section 1. R.S. 17:3973(2)(b)(v)(aa), 3983(F)(1), 3991(B)(1)(a)(i), (3), (6), and (7), (C)(1)(a), (b), and (c)(i) and (iii), and (E)(6), and 3991.1(E)(2) are hereby amended and reenacted and R.S.17:3991(B)(1)(f) and 3991(C)(1)(e) are hereby enacted to read as follows:

§3973. Definitions
As used in this Chapter, the following terms have the following meanings unless the context clearly indicates otherwise:

(b) Charter schools shall be one of the following types:

(v)(aa) Type 5, which means a preexisting public school transferred to the Recovery School District as a school determined to be failing pursuant to R.S. 17:10.5 or 10.7 and operated as the result of and pursuant to a charter between a nonprofit corporation and the State Board of Elementary and Secondary Education. The chartering authority shall review each Type 5 charter proposal in compliance with the Principles and Standards for Quality Charter School Authorizing as promulgated by the National Association of Charter School Authorizers. Except as otherwise provided in R.S. 17:10.7 or 1990, ~~and notwithstanding the provisions of R.S. 17:3991(B)(1)~~, within such Type 5 charter school, only pupils who would have been eligible to enroll

in or attend the preexisting school under the jurisdiction of the city, parish, or other local public school board or other public school entity prior to its transfer to the Recovery School District may attend. However, all such pupils shall be eligible to attend notwithstanding any other provision of this Chapter to the contrary.

§3983. Chartering process by type; eligibility; limitations; faculty approval; parental approval

F. As it relates to Type 5 charters:
(1) The limitations specified in ~~R.S. 17:3991(B)(1) and (3)~~ R.S. 17:3991(B)(3) and the provisions of Subparagraphs (A)(3)(a) and (4)(b) and (e) and Subsections C and D of this Section shall not apply to or limit or restrict the number of such charters.

§3991. Charter schools; requirements; limitations; renewal; amendment; revocation; board membership

B. Each proposed charter shall contain or make provision for the following:
(1)(a)(i) That for charter schools created as new schools and charter schools created as a result of a conversion after the 2011-2012 school year, the percentage of the total number of students enrolled in the charter school based on the October first student membership who are economically disadvantaged and students with exceptionalities as defined in R.S. 17:1942, not including gifted and talented, shall be equal to not less than ~~eighty-five~~ seventy percent of the average percentage of students enrolled in the local public school districts from which the charter school enrolls its students who are economically disadvantaged and shall be equal to not less than ~~eighty-five~~ seventy percent of the average percentage of students enrolled in the local public school districts from which the charter school enrolls its students who have been identified as a student with an exceptionality as defined in R.S. 17:1942, not including gifted and talented. For the purposes of fulfilling the provisions of this Section, the economically disadvantaged and students with exceptionalities percentage for the local public school district shall remain fixed during the term of the approved charter at the percentage which existed during the school year that the charter proposal was approved or renewed.

(f) Notwithstanding any provision of law to the contrary, if the aggregate student enrollment data for all of the charter schools located within the boundaries of the city or parish school system in which a charter school is located meets the enrollment requirements of economically disadvantaged students and students with exceptionalities, not including gifted and talented, as provided in this Paragraph, every charter school located within the boundaries of the school system shall be deemed to be in compliance with the provisions of this Paragraph.

(3) Admission requirements, if any, that are consistent with the school’s role, scope, and mission may be established pursuant to rules promulgated by the state board. Such admission requirements shall be specific and shall include a system for admission decisions which precludes exclusion of pupils based on race, religion, gender, ethnicity, national origin, intelligence level as ascertained by an intelligence quotient examination, ~~or identification as a student with an exceptionality as defined in R.S. 17:1942(B), or identification as a student who is economically disadvantaged.~~ Such admission requirements may include, however, specific requirements related to a school’s mission such as auditions for schools with a performing arts mission or proficiency in a foreign language for schools with a language immersion mission. Any school which was chartered prior to July 1, 2012, and which incorporated achievement of a certain academic record as part of its admission requirements may continue to use such admission requirements. No local board shall assign any pupil to attend a charter school, except that a local board in a district in which fifty percent or more of the public schools in the district are charter schools and that uses a single application and enrollment process adopted by the local board for public school enrollment may assign a pupil to a charter school based on such enrollment process, the preferences of the pupil’s parent or legal guardian, the charter school’s admission requirements, the charter contract, and the local board’s policies.

(6) A description of how the proposed charter school fulfills one or more of the purposes specified in this Chapter, including how the best interests of students who are economically disadvantaged will be considered.

(7) A description of the education program offered by the school, ~~and how specifically that program will meet the needs of the economically disadvantaged students to be served including how the program will meet the educational needs of students who qualify as economically disadvantaged and students with exceptionalities as defined in R.S. 17:1942(B).~~

C. A charter school shall:
(1)(a) Enroll an eligible pupil who is eligible under the residency requirements established in the charter as required in Paragraph (B)(4) of this Section and who submits a timely application unless the total number of eligible applicants exceeds the capacity of a program, class, grade level, or school, in which case the charter school shall conduct an admissions lottery as provided in Subparagraph (c) of this Paragraph.

(b)(i) An application shall be timely if it is submitted within the period designated by the charter school, which period shall not be less than one

month nor more than three months. There shall be an established application period for each successive school year.

~~(ii) Application information, including enrollment eligibility, any applicable enrollment preferences, program enrollment capacity, the application period, and any important application and enrollment dates, shall be made available to all applicants and posted on the school's website.~~

~~(c)(i) Except as is provided in Items (ii) and (iii) of this Subparagraph, the charter school shall admit no pupil during the application period, but shall wait until the period has ended. If fewer eligible pupils have applied than is the maximum the school can admit, then all eligible pupils shall be admitted and additional pupils may apply and be admitted for the school year to which the application period applies until the maximum number is admitted; except as is necessary to meet the requirements of Paragraph (B)(1) of this Section. If the total number of eligible applicants exceeds the capacity of a program, class, grade level, or school, admission to the program, class, grade level, or school shall be based on an admissions lottery conducted from among the total number of eligible applicants done in such a fashion as to assure compliance with Paragraph (B)(1) of this Section. ensure enrollment transparency. Lottery information, including when and where the lottery will be conducted, the mechanism by which the lottery will be conducted, and the results of the lottery, including any waiting list information, shall be made available to all applicants. Applicants placed on a lottery enrollment waiting list shall be notified of their waiting list ranking and notified of any changes to the enrollment waiting list throughout the school year. There shall be an established lottery each successive school year as necessary. Lottery enrollment waiting lists shall not roll over from one school year to the next.~~

~~(iii) A charter school may modify its enrollment procedures in order to give preference to students previously enrolled in the school and their siblings and to give preference to siblings submitting their applications to enroll in the school for the first time, as long as there is compliance with the provisions of Paragraph (B)(1) of this Section.~~

~~(e) The state board shall develop rules and regulations for determining a charter school's compliance with the application and enrollment transparency requirements set forth in this Subsection. The state board shall also provide for a process to investigate allegations of discriminatory practices of a charter school that shall include but not be limited to the review of data related to a charter school's enrollment, discipline, parent complaints, and identification of students with exceptionalities, not including gifted and talented. The state board shall annually produce a status report regarding enrollment percentages of economically disadvantaged students and students with disabilities.~~

E. A charter school shall not:

~~(6)(a) Require the parent or legal guardian of any student to disclose any medical information or special education needs, income, or economically disadvantaged status prior to the student's being enrolled in the charter school, unless otherwise specifically required by law.~~

~~(b) Nothing in this Paragraph shall prohibit a charter school from providing an enrollment preference to a student with special needs or who is economically disadvantaged when the student's parent or legal guardian has voluntarily provided the school with information regarding such needs.~~

§3991.1. Corporate partners; enrollment preferences and board membership

E.

~~(2) Enrollment at the school shall otherwise be as provided by this Chapter except that the requirement of R.S. 17:3991(B)(1)(a)(i) shall apply to and be based upon only students who are not dependent children of permanent employees of a corporate partner.~~

Approved by the Governor, June 18, 2024.

A true copy:

Nancy Landry
Secretary of State

ACT No. 660

HOUSE BILL NO. 723
BY REPRESENTATIVE SCHLEGEL
AN ACT

To amend and reenact R.S. 15:572(A), 572.4(B)(1)(introductory paragraph) and (a) and (3) and (C) through (E), and 572.5(B) and to enact R.S. 15:572.4(F) and (G) and 574.6.2, relative to clemency; to provide relative to notification procedures; to provide relative to the approval or rejection of a favorable recommendation for commutation or pardon; to provide relative to application procedures; to provide relative to clemency hearings; to provide relative to clemency investigations; to provide relative to the supervised release of certain offenders; to provide for evaluations; to provide for duties of the Department of Public Safety and Corrections; and to provide for related matters.

Be it enacted by the Legislature of Louisiana:

Section 1. R.S. 15:572(A), 572.4(B)(1)(introductory paragraph) and (a) and (3) and (C) through (E), and 572.5(B) are hereby amended and reenacted and R.S.

15:572.4(F) and (G) and 574.6.2 are hereby enacted to read as follows:

§572. Powers of governor to grant reprieves and pardons; automatic pardon for first offender; payment of court costs required

A.(1) The governor may grant reprieves to persons convicted of offenses against the state and, upon recommendation of the Board of Pardons as hereinafter provided for by this Part, may commute sentences, pardon those convicted of offenses against the state, and remit fines and forfeitures imposed for such offenses. Notwithstanding any provision of law to the contrary, the governor shall not grant any pardon to any person unless that person has paid all of the court costs which were imposed in connection with the conviction of the crime for which the pardon is to be issued.

(2) The governor shall notify the following individuals at least thirty days before commuting a criminal sentence or granting a pardon to any person:

(a) The attorney general, the district attorney, the sheriff of the parish in which the applicant was convicted, and, in Orleans Parish, the superintendent of police.

(b) The victim or the spouse or next of kin of a deceased victim.

(3) The governor shall approve or reject a favorable recommendation for commutation or pardon prior to the governor leaving office or upon expiration of the governor's term.

* * *

§572.4. Board of Pardons; rules, regulations, and procedures; notice; restrictions on applications; time periods for additional review

* * *

B.(1) Before considering the application for pardon or commutation of sentence of any person, the board shall give written notice of the date and time at which the application will be heard and considered, at least thirty ninety days prior to the hearing, to the following:

(a) The attorney general, the district attorney, the sheriff of the parish in which the applicant was convicted, and in Orleans Parish, the superintendent of police.

* * *

(3) The attorney general, the district attorney, and any other persons who desire to do so shall be given a reasonable opportunity to attend the meeting and be heard.

C. Before setting a hearing on an application for pardon or commutation of sentence, notice of application to the board for clemency pardon or commutation of sentence shall be published on three separate days within a thirty-day period of time, without cost to the state, in any newspaper recognized, at any time during the six-month period prior to or following the publication of the first notice, as the official journal of the governing authority of the parish where the offense occurred for which the person was convicted.

~~D.(1) Notwithstanding any provisions of law to the contrary Except as provided in Paragraph (2) of this Subsection, any applicant who has been sentenced to life imprisonment shall not be eligible to apply to the board for a pardon or commutation of sentence for a period of fifteen years after being sentenced by the trial court, except that periods of time prior to the imposition of the sentence in which the defendant was in actual custody for the offense for which he was sentenced to life imprisonment shall be included in computing the fifteen-year period.~~

(2) Any applicant who has been sentenced to life imprisonment for an offense that is either a crime of violence as defined in R.S. 14:2(B) or a sex offense as defined in R.S. 15:541 shall not be eligible to apply to the board for a pardon or commutation of sentence for a period of twenty-five years after being sentenced by the trial court, except that periods of time prior to the imposition of the sentence in which the defendant was in actual custody for the offense for which he was sentenced to life imprisonment shall be included in computing the twenty-five-year period. A person who is serving a life sentence resulting from a commutation of a sentence of death shall not thereafter be eligible to apply for commutation of sentence to a specific number of years.

(3) If the application is denied, the applicant shall be notified in writing of the reason for the denial and thereafter may file a new application to the board no earlier than five years from the date of action by the board. Any subsequent applications shall not be filed earlier than five years after the immediately preceding action taken by the board.

(4) However, the The provisions of this Subsection shall not apply when the board determines that new and material evidence that, notwithstanding the exercise of reasonable diligence by the applicant, was not discovered before or during his trial, is available, and if it had been introduced at the trial, it would probably have changed the verdict or judgment of guilty.

~~E.(1) When no action is taken by the governor on a recommendation for clemency pardon or commutation of sentence issued by the board, the person seeking clemency pardon or commutation of sentence shall not be required to reapply to the board and the recommendation shall not expire upon the governor leaving office or upon the expiration of the governor's term in office and may be reviewed by the next governor to take office.~~

(2) The board shall adopt rules pursuant to the Administrative Procedure Act to provide for the provisions of this Subsection, but the rules shall not require the person seeking clemency to reapply when no action is taken by the governor on the board's recommendation that the person receive clemency.

F. The board shall, to the extent feasible, schedule hearings for pardon or commutation of sentence in the order in which the applications are filed.

G. When the board notifies the governor that it has granted a favorable recommendation of an application for pardon or commutation of sentence, the board shall also provide simultaneous notice to the persons listed in

Subsection B of this Section that this favorable recommendation has been sent to the governor for his approval.

§572.5. Information to be provided to Board of Pardons

* * *

B. The Department of Public Safety and Corrections may charge a fee not to exceed ~~one~~ two hundred ~~fifty~~ dollars for conducting the clemency investigation provided ~~for~~ in this Section.

* * *

§574.6.2. Supervised release; commuted sentences

A.(1) Any offender who has received a commuted sentence and who is released on parole or because of diminution of sentence shall be evaluated through a validated risk assessment instrument approved by the secretary of the Department of Public Safety and Corrections and shall have an approved residence plan prior to release.

(2) In approving the residence plan of the offender, the department shall consider the likelihood that the offender will be able to comply with all of the conditions of his parole.

B. The committee on parole may impose any special conditions of supervision which may include participation in additional programming by the offender as determined to be necessary by the validated risk-assessment instrument.

C. The department shall secure all relevant data and assist the offender in formulating a release plan that includes any necessary conditions as determined by the department.

D. Any offender who has received a commuted sentence and who is released shall be placed on supervised release for the remainder of his sentence.

E. Notwithstanding any other provision of law to the contrary, any person who was placed upon supervised release pursuant to the provisions of this Section may petition the parole board for a termination of the supervision.

Approved by the Governor, June 18, 2024.

A true copy:

Nancy Landry
Secretary of State

ACT No. 661

HOUSE BILL NO. 737

BY REPRESENTATIVES DICKERSON, BACALA, BAYHAM, BILLINGS,
BOYD, BRASS, CARRIER, CHENEVERT, COATES, DEWITT,
EDMONSTON, EGAN, EMERSON, FISHER, HORTON, JACKSON,
LAFLEUR, MACK, OWEN, ROMERO, SELTERS, THOMPSON, AND
WILDER
AN ACT

To enact R.S. 14:103.3, relative to offenses affecting general peace and order; to prohibit the petitioning, picketing, or assembling with other persons near an individual's residence for certain purposes; to provide for penalties; to provide for a definition; and to provide for related matters.

Be it enacted by the Legislature of Louisiana:

Section 1. R.S. 14:103.3 is hereby enacted to read as follows:

§103.3. Disturbing the peace; residences

A. No person shall petition, picket, demonstrate, or assemble with other persons within fifty feet of an individual's residence in a manner which interferes, disrupts, threatens to disrupt, or harasses the individual's right to control or use his residence.

B. Whoever violates the provisions of this Section shall be fined not more than five hundred dollars. Each day on which a violation occurs shall constitute a separate offense.

C. For purpose of this Section, "residence" shall mean the dwelling, house, apartment, or other structure used in whole or in part as a home or place of abode of any individual.

Approved by the Governor, June 18, 2024.

A true copy:

Nancy Landry
Secretary of State

ACT No. 662

HOUSE BILL NO. 776

BY REPRESENTATIVES BRYANT, BACALA, BOYER, COX, HORTON,
KNOX, LAFLEUR, MOORE, VENTRELLA, VILLIO, AND WALTERS
AN ACT

To amend and reenact R.S. 14:32.1(A)(1) and (3) through (5), 32.8(A)(2)(a) and (c) through (e), 39.1(A)(1) and (3), 39.2(A)(1) and (3), 98(A)(1)(introductory paragraph), (a), and (c) and (2), (C)(1)(e) and (3), (E), and (F)(1) and (2), 98.1(Section heading), 98.2(Section heading), 98.3(Section heading), 98.4(Section heading), 98.5(B)(4), 98.6(A), and 98.7(A) and R.S. 32:661(A)(1) and (2), 661.1(A), 661.2(A), 664(A), 666(A)(1)(a)(i) and (2)(c) and (B), 667.1(C)(2) and (3), 668(A)(1), 681(A)(introductory paragraph) and (B), (C), and (D), to enact R.S. 14:98(A)(3) and R.S. 32:661(E) and 681(H), and to repeal R.S. 14:32.1(A)(6) and (7), 32.8(A)(2)(f) and (g), 39.1(A)(4) and (5), 39.2(A)(4) and (5), and 98(A)(1)(d) and (e), relative to operating a vehicle while intoxicated; to provide relative to changes in terminology; to provide for a definition; to provide relative to elements of certain offenses involving a motor vehicle and the operator of a motor vehicle; and to provide for related matters.

Be it enacted by the Legislature of Louisiana:

Section 1. R.S. 14:32.1(A)(1) and (3) through (5), 32.8(A)(2)(a) and (c) through (e), 39.1(A)(1) and (3), 39.2(A)(1) and (3), 98(A)(1)(introductory paragraph), (a), and (c) and (2), (C)(1)(e) and (3), (E), and (F)(1) and (2), 98.1(Section heading), 98.2(Section heading), 98.3(Section heading), 98.4(Section heading), 98.5(B)(4), 98.6(A), and 98.7(A) are hereby amended and reenacted and R.S. 14:98(A)(3) is hereby enacted to read as follows:

§32.1. Vehicular homicide

A. Vehicular homicide is the killing of a human being caused proximately or caused directly by an offender engaged in the operation of, or in actual physical control of, any motor vehicle, aircraft, watercraft, or other means of conveyance, whether or not the offender had the intent to cause death or great bodily harm, whenever any of the following conditions exists and such condition was a contributing factor to the killing:

(1) The operator is ~~under the influence of~~ impaired by alcoholic beverages as determined by chemical tests administered under the provisions of R.S. 32:662.

* * *

(3)(a) The operator is ~~under the influence of any controlled dangerous substance listed in Schedule I, II, III, IV, or V as set forth in R.S. 40:964~~ impaired by any other drug, combination of drugs, or combination of alcohol and drugs.

(b) As used in this Section, the term "drug" means any substance or combination of substances that, when taken into the human body, can impair the ability of the person to operate a vehicle safely.

(4) The operator is ~~under the influence of~~ impaired by alcoholic beverages.

(5)(a) ~~The operator is under the influence of a combination of alcohol and one or more drugs which are not controlled dangerous substances and which are legally obtainable with or without a prescription.~~

(b) ~~It shall be an affirmative defense to any charge under this Paragraph pursuant to this Section that the label on the container of the prescription drug or the manufacturer's package of the drug does not contain a warning against combining the medication with alcohol.~~

(6) ~~The operator is under the influence of one or more drugs which are not controlled dangerous substances and which are legally obtainable with or without a prescription and the influence is caused by the operator knowingly consuming quantities of the drug or drugs which substantially exceed the dosage prescribed by the physician or the dosage recommended by the manufacturer of the drug.~~

(7) The operator's blood has any detectable amount of any controlled dangerous substance listed in Schedule I, II, III, or IV as set forth in R.S. 40:964, or a metabolite of such controlled dangerous substance, that has not been medically ordered or prescribed for the individual.

* * *

§32.8. Third degree feticide

A. Third degree feticide is:

* * *

(2) The killing of an unborn child caused proximately or caused directly by an offender engaged in the operation of, or in actual physical control of, any motor vehicle, aircraft, vessel, or other means of conveyance whether or not the offender had the intent to cause death or great bodily harm whenever any of the following conditions exist and such condition was a contributing factor to the killing:

(a) The offender is ~~under the influence of~~ impaired by alcoholic beverages as determined by chemical tests administered under the provisions of R.S. 32:662.

* * *

(c)(i) The offender is ~~under the influence of any controlled dangerous substance listed in Schedule I, II, III, IV, or V as set forth in R.S. 40:964~~ impaired by any other drug, combination of drugs, or combination of alcohol and drugs.

(ii) As used in this Section, the term "drug" means any substance or combination of substances that, when taken into the human body, can impair the ability of the person to operate a vehicle safely.

(d) The offender is ~~under the influence of~~ impaired by alcoholic beverages.

(e)(i) ~~The offender is under the influence of a combination of alcohol and one or more drugs which are not controlled dangerous substances and which are legally obtainable with or without a prescription.~~

(ii) ~~It shall be an affirmative defense to any charge under this Subparagraph that the label on the container of the prescription drug or the manufacturer's package of the drug does not contain a warning against combining the medication with alcohol.~~

(f) ~~The offender is under the influence of one or more drugs which are not controlled dangerous substances and which are legally obtainable with or without a prescription and the influence is caused by the offender's knowingly consuming quantities of the drug or drugs which substantially exceed the dosage prescribed by the physician or the dosage recommended by the manufacturer of the drug.~~

(g) The operator's blood has any detectable amount of any controlled dangerous substance listed in Schedule I, II, III, or IV as set forth in R.S. 40:964, or a metabolite of such controlled dangerous substance, that has not been medically ordered or prescribed for the individual.

* * *

§39.1. Vehicular negligent injuring

A. Vehicular negligent injuring is the inflicting of any injury upon the person of a human being when caused proximately or caused directly by an

offender engaged in the operation of, or in actual physical control of, any motor vehicle, aircraft, watercraft, or other means of conveyance whenever any of the following conditions exists:

(1) The offender is ~~under the influence of~~ impaired by alcoholic beverages.

(3)(a) The offender is ~~under the influence of any controlled dangerous substance listed in Schedule I, II, III, IV, or V as set forth in R.S. 40:964~~ impaired by any other drug, combination of drugs, or combination of alcohol and drugs.

(b) ~~As used in this Section, the term “drug” means any substance or combination of substances that, when taken into the human body, can impair the ability of the person to operate a vehicle safely.~~

(4)(a) ~~The operator is under the influence of a combination of alcohol and one or more drugs which are not controlled dangerous substances and which are legally obtainable with or without a prescription.~~

(b) ~~It shall be an affirmative defense to any charge under this Paragraph pursuant to this Section that the label on the container of the prescription drug or the manufacturer’s package of the drug does not contain a warning against combining the medication with alcohol.~~

(5) ~~The operator is under the influence of one or more drugs which are not controlled dangerous substances and which are legally obtainable with or without a prescription and the influence is caused by the operator knowingly consuming quantities of the drug or drugs which substantially exceed the dosage prescribed by the physician or the dosage recommended by the manufacturer of the drug.~~

§39.2. First degree vehicular negligent injuring
A. First degree vehicular negligent injuring is the inflicting of serious bodily injury upon the person of a human being when caused proximately or caused directly by an offender engaged in the operation of, or in actual physical control of, any motor vehicle, aircraft, watercraft, or other means of conveyance whenever any of the following conditions exists:

(1) The offender is ~~under the influence of~~ impaired by alcoholic beverages.

(3)(a) The offender is ~~under the influence of any controlled dangerous substance listed in Schedule I, II, III, IV, or V as set forth in R.S. 40:964, or any abused substance impaired by any other drug, combination of drugs, or combination of alcohol and drugs.~~

(b) ~~As used in this Section, the term “drug” means any substance or combination of substances that, when taken into the human body, can impair the ability of the person to operate a vehicle safely.~~

(4)(a) ~~The operator is under the influence of a combination of alcohol and one or more drugs which are not controlled dangerous substances and which are legally obtainable with or without a prescription.~~

(b) ~~It shall be an affirmative defense to any charge under this Paragraph pursuant to this Section that the label on the container of the prescription drug or the manufacturer’s package of the drug does not contain a warning against combining the medication with alcohol.~~

(5) ~~The operator is under the influence of one or more drugs which are not controlled dangerous substances and which are legally obtainable with or without a prescription and the influence is caused by the operator knowingly consuming quantities of the drug or drugs which substantially exceed the dosage prescribed by the physician or the dosage recommended by the manufacturer of the drug.~~

§98. Operating a vehicle while intoxicated impaired
A.(1) The crime of operating a vehicle while ~~intoxicated~~ impaired is the operating of any motor vehicle, aircraft, watercraft, vessel, or other means of conveyance when any of the following conditions exist:

(a) The operator is ~~under the influence of~~ impaired by alcoholic beverages.

(c) The operator is ~~under the influence of any controlled dangerous substance listed in Schedule I, II, III, IV, or V as set forth in R.S. 40:964~~ impaired by any other drug, combination of drugs, or combination of alcohol and drugs.

(d)(i) ~~The operator is under the influence of a combination of alcohol and one or more drugs that are not controlled dangerous substances and that are legally obtainable with or without a prescription.~~

(ii) ~~It shall be an affirmative defense to any charge under this Subparagraph that the label on the container of the prescription drug or the manufacturer’s package of the drug does not contain a warning against combining the medication with alcohol.~~

(e)(i) ~~The operator is under the influence of one or more drugs that are not controlled dangerous substances and that are legally obtainable with or without a prescription.~~

(ii) ~~It shall be an affirmative defense to any charge under this Subparagraph that the operator did not knowingly consume quantities of the drug or drugs that substantially exceed the dosage prescribed by the physician or the dosage recommended by the manufacturer of the drug.~~

(2) A valid driver’s license shall not be an element of the offense, and the lack thereof shall not be a defense to a prosecution for operating a vehicle while ~~intoxicated~~ impaired.

(3) ~~As used in this Section, the term “drug” means any substance or combination of substances that, when taken into the human body, can impair the ability of the person to operate a vehicle safely.~~

C.(1) For purposes of determining whether a defendant has a prior conviction for a violation of this Section, a conviction under any of the following shall constitute a prior conviction:

(e) A law of any state or an ordinance of a municipality, town, or similar political subdivision of another state that prohibits the operation of any motor vehicle, aircraft, watercraft, vessel, or other means of conveyance while ~~intoxicated~~, while impaired, or while under the influence of alcohol, drugs, or any controlled dangerous substance, or as otherwise provided by R.S. 13:1894.1.

(3) For purposes of this Section, a prior conviction shall not include a conviction for an offense under this Section, a conviction for an offense under R.S. 14:39.1, or a conviction under the laws of any state or an ordinance of a municipality, town, or similar political subdivision of another state which prohibits the operation of any motor vehicle, aircraft, watercraft, vessel, or other means of conveyance while ~~intoxicated~~, while impaired, or while under the influence of alcohol, drugs, or any controlled dangerous substance, or as otherwise provided by R.S. 13:1894.1, if committed more than ten years prior to the commission of the crime for which the defendant is being tried, and such conviction shall not be considered in the assessment of penalties in this Section. However, periods of time during which the offender was awaiting trial, under an order of attachment for failure to appear, or on probation or parole for an offense described in this Paragraph, or periods of time during which an offender was incarcerated in a penal institution in this or any other state for any offense, including an offense described in Paragraph (1) of this Subsection, shall be excluded in computing the ten-year period.

E. The legislature hereby finds and declares that conviction of a third or subsequent offense of operating while ~~intoxicated~~ impaired is presumptive evidence of the existence of a substance abuse disorder that poses a serious threat to the health and safety of the public. Further, the legislature finds that there are successful treatment methods available for treatment of addictive disorders.

F.(1) On a third or subsequent conviction of operating while ~~intoxicated~~ impaired pursuant to this Section, in addition to any other sentence, the court shall order, upon motion of the prosecuting district attorney, that the vehicle being operated by the offender at the time of the offense be seized and impounded, and be sold at auction in the same manner and under the same conditions as executions of writs of seizure and sale as provided in Book V, Title II, Chapter 4 of the Code of Civil Procedure.

(2) The vehicle shall be exempt from sale if it was stolen, or if the driver of the vehicle at the time of the violation was not the owner and the owner did not know that the driver was operating the vehicle while ~~intoxicated~~ impaired. If this exemption is applicable, the vehicle shall not be released from impoundment until such time as towing and storage fees have been paid. In addition, the vehicle shall be exempt from sale if all towing and storage fees are paid by a valid lienholder.

§98.1. Operating while ~~intoxicated~~ impaired; first offense; penalties

§98.2. Operating while ~~intoxicated~~ impaired; second offense; penalties

§98.3. Operating while ~~intoxicated~~ impaired; third offense; penalties

§98.4. Operating while ~~intoxicated~~ impaired; fourth offense; penalties

§98.5. Special provisions and definitions

B.
(4) An offender who has been convicted of any second violation of any state or local law or ordinance prohibiting operating a vehicle while ~~intoxicated~~ impaired, committed within five years of the commission of any prior operating while ~~intoxicated~~ impaired violation, shall not be eligible for home incarceration until the offender has first served a minimum of forty-eight consecutive hours of imprisonment.

§98.6. Underage operating while ~~intoxicated~~ impaired
A. The crime of underage operating a vehicle while ~~intoxicated~~ impaired is the operating of any motor vehicle, aircraft, watercraft, vessel, or other means of conveyance when the operator’s blood alcohol concentration is 0.02 percent or more by weight based on grams of alcohol per one hundred cubic centimeters of blood, if the operator is under the age of twenty-one.

§98.7. Unlawful refusal to submit to chemical tests; arrests for driving while ~~intoxicated~~ impaired
A. No person under arrest for a violation of R.S. 14:98, ~~98:1~~ 98.6, or any other law or ordinance that prohibits operating a vehicle while ~~intoxicated~~ impaired, may refuse to submit to a chemical test when requested to do so by a law enforcement officer if he has refused to submit to such test on two previous and separate occasions of any such violation.

Section 2. R.S. 32:661(A)(1) and (2), 661.1(A), 661.2(A), 664(A), 666(A)(1)(a)(i) and (2)(c) and (B), 667.1(C)(2) and (3), 668(A)(1), 681(A)(introductory paragraph) and (B), (C), and (D) are hereby amended and reenacted and R.S. 32:661(E) and

681(H) are hereby enacted to read as follows:

§661. Operating a vehicle under the influence of alcoholic beverages or illegal substance or controlled dangerous substances; implied consent to chemical tests; administering of test and presumptions

A.(1) Any person, regardless of age, who operates a motor vehicle upon the public highways of this state shall be deemed to have given consent, subject to the provisions of R.S. 32:662, to a chemical test or tests of his blood, breath, urine, or other bodily substance for the purpose of determining the alcoholic content of his blood, and the presence of any ~~abused substance or controlled dangerous substance as set forth in R.S. 40:964~~ drug in his blood if arrested for any offense arising out of acts alleged to have been committed while the person was driving or in actual physical control of a motor vehicle while believed to be under the influence of alcoholic beverages, ~~or any abused substance or controlled dangerous substance as set forth in R.S. 40:964~~ any drug, combination of drugs, or combination of alcohol and drugs.

(2)(a) The test or tests shall be administered at the direction of a law enforcement officer having reasonable grounds to believe the person, regardless of age, to have been driving or in actual physical control of a motor vehicle upon the public highways of this state while under the influence of either alcoholic beverages, ~~or any abused substance or controlled dangerous substance as set forth in R.S. 40:964~~ any drug, combination of drugs, or combination of alcohol and drugs. The law enforcement agency by which such officer is employed shall designate in writing and under what conditions which of the aforesaid tests shall be administered.

(b) In the case of all traffic fatalities, the coroner, or his designee, shall perform or cause to be performed a toxicology screen on the victim or victims of all traffic fatalities for determining evidence of any alcoholic content of the blood and the presence of any ~~abused substance or controlled dangerous substance as set forth in R.S. 40:964~~ drug, or combination of drugs, which shall include the extracting of all bodily substance samples necessary for such toxicology screen. The coroner, or his designee, shall be responsible for ensuring the body is not removed from his custody until such time as the bodily substance samples are extracted. The coroner's report shall be made available to the investigating law enforcement agency and may be admissible in any court of competent jurisdiction as evidence of the alcoholic content of the blood and the presence of any ~~abused substance or controlled dangerous substance as set forth in R.S. 40:964~~ drug, or combination of drugs, at the time of the fatality. The coroner, or his designee, shall determine, by the most current and accepted scientific method available, whether the presence of alcoholic content in the blood of the deceased is the result of pre-death ingestion of alcoholic beverages or the postmortem synthesis of ethanol. Nothing herein shall be construed to limit the authority of the investigating law enforcement agency from conducting an investigation of the accident scene concurrently with the coroner or his designee.

* * *

E. As used in this Chapter, the term "drug" means any substance or combination of substances that, when taken into the human body, may impair the ability of the person to operate a vehicle safely.

§661.1. Operating a watercraft under the influence of alcoholic beverages or controlled dangerous substances; implied consent to chemical tests; administering of test and presumptions

A.(1) Any person, regardless of age, who operates a motor powered watercraft upon the public navigable waterways of this state shall be deemed to have given consent, subject to the provisions of R.S. 32:662, to a chemical test or tests of his blood, breath, urine, or other bodily substance for the purpose of determining the alcoholic content of his blood and the presence of any ~~abused substance or controlled dangerous substance as set forth in R.S. 40:964~~ drug in his blood if arrested for any offense arising out of acts alleged to have been committed while the person was driving or in actual physical control of a motor powered watercraft, while believed to be under the influence of alcoholic beverages, ~~or any abused substance or controlled dangerous substance as set forth in R.S. 40:964~~ any drug, combination of drugs, or combination of alcohol and drugs.

(2) The test or tests shall be administered at the direction of a law enforcement officer having reasonable grounds to believe the person, regardless of age, to have been driving or in actual physical control of a motor powered watercraft upon the public navigable waterways of this state, while under the influence of either alcoholic beverages, ~~or any abused substance or controlled dangerous substance as set forth in R.S. 40:964~~ any drug, combination of drugs, or combination of alcohol and drugs. The law enforcement agency by which such officer is employed shall designate which of the aforesaid tests shall be administered.

* * *

§661.2. Operation of a locomotive engine under the influence of alcoholic beverages or controlled dangerous substances; implied consent to chemical tests; administering of test and presumptions

A.(1) Any person who operates a locomotive engine upon the railroad tracks of this state shall be deemed to have given consent, subject to the provisions of R.S. 32:662, to a chemical test or tests of his blood, breath, urine, or other bodily substance for the purpose of determining the alcoholic content of his blood and the presence of any ~~abused or illegal controlled dangerous substance as set forth in R.S. 40:964~~ drug in his blood if he is involved in a collision at a railroad crossing at any roadway of this state alleged to have occurred when he was driving or in actual physical control of the locomotive engine while believed to be under the influence of an alcoholic beverage, ~~or any abused or illegal controlled dangerous substance as set forth in R.S.~~

~~40:964 any drug, combination of drugs, or combination of alcohol and drugs.~~

(2) The test or tests shall be administered at the direction of the law enforcement officer having reasonable grounds to believe the person to have been operating or in physical control of the locomotive engine while under the influence of either an alcoholic beverage, ~~or any abused or illegal controlled dangerous substance as set forth in R.S. 40:964~~ any drug, combination of drugs, or combination of alcohol and drugs. The law enforcement agency by which such officer is employed shall designate which of the aforesaid tests shall be administered.

* * *

§664. Persons authorized to administer test

A. When a person submits to a blood test at the request of a law enforcement officer under the provisions of this Part, only a physician, physician assistant, registered nurse, licensed practical nurse, emergency medical technician, chemist, nurse practitioner, or other qualified technician may withdraw blood for the purpose of determining the alcoholic content or presence of any ~~abused or illegal controlled dangerous substances drug, or combination of drugs~~, therein. No law enforcement officer who is not otherwise qualified as a physician, physician assistant, registered nurse, licensed practical nurse, emergency medical technician, chemist, nurse practitioner, or other qualified technician may withdraw blood for the purpose of determining, or of having determined, the alcoholic content or presence of any ~~abused or illegal controlled dangerous substances drug, or combination of drugs~~, therein. This limitation shall not apply to the taking of breath specimens. Only procedures approved and promulgated by the Department of Public Safety and Corrections may be used in the analysis of blood, urine, breath, or other bodily substance.

* * *

§666. Refusal to submit to chemical test; submission to chemical tests; exception; effects of

A.(1)(a)(i) When a law enforcement officer has probable cause to believe that a person has violated R.S. 14:98, 98.6, or any other law or ordinance that prohibits operating a vehicle while intoxicated, that person may not refuse to submit to a chemical test or tests if he has refused to submit to such test or tests on two previous and separate occasions of any previous such violation or in any case wherein a fatality has occurred or a person has sustained serious bodily injury in a crash involving a motor vehicle, aircraft, watercraft, vessel, or other means of conveyance. Serious bodily injury means bodily injury which involves unconsciousness, protracted and obvious disfigurement, or protracted loss or impairment of the function of a bodily member, organ, or mental faculty, or a substantial risk of death. The law enforcement officer shall direct that a chemical test or tests be conducted of a person's blood, urine, or other bodily substance, or perform a chemical test of such person's breath, for the purpose of determining the alcoholic content of his blood and the presence of any ~~abused substance or controlled substance as set forth in R.S. 40:964~~ drug, or combination of drugs, in his blood in such circumstances. The officer may direct a person to submit to a breath test, and if indicated, an additional blood test for the purpose of testing for the presence of alcohol, ~~abused substances, and controlled dangerous substances any drug, or combination of drugs~~. A refusal of any such test or tests shall result in the suspension of driving privileges as provided by the provisions of this Part. A physician, physician assistant, registered nurse, licensed practical nurse, emergency medical technician, chemist, nurse practitioner, or other qualified technician shall perform a chemical test in accordance with the provisions of R.S. 32:664 when directed to do so by a law enforcement officer.

* * *

(2) In all cases other than those in Paragraph (1) of this Subsection, a person under arrest for a violation of R.S. 14:98, 98.1, or other law or ordinance that prohibits operating a vehicle while intoxicated may refuse to submit to such chemical test or tests, after being advised of the consequences of such refusal as provided for in R.S. 32:661(C), subject to the following:

* * *

(c) Evidence of his refusal shall be admissible in any criminal action or proceeding arising out of acts alleged to have been committed while the person, regardless of age, was driving or in actual physical control of a motor vehicle upon the public highways of this state while under the influence of alcoholic beverages or any ~~abused substance or controlled dangerous substance as set forth in R.S. 40:964~~ drug, or combination of drugs. Additionally, evidence of his refusal shall be admissible in any criminal action or proceeding arising out of acts alleged to have been committed while the person under twenty-one years of age was driving or in actual physical control of a motor vehicle upon the public highways of this state after having consumed alcoholic beverages. However, such evidence shall not be admissible in a civil action or proceeding other than to suspend, revoke, or cancel his driving privileges.

* * *

B. In each instance that a person submits or refuses to submit to a chemical test, after being advised of the consequences of such refusal or submission as provided for in R.S. 32:661(C), the officer shall submit a report in a form approved by the secretary. The officer shall certify that he had reasonable grounds to believe that the arrested person had been driving or was in actual physical control of a motor vehicle upon the public highways of this state while under the influence of alcoholic beverages, ~~or any abused or illegal controlled dangerous substance as set forth in R.S. 40:964~~ any drug, combination of drugs, or combination of alcohol and drugs, that he had followed the procedure in informing such person of his rights under R.S. 32:661(C), and that such person had submitted to the test or refused to submit

to the test upon the request of the officer. In the case of a submission to the test, the officer shall provide complete information regarding the test as may be available at the time the certified report is completed.

§667.1. Seizure of license upon arrest for vehicular homicide; issuance of temporary license; suspension

C.(1)

(2) The court shall conduct a contradictory hearing to determine whether a chemical test has been performed of the blood, urine, or other bodily substance of the person arrested and whether the test indicates the presence of alcohol, ~~an abused substance, a controlled dangerous substance as set forth in R.S. 40:964, or any other substance which causes impairment any drug, or any combination of drugs.~~ The scope of the hearing shall be limited to the issues provided for in this Paragraph.

(3) If the court determines that the test provided for in Paragraph (2) of this Subsection indicates the presence of alcohol, ~~an abused substance, a controlled dangerous substance or any other substance which causes impairment any drug, or any combination of drugs,~~ then the court shall suspend the driver's license of any person arrested for a violation of R.S. 14:32.1 (vehicular homicide) for one year, without benefit of a hardship license.

§668. Procedure following revocation or denial of license; hearing; court review; review of final order; restricted licenses

A. Upon suspending the license or permit to drive or nonresident operating privilege of any person or upon determining that the issuance of a license or permit shall be denied to the person, the Department of Public Safety and Corrections shall immediately notify the person in writing and upon his request shall afford him an opportunity for a hearing based upon the department's records or other evidence admitted at the hearing, and in the same manner and under the same conditions as is provided in R.S. 32:414 for notification and hearings in the case of suspension of licenses, except that no law enforcement officer shall be compelled by such person to appear or testify at such hearing and there shall be a rebuttable presumption that any inconsistencies in evidence submitted by the department and admitted at the hearing shall be strictly construed in favor of the person regarding the revocation, suspension, or denial of license. The scope of such a hearing for the purposes of this Part shall be limited to the following issues:

(1) Whether a law enforcement officer had reasonable grounds to believe the person, regardless of age, had been driving or was in actual physical control of a motor vehicle upon the public highways of this state, or had been driving or was in actual physical control of a motor-powered watercraft upon the public navigable waterways of this state, while under the influence of either alcoholic beverages or ~~any abused substance or controlled dangerous substance as set forth in R.S. 40:964~~ drug, combination of drugs, or combination of alcohol and drugs.

§681. Postaccident drug testing; accidents involving fatalities, required

A. The operator of any motor vehicle or watercraft which is involved in a collision or crash on the public highways, including waterways, shall be deemed to have given consent to, and shall be administered, a chemical test or tests of his blood, urine, or other bodily substances for the purpose of determining the presence of ~~any abused substance or controlled dangerous substance as set forth in R.S. 40:964 or other applicable provision of law~~ drug, combination of drugs, or any other impairing substance, under any of the following circumstances:

B. The test or tests required pursuant to Subsection A of this Section shall be administered at the direction of a law enforcement officer having reasonable grounds to believe the person to have been operating or in actual physical control of a motor vehicle upon the public highways of this state which is involved in a collision or crash or to have been operating or in physical control of a watercraft on the waterways of this state involved in a collision, crash, or other casualty in which a suspected serious injury or a fatality occurs, in order to determine the presence of ~~any abused substance or controlled dangerous substance as set forth in R.S. 40:964 or any other applicable provision of law~~ drug, combination of drugs, or any other impairing substance. The law enforcement agency by which such officer is employed shall designate in writing under what conditions the test or tests shall be administered.

C. In the case of all traffic or boating fatalities, the coroner, or his designee, shall perform or cause to be performed a toxicology screen on the deceased victim or victims for determining evidence of the presence of ~~any abused substance or controlled dangerous substance as set forth in R.S. 40:964 or other applicable provision of law~~ drug, combination of drugs, or any other impairing substance which shall include the extracting of all bodily substance samples necessary for such toxicology screen. The coroner, or his designee, shall be responsible for ensuring the body is not removed from his custody until such time as the bodily substance samples are extracted. The coroner's report shall be made available to the investigating law enforcement agency and may be admissible in any court of competent jurisdiction as evidence of the presence of ~~any abused substance or controlled dangerous substance as set forth in R.S. 40:964 or other applicable provision of law~~ drug, combination of drugs, or any other impairing substance at the time of the fatality. Nothing ~~herein in this Subsection~~ shall be construed to limit the authority of the

investigating law enforcement agency from conducting an investigation of the accident scene concurrently with the coroner or his designee.

D. Any chemical test or tests of a person's blood, urine, or other bodily substance for the purpose of determining the presence of any ~~abused substance or controlled dangerous substance as set forth in R.S. 40:964 or other applicable provision of law~~ drug, combination of drugs, or any other impairing substance shall be administered in the same manner and subject to the provisions of Part XIV of this Chapter.

H. As used in this Section, the term "drug" means any substance or combination of substances that, when taken into the human body, may impair the ability of the person to operate a vehicle safely.

Section 3. R.S. 14:32.1(A)(6) and (7), 32.8(A)(2)(f) and (g), 39.1(A)(4) and (5), 39.2(A)(4) and (5), and 98(A)(1)(d) and (e) are hereby repealed in their entirety. Approved by the Governor, June 18, 2024.

A true copy:
Nancy Landry
Secretary of State

ACT No. 663

HOUSE BILL NO. 878
BY REPRESENTATIVE RISER
AN ACT

To enact R.S. 38:2212.1(P), relative to local governmental subdivisions' fire and public safety departments agreements with group purchasing organizations; to provide for agreements with qualified group purchasing organizations for purchases; to provide for price lists and their duration; to prohibit price lists from being public records; to define qualified group purchasing organization; to allow the purchase of materials, equipment, and supplies from a qualified group purchasing organization when prices meet certain criteria; and to provide for related matters.

Be it enacted by the Legislature of Louisiana:

Section 1. R.S. 38:2212.1(P) is hereby enacted to read as follows:
§2212.1. Advertisement and letting to lowest responsible bidder; materials and supplies; exemptions

P.(1) Notwithstanding any provision of law contained in this Part to the contrary, any municipal or parish fire department, volunteer fire department, fire protection district or non-profit corporation under contract with a fire protection district, municipal police department, or related public safety department or agency, including but not limited to any municipal ambulance service, parish ambulance service, or ambulance service district, may enter into an agreement with one or more qualified group purchasing organizations for the purchase of materials, equipment, and supplies, including any installation thereof. Any such agreement shall require the qualified group purchasing organization to submit a price list for materials, equipment, and supplies it offers. The prices quoted on the list shall remain in effect for not less than three months. Any such price list shall be considered to be a valid and binding bid by the qualified group purchasing organization during the effective period of the agreement and no additional bid by the qualified group purchasing organization is necessary.

(2) The price list submitted by a qualified group purchasing organization is not a public record and shall not be available for public inspection. The agreement establishing the price list and its effective date is, however, a public record, and that portion of the price list establishing the price of the materials, equipment, or supplies being purchased shall become a public record at the time of opening of bids or upon the execution of a contract for the purchase of materials, equipment, or supplies.

(3) As used in this Subsection, "qualified group purchasing organization" means an organization, whether for profit or not-for-profit, of which two or more of the public departments, agencies, or non-profit corporations described in Paragraph (1) of this Subsection, hereinafter referred to as fire, ambulance service, public safety, or police authority, are participating or voting members thereof and which solicit proposals or bids from vendors of materials, equipment, or supplies of the type and nature as may be purchased by any such department, agency, or non-profit corporation.

(4) Furthermore, any such fire, ambulance service, public safety, or police authority may purchase materials, equipment, or supplies directly from or through a qualified group purchasing organization if either the price is less than that for the same or substantially similar materials, equipment, or supplies on the state contract or bid list, or if the same or substantially similar materials, equipment, or supplies are not under state contract or on the state bid list. Nothing contained in this Subsection shall be construed to authorize a municipal or public fire department, fire protection district, ambulance service, or ambulance service district to purchase materials, equipment, or supplies from or through an entity or vendor other than a qualified group purchasing organization as defined in this Subsection without using a procurement process otherwise provided by state law.

Approved by the Governor, June 18, 2024.

A true copy:
Nancy Landry
Secretary of State

To amend and reenact R.S. 18:1483(11), 1491.1(E), 1491.4(E), 1495.2(E), 1505.2(E), (H)(1)(a) and (c), (2)(a) and (b), and (3)(a), and (K)(1) and (2), and 1511.4(A) and R.S. 42:1124.1(A)(2) and 1125(A), (C)(introductory paragraph), and (D) (2) and to enact R.S. 18:1483(21), 1491.1(G), 1505.2(H)(7), and 1505.2.1, relative to political contributions; to provide for the Campaign Finance Disclosure Act; to provide for independent expenditure-only political committees; to provide for the registration of political committees; to provide for electronic payments and filing; to increase the amount of payments made from petty cash; to increase campaign contribution limits; to provide for the designation of political contributions for specific elections; to provide for the attribution of political contributions to certain contributors; to provide for limitations; to provide for procedures; to provide for complaints filed with the Supervisory Committee on Campaign Finance; to provide requirements for the filing of complaints; to provide for notifications; to provide relative to certain financial disclosure violations; to provide for penalties; to increase limits on contributions made for gubernatorial transition and inauguration; to provide for such contributions in the Campaign Finance Disclosure Act; to provide for a study conducted by the Board of Ethics; to require the Board of Ethics to report to the legislature, governor, and secretary of state; to provide for effectiveness; and to provide for related matters.

Be it enacted by the Legislature of Louisiana:

Section 1. The provisions of this Act may be referred to as the “Louisiana Accountability and Modernization of Disclosure and Electoral Reform Now (LA MODERN) Act.”

Section 2. R.S. 18:1483(11), 1491.1(E), 1491.4(E), 1495.2(E), 1505.2(E), (H)(1)(a) and (c), (2)(a) and (b), and (3)(a), and (K)(1) and (2), and 1511.4(A) are hereby amended and reenacted and R.S. 18:1483(21), 1491.1(G), 1505.2(H)(7), and 1505.2.1 are hereby enacted to read as follows:

§1483. Definitions

As used in this Chapter, the following terms shall have the meanings given to each in this Section unless the context clearly indicates otherwise:

(11) “Major office” means the following offices: governor, lieutenant governor, secretary of state, attorney general, state treasurer, commissioner of agriculture, commissioner of insurance, the superintendent of education, public service commissioner, justice of the supreme court, court of appeal judge, district court judge in a judicial district comprised of a single parish with a population in excess of four hundred fifty thousand persons as determined by the most recently published decennial federal census where the election district is parishwide, as long as these offices are elective offices, and any candidate for office with an election district containing a population in excess of two hundred fifty thousand persons as determined by either the most recently published decennial federal census or the annual American Community Survey data whichever is most recent.

(21)(a) “Independent expenditure-only political committee” means a committee registered with the supervisory committee which makes independent expenditures, makes no political contributions to any candidate for any elected office in this state or any of its subdivisions, and makes no coordinated expenditures with a candidate or candidate’s committee.

(b) “Independent expenditure” means an expenditure by a person expressly advocating the election or defeat of a clearly identified or identifiable, qualified candidate for public office, including supporting or opposing the candidates of a political party, and that is not made in cooperation, consultation, or concert with, or at the request or suggestion of a candidate, a candidate’s authorized committee, or their agents, or a political party committee or its agents.

§1491.1. Registration of political committees

E.(1) The supervisory committee is hereby authorized to may impose a fee not to exceed the amount of one hundred dollars for each statement required to be filed under this Section to be remitted to the supervisory committee together with the statement on or before the time the statement is required to be filed. Any statement submitted without the proper fee shall be deemed as not being properly submitted to the supervisory committee. All fees collected hereunder shall be used solely by the supervisory committee for the enforcement of the provisions of this Chapter, as appropriated by the legislature.

(2) The supervisory committee shall accept payment via electronic funds transfer for filing fees associated with filing a statement of organization. The supervisory committee may charge an electronic processing fee not to exceed five percent of the filing fee.

G. Statements of organization and other documents required to be filed with the supervisory committee pursuant to this Section, including electronic filing affidavits, may be filed electronically by facsimile or through the Board of Ethics Computerized Data Management System as provided in R.S. 18:1485 and R.S. 42:1158. Documents may be notarized as provided by R.S. 35:621, et seq.

* * *
§1491.4. Campaign treasurers; campaign depositories; expenditures; petty cash fund

* * *
E. A political committee may maintain a petty cash fund or funds. A petty cash fund shall be maintained on an imprest system, that is, expenditures may be made in cash from the fund and the fund shall from time to time be restored to its original amount by a transfer of funds from other committee funds of a sum equal to the aggregate of the sums expended from the fund. No expenditure in excess of ~~one~~ two hundred dollars shall be made from the petty cash fund and no expenditure shall be made from the petty cash fund for any personal services, except for gratuities paid for the serving of food or drink. No expenditure shall be made from the petty cash fund in violation of R.S. 18:1531. A complete record of petty cash expenditures shall be maintained in accordance with the provisions of R.S. 18:1491.5(D).

* * *
§1495.2. Campaign treasurers; campaign depositories; expenditures; petty cash fund

* * *
E. A candidate may maintain a petty cash fund or funds. A petty cash fund shall be maintained on an imprest system, that is, expenditures may be made in cash from the fund and the fund shall from time to time be restored to its original amount by a transfer of funds from other funds of the candidate of a sum equal to the aggregate of the sums expended from the fund. No expenditure in excess of ~~one~~ two hundred dollars shall be made from the petty cash fund and no expenditure shall be made from the petty cash fund for any personal services, except for gratuities paid for the serving of food or drink. No expenditure shall be made from the petty cash fund in violation of R.S. 18:1531. A complete record of petty cash expenditures shall be maintained in accordance with the provisions of R.S. 18:1495.3(D).

* * *
§1505.2. Contributions; expenditures; certain prohibitions and limitations

* * *
E. No expenditure in excess of ~~one~~ two hundred dollars shall be made from a petty cash fund and no expenditure shall be made from a petty cash fund for any personal services, except for gratuities paid for the serving of food or drink. No expenditure shall be made from the petty cash fund in violation of R.S. 18:1531.

* * *
H.(1)(a) The following contribution limits are established for contributions made to candidates or the principal campaign committee and any subsidiary committee of a candidate for the following offices:

- (i) Major office - ~~five~~ twelve thousand dollars.
- (ii) District office - ~~two six~~ five hundred thousand dollars.
- (iii) Other office - ~~one~~ two thousand dollars.

* * *
(c) Notwithstanding the provisions of Subparagraph (a), the contribution limit for contributions made to an unsuccessful major office candidate, or the principal campaign committee and any subsidiary committee of such unsuccessful candidate, who does not participate in the general election and for the time period for which such candidate has a deficit for expenditures made through the day of the primary election, shall be ~~ten~~ twenty thousand dollars.

(2)(a) Notwithstanding the provisions of Paragraph (1), the following contribution limits are established for contributions by political committees supporting or opposing a candidate for the following offices:

- (i) Major office - ~~five~~ twelve thousand dollars.
- (ii) District office - ~~two six~~ five hundred thousand dollars.
- (iii) Other office - ~~one~~ two thousand dollars.

(b) Notwithstanding the provisions of Paragraph (1) of this Subsection and ~~Subparagraph (2)(a) of this Subsection~~ Subparagraph (a) of this Paragraph, the following campaign contribution limits are established for contributions by political committees supporting or opposing a candidate for the following offices, the membership of which political committee exceeds two hundred and fifty members as of the December thirty-first of the preceding calendar year, and additionally provided that at least two hundred and fifty of the members have each contributed at least ~~five~~ one hundred dollars to the political committee during the preceding one-year period:

- (i) Major office - ~~ten~~ twenty-four thousand dollars.
- (ii) District office - ~~five~~ twelve thousand dollars.
- (iii) Other office - ~~two~~ four thousand dollars.

No contribution in excess of the limits contained in Subparagraph (2)(a) of this Subsection Subparagraph (a) of this Paragraph shall be made by any political committee until such membership certification is made on the statement of organization form required by this Chapter and timely submitted to the supervisory committee by the applicable due date. Any political committee certified under this Paragraph shall notify the supported candidate in writing at the time any contribution is made under this Paragraph.

* * *
(3)(a) For purposes of this Subsection, a primary election and a general election shall constitute two separate elections. For purposes of this Subsection, for candidates and committees that participate in a general election, the reporting period for the general election shall be deemed to begin the day following the primary election. A candidate or his principal or subsidiary campaign committee may receive contributions that are designated in writing for use in connection with either the general election

or primary election in a single election cycle as provided in R.S. 18:1505.2.1.

(7) An independent expenditure-only committee may receive unlimited contributions from any person not otherwise prohibited from making a contribution pursuant to 52 U.S.C. 30121 or this Chapter.

~~K.(1) During any four year calendar period commencing January 1, 1991 and every fourth year thereafter, no~~ No person shall contribute more than one hundred thousand dollars per calendar year to any political committee or any subsidiary committee of such political committee, other than the principal or any subsidiary committee of a candidate. Such limitation on a contribution shall not apply to any contribution from a national political committee to an affiliated regional or state political committee. However, during any four-year calendar period commencing January 1, 2023, and every fourth year thereafter,

~~(2) During the time period provided for in Paragraph (1) of this Subsection,~~ no political committee or subsidiary of such political committee, other than the principal or any subsidiary committee of a candidate, shall accept more than ~~one hundred two hundred fifty thousand dollars~~ from any person.

(2) No person shall contribute more than two hundred fifty thousand dollars per calendar year to a recognized political party or any committee thereof. However, during any four-year calendar period commencing January 1, 2023, and every fourth year thereafter, no recognized political party or any committee thereof shall accept more than four hundred thousand dollars from any person.

§1505.2.1. Designation and attribution of contributions

A.(1) A candidate may receive contributions designated in writing for use in connection with either the primary election or the general election in a single election cycle. The candidate shall use an acceptable accounting method to distinguish between contributions attributed to the primary election and contributions attributed to the general election.

(2)(a) Acceptable accounting methods include but are not limited to the creation and designation of separate accounts for each election or the establishment of separate books and records for each election.

(b) A candidate's records shall demonstrate that prior to the primary election, recorded cash on hand was at all times equal to or in excess of the sum of general election contributions received less the sum of general election disbursements made.

B. A contribution may be designated in writing in the following manner:

(1) A check, money order, or other negotiable instrument that clearly indicates the particular election for which the contribution is made.

(2) The contribution is accompanied by a written statement, signed by the contributor, that clearly indicates the particular election for which the contribution is made.

(3) The contribution is redesignated in accordance with Paragraph (G)(1) of this Section.

C. For the purposes of this Section, a contribution shall be considered to be made when the contribution is delivered to the candidate. A contribution that is mailed to the candidate shall be considered to be delivered on the date of the postmark. An in-kind contribution shall be considered to be delivered on the date that the goods or services are provided by the contributor.

D. The candidate may accept contributions that are designated in writing for use in the general election prior to the date of the primary election.

E. If the candidate does not participate in the general election, any contributions designated for the general election shall be treated as excess campaign funds and may be redesignated as provided in Subsection G of this Section or expended as provided in R.S. 18:1505.2(I), except that such funds may not be expended in support of or in opposition to a proposition, political party, or candidacy of a person, or maintained in a segregated fund for use in future political campaigns or activity related to preparing for future candidacy to elective office.

F.(1) If a contribution is designated in writing for a particular election, but made after that election, the contribution shall be applied to the designated election only to the extent that the contribution satisfies any outstanding deficit from such election, subject to the limits provided in R.S. 1505.2(H)(1)(c) and (2)(e) and (f). If the contribution exceeds the outstanding deficit, the candidate shall return or deposit the contribution within ten days from the date of the candidate's receipt of the contribution. If deposited, then within sixty days from the date of receipt the candidate shall take one of the following actions:

(a) Refund the contribution using a committee check or draft.

(b) Obtain a written redesignation for another election as provided in Subsection G of this Section, subject to the limits provided in R.S. 1505.2(H).

(c) Obtain a written reattribution to another contributor as provided in Subsection H of this Section, subject to the limits provided in R.S. 1505.2(H).

(2) If a contribution is designated in writing for a particular election but made after that election and the candidate does not have an outstanding deficit for the designated election, the contribution shall be treated as excess campaign funds and may be expended as provided in R.S. 18:1505.2(I), except that such funds may not be expended in support of or in opposition to a proposition, political party, or candidacy of a person, or maintained in a segregated fund for use in future political campaigns or activity related to preparing for future candidacy to elective office.

G.(1) For an undesignated contribution, a candidate may designate the contribution for a particular election if the contribution exceeds the

contributions limitation provided for in R.S. 18:1505.2(H) for a single election or the contribution was received after the date of the election for which there is an outstanding deficit on the date the contribution was received. Within sixty days following the receipt of the contribution, the candidate shall notify the contributor in writing of the amount of the contribution that was redesignated and that the contributor may request a refund of the contribution.

(2) A candidate may request that all or part of a contribution designated for a certain election be redesignated for a different election if the contribution, either on its face or when aggregated with other contributions from the same contributor for the same election, exceeds the contributions limitation provided in R.S. 18:1505.2(H).

(3) A contribution designated for a particular election shall be redesignated for another election if both of the following apply:

(a) The candidate requests that the contributor provide a written redesignation of the contribution and informs the contributor in writing that the contributor may, instead of providing for redesignation, request the refund of the contribution.

(b) Within sixty days from the date of the candidate's receipt of the contribution, the contributor provides the candidate with a signed, written redesignation of the contribution for another election.

H. If a contribution exceeds the contributions limitation provided in R.S. 18:1505.2(H), the candidate may reattribute the excess contribution to another contributor as follows:

(1) If the contribution was made by a written instrument imprinted with the names of more than one individual, the total contribution may be attributed among the named individuals unless the instrument clearly indicates otherwise or the candidate receives a separate writing signed by the contributors. Such attribution shall not cause any contributor to exceed the contributions limitation provided in R.S. 18:1505.2(H).

(2) If the contribution was made by a single contributor and the contribution would cause the contributor to exceed the contributions limitation provided in R.S. 18:1505.2(H), the candidate may ask the contributor whether the contribution was intended to be a joint contribution by more than one person. The candidate shall notify the contributor in writing of the amount of the excess contribution and that the contributor may request a refund of the contribution. If within sixty days following the date the contribution was made the contributors provide the candidate with a written reattribution of the contribution, signed by each contributor indicating the amount to be attributed to each contributor, the candidate may attribute the contribution as indicated.

I. For purposes of this Section, "candidate" includes a candidate and the candidate's principal or subsidiary campaign committee.

§1511.4. Supervisory committee; investigations

A.(1) ~~The supervisory committee may investigate any apparent or alleged violation of this Chapter.~~ The supervisory committee by a two-thirds vote of its membership may initiate such an investigation of any apparent or alleged violation of this Chapter when, as a result of its review of reports, other documents, or information; filed under provisions of this Chapter or on the basis of a referral from another agency or department, it determines that there is reason to believe a violation of this Chapter has occurred, and it shall initiate an investigation when it makes such a determination upon receipt of a sworn complaint filed with the supervisory committee by any person who believes a violation of the Chapter has occurred. The supervisory committee shall notify the person alleged to have violated this Chapter of the supervisory committee's finding by letter, identifying the provision of law alleged to have been violated and the alleged factual basis supporting the finding, including reference to any specific transactions identified in the complaint.

(2) The supervisory committee may initiate the investigation of an apparent or alleged violation of this Chapter in response to a complaint filed with the supervisory committee in the following manner:

(a) Any person who believes that a violation of this Chapter has occurred may file a complaint in writing to the supervisory committee. The complaint shall differentiate between statements based upon personal knowledge and statements based upon information and belief.

(b) The supervisory committee may provide a sample form for complaints. The complaint shall be signed by the complainant and shall contain the following:

(i) The full name and address of the complainant.

(ii) The identification of each person who the complaint alleges to have committed a violation.

(iii) Statements in the complaint which are not based upon personal knowledge shall be accompanied by a reasonable identification of the source of information which gives rise to the complainant's belief in the truth of such statements.

(iv) A clear and concise recitation of the facts describing the violation.

(v) Any documentation in the possession of the complainant which supports the facts alleged in the complaint.

(c)(i) If the staff of the supervisory committee determines the complaint substantially complies with Subparagraph (b) of this Paragraph, the staff shall, within five days after receipt, notify each person identified as having committed a violation that the complaint has been filed and advise them of supervisory committee compliance procedures.

(ii) If the staff of the supervisory committee determines the complaint does not substantially comply with the requirements of Subparagraph (b)

of this Paragraph, the staff shall, within five days after receipt, notify the complainant and any person or entity identified therein as having committed a violation that no action shall be taken on the basis of the complaint.

(d) A copy of the complaint shall be enclosed with the notification provided to each respondent.

(e) The supervisory committee shall take all reasonable steps necessary to appropriately anonymize and redact personally identifying information from the complaint whenever copies are provided to anyone entitled to a copy of the complaint under this Chapter.

(f) The supervisory committee shall allow a respondent to submit a response to the complaint within fifteen days from receipt of a copy of the complaint. The response shall consist of a letter or memorandum setting forth reasons why the supervisory committee should take no action, along with any reasonably necessary supporting documentation which the respondent attaches thereto.

(g) The supervisory committee shall take no action, nor make any finding, to the detriment of a respondent other than action dismissing the complaint, unless it has considered such response or unless no such response has been delivered to the supervisory committee within the fifteen-day period.

(h)(i) Following either the expiration of the fifteen-day period or the receipt of a response, whichever occurs first, the supervisory committee shall, by a two-thirds vote of its membership, determine whether there is reason to believe a respondent has committed a violation of this Chapter.

(ii) If the supervisory committee finds no reason to believe a violation of this Chapter has occurred, or otherwise terminates its proceedings, it shall so advise the complainant and any respondent named in the complaint by letter.

(i) If the supervisory committee determines by an affirmative vote of two-thirds of its membership that it has reason to believe that a respondent has violated this Chapter, the supervisory committee shall notify respondent of its finding by letter, identifying the provision of law alleged to have been violated and the alleged factual basis supporting the finding, including reference to any specific transactions identified as a violation.

* * *

Section 3. R.S. 42:1124.1(A)(2) and 1125(A), (C)(introductory paragraph), and (D)(2) are hereby amended and reenacted to read as follows:

§1124.1. Penalties; required reports; failure to file; timely and accurate filing

A.(1) Whoever fails to file a financial statement required by this Part, except for statements required by R.S. 42:1124, 1124.2, 1124.2.1, and 1124.3, or knowingly and willfully fails to timely file any such statement, or knowingly and willfully fails to disclose or to accurately disclose any information required by this Part shall be assessed a civil penalty pursuant to R.S. 42:1157 for each day until such statement or the required accurate information is filed.

(2) The amount of such penalty shall be ~~one hundred~~ two hundred fifty dollars per day for statements required by R.S. 42:1114.

* * *

§1125. Gubernatorial transition and inauguration; contribution limits; reports

A.(1) Any contribution received and accepted by the person elected governor, or any person on his behalf, following the date of his election and expenditures made from such contributions shall be reported by the governor to the ~~Board of Ethics~~ supervisory committee as provided for in this Section.

(2) The person elected governor and any person accepting contributions on his behalf shall not accept contributions totaling more than ~~five~~ twenty thousand dollars from any person.

* * *

C. On or before the sixtieth day after the gubernatorial inauguration and by February fifteenth annually thereafter until all contributions have been expended or used, the governor shall file an all-inclusive report with the ~~Board of Ethics~~ supervisory committee which shall state:

* * *

D. All reports required by this Section shall be:

* * *

(2) Filed on forms prepared for this purpose by the ~~Board of Ethics~~ supervisory committee. Such forms shall be substantially similar to forms used for filings of campaign finance reports for candidates for statewide office prepared by the board acting as the Supervisory Committee on Campaign Finance Disclosure.

* * *

Section 4. The Louisiana State Law Institute is hereby authorized and directed to redesignate R.S. 42:1125 as amended by this Act as R.S. 18:1501.3 and to arrange in alphabetical order the provisions of R.S. 18:1483 as amended by this Act.

Section 5. The Board of Ethics, functioning as the Supervisory Committee on Campaign Finance Disclosure, is hereby directed to conduct an investigation and analysis of best practices currently in place in other states that could be implemented to modernize Louisiana’s campaign finance and disclosure system, including a review of technological systems that could be implemented in Louisiana. This review shall include an analysis of the potential costs and benefits of updating Louisiana’s campaign reporting technology, including a study of the feasibility of implementing a system which allows for simplified electronic filing of any and all campaign finance-related disclosure reports using a single login for each user capable of accessing and filing for multiple campaigns and committees, deadline tracking, real-time calculations of total expenditures and debts, simplified digital templates, integration of application programming interface (“API”) technology at all levels of campaign filing, and automatically generated data models and maps

like that currently in use in the State of Washington, as implemented by the Washington State Public Disclosure Commission. No later than January 31, 2025, the Board of Ethics, shall present its findings and recommendations to the speaker of the House of Representatives, the president of the Senate, the governor, and the secretary of state.

Section 6. This Act shall become effective on January 1, 2025.

Approved by the Governor, June 18, 2024.

A true copy:

Nancy Landry
Secretary of State

ACT No. 665

HOUSE BILL NO. 961

(Substitute for House Bill No. 338 by Representative Muscarello)
BY REPRESENTATIVES MUSCARELLO, ADAMS, BACALA, BAYHAM, BERAULT, BUTLER, CARPENTER, WILFORD CARTER, CHASSION, COX, DOMANGUE, EGAN, FONTENOT, FREIBERG, GREEN, HORTON, JORDAN, KNOX, LAFLEUR, LARVADAIN, LYONS, MARCELLE, MOORE, MYERS, NEWELL, SCHLEGEL, TAYLOR, VILLIO, WALTERS, WILDER, WILEY, AND WYBLE

AN ACT

To enact R.S. 15:830.3, relative to the creation of a mental health transition pilot program; to provide for a pilot program; to provide for administration of the pilot program in certain parishes; to provide for eligibility; to provide for the duties of the Department of Public Safety and Corrections; to provide for criteria; and to provide for related matters.

Be it enacted by the Legislature of Louisiana:

Section 1. R.S. 15:830.3 is hereby enacted to read as follows:

§830.3. Mental health transition pilot program

A.(1) The Department of Public Safety and Corrections shall establish a mental health transition pilot program to be administered within the parishes of Livingston, St. Helena, and Tangipahoa to provide eligible individuals with transition services in the community while on probation or parole.

(2) In order to determine eligibility for the program, the department shall conduct basic level screening of individuals placed on probation or parole for mental health disorders as defined in the current edition of the Diagnostic and Statistical Manual of Mental Disorders published by the American Psychiatric Association.

B. Each eligible individual who participates in the program shall be required, as a condition of probation or parole, to immediately do all of the following upon being placed on probation or released on parole:

(1) Schedule and attend all appointments at the Florida Parishes Human Services Authority or any local governmental entity, district, or authority, for any and all mental health or substance use disorder treatments, if indicated.

(2) Complete a Medicaid application.

C. The department shall participate in a demonstration waiver pursuant to 42 U.S.C. 1315 when established by the Louisiana Department of Health and approved by the Centers for Medicare and Medicaid Services.

D. The department shall do all of the following:

(1) Conduct an annual study to determine the recidivism rates of individuals who receive mental health transition services from a contracted entity pursuant to this Section. The study shall include the recidivism rates of individuals who have been placed on probation or released from incarceration for a minimum of one year after placement on probation or release.

(2) On or before December thirty-first of each year, submit a written report to the governor, the president of the Senate, the speaker of the House of Representatives, and the Joint Legislative Committee on the Budget, and provide a copy of this report to the secretary of state. The report may be submitted electronically and shall contain the one-year rate of return of individuals to the custody of the department based on those who received services in the program compared to those who were placed on probation or released with a diagnosis of a serious mental health disorder who did not receive services in the program during the same period.

Approved by the Governor, June 18, 2024.

A true copy:

Nancy Landry
Secretary of State

ACT No. 666

HOUSE BILL NO. 976

(Substitute for House Bill No. 306 by Representative Owen)
BY REPRESENTATIVES OWEN, AMEDEE, BILLINGS, CARRIER, ROBBY CARTER, CHASSION, CREWS, DICKERSON, EGAN, FIRMENT, SCHAMERHORN, TAYLOR, VENTRELLA, WILDER, AND WILEY

AN ACT

To amend and reenact the heading of Part VI of Chapter 5-G of Title 40 of the Louisiana Revised Statutes of 1950 and R.S. 40:1300.51 and 1300.55, relative to minimum standards for visitation policies at certain healthcare facilities; to require the designation of an essential caregiver; to provide for the renaming of the “No Patient Left Alone Law”; to repeal requirements for the publication of visitation policies; and to provide for related matters.

Be it enacted by the Legislature of Louisiana:

Section 1. The heading of Part VI of Chapter 5-G of Title 40 of the Louisiana Revised Statutes of 1950 and R.S. 40:1300.51 and 1300.55 are hereby amended and reenacted to read as follows:

PART VI. ~~NO PATIENT LEFT ALONE~~ DON SCOGGINS LAW

§1300.51. Short title

This Part shall be known and may be cited as the “~~No Patient Left Alone Don Scoggins Law~~”.

* * *

~~§1300.55. Provision of policies; publication~~ Designation of an essential caregiver; circumstances for visitation

~~A.(1) A facility shall submit a written copy of its visitation policies and procedures to the health standards section of the Louisiana Department of Health at the initial licensure survey. Any facility identified in R.S. 40:1300.53 shall allow in-person visitation by a designated essential caregiver daily in addition to any other visitation provisions authorized by the facility. However, the provisions of this Section shall not apply to licensed forensic psychiatric hospitals.~~

~~(2) After licensure, the facility shall make its visitation policies and procedures available for review by the Louisiana Department of Health at any time, upon request. In accordance with this Section, a resident, client, or patient of any facility identified in R.S. 40:1300.53 may designate at least one visitor who is a family member, friend, guardian, or other individual as a designated essential caregiver.~~

~~(3) The designated essential caregiver shall not be required to provide advance notice of the intent to visit the patient. The visits of the designated essential caregiver as provided in this Section shall not be constrained for any reason other than medical necessity, which shall include medical procedures and emergencies.~~

~~(4) The designated essential caregiver shall not be required to provide necessary care to a resident, client, or patient of a facility. A facility providing such care shall not require a designated essential caregiver to provide such care.~~

~~B. Within twenty-four hours after establishing the policies and procedures required in accordance with this Part, the facility shall make its policies and procedures easily accessible from the homepage of its website. The visitation provisions of this Section may allow in-person visitation unless otherwise restricted by law or by order of the court.~~

~~C. The Louisiana Department of Health shall dedicate a stand-alone page on its website to explain the visitation requirements of this Part and provide a link to the department's webpage to report complaints. The visitation policies and procedures of any facility identified in R.S. 40:1300.53 shall require a designated essential caregiver to agree in writing to follow such policies and procedures. A facility may suspend in-person visitation for a designated essential caregiver if he violates the facility's visitation policies and procedures.~~

~~D. Access to a religious or spiritual support person shall be included in addition to the designated essential caregiver and in accordance with RS 40:2005.1.~~

Approved by the Governor, June 18, 2024.

A true copy:
Nancy Landry
Secretary of State

ACT No. 667

SENATE BILL NO. 62

BY SENATORS FESI, ALLAIN AND CONNICK
AN ACT

To amend and reenact R.S. 40:5.10.1 and the introductory paragraph of 31.35(A) and 31.35(C) and to enact R.S. 40:31.35.1, relative to seafood safety; to provide for changes to the Imported Seafood Safety Fund; to provide for clarification of the commercial seafood permit fee; to provide for permit requirements for domestic seafood processors; to provide for permit requirements for imported seafood processors; to provide for requirements for seafood distributors; to provide for the authority of the Louisiana Department of Culture, Recreation and Tourism; to provide for contracting with the Louisiana Department of Agriculture and Forestry; to provide for penalties; to provide for definitions; and to provide for related matters.

Be it enacted by the Legislature of Louisiana:

Section 1. R.S. 40:5.10.1 and the introductory paragraph of 31.35(A) and 31.35(C) are hereby amended and reenacted and R.S. 40:31.35.1 is hereby enacted to read as follows:

§5.10.1. Imported Seafood Safety Fund

A. There is hereby created in the state treasury a special fund designated as the Imported Seafood Safety Fund, referred to hereafter in this Section as the “fund”. After allocation of money to the Bond Security and Redemption Fund as provided in Article VII, Section 9(B) of the Constitution of Louisiana, the treasurer shall deposit in and credit to the fund monies collected pursuant to R.S. 40:31.35(C). Monies in the fund shall be invested in the same manner as monies in the state general fund. Interest earned on investment of monies shall be deposited in and credited to the fund. Unexpended and unencumbered monies in the fund shall remain in the fund. ~~Monies in the fund shall be appropriated to the office of public health of the Louisiana Department of Health and used exclusively as provided in this Section.~~

B. The monies in the fund shall be appropriated ~~to the Department of Culture, Recreation and Tourism~~ and expended solely for the purpose of ~~enforcing the provisions of R.S. 40:31.35.1, sampling, analysis, testing, and monitoring of raw seafood products of foreign origin that are imported into Louisiana and stored on the premises of any business holding a commercial seafood permit issued pursuant to R.S. 40:31.35. The office of public health of the Louisiana Department of Health shall directly administer or contract for such sampling, analysis, testing, and monitoring functions. The office of public health shall employ such functions to detect in imported seafood products the presence of substances that are harmful to human health. The state health officer shall determine the specific types of such sampling, analysis, testing, and monitoring functions to be implemented as well as the frequency and scope of these activities, all of which he may modify based upon the availability of funding for these purposes.~~

* * *

§31.35. Commercial seafood permit fee

A. ~~Each seafood processor and distributor in the state shall be required to obtain a commercial seafood permit from the Louisiana Department of Health. The department shall charge and collect an annual commercial seafood permit fee to partially support the cost of inspection, monitoring, sampling, and laboratory analysis as mandated by the state Sanitary Code. The classification of the permit shall be classified as a domestic commercial seafood processor permit, an imported commercial seafood processor permit, and a commercial seafood distributor permit. The fee shall be collected from each seafood distributor and processing plant based on gross revenues of the plant or distributor as follows:~~

* * *

C. The department ~~In addition to the fee provided for in Subsection A of this Section, the Louisiana Department of Culture, Recreation and Tourism~~ shall charge and collect an imported seafood safety fee of one hundred dollars annually from each holder of a commercial seafood permit fee who sells ~~processes or distributes~~ imported seafood. The proceeds of such fee shall be ~~deposited into the Imported Seafood Safety Fund~~ used for the purposes described in R.S. 40:5.10.1.

~~§31.35.1. Imported seafood; Department of Culture, Recreation and Tourism; testing; penalties~~

~~A. In addition to any regulations and testing required by the Louisiana Department of Health to ensure compliance with the state Sanitary Code, any processor or distributor who is required to pay the imported seafood safety fee pursuant to R.S. 40:31.35(C) shall be subject to the regulations and testing provided for in this Section.~~

~~B. Upon request of the Department of Culture, Recreation and Tourism, the processor or distributor shall:~~

~~(1) Provide any information, if available, on whether the seafood has previously been tested in the country of origin or upon arrival in the United States.~~

~~(2) Ensure all labels affixed to the imported or commingled seafood clearly indicates that it is imported, indicates the original country of origin, and if the product is commingled, that the label clearly indicates that the seafood is a product of the identified foreign country that also includes Louisiana domestic seafood.~~

~~(3) Provide any additional information considered necessary by the department to implement the provisions of this Section.~~

~~C.(1) Upon recommendation of the Seafood Safety Task Force, the department may test seafood processed or sold by an imported commercial seafood processor or distributor to ensure the chemical concentrations do not exceed the minimum standards established by the United States Food and Drug Administration.~~

~~(2) If the seafood tested exceeds the minimum standards, the department shall report the test results to the Louisiana Department of Health and the processor or distributor. The Louisiana Department of Health shall consider any seafood reported pursuant to this Subsection to be an adulterated food pursuant to R.S. 40:607.~~

~~(3) In addition to reporting the test results to the Louisiana Department of Health, the Department of Culture, Recreation and Tourism may issue a fine of not more than one thousand dollars for violations of this Subsection.~~

~~D. If the department has reason to believe a commercial seafood processor or distributor is processing or distributing imported seafood packed or labeled as domestic seafood, the department may test the seafood to ensure the seafood is domestic. If the seafood is not domestic, the department may assess the following fines on the commercial seafood processor or distributor:~~

~~(1) For a first offense, a fine of not more than one thousand dollars per violation.~~

~~(2) For a second offense, a fine of not more than two thousand five hundred dollars per violation.~~

~~(3) For a third offense, a fine of not more than five thousand dollars per violation.~~

~~E. Any fines collected pursuant to this Section shall be deposited into the Imported Seafood Safety Fund established in R.S. 40:5.10.1.~~

~~F. The department shall contract with the Louisiana Department of Agriculture and Forestry to sample, analyze, and test seafood as required by this Section.~~

~~G. For purposes of this Section, the following definitions shall apply:~~

~~(1) “Commingled” means to cause to blend together, mix, or combine domestic and imported seafood.~~

~~(2) “Department” means the Louisiana Department of Culture, Recreation and Tourism.~~

~~(3) “Distributor” means a person engaged in the purchasing, storing, shipping, and selling of seafood.~~

~~(4) “Domestic” means raised, harvested, or caught in any of the fifty states of~~

the United States or its territories and within the federal exclusive economic zone (EEZ) and landed in the United States.

(5) “Imported” means raised, harvested, or caught outside of the federal exclusive economic zone (EEZ) or landed in a country other than the United States.

(6) “Processor” means any plant or facility that has been permitted by the Louisiana Department of Health to clean, shuck, pick, peel, or pack seafood.

(7) “Seafood” means fish and edible crustaceans, excluding domestic catfish, live crawfish, and live crabs.

Section 2. The Louisiana Department of Culture, Recreation and Tourism and the Louisiana Department of Agriculture and Forestry shall promulgate, in accordance with the Administrative Procedure Act, any emergency rules necessary to implement the provisions of this Act.

Section 3. This Act shall become effective upon signature by the governor or, if not signed by the governor, upon expiration of the time for bills to become law without signature by the governor, as provided by Article III, Section 18 of the Constitution of Louisiana. If vetoed by the governor and subsequently approved by the legislature, this Act shall become effective on the day following such approval.

Approved by the Governor, June 18, 2024.

A true copy:
Nancy Landry
Secretary of State

ACT No. 668

SENATE BILL NO. 111
BY SENATOR ABRAHAM
AN ACT

To amend and reenact R.S. 40:1667.1(A)(2)(a), relative to supplemental pay for certain law enforcement officers whose agency is headquartered in the city of Lake Charles under certain circumstances; and to provide for related matters.

Notice of intention to introduce this Act has been published.

Be it enacted by the Legislature of Louisiana:

Section 1. R.S. 40:1667.1(A)(2)(a) is hereby amended and reenacted to read as follows:

§1667.1. Rate of compensation; prior service; supplemental monthly compensation; police to receive additional compensation

A. * * *

(2)(a) Every sworn, commissioned law enforcement officer employed on a full-time basis by a bona fide police agency of the state or its political subdivisions, other than the Department of Public Safety and Corrections and the Department of Wildlife and Fisheries, and headquartered in ~~either~~ the city of New Orleans; ~~or Lake Charles~~, and who serves the welfare of the public in the capacity of a police officer by providing police services to the general public through effecting arrests, issuing citations, and serving warrants while patrolling levees, waterways, and riverfront areas, or while patrolling bridges that are within the boundaries of the city of New Orleans, ~~or the city of Lake Charles~~ shall be paid by the state extra compensation in the amount of six hundred dollars per month in addition to the compensation now paid to him by his employer out of self-generated revenue attributable to the agency employing such officers. To be eligible for the extra compensation, each such law enforcement officer shall have completed one year of service, and any such law enforcement officer hired after March 31, 1986, shall also have completed and passed a council-certified training program, as provided in R.S. 40:2405.

* * *

Section 2. This Act shall become effective upon signature by the governor or, if not signed by the governor, upon expiration of the time for bills to become law without signature by the governor, as provided by Article III, Section 18 of the Constitution of Louisiana. If vetoed by the governor and subsequently approved by the legislature, this Act shall become effective on the day following such approval.

Approved by the Governor, June 18, 2024.

A true copy:
Nancy Landry
Secretary of State

ACT No. 669

SENATE BILL NO. 124
BY SENATOR MIZELL AND REPRESENTATIVES ADAMS, AMEDEE, BAYHAM, BILLINGS, BOYD, BRAUD, BROWN, CARRIER, CHASSION, CHENEVERT, COATES, DAVIS, DICKERSON, DOMANGUE, ECHOLS, EDMONSTON, FISHER, FREEMAN, GREEN, HEBERT, HUGHES, ILLG, JORDAN, KNOX, LACOMBE, LAFLEUR, MANDIE LANDRY, MARCELLE, MOORE, NEWELL, ORGERON, PHELPS, STAGNI, TAYLOR, WALTERS, WILDER, WYBLE AND ZERINGUE
AN ACT

To amend and reenact R.S. 40:1216.1 and R.S. 46:1845, relative to survivors of sexual assaults; to provide regarding the maintenance of evidence; to provide regarding the billing of services provided to the sexual assault survivor; to create a sexual assault survivor bill of rights; and to provide for

related matters.

Be it enacted by the Legislature of Louisiana:

Section 1. R.S. 40:1216.1 is hereby amended and reenacted to read as follows: §1216.1. Procedures for victims survivors of a sexually oriented criminal offense; immunity; regional plans; maximum allowable costs; definitions; documents requested by victim

A. All licensed hospitals and healthcare providers in Louisiana shall adhere to the following procedures ~~in the event that a~~ if a person, male or female, presents himself or herself or is presented for treatment as a victim of a sexually oriented criminal offense sexual assault survivor:

~~(1)(a) The victim~~ Except as provided in Subparagraphs (b) and (c) of this Paragraph, a survivor shall make the decision of decide whether or not the incident will be reported to law enforcement officials. No hospital or healthcare provider shall require the person survivor to report the incident ~~in order to receive medical attention or collect evidence.~~

(b) If a person under the age of eighteen presents for treatment as a sexual assault survivor, the hospital or healthcare provider shall immediately notify the appropriate law enforcement agency or any other official necessary to fulfill any mandatory reporting obligation required by law.

(c) If a survivor is physically or mentally incapable of making the decision to report, the hospital or healthcare provider shall immediately notify the appropriate law enforcement officials.

~~(2)(a) All sexual assault survivors shall be examined and treated, without undue delay, in a private space required to ensure the health, safety, and welfare of the survivor by a qualified healthcare provider. Examination and treatment, including the forensic medical examination, shall be adapted as necessary to address the unique needs and circumstances of each survivor. All survivors shall be afforded an advocate whose communications are privileged in accordance with the provisions of R.S. 46:2187, if one is available. With the consent of the survivor, an advocate shall remain in the examination room during the forensic medical examination. With the consent of the survivor, the examination and treatment of all sexual assault survivors shall, at a minimum, include all of the following:~~

~~(a) Examination of physical trauma.~~

~~(b) Patient interview, including medical history, triage, and consultation.~~

~~(c) Collection and evaluation of evidence, including but not limited to the following:~~

~~(i) Photographic documentation.~~

~~(ii) Preservation and maintenance of chain of custody.~~

~~(iii) Medical specimen collection.~~

~~(iv) When determined necessary by the healthcare provider, an alcohol or drug-facilitated sexual assault assessment and toxicology screening.~~

~~(d) Any testing related to the sexual assault or recommended by the healthcare provider.~~

~~(e) Any medication provided during the forensic medical examination, which may include emergency contraception and HIV or STI prophylaxis.~~

~~(3)(a) If the survivor wishes to report the incident to law enforcement, the hospital or healthcare provider shall contact the appropriate law enforcement agency having jurisdiction over the location where the crime occurred. If the location where the crime occurred cannot be determined, the hospital or healthcare provider shall contact the law enforcement agency having jurisdiction over the location where the forensic medical examination is performed to determine the appropriate investigating agency.~~

(b) Upon completion of the forensic medical examination, the sexual assault collection kit shall be turned over to the investigating law enforcement agency. No sexual assault collection kit shall remain at a hospital or medical facility if the hospital or medical facility is unable to store the sexual assault kit in a secure location that ensures proper chain of custody. If a hospital or medical facility has a secure location to store the sexual assault collection kit that ensures proper chain of custody, the investigating law enforcement agency shall take possession of the sexual assault collection kit within seventy-two hours upon notification of completion of the sexual assault collection kit by the hospital or healthcare provider. A healthcare provider working for a coroner's office may store the sexual assault collection kit in a secure location maintained by the coroner.

~~(4) If the victim survivor does not wish to report the incident to law enforcement, officials, the victim the hospital or healthcare provider shall, be examined and treated as any other patient. Any injuries requiring medical attention shall be treated in the standard manner. Tests and treatments exclusive to a victim of a sexually oriented criminal offense shall be explained and offered to the patient. The patient shall decide whether or not such tests shall be conducted.~~

~~(b) Any examination and treatment shall include the preservation, in strict confidentiality, for a period of at least one year from the time the victim is presented for treatment, of tests or procedures, or both, and samples that may serve as potential evidence. The patient shall be informed of the length of time for which the specimens will be preserved. If the victim does not wish to report the incident to law enforcement authorities, the responsibilities of the hospital or healthcare provider, beyond medical treatment, shall be limited to the collection of tests, procedures, or samples that may serve as potential evidence.~~

~~(c) Any evidence collected shall be assigned a code number, and the hospital or healthcare provider that performed the forensic medical exam shall maintain code records for a period of at least one year from the date the victim is presented for treatment. The hospital or healthcare provider that performed the forensic medical exam shall assign the code number by affixing~~

to the evidence container a code to be used in lieu of the victim's identifying information to maintain confidentiality. The code number **upon completion of the forensic medical examination, contact the law enforcement agency having jurisdiction over the location where the forensic medical examination was performed to transfer possession of the unreported sexual assault collection kit for storage. The unreported sexual assault collection kit shall not be identified or labeled with the survivor's identifying information. The hospital or healthcare provider shall maintain a record of the sexual assault collection kit number in the survivor's record that shall be used for identification should the victim survivor** later choose to report the incident. The healthcare provider shall provide all information required by the statewide tracking system operated by the office of state police, pursuant to R.S. 15:624.1. **No sexual assault collection kit shall remain at a hospital or medical facility if the hospital or medical facility is unable to store the sexual assault kit in a secure location that ensures proper chain of custody. If a hospital or medical facility has a secure location that ensures proper chain of custody, the law enforcement agency having jurisdiction over the location where the forensic medical examination was performed shall take possession of the unreported sexual assault collection kit within seventy-two hours upon notification of completion of the sexual assault collection kit by the hospital or healthcare provider. A healthcare provider working for a coroner's office may secure the unreported sexual assault collection kit in a secured location maintained by the coroner. The law enforcement agency shall not destroy or dispose of an unreported sexual assault collection kit for a period of at least twenty years after the forensic medical examination was performed. If a healthcare provider working for a coroner's office chooses to store an unreported sexual assault collection kit at a coroner's office, the healthcare provider shall not destroy or dispose of an unreported sexual assault collection kit for period of at least twenty years after the forensic medical examination was performed.**

(d) For unreported cases, once a code number has been assigned, custody of the evidence shall be transferred to an appropriate criminal justice agency or the local law enforcement agency having jurisdiction in the parish in which the crime occurred or to the appropriate criminal justice agency or local law enforcement agency having jurisdiction in the parish in which the hospital or healthcare provider is located, if the jurisdiction of the crime is unknown, and responsibility for the custody of the evidence shall belong to that criminal justice agency or local law enforcement agency. The law enforcement agency shall retrieve from the hospital or healthcare provider the evidence no later than seven days after receiving notification that a code number has been assigned to the evidence. The hospital or healthcare provider shall coordinate the transfer of the evidence with the criminal justice agency or law enforcement agency in a manner designed to protect its evidentiary integrity. Evidence which is transferred to the custody of the appropriate criminal justice agency or local law enforcement agency shall bear only the code number assigned by the hospital or healthcare provider.

(3) If the victim wishes to report the incident to law enforcement officials, the hospital staff or healthcare provider shall contact the appropriate law enforcement agency. After the incident has been reported, the victim shall be examined and treated as any other patient, any injuries requiring medical attention shall be treated in the standard manner, and specimens shall be kept for evidence. The evidence shall be turned over to the law enforcement officers when they arrive to assume responsibility for investigation of the incident and in no event shall the evidence remain at the hospital more than seven days after the law enforcement agency receives the notification from the hospital.

(4)(a) Notwithstanding any other provisions of this Section, if any person seventeen years old or younger presents himself or herself or is presented for treatment as a victim of a sexually oriented criminal offense, the hospital or healthcare provider shall immediately notify the appropriate law enforcement official. The appropriate law enforcement official shall have seven days from the receipt of the notification to retrieve any evidence collected by the hospital pursuant to this Subparagraph.

(b) The coroner of the parish, the district attorney, appropriate law enforcement officials, hospital personnel, and healthcare providers may develop procedures pursuant to R.S. 15:440.1 through 440.6 to make a videotape of the person provided for in Subparagraph (a) of this Paragraph when a person fourteen years old or younger has been the victim of physical or sexual abuse. The costs of such videotaping may be allocated among the agencies and facilities involved.

(5) Notwithstanding any other provisions of this Section, if the victim is physically or mentally incapable of making the decision to report, the hospital or healthcare provider shall immediately notify the appropriate law enforcement officials.

(6)(5) No hospital or healthcare provider shall directly bill a **victim survivor** of a sexually oriented criminal offense for any healthcare services rendered in conducting a forensic medical examination, as provided for in R.S. 15:622. The expenses shall include the following **including the healthcare services rendered in accordance with Paragraph (2) of this Subsection and the following:**

(a) Forensic examiner and hospital or healthcare facility services directly related to the exam, including integral forensic supplies.

(b) Scope procedures directly related to the forensic exam including but not limited to anoscopy and colposcopy.

(c) Laboratory testing directly related to the forensic examination, including drug screening, urinalysis, pregnancy screening, syphilis screening, chlamydia culture, gonorrhea coverage culture, blood test for HIV screening, hepatitis B and C, herpes culture, and any other sexually transmitted disease

testing directly related to the forensic examination.

(d) Any medication provided during the forensic medical examination.

(7)(6) The healthcare provider who performed the forensic medical exam and the **hospital or** healthcare facility shall submit a claim for payment for conducting a forensic medical exam directly to the Crime Victim Reparations Board to be paid in strict accordance with the provisions of R.S. 46:1822. A **victim survivor** of a sexually oriented criminal offense shall not be billed directly or indirectly for the performance of any forensic medical exam. The provisions of this Paragraph shall not be interpreted or construed to apply to either of the following:

(a) A healthcare provider billing for any medical services that are not specifically set forth in this Section or provided for diagnosis or treatment of the **victim survivor** for injuries related to the sexual assault.

(b) A **victim survivor** of a sexually oriented criminal offense seeking reparations in accordance with the Crime Victims Reparations Act, R.S. 46:1801 et seq., for the costs for any medical services that are not specifically set forth in this Section or provided for the diagnosis or treatment of the **victim survivor** for injuries related to the sexual assault.

(8)(7) The department shall make available to every hospital and healthcare provider licensed under the laws of this state a pamphlet containing an explanation of the billing process for services rendered pursuant to this Section. Every hospital and healthcare provider shall provide a copy of the pamphlet to any person presented for treatment as a **victim survivor** of a sexually oriented criminal offense.

(9)(a)(8)(a) The **victim survivor** shall be provided with information about emergency contraception which shall be developed and made available electronically to all licensed hospitals in this state through the Louisiana Department of Health's website and by paper form upon request to the department.

(b) The treating healthcare provider shall inform the **victim survivor** of the option to be provided emergency contraception at the hospital or healthcare facility and, upon the completion of a pregnancy test yielding a negative result, shall provide emergency contraception upon the request of the **victim survivor**.

B.(1) These procedures shall constitute minimum standards for the operation and maintenance of hospitals under the provisions of this Part and failure to comply with the standards shall constitute grounds for denial, suspension, or revocation of license under provisions of this Part.

(2) Failure to comply with the provisions of this Section may constitute grounds for denial, suspension, or revocation of the healthcare provider's license by the appropriate licensing board or commission.

C. When a licensed hospital or healthcare provider fails to examine and treat a person, male or female, who has presented himself or herself or who has been presented as a victim of a sexually oriented criminal offense, the coroner of the parish or his designee shall examine the alleged victim and, if necessary, make arrangements for the treatment of the victim. The coroner may select the hospital or healthcare provider named as the lead entity for sexual assault examinations in the regional plan required by this Section as his designee to perform the forensic medical examination. No coroner **hospital or healthcare provider** shall refuse to examine and assist an alleged **victim a survivor** on the grounds the alleged offense occurred outside of or the **victim survivor** is not a resident of the jurisdiction. Nothing in this Subsection shall relieve a licensed hospital or healthcare provider of its obligations under Subsections A and B of this Section.

D.(1) Any member of the hospital staff or a healthcare provider who in good faith notifies the appropriate law enforcement official pursuant to Paragraphs (A)(4) and (A)(5) **Paragraph (A)(1)** of this Section shall have immunity from any civil liability that otherwise might be incurred or imposed because of the notification. The immunity shall extend to participation in any judicial proceeding resulting from the report.

(2) The hospital or healthcare provider staff member who notifies the appropriate law enforcement official shall document the date, time, and method of notification and the name of the official who received the notification.

(3) On or before January first of each year, each law enforcement agency shall provide each hospital located in its respective jurisdiction with the name of the responsible contact person along with the responsible person's contact information in order to comply with the provisions of this Section.

E.(1) The Louisiana Department of Health, through the medical directors of each of its nine regional health service districts, shall coordinate an annual sexual assault response plan for each district. Each district shall submit a proposed plan for review by the secretary no later than November first of each year. An approved plan shall become effective February first of the following year.

(2) When developing the annual response plan, each district shall incorporate a sexual assault response team protocol, to the extent possible; however, at a minimum, each **Each** district shall develop the annual plan to do all of the following:

(a) Provide an inventory of all available resources and existing infrastructure in the region and clearly outline how the resources and infrastructure will be incorporated in the most effective manner.

(b) Clearly outline the entity responsible for the purchase of sexual assault collection kits and the standards and procedures for the storage of the kits prior to use in a forensic medical examination.

(c) Clearly outline the standards and procedures for a **victim survivor** to receive a forensic medical examination, as defined in R.S. 15:622, to ensure

access to such an examination in every parish. The plan shall designate a hospital or healthcare provider to be the lead entity for sexual assault examinations for adult ~~vietims~~ **survivors** and a hospital or healthcare provider to be the lead entity for sexual assault examinations for pediatric ~~vietims~~ **survivors**. The plan shall also include specific details directing first responders in the transport of ~~vietims~~ **survivors** of a sexually-oriented **sexually oriented** crime, the appropriate party to perform the forensic medical examination, and any required training for a person performing a forensic medical examination.

(d) Clearly outline the standards and procedures for the handling and payment of medical bills related to the forensic medical examination to clarify and ensure that those standards and procedures are in compliance with this Section and any other applicable section of law.

(e) Clearly outline the standards and procedures for the transfer of sexual assault collection kits for ~~both reported and unreported crimes to an appropriate criminal justice agency or the local law enforcement agency having jurisdiction in the parish in which the crime was committed, if known, or if unknown, to an appropriate criminal justice agency or the local law enforcement agency having jurisdiction in the parish in which the hospital or healthcare provider is located. The plan shall include a maximum time period for the transfer to occur not to exceed seven days after the criminal justice agency or local law enforcement agency receives a request for the transfer from the hospital or healthcare provider. pursuant to this Section and any other applicable section of law.~~

(3) When developing the annual response plan, the department shall solicit the input of interested stakeholders in the region including but not limited to all of the following:

- (a) The sheriff for each parish within the region.
 - (b) The chief of police for any political subdivision located within the region.
 - (c) All hospitals located within the region.
 - (d) The coroner for each parish within the region.
 - (e) First responder organizations located within the region.
 - (f) Higher education institutions located within the region.
 - (g) The school board for each parish located within the region.
 - (h) Sexual assault advocacy organizations and children's advocacy centers providing services within the region.
 - (i) The district attorney for each parish within the region or his designee.
 - (j) Each crime lab located within the region.
- (4) The annual response plan shall be approved by the stakeholders as provided for in Paragraph (3) of this Subsection.

(5) The department shall include an appendix in each regional plan that provides a copy of all notices sent to stakeholders about the sexual response plan meeting, a list of the individuals and organizations that were provided notice, the method and timing of the notice provided, and a list of the individuals and organizations in attendance at the meeting.

(6) The department shall record all meetings and make the recordings and annual plans available through the Louisiana Department of Health's website.

F. All sexual assault collection kits used in a forensic medical examination shall meet the standards developed by the Louisiana Department of Health and the Department of Public Safety and Corrections.

G.(1) Upon request of a competent adult ~~vietim~~ **survivor** of a sexually oriented criminal offense, the healthcare provider that performed the forensic medical exam shall provide a reproduction of any written documentation which is in the possession of the healthcare provider resulting from the forensic medical exam of the ~~vietim~~ **survivor**. The documentation shall be provided to the ~~vietim~~ **survivor** no later than fourteen days after the healthcare provider receives the request or the healthcare provider completes the documentation, whichever is later.

(2) The reproduction of written documentation provided for in this Subsection shall be made available at no cost to the ~~vietim~~ **survivor** and may only be released at the direction of the ~~vietim~~ **survivor** who is a competent adult. This release does not invalidate the ~~vietim's~~ **survivor's** reasonable expectation of privacy nor does the record become a public record after the release to the ~~vietim~~ **survivor**.

H. For purposes of this Section the following definitions apply:

(1) "Emergency contraception" means only drugs approved by the United States Food and Drug Administration with mechanisms of action that likely include the prevention of ovulation, sperm capacitation, or fertilization after sexual intercourse and do not meet the definition of a legend drug as defined in R.S. 40:1060.11.

(2) "Forensic medical examination" has the same meaning as defined in R.S. 15:622.

(3) "Healthcare provider" means either of the following:

(a) A physician, sexual assault nurse examiner, or other healthcare practitioner licensed, certified, registered, or otherwise authorized **and trained** to perform specified healthcare services consistent with state law **a forensic medical examination**.

(b) A facility or institution providing healthcare services, including but not limited to a hospital or other licensed inpatient center; ambulatory surgical or treatment center; skilled nursing facility; inpatient hospice facility; residential treatment center; diagnostic, laboratory, or imaging center or rehabilitation or other therapeutic health setting.

(4) "Healthcare services" means services, items, supplies, or drugs for the diagnosis, prevention, treatment, cure, or relief of a health condition, illness, injury, or disease ancillary to a sexually oriented criminal offense.

(5) "Sexual assault collection kit" includes all evidence collected during a

forensic medical examination.

~~(5)(6)~~ **"Sexually oriented criminal offense"** has the same meaning as defined in R.S. 15:622.

(7) "Unreported sexual assault collection kit" means a sexual assault collection kit where a law enforcement agency has not received a related report or complaint alleging that a sexual assault has occurred.

Section 2. R.S. 46:1845 is hereby amended and reenacted to read as follows: §1845. Additional rights for victims of sexual assaults; notification of rights **Sexual Assault Survivor Bill of Rights**

A.(1) The legislature hereby finds and declares the urgent need to establish a comprehensive sexual assault survivor bill of rights. A bill of rights is of paramount importance in addressing the alarming under-reporting of sexual assault cases and ensuring that survivors receive the support, protection, and justice they deserve.

(2) The legislature further finds that transparency is a core principle that our justice system should uphold. By enacting a Sexual Assault Survivor Bill of Rights, barriers that prevent survivors from coming forward and seeking justice can be eliminated. Transparency allows survivors to share their experiences openly, without fear of judgment or retribution. Transparency empowers survivors to reclaim their narratives and break free from the chains of shame and secrecy. Access to records is essential for transparency and for survivors to navigate the often complex and overwhelming legal process. It is a matter of justice and fairness that survivors have the right to access their records, including medical reports, forensic evidence, and legal documentation. This access enables survivors to make informed decisions about their healthcare, legal options, and support services. Granting survivors access to records empowers them to actively participate in their healing and seek the justice they so rightfully deserve.

(3) The recognition of rights for survivors is crucial in ensuring their well-being and recovery. The legislature finds that the experiences of survivors are valid, their voices matter, and they deserve to be treated with dignity, respect, and compassion.

(4) Subsection C of this Section shall be known and may be cited as the Sexual Assault Survivor Bill of Rights.

B.(1) The rights provided to victims of sexual assault survivors contained in this Section attach regardless of whether a victim survivor seeks the assistance of either a law enforcement official or a healthcare provider. A victim of sexual assault survivor retains all the rights of these provisions regardless of whether the victim survivor receives a forensic medical examination or whether a sexual assault collection kit is administered.

(2) Notwithstanding any other provision of law to the contrary, nothing in this Section shall be construed to negate or impair any provision of law relative to the mandatory reporting of crimes against children under the age of eighteen years or to negate or impair the investigation or prosecution of any crime against children under the age of eighteen.

(3) Notwithstanding any other provision of law to the contrary, a defendant or person accused or convicted of a crime against a survivor does not have standing to seek to have their conviction or sentence set aside for any violation of the Sexual Assault Survivors' Bill of Rights.

~~B. C.~~ **A victim of sexual assault survivor shall have the right to following rights:**

(1) The right not to be prevented from, or charged for, receiving a forensic medical exam as provided in R.S. 40:1216.1.

(2) The right to have an unreported sexual assault collection kit preserved, without charge, for at least twenty years.

(3) The right to be informed of any results, updates, status, location, and tracking as provided in R.S. 15:624.1.

(4) The right to be informed in writing of policies governing the collection and preservation of a sexual assault collection kit.

(5) The right to be informed in writing from the appropriate official not later than sixty days before the date of the intended destruction or disposal of a sexual assault collection kit, and upon written request, the ability to be granted further preservation of the kit or its probative contents.

~~(6) The right to~~ **A victim of sexual assault shall be notified of the ability to request the presence of a sexual assault advocate during before the administration of a forensic medical examination or a scheduled interview by a law enforcement official if a sexual assault advocate is reasonably available. Nothing in this Section shall be construed to prohibit the conducting of a forensic medical examination or an interview by a law enforcement official in the absence of a sexual assault advocate. All victims of sexual assault shall**

(7) The right to have the right to access to and obtain a copy of their forensic medical examination report at no cost to them pursuant to R.S. 40:1216.1(G).

(8) The right not to be requested or required to submit to a polygraph examination as a condition of an investigation or prosecution as provided in R.S. 15:241.

(9) The right to receive, at no cost, a copy of any records or investigative reports from law enforcement when those records are provided to the defendant through discovery or a year after the offense was reported, whichever is sooner.

(10) The right to have privileged communications with a representative or employee of a sexual assault center as provided in R.S. 46:2187.

(11) The right not to have the survivor's DNA obtained from a sexual assault collection kit compared with other DNA records to investigate the survivor as provided in R.S. 15:622.1.

(12) The right to retain any other rights that a survivor may have under any other law of this state.

D. Any complaint about a violation of this Section may be submitted directly to

ACT No. 670

SENATE BILL NO. 388

BY SENATORS HODGES, ABRAHAM, BASS, CLOUD, COUSSAN,
EDMONDS, FESI, HENRY, KLEINPETER, MIGUEZ, MORRIS, PRESSLY,
SEABAUGH, STINE AND TALBOT AND REPRESENTATIVES AMEDEE,
BAYHAM, BILLINGS, CARRIER, COX, DICKERSON, EDMONSTON,
HORTON, MIKE JOHNSON, JACOB LANDRY, OWEN, SCHAMERHORN,
THOMPSON, WILDER AND WYBLE
AN ACT

To enact Subpart E of Part VI of Chapter 1 of Title 14 of the Louisiana Revised Statutes of 1950, to be comprised of R.S. 14:112.21 through 112.23, and R.S. 49:216, relative to offenses affecting the public; to deter unlawful entry into this state by certain persons; to create the crime of unlawful entry or reentry by an alien; to prohibit abatement or termination of prosecutions under certain circumstances; to provide definitions; to provide penalties; to authorize the governor to develop and negotiate an interstate compact to deter unlawful entry or reentry into this state with the assistance of the attorney general; to provide for severability; to provide for effective dates; and to provide for related matters.

Be it enacted by the Legislature of Louisiana:

Section 1. Subpart E of Part VI of Chapter 1 of Title 14 of the Louisiana Revised Statutes of 1950, comprised of R.S. 14:112.21 through 112.23, is hereby enacted to read as follows:

SUBPART E. UNLAWFUL ENTRY INTO THIS STATE BY AN ALIEN

§112.21. Definitions

For purposes of this Subpart:

(1) “Alien” shall have the same meaning as “alien” as defined by 8 U.S.C. 1101.
(2) “Lawfully present in this state” or “lawful presence in this state” refers to a person within the borders of this state who is either:

(a) A natural person who is a United States citizen, regardless of whether the United States citizenship was acquired by birth or granted because the person has met the requirements for asylum established by the United States Congress in the Immigration and Nationality Act, in particular 8 U.S.C. 1158.

(b) Legally present in this state by virtue of authorization by the United States Department of Homeland Security on the basis of any one of the following:

- (i) The person is a permanent legal resident.**
(ii) The person holds an unexpired student visa.
(iii) The person holds an unexpired work permit.

(c) Legally present or entitled to be present in the United States pursuant to an unexpired visitor or tourist visa, or pursuant to any other provision of federal law.

(3) “Unlawful entry” refers to an alien who is found entering or has entered into this state by automobile, watercraft, airplane, or any other method of entry or means of conveyance, whether or not entry is made directly from a foreign nation or indirectly from another state, without lawful presence in this state.

(4) “Unlawful reentry” refers to an alien who has entered, attempted to enter, or at any time is found in this state after the alien has been found to have been subject to any of the following:

(a) Denied admission, excluded, deported, or otherwise removed from the United States.

(b) Departed from the United States while an order of exclusion, deportation, or removal is outstanding.

(5) “Unlawfully present in this state” or “unlawful presence in this state” refers to an alien who is not lawfully present in this state because the alien does not meet the definition in this Section of “lawfully present in this state” or “lawful presence in this state”.

§112.22. Unlawful entry or reentry into the state of Louisiana by an alien

A. The crime of unlawful entry or unlawful reentry is committed when an alien enters or reenters into this state and is unlawfully present in this state.

B.(1) Whoever commits the crime of unlawful entry or unlawful reentry into this state by an alien upon a first offense shall be imprisoned for not more than six months, fined not more than one thousand dollars, or both.

(2) Whoever commits the crime of unlawful entry or unlawful reentry into this state by an alien upon a second or subsequent offense shall be imprisoned, with or without hard labor, for not less than one year nor more than two years, fined not more than ten thousand dollars, or both.

C. It shall be an affirmative defense to a prosecution to the crime of unlawful entry or unlawful reentry into this state by an alien that either:

(1) The defendant is lawfully present in this state because the federal government has granted the defendant lawful presence in the United States or asylum pursuant to 8 U.S.C. Section 1158.

(2) The defendant’s conduct does not constitute a violation of 8 U.S.C. Section 1325(a), relative to illegal entry into the United States.

D. This Section shall not apply to an alien unlawfully present in the United States if he has been a necessary witness to or victim of a crime of domestic violence, rape, sexual exploitation, sexual assault, murder, manslaughter, assault, battery, human trafficking, kidnapping, false imprisonment, involuntary servitude, fraud in foreign labor contracting, blackmail, extortion, or witness

tampering.

§112.23. Abatement or termination of prosecution on basis of an immigration status determination

No court shall abate or terminate the prosecution of an offense pursuant to this Subpart on the basis that a federal determination regarding the immigration status of the defendant has not been determined or may possibly be initiated at a future date.

Section 2. R.S. 49:216 is hereby enacted to read as follows:

§216. Interstate compact for border security; deterrence of unlawful entry into this state; procedures; assistance; approval; purposes; legislative findings

A. This Section shall be known and may be cited as the “Interstate Compact for Border Security Act”.

B. The purpose of this compact is to deter unlawful entry and unlawful reentry into this state by an alien, as defined by R.S. 14:112.21, and to join with other states in mutual assistance in order for border states to control the influx with respect to illegal immigration that consequentially threatens the safety and security of Louisiana citizens.

C. The legislature finds all of the following:

(1) In 2024, an executive order was issued by Governor Jeff Landry, JML 24-05, entitled “Identifying, Qualifying, and Mitigating the Adverse Effects of Illegal Immigration on Louisiana” and provided findings, as follows:

(a) “[I]llegal entry and reentry to the United States, as well as the encouragement and inducement of illegal entry and transportation of illegal aliens within the United States, are criminal offenses under federal law, and those who aid and abet these offenses also commit a criminal act.”

(b) “[T]he United States Supreme Court has recognized States ‘bear[] many of the consequences of unlawful immigration.’ Arizona v. United States, 567 U.S. 387, 397 (2012).”

(c) As a result of the federal government’s “non-enforcement policies, large numbers of aliens who commit subsequent crimes are [being] released into communities across the United States,” including Louisiana, “rather than being detained or removed, allowing these criminal aliens to commit additional crimes and increase the number of victims”.

(d) “[S]tates are financially burdened by the cost of incarcerating illegal aliens in their prison systems. Although the U.S. Department of Justice provides limited funding to the states to offset some of these costs...reimbursements are usually less than one percent of the total cost of incarcerating aliens, leaving the states,” including Louisiana, “to pay the balance”.

(e) “Article I, Section 1 of the Louisiana Constitution declares that government is instituted by the people ‘to protect the rights of the individual and for the good of the whole. Its only legitimate ends are to secure justice for all, preserve peace, protect the rights, and promote the happiness and general welfare of the people.”

(2) In his executive order, the governor directed the head of every executive branch agency, department, office, commission, board, or entity of the State of Louisiana shall ...review the expenditures of public funds directly or indirectly to, or for the benefit of illegal aliens.

(3) In the 2024 Second Extraordinary Session of the Louisiana Legislature, the legislature appropriated funds and the governor issued an executive order to deploy the Louisiana National Guard to assist the state of Texas in securing the southern border of the United States of America to curb the invasion by illegal immigrants at the international border in South Texas.

(4) The economic and human costs borne by the taxpayers and citizens of Louisiana include all of the following:

(a) Increased violent crimes are being committed against Louisiana citizens by illegal immigrants. Each murder committed by an illegal alien is one hundred percent preventable if that illegal alien had been barred from entering the state by the federal government, which has been derelict in its duty to enforce immigration laws.

(b) Schools and school teachers have been overburdened by the unfunded mandates forced on Louisiana schools by the federal government. The letter grades for certain school districts have been substantially lowered due to school overcrowding, the lack of certified teachers who are bilingual, and the lack of a local tax base needed to pay the bilingual teachers even if they were available.

D. The governor, with the legal assistance of the attorney general, is hereby authorized to negotiate and assist the state of Texas in an interstate compact for border security among interested states with the governor of the state of Texas in securing the southern border of the United States of America.

E. Any interstate compact that may be developed and executed under the authority of this Section shall, in order to take effect, represent a voluntary association of sovereign states of this United States of America, with the understanding that any such interstate compact shall not in any way increase the political authority of the compacting states in relation to the federal government or in any other manner that violates the Constitution of the United States of America.

F. The interstate compact authorized by this Section shall provide for joint action among the states that participate in the compact to pursue all security priorities, as follows:

(1) Sharing of law enforcement intelligence on illegal activity occurring at or in proximity to the United States-Mexico border.

(2) Sharing of state resources in order to build physical barriers, comprehensive technological surveillance systems, or combinations of barriers and surveillance systems on state property for the purposes of deterring and detecting illegal activity at or in proximity to the United States-Mexico border.

(3) Sharing of other law enforcement resources to ensure the protection of personnel and property of citizens of the states participating in the compact.

G. Once the governor, with the assistance of the attorney general, negotiates and assists the governor of the state of Texas with preparation and finalization of the compact to secure the United States-Mexico border, the governor shall promptly submit the Interstate Compact for Border Security to the legislature for approval and the appropriation of necessary funds to fulfill the purposes provided for in Subsection F of this Section.

Section 3. If any provision or item of this Act, or the application thereof, is held invalid, such invalidity shall not affect other provisions, items, or applications of the Act which can be given effect without the invalid provision, item, or application and to this end the provisions of this Act are hereby declared severable.

Section 4. The provisions of this Section and Section 1 shall take effect on and become effective immediately upon, and to the extent permitted, by the occurrence of any of the following circumstances:

(A) Any decision of the Supreme Court of the United States in the case of *United States v. Texas*, Docket No. 23A814, which affirms the Act which originated as Texas Senate Bill No. 4 of the 2023 88th Legislature Fourth Called Legislative Session of the Texas Legislature, which enacted Texas Penal Code Section 51.01 et seq, entitled “Illegal Entry Into the State”, that recognizes the right of states to protect their citizens of their respective states when “actually invaded, or in such imminent Danger as will not admit delay”, pursuant to Article 1, Section 10 of the Constitution of the United States of America.

(B) Adoption of an amendment to the Constitution of the United States of America that, in whole or in part, restores or increases the authority of the state of Louisiana to prohibit or limit the unlawful entry or reentry by an alien without lawful presence in this state should the Supreme Court of the United States fail to affirm the provisions of Subsection A of this Section.

Section 5. The provisions of this Section and Section 2 of this Act shall become effective upon any executive order or other such executive action by the governor of the state of Texas in furtherance of the Act which originated as Texas Senate Bill No. 1403 of the 2023 Regular Session of the 88th Texas Legislature, which enacted Texas Government Code Section 794 et seq, entitled “Interstate Compact for Border Security” which authorizes the governor of the state of Texas to develop and execute an interstate compact for border security for among interested states.

Approved by the Governor, June 18, 2024.

A true copy:
Nancy Landry
Secretary of State

ACT No. 671

**HOUSE BILL NO. 3
BY REPRESENTATIVE EMERSON
AN ACT**

To enact the Omnibus Bond Authorization Act of 2024, relative to the implementation of a five-year capital improvement program; to provide for the repeal of certain prior bond authorizations; to provide for new bond authorizations; to provide for authorization and sale of such bonds by the State Bond Commission; to provide relative to the submission of capital outlay applications; and to provide for related matters.

Be it enacted by the Legislature of Louisiana:

Section 1. The legislature hereby recognizes that the Constitution of Louisiana provides in Article VII, Section 11, that the governor shall present to the legislature a five-year Capital Outlay Program and request implementation of the first year of such program, and that the capital outlay projects approved by the legislature are to be made part of the comprehensive state capital budget which shall, in turn, be adopted by the legislature. Further, all projects in such budget adopted by the legislature requiring bond funds must be authorized as provided in Article VII, Section 6 of the Constitution of Louisiana. The legislature finds that over a period of years the legislature has enacted numerous bond authorizations, but due to inflation and the requirements of specificity of amount for each project, impossibility, or impracticability, many of the projects cannot be undertaken. All of the unissued bonds must be listed in the financial statements of the state prepared from time to time and in connection with the marketing of bonds, and are taken into account by rating agencies, prospective purchasers, and investors in evaluating the investment quality and credit worthiness of bonds being offered for sale. The continued carrying of the aforesaid unissued bonds on the financial statements of the state under the above described circumstances operates unnecessarily to the financial detriment of the state. Accordingly, the legislature deems it necessary and in the best financial interest of the state to repeal all Acts, except any Act authorizing the issuance of refunding bonds and Act 41 of the 2006 First Extraordinary Session, providing for the issuance of general obligation bonds in the state which cannot be issued for the projects contemplated, and in their stead to reauthorize general obligation bonds of the state for those projects deemed to be essential, and to authorize new projects.

Section 2. It is the intent of the legislature that this Act shall constitute the Omnibus Bond Authorization Act of 2024 and, together with any Act authorizing the issuance of refunding bonds and Act 41 of the 2006 First Extraordinary Session, shall provide bond authorization, as required by Article VII, Section 6 of the Constitution of Louisiana, for those projects to be funded totally or partially by the sale of general obligation bonds and included in House Bill

No. 2 of the 2024 Regular Session as finally enacted into law (2024 Capital Outlay Act). It is the further intent of the legislature that in this year and each year hereafter an Omnibus Bond Authorization Act shall be enacted providing for the repeal of state general obligation bond authorizations for projects no longer found feasible or desirable, the reauthorization of those bonds not sold during the prior fiscal year for projects deemed to be of such priority as to warrant such reauthorization, and to enact new authorization for projects found to be needed for capital improvements.

Section 3. Except as hereinafter provided, all prior Acts of the legislature authorizing the issuance of general obligation bonds of the state of Louisiana shall be and the same are hereby repealed in their entirety. This repeal shall not be applicable to any Act providing for the issuance of refunding bonds nor to Act 41 of the 2006 First Extraordinary Session, and such Acts shall remain in full force and effect and shall not be affected by the provisions of this Act. In addition, the repeal shall not in any manner affect the validity of any bonds heretofore issued pursuant to any of the bond authorizations repealed hereby.

Section 4. To provide funds for certain capital improvement projects the State Bond Commission is hereby authorized pursuant to Article VII, Section 6 of the Constitution of Louisiana to issue general obligation bonds or other general obligations of the state for capital improvements for the projects, and subject to any terms and conditions set forth on the issuance of bonds or the expenditure of monies for each project as is provided for in the 2024 Capital Outlay Act.

Section 5.(A) To provide funds for certain capital improvement projects authorized prior to this Act and by this Act, which projects are designed to provide for reimbursement of debt service on general obligation bonds, the State Bond Commission is hereby authorized pursuant to Article VII, Section 6 of the Constitution of Louisiana, to issue general obligation bonds of the state, hereinafter referred to as “project bonds”, for capital improvements for the projects and subject to any terms and conditions set forth on the issuance of bonds or the expenditure of monies for each such project as provided in the 2024 Capital Outlay Act the terms of which require such reimbursement of debt service.

(B) Without affecting, restricting, or limiting the pledge herein made of the full faith and credit of the state of Louisiana to the payment of the general obligation bonds authorized by this Section and without affecting, restricting, or limiting the obligation of the state to pay the same from monies pledged and dedicated to and paid into the Bond Security and Redemption Fund, but in order to decrease the possible financial burden on the general funds of the state resulting from this pledge and obligation, the applicable management board, governing body, or state agency for which any of such project bonds are issued, in the fiscal year in which such project bonds are issued and in each fiscal year thereafter until such project bonds and the interest thereon are paid, shall transfer and make available to the state treasury, for deposit in the Bond Security and Redemption Fund, designated student fees or revenues or other revenues in an amount equal to the debt service on such project bonds in such fiscal year. In addition, the applicable management board, governing body, or state agency, in the fiscal year in which such project bonds are issued and in each of the nine immediately succeeding fiscal years thereafter, shall transfer and make available to the state treasury from designated student fees or revenues or other revenues, for credit to a reimbursement reserve account for such project bonds which shall be established in an account designated in the reimbursement contract hereafter provided for, monies in an amount equal to one-tenth of the average annual debt service on such project bonds, and each such reimbursement reserve account thereafter shall be maintained in said minimum amount by further transfers, if necessary, from designated student fees or revenues or other revenues by the applicable management board, governing body, or state agency to the state treasury. Each such reimbursement reserve account shall be used, if necessary, solely to make the reimbursement payments herein obligated to be made to the state treasury. When the general obligation bonds and the interest thereon issued hereunder have been paid, an amount remaining in the reimbursement reserve account, as prorated to such authorized project, shall be transferred by the state treasurer to the applicable management board, governing body, or state agency.

(C) No project bonds authorized by this Section shall be issued for any authorized project unless and until a reimbursement contract has been entered into and executed between the applicable management board, governing body, or state agency and the State Bond Commission pertaining to the reimbursement payment and reimbursement reserve account payments for such project. The contract shall require payment into the state treasury of designated student fees or revenues or other revenues in an amount sufficient to reimburse the cost to the state of the principal, interest, and premium, if any, obligated to be paid by the state on such project bonds. The State Bond Commission shall not be required to execute any such reimbursement contract unless the estimates and projections of the designated student fees or revenues or other revenues available for payment into the state treasury thereunder for the authorized projects are sufficient to reimburse the costs of the principal, interest, and premium, if any, on the project bonds. A reimbursement contract hereunder shall be authorized by resolution of the applicable management board, governing body, or state agency, or board or by act of the chief executive officer if no governing board exists. This authorization shall provide for the dates, amounts, and other details for the payments required to be made to the state treasury and for the reserve account. The authorization may contain such covenants with the State Bond

Commission regarding the fixing of rates for fees and charges or revenues and such other covenants and agreements with the State Bond Commission as will assure the required payments to the state treasury. The contract shall be subject to approval by the Office of the Attorney General and the State Bond Commission and, when so accepted and approved, shall conclusively constitute and be the reimbursement contract for an authorized project, as required hereunder.

(D) The obligation to make the reimbursement payments as required by a reimbursement contract may be represented by the issuance by the applicable management board, governing body, or state agency of its nonnegotiable revenue obligation in the form of a bond or other evidence of indebtedness, hereinafter referred to as “reimbursement bond”. The reimbursement bond shall be issued in a single bond form, without coupons, in the principal amount equal to the aggregate principal amount of project bonds, shall be registered in principal and interest in the name of and be payable to the State Bond Commission, shall bear interest at a rate or rates equal to the interest rate or rates payable on the project bonds, and shall be payable as to principal and interest at such times, in such manner, from designated student fees or revenues, or other revenues, and be subject to such terms and conditions as shall be provided in the authorizing resolution or document executed by a chief executive officer, where applicable. This authorization shall be subject to approval by the State Bond Commission and the Office of the Attorney General, and when so accepted and approved, the authorization shall constitute and be the reimbursement contract for such authorized project, as required hereunder. The reimbursement bonds authorized under the provisions of this Section may be issued on a parity with outstanding reimbursement bonds of the applicable management board, governing body, or state agency, or issued on a subordinate lien basis to outstanding bonds, or a combination thereof, and may include and contain such covenants with the State Bond Commission for the security and payment of the reimbursement bonds and such other customary provisions and conditions for their issuance by the applicable management board, governing body, or state agency as are authorized and provided for by general law and by this Section. Until project bonds for an authorized project have been paid, the applicable management board, governing body, or state agency shall impose fees and charges in an amount sufficient to comply with the covenants securing outstanding bonds and to make the payments required by the reimbursement contract.

(E) In addition to the other payments herein required, reimbursement contracts shall provide for the setting aside of sufficient student fees or revenues or other revenues in a reserve fund, so that within a period of not less than ten years from date of issuance of project bonds there shall be accumulated in a reserve fund monies equal to a sum not less than the average annual debt service requirements on such project bonds. Monies in the reserve fund shall be used for the purpose of remedying or preventing a default in making the required payments under a reimbursement contract. The reserve fund required hereunder may consist of a reserve fund heretofore or hereafter established to secure payments for reimbursement bonds of the applicable management board, governing body, or state agency, provided that (1) payments from said reserve fund to secure the payments required to be made under a reimbursement contract shall be on a parity with the payments to be made securing outstanding bonds and additional parity bonds and (2) no additional parity reimbursement bonds shall be issued except pursuant to the establishment and maintenance of an adequate reserve fund as approved by the State Bond Commission.

(F) When the balance of reimbursement bond proceeds, for a project, are allocated to another project, the State Bond Commission is authorized to make the appropriate amendment to the reimbursement contract with the agency making the reimbursement payments.

Section 6. The bonds authorized to be sold by the State Bond Commission pursuant to this Act shall be issued and sold in conformity with the provisions of Article VII, Section 6 of the Louisiana Constitution, R.S. 39:1361 through R.S. 39:1367, and R.S. 39:1401 through R.S. 39:1430.1, and any amendments thereto adopted prior to, at the same time as, or subsequent to, the effective date of this Act. However, the provisions of R.S. 39:1365(9) shall not apply to any bonds issued hereunder in the form of variable rate and/or tender option bonds and that said bonds need not be issued in serial form and may mature in such year or years as may be specified by the State Bond Commission. Should any provision of this Act be inconsistent with any provision of the Louisiana Revised Statutes of 1950, the provision of this Act shall govern. In connection with the issuance of the bonds authorized hereby, the State Bond Commission may, without regard to any other laws of the state relating to the procurement of services, insurance, or facilities, enter into contracts upon such terms as it deems advantageous to the state for (1) the obtaining of credit enhancement or liquidity devices designed to improve the marketability of the bonds and (2) if the bonds are structured as variable rate and/or tender option bonds to provide the services and facilities required for or deemed appropriate by the State Bond Commission for such type of bonds, including those of tender agents, placement agents, indexing agents, remarketing agents, and/or standby bond purchase facilities. The cost of obtaining credit enhancement or liquidity devices and fees for other services set forth in this Section shall, if authorized by the State Bond Commission, be paid from the Bond Security and Redemption Fund as a requirement with respect to the issuance of the bonds authorized hereby. The bonds shall be general obligations of the state of Louisiana, to the payment of which, as to principal, premium, if any, and interest, as and when the same become due, the full faith and credit of the state is hereby irrevocably pledged. These bonds shall be secured by monies

in the Bond Security and Redemption Fund and shall be payable on a parity with bonds and other obligations heretofore and hereafter issued which are secured by that fund. The maximum interest rate or rates on such bonds, and their maturities, shall be determined by the State Bond Commission. The state treasurer shall invest all bond proceeds until disbursed.

Section 7. The Treasurer is hereby authorized and directed to transfer to the Bond Security and Redemption Fund to be expended on general obligation bond debt service of the related bonds (including any bonds issued to refinance such bonds) any unexpended bond proceeds balance of any general obligation account created prior to 2019 having a balance of \$10,000 or less. If such bonds or refunding bonds are no longer outstanding, then such unexpended bond proceeds shall be applied to pay debt service on any outstanding general obligation bonds.

Section 8. Unless specifically repealed, this Act shall expire, and be considered null and void and of no further effect on June 30, 2025, except as to any bonds authorized herein (1) which have been sold, (2) to which lines of credit have been issued, or (3) for which contracts for construction have been signed.

Section 9. This Act shall become effective upon signature by the governor or, if not signed by the governor, upon expiration of the time for bills to become law without signature by the governor, as provided by Article III, Section 18 of the Constitution of Louisiana. If vetoed by the governor and subsequently approved by the legislature, this Act shall become effective on the day following such approval.

Approved by the Governor, June 19, 2024.

A true copy:
Nancy Landry
Secretary of State

ACT No. 672

HOUSE BILL NO. 13
BY REPRESENTATIVE EMERSON
AN ACT

To amend and reenact R.S. 11:2260(A)(2)(introductory paragraph) and (b) and (6), relative to the Firefighters’ Retirement System; to provide for membership on the board of trustees; and to provide for related matters. Notice of intention to introduce this Act has been published as provided by Article X, Section 29(C) of the Constitution of Louisiana.

Be it enacted by the Legislature of Louisiana:

Section 1. R.S. 11:2260(A)(2)(introductory paragraph) and (b) and (6) are hereby amended and reenacted to read as follows:

§2260. Administration
A. Board of trustees:

* * *

(2) The board shall consist of ~~eleven~~ twelve trustees as follows:

* * *

(b) ~~Two~~ Three members of the Louisiana Fire Chiefs Association who are members of the system and who shall be elected by a majority of the officers of the association for five-year terms.

* * *

(6) Each trustee shall be entitled to one vote on the board. An affirmative vote by at least ~~five~~ seven members of the board of trustees shall be necessary for a decision by the trustees at any meeting of the board. The phrase “affirmative vote” shall mean that the vote shall be cast in favor of approving any motion.

* * *

Section 2. This Act does not affect the term of the members of the Firefighters’ Retirement System board of trustees who are serving pursuant to R.S. 11:2260(A)(2)(b) on the effective date of this Act. The additional trustee position provided for in R.S. 11:2260(A)(2)(b) as amended by this Act shall be filled initially in December 2024 for a term that begins on January 1, 2025.

Approved by the Governor, June 19, 2024.

A true copy:
Nancy Landry
Secretary of State

ACT No. 673

HOUSE BILL NO. 43
BY REPRESENTATIVE BACALA
AN ACT

To amend and reenact R.S. 11:2214(A)(2)(a) and (d)(ii), 2220(B)(2)(e), 2221(C) and (D)(1)(introductory paragraph), 2225(A)(3)(a), 2225.4(A)(1) and (B)(1), 2227(A) and (B)(1), 2241.4(A)(3), and 2242.4(3), relative to the Municipal Police Employees’ Retirement System; to require employers to submit various member enrollment documents and contribution reports to the system; to provide deadlines and related penalties; to provide relative to the system’s board of trustees; to provide for benefits; to provide for deferred retirement option plan; to provide for eligibility; to provide relative to unfunded accrued liability payments by municipalities that dissolve or substantially reduce their police departments; to provide for an effective date; and to provide for related matters.

Notice of intention to introduce this Act has been published as provided by

CODING: Words in ~~struck through~~ type are deletions from existing law; words underlined (House Bills) and underscoring and **boldfaced** (Senate Bills) are additions.

Article X, Section 29(C) of the Constitution of Louisiana.
Be it enacted by the Legislature of Louisiana:

Section 1. R.S. 11:2214(A)(2)(a) and (d)(ii), 2220(B)(2)(e), 2221(C) and (I)(1) (introductory paragraph), 2225(A)(3)(a), 2225.4(A)(1) and (B)(1), 2227(A) and (B)(1), 2241.4(A)(3), and 2242.4(3) are hereby amended and reenacted to read as follows: §2214. Membership

A. The membership of the retirement system shall be composed as follows:
(1) All persons who are members on September 7, 1977, shall remain members as a condition of their employment.

(2)(a)(i) Except as provided further in this Paragraph, any person who becomes an employee as defined in R.S. 11:2213 on and after September 9, 1977, shall become a member as a condition of his employment. However, a person who becomes an employee before July 1, 2021, shall become a member only if he is under fifty years of age at the date of employment.

(ii) An employer shall submit to the retirement system for each member it employs a fully completed membership enrollment form, a copy of the birth certificate and Social Security card for each member and his beneficiaries, and a fully completed physical examination form pursuant to Subparagraph (d) of this Paragraph by the later of ninety days after the member became eligible for membership or October 1, 2024.

(iii) If a member submits an affidavit pursuant to R.S. 11:157 opting out of membership, such affidavit shall not be effective until the date that all documents specified in Item (ii) of this Subparagraph and pertaining to the member are provided to the retirement system.

* * *

(d)

* * *

(ii) The submission to a physical examination and the execution of any waivers of preexisting conditions or history shall be completed and all documentation related thereto received by the system ~~within six months after the date of employment by the deadline provided in Item (a)(ii) of this Paragraph~~. The employee is then a member of the system from the date of employment. If the documentation for an employee whose employment making him eligible for membership in the system occurs on or before June 30, 2021, is not received by the system within the allotted time period, the employee shall be a member for purposes of receiving regular benefits from the date of employment but shall not be eligible for disability benefits until the documentation has been received by the system except as provided in Item (iii) of this Subparagraph. If the system does not receive the documentation within the allotted time period for an employee whose employment making him eligible for membership in the system occurred after June 30, 2021, the employee shall be a member eligible to begin vesting for regular benefits from the date of employment but shall not be eligible to begin vesting for disability benefits for an injury not incurred in the line of duty until the documentation is received.

* * *

§2220. Benefits; contribution limit

* * *

B. Benefits shall be payable to any survivor of an active contributing member who dies before retirement or a disability retiree who dies after retirement as specified in the following:

* * *

(2)

* * *

(e) Qualifying survivor's benefits are payable upon application therefor and become effective as of the day following the death of the member if the fully completed application is received by the system by the later of September 20, 2024, or one hundred and twenty days after the date of death. If the system does not receive a fully completed application by this deadline, the benefits become effective on the date the fully completed application is received and become payable not later than the first month following thirty days from the date that the system receives the fully completed application for benefits. If survivor benefits are being paid on behalf of a deceased member at the time a survivor applies for benefits, that survivor's benefits shall become effective and payable on the first day of the next month following sixty days from the date that the system receives the survivor's completed application for benefits.

* * *

§2221. Deferred Retirement Option Plan

* * *

C. The duration of participation in the plan shall be specified and shall not exceed ~~three~~ five years. However, if employer contributions on behalf of a participant are suspended during the participation period as a result of interruption of employment, benefit payments into the participant's subaccount within the plan shall be suspended until payment of employer contributions is restored, and the member's participation period shall be extended by the number of months his benefit payments were suspended. In such a case, the participation period may exceed ~~three~~ five calendar years but shall not exceed ~~thirty-six~~ sixty nonconsecutive months of participation.

* * *

I.(1) If a participant dies ~~during the period of participation in the plan~~, the following shall apply:

* * *

§2225. Administration

A.

* * *

(3)(a) If a vacancy occurs in the office of a trustee, the vacancy shall be filled for the unexpired term in the same manner as the office was previously filled. If a member of the board of trustees elects to participate in the deferred retirement option plan he shall continue to serve as a member of the board of trustees until the expiration of the term for which he was elected or until his employment terminates, whichever occurs first. If an elected member of the board of trustees with no more than two years left in his term becomes a retiree of the system, he may continue to serve as a member of the board of trustees until the expiration of the term for which he was elected. If a member of the board of trustees serving in a Chiefs District I or Chiefs District II position with no more than two years left in his term ceases to be a chief of police but remains a member of the system, he may continue to serve as a member of the board of trustees until the expiration of the term for which he was elected. All members of the board of trustees ~~elected to terms beginning on or after November 2, 1987~~, shall be employees of the district from which they are elected and shall be elected under rules of the board of trustees by the members employed in that district. Every active member shall be eligible to vote for the chief and nonchief positions on the board of trustees in the districts which include the parish of their employment.

* * *

§2225.4. Unfunded accrued liability; payment by employer

A.(1) ~~If any an employer participating in the system~~ fully dissolves its police department and ~~contracts for police services with another entity~~, the employer shall remit to the system, beginning the July first immediately following the date of dissolution, that portion of the unfunded accrued liability existing on the June thirtieth immediately prior to the date of dissolution of the police department, attributable to such employer and calculated using the allocation percentage included in the prior fiscal year's employer pension report produced according to requirements established by the Governmental Accounting Standards Board. The amount due pursuant to the provisions of this Paragraph shall include interest at the system's valuation interest rate.

* * *

B.(1) Any amount due pursuant to Subsection A of this Section shall be determined by the actuary employed by the system and shall be amortized over fifteen years in equal monthly payments with interest at the system's valuation interest rate. ~~Payments for withdrawals that occur on or after July 1, 2018, Such payments shall be payable to the system electronically beginning July first of the second fiscal year following the determination by the actuary and in the same manner as regular payroll payments to the system. Beginning July first of the fiscal year following the withdrawal, interest shall accrue at the system's actuarial valuation rate, compounded annually.~~

* * *

§2227. Method of financing

A.(1) All of the assets of the retirement system shall be credited according to the purpose for which they are held to one of five funds, namely, the Annuity Savings Fund, the Annuity Reserve Fund, the Pension Accumulation Fund, the Expense Fund, and the deferred retirement option plan account.

(2)(a) Except as provided in Subparagraph (d) of this Paragraph, each mandatory reporter shall electronically submit a contributions report to the retirement system no later than the fifteenth day of each month. Each mandatory reporter shall report the amount of earnable compensation per employee and shall separately report state supplemental pay and the amount of compensation paid for overtime. The report shall include other information prescribed by the board of trustees. A mandatory reporter that did not employ any eligible employees during the previous month shall submit a contributions report certifying that fact to the system.

(b) If a mandatory reporter submits a contributions report that is in error as to the earnable compensation of any member, such an error results in an overpayment of benefits by the system, and the system is unable to recover through reduction of the member's benefits, the mandatory reporter is liable to the system for the amount of overpayment and shall reimburse the system for the full amount of all such overpayments within thirty days after notification of the discovery of the error or overpayment.

(c) For purposes of this Paragraph, "mandatory reporter" means any municipality that, within the previous five fiscal years, employed any police officer or chief of police, regardless of whether such person met the definition of employee.

(d) A mandatory reporter that employed no employee during the previous and current fiscal year shall only be required to electronically submit an annual contributions report to the retirement system and certify that it employed no employee in the current fiscal year no later than the fifteenth day of July of the following fiscal year.

B. Annuity savings fund: The annuity savings fund shall be the fund in which shall be accumulated contributions from the compensation of members to provide for their annuities. Contributions to the annuity savings fund shall be made as follows:

(1)(a) Each municipality shall make deductions from any salary or wages excluding overtime paid by them to any member of this system in accordance with the provisions of R.S. 11:62(6) on the earnable compensation paid him in each and every payroll. ~~All employers shall report separately the amount of compensation paid for overtime on their monthly contribution reports.~~

(a) (b) In the event a member begins receiving worker's compensation payments and the municipality reduces the salary being paid by them, the municipality shall deduct contributions from the reduced salary being paid and state supplemental pay in an amount equal to that which would have been deducted had the member not received worker's compensation

payments and continued to receive his full salary by the municipality and state supplemental pay, provided the reduced salary is sufficient to cover the full deduction.

~~(b)~~ (c) In the event the reduced salary paid by the municipality is not sufficient to cover the deduction of employee contributions equal to that which would have been deducted had the member not begun receiving worker's compensation payments, the member may elect to pay the deficit to make whole the amount due each and every payroll period directly to the municipality to be forwarded to the retirement system. If the member does not elect to pay the deficit to make whole the amount that would have been deducted had he not begun receiving worker's compensation, that member, for such periods, shall receive service credit for eligibility determination purposes only and not for computation of benefits. Beginning on July 1, 2021, if the member does not pay the deficit to make whole the amount that would have been deducted pursuant to this Section for service each and every pay period, the member shall not receive service credit for the period in which the deficit was not paid.

* * *

§2241.4. Eligibility for retirement

A. Any member of this subplan shall be eligible for retirement if he has:

* * *

(3) Twenty years of service credit at any age, exclusive of unused annual and sick leave and military service other than qualified military service as provided in 26 U.S.C. 414(u) earned on or after December 12, 1994. Any person retiring under this Paragraph shall have his benefit, inclusive of military service credit and allowable unused annual and sick leave, actuarially reduced. Any member retiring under this Paragraph shall have his benefit actuarially reduced from the earliest age that he would normally become eligible for a regular retirement benefit under Paragraph ~~(1) or~~ (2) of this Subsection based upon his years of service as of the date of retirement. Any employee who elects to retire under the provisions of this Paragraph shall not be eligible to participate in the Deferred Retirement Option Plan provided by R.S. 11:2221 or the Initial Benefit Option provided by R.S. 11:2224(F).

* * *

§2242.4. Eligibility for retirement

Any member of this subplan shall be eligible for retirement if he has:

* * *

(3) Twenty years of service credit at any age, exclusive of unused annual and sick leave and military service other than qualified military service as provided in 26 U.S.C. 414(u) earned on or after December 12, 1994. Any person retiring under this Paragraph shall have his benefit, inclusive of military service credit and allowable unused annual and sick leave, actuarially reduced. Any member retiring under this Paragraph shall have his benefit actuarially reduced from the earliest age that he would normally become eligible for a regular retirement benefit under Paragraph ~~(1) or~~ (2) (4) of this Section based upon his years of service as of the date of retirement. Any employee who elects to retire under the provisions of this Paragraph shall not be eligible to participate in the Deferred Retirement Option Plan provided by R.S. 11:2221 or the Initial Benefit Option provided by R.S. 11:2224(F).

* * *

Section 2. This Act shall become effective on July 1, 2024; if vetoed by the governor and subsequently approved by the legislature, this Act shall become effective on July 1, 2024, or on the day following such approval by the legislature, whichever is later.

Approved by the Governor, June 19, 2024.

A true copy:

Nancy Landry
Secretary of State

ACT No. 674

HOUSE BILL NO. 46

BY REPRESENTATIVES EDMONSTON, AMEDEE, BAYHAM, BILLINGS, BUTLER, COATES, CREWS, DICKERSON, ECHOLS, EGAN, EMERSON, FIRMENT, HORTON, OWEN, SCHAMERHORN, AND WILDER
AN ACT

To enact R.S. 17:170(A)(4), relative to student immunization requirements; to provide that no person shall be required to receive a COVID-19 vaccine as a condition of initial enrollment or continuing attendance at a public or nonpublic school; and to provide for related matters.

Be it enacted by the Legislature of Louisiana:

Section 1. R.S. 17:170(A)(4) is hereby enacted to read as follows:

§170. Immunization of persons entering schools, kindergartens, colleges, proprietary or vocational schools, and day care centers for the first time; immunization of persons entering sixth grade; electronic transmission of immunization compliance reports

A.

* * *

(4) Notwithstanding the provisions of this Section or any other provision of law to the contrary, no person shall be required to receive a COVID-19 vaccine as a condition of initial enrollment or continuing attendance at any public or nonpublic school or facility enumerated in Paragraph (1) of this Subsection.

* * *

Approved by the Governor, June 19, 2024.

A true copy:

Nancy Landry
Secretary of State

ACT No. 675

HOUSE BILL NO. 47

BY REPRESENTATIVES EDMONSTON AND VENTRELLA
AN ACT

To amend and reenact R.S. 17:170(E) and to enact R.S. 40:1125.42, relative to student immunization requirements; to require that any communication issued to students or their parents or guardians relative to immunization requirements include information relative to exemption from such requirements; to provide that exemptions apply to those attending schools in addition to those seeking to enter schools; to provide relative to mask mandates; to provide relative to vaccine mandates; to provide for exceptions; and to provide for related matters.

Be it enacted by the Legislature of Louisiana:

Section 1. R.S. 17:170(E) is hereby amended and reenacted to read as follows:

§170. Immunization of persons entering schools, kindergartens, colleges, proprietary or vocational schools, and day care centers for the first time; immunization of persons entering sixth grade; electronic transmission of immunization compliance reports; exemption

* * *

E.(1) No person attending or seeking to enter any school or facility enumerated in Subsection A of this Section shall be required to comply with the provisions of this Section, including any additional immunization or proof of immunity requirement adopted pursuant to the provisions of this Section, if the person is a distance learner or if the student person or his parent or guardian submits either a written statement from a physician stating that the procedure is contraindicated for medical reasons; or a written dissent from the student or his parent or guardian, is presented.

(2) Any communication issued to persons or their parents or guardians relative to the requirements of this Section shall include the text and legal citation of Paragraph (1) of this Subsection.

* * *

Approved by the Governor, June 19, 2024.

A true copy:

Nancy Landry
Secretary of State

ACT No. 676

HOUSE BILL NO. 71

BY REPRESENTATIVES HORTON, AMEDEE, BACALA, BAMBURG, BAYHAM, BILLINGS, BOYER, BUTLER, CARLSON, CARRIER, CARVER, CREWS, DEWITT, DICKERSON, ECHOLS, EDMONSTON, EGAN, FIRMENT, GALLE, KERNER, MACK, MELERINE, OWEN, RISER, SCHAMERHORN, TAYLOR, THOMPSON, VENTRELLA, WILDER, AND WILEY AND SENATORS ABRAHAM, BASS, CATHEY, CLOUD, EDMONDS, FESI, HENRY, HENSGENS, HODGES, MCMATH, MIGUEZ, MIZELL, REESE, SEABAUGH, STINE, TALBOT, WHEAT, AND WOMACK
AN ACT

To enact R.S. 17:2122 and 3996(B)(82), relative to public elementary, secondary, and postsecondary schools; to provide for the display of certain historical documents; to provide for the display of the Mayflower Compact, the Declaration of Independence, the Northwest Ordinance, and the Ten Commandments; to provide for displays in each classroom; to provide relative to the use of donations or the acceptance of donated displays for this purpose; to provide for applicability; to provide for legislative intent; to provide for historical context; to provide for an effective date; and to provide for related matters.

Be it enacted by the Legislature of Louisiana:

Section 1. R.S. 17:2122 and 3996(B)(82) are hereby enacted to read as follows:

§2122. Historical documents; displays; legislative intent; historical context; donations

A. The legislature finds and declares all of the following:

(1) In 2005, the Supreme Court of the United States recognized that it is permissible to display the Ten Commandments on government property in Van Orden v. Perry, 545 U.S. 677, 688 (2005).

(2) In 2006, the legislature enacted Act No. 602 of the 2006 Regular Session of the legislature which provided for the secretary of state to publish the Ten Commandments and other historically significant documents for posting in court houses and other public buildings to address “a need to educate and inform the public as to the history and background of American and Louisiana law”.

(3) In 2019, the Supreme Court of the United States further recognized that the Ten Commandments “have historical significance as one of the foundations of our legal system. . .”, in American Legion v. American Humanists Association, 588 U.S. 29, 53 (2019) and, the court also ruled that the displaying of the Ten Commandments on public property may have “multiple purposes” such as “historical significance” and represent a “common cultural heritage”. id. 588 U.S. at 54.

(4) Recognizing the historical role of the Ten Commandments accords with

our nation’s history and faithfully reflects the understanding of the founders of our nation with respect to the necessity of civic morality to a functional self-government. History records that James Madison, the fourth President of the United States of America, stated that “(w)e have staked the whole future of our new nation . . . upon the capacity of each of ourselves to govern ourselves according to the moral principles of the Ten Commandments.”

(5) Including the Ten Commandments in the education of our children is part of our state and national history, culture, and tradition.

(6) The text of the Ten Commandments set forth in Subsection B of this Section is identical to the text of the Ten Commandments monument that was upheld by the Supreme Court of the United States in Van Orden v. Perry, 545 U.S. 677, 688 (2005).

(7) The Mayflower Compact of 1620 was America’s first written constitution and made a Covenant with Almighty God to “form a civil body politic”. This was the first purely American document of self-government and affirmed the link between civil society and God.

(8) The Northwest Ordinance of 1787 provided a method of admitting new states to the Union from the territory as the country expanded to the Pacific. The Ordinance “extended the fundamental principles of civil and religious liberty” to the territories and stated that “(r)eligion, morality, and knowledge, being necessary to good government and the happiness of mankind, schools and the means of education shall forever be encouraged.”

(9) It is the Legislature’s intent to apply the decision set forth by the Supreme Court of the United States in Van Orden v. Perry, id, to continue the rich tradition and ensure that the students in our public schools may understand and appreciate the foundational documents of our state and national government.

(10) The Supreme Court of the United States acknowledged that the Ten Commandments may be displayed on local government property when a private donation is made for the purchase of the historical monument. Pleasant Grove City, Utah v. Summan, 555 U.S. 460 (2006).

(11) It is the intention of the legislature that this Section shall not create an unfunded mandate on any public school governing authority. The school boards are encouraged to use documents that are printed and made available to the schools free of charge.

B.(1) No later than January 1, 2025, each public school governing authority shall display the Ten Commandments in each classroom in each school under its jurisdiction. The nature of the display shall be determined by each governing authority with a minimum requirement that the Ten Commandments shall be displayed on a poster or framed document that is at least eleven inches by fourteen inches. The text of the Ten Commandments shall be the central focus of the poster or framed document and shall be printed in a large, easily readable font.

(2) The text shall read as follows:
“The Ten Commandments
I AM the LORD thy God.
Thou shalt have no other gods before me.
Thou shalt not make to thyself any graven images.
Thou shalt not take the Name of the Lord thy God in vain.
Remember the Sabbath day, to keep it holy.
Honor thy father and thy mother, that thy days may be long upon the land which the Lord thy God giveth thee.
Thou shalt not kill.
Thou shalt not commit adultery.
Thou shalt not steal.
Thou shalt not bear false witness against thy neighbor.
Thou shalt not covet thy neighbor’s house.
Thou shalt not covet thy neighbor’s wife, nor his manservant, nor his maidservant, nor his cattle, nor anything that is thy neighbor’s.”

(3) The Ten Commandments shall be displayed with a context statement as follows:

“The History of the Ten Commandments in American Public Education
The Ten Commandments were a prominent part of American public education for almost three centuries. Around the year 1688, The New England Primer became the first published American textbook and was the equivalent of a first grade reader. The New England Primer was used in public schools throughout the United States for more than one hundred fifty years to teach Americans to read and contained more than forty questions about the Ten Commandments.

The Ten Commandments were also included in public school textbooks published by educator William McGuffey, a noted university president and professor. A version of his famous McGuffey Readers was written in the early 1800s and became one of the most popular textbooks in the history of American education, selling more than one hundred million copies. Copies of the McGuffey Readers are still available today.

The Ten Commandments also appeared in textbooks published by Noah Webster in which were widely used in American public schools along with America’s first comprehensive dictionary that Webster also published. His textbook, The American Spelling Book, contained the Ten Commandments and sold more than one hundred million copies for use by public school children all across the nation and was still available for use in American public schools in the year 1975.”

(4)(a) A public school may also display the Mayflower Compact, the Declaration of Independence, and the Northwest Ordinance, as provided in R.S. 25:1282, along with the Ten Commandments.

(5) This Section shall not require a public school governing authority to

spend its funds to purchase displays. In order to fund the displays free of charge, the school public governing authority shall do either of the following:

- (a) Accept donated funds to purchase the displays.
 - (b) Accept donated displays.
- (6)(a) The State Board of Elementary and Secondary Education shall adopt rules and regulations in accordance with the Administrative Procedure Act to ensure the proper implementation of this Section.

(b) The state Department of Education shall identify appropriate resources to comply with the provisions of this Section that are free of charge. Once identified, the department shall list the free resources on the department’s internet website.

C.(1) No later than January 1, 2025, each public postsecondary education management board shall require each institution under its jurisdiction to display the Ten Commandments in each classroom on the institution’s campus. At a minimum, the Ten Commandments shall be displayed on a poster or framed document that is at least eleven inches by fourteen inches. The text of the Ten Commandments shall be the central focus of the poster or framed document and shall be printed in a large, easily readable font.

(2) The text shall read as provided in Paragraph (A)(2) of this Section.

(3) This Subsection does not require a public postsecondary education management board or any public postsecondary education institution to spend its funds to purchase such displays. An institution or management board or governing authority may spend donated funds to purchase the Ten Commandments or other historical documents provided for in this Section or may accept donated displays.

* * *
§3996. Charter schools; exemptions; requirements
* * *

B. Notwithstanding any state law, rule, or regulation to the contrary and except as may be otherwise specifically provided for in an approved charter, a charter school established and operated in accordance with the provisions of this Chapter and its approved charter and the school’s officers and employees shall be exempt from all statutory mandates or other statutory requirements that are applicable to public schools and to public school officers and employees except for the following laws otherwise applicable to public schools with the same grades:

* * *
(82) Ten Commandments; displays, R.S. 17:2122.
* * *

Section 2. If any provision or item of this Act, or the application thereof, is held invalid, such invalidity shall not affect other provisions, items, or applications of the Act which can be given effect without the invalid provision, item, or application and to this end the provisions of this Act are hereby declared severable.

Section 3. This Act shall become effective upon signature by the governor or, if not signed by the governor, upon expiration of the time for bills to become law without signature by the governor, as provided by Article III, Section 18 of the Constitution of Louisiana. If vetoed by the governor and subsequently approved by the legislature, this Act shall become effective on the day following such approval.

Approved by the Governor, June 19, 2024.
A true copy:
Nancy Landry
Secretary of State

ACT No. 677

HOUSE BILL NO. 80
BY REPRESENTATIVE ECHOLS
AN ACT

To enact R.S. 40:1257.5, relative to transportation network companies; to provide for a legislative declaration; to provide requirements for certain businesses to furnish certain medical transportation services; to authorize transportation network companies to provide nonemergency medical transportation through the state Medicaid program; to establish company and driver requirements; to authorize the promulgation of rules by the Louisiana Department of Health; and to provide for related matters.

Be it enacted by the Legislature of Louisiana:
Section 1. R.S. 40:1257.5 is hereby enacted to read as follows:
§1257.5. Nonemergency medical transportation; transportation network companies

A. The legislature hereby declares that transportation network companies are possible providers of services that protect and promote public health by facilitating access to primary care, pharmacy services, and other forms of health care that help people maintain and improve their health.

B. If the department determines that transportation network providers can provide transportation services for Medicaid recipients in a safe, effective, and cost efficient manner and in compliance with applicable federal Medicaid and Medicare requirements, any transportation network company that complies with rules promulgated pursuant to this Section may connect a driver to a rider through utilizing a Medicaid NEMT broker for the purpose of providing nonemergency medical transportation services within the state through the Louisiana Medicaid program.

C.(1)(a) The department may promulgate rules and regulations as are necessary for the implementation of this Section. No transportation

network company may provide Medicaid NEMT services prior to rules being promulgated by the department and demonstrating compliance with requirements established by the department through rules. Requirements imposed for companies and drivers to act as Medicaid transportation providers shall include requirements for enrollment and specifications for the vehicles used and any requirements that may be necessary to conform to applicable federal Medicaid transportation requirements administered by the department, bureau of health services financing.

(b) No driver shall provide nonemergency medical transportation services to a Medicaid enrollee through a transportation network company's digital network prior to the completion of a criminal background check on that driver which comports with the requirements for such background checks provided in R.S. 40:1203.1 et seq. or R.S. 48:2199.

(2) Notwithstanding the provisions of Paragraph (1) of this Subsection, the department shall require that, prior to facilitating nonemergency medical transportation services for Medicaid enrollees, a transportation network company be under contract with a transportation broker that is under contract with either of the following:

(a) A Medicaid managed care organization as defined in R.S. 46:460.51.

(b) The department.

D. The provisions of R.S. 48:2205 shall apply to the regulation of companies, drivers, and vehicles facilitating or providing nonemergency medical transportation services as authorized in this Section.

E. Nothing in this Section shall be construed to authorize a company or an individual to violate any provision of R.S. 40:1135.1.

F. No ambulance, emergency medical response vehicle, or EMS practitioner as defined in R.S. 40:1131 shall be used for the purpose of providing nonemergency medical transportation services pursuant to this Section.

Approved by the Governor, June 19, 2024.

A true copy:

Nancy Landry
Secretary of State

ACT No. 678

HOUSE BILL NO. 97
BY REPRESENTATIVE MCMAKIN
AN ACT

To amend and reenact R.S. 14:97.1(A) and to enact R.S. 14:97.1(C), relative to solicitation on certain highways and streets; to provide relative to the elements of the offense; to provide for a definition; to provide for a statement of legislative intent; and to provide for related matters.

Be it enacted by the Legislature of Louisiana:

Section 1. The legislature finds that the practices of solicitation and offering or donating to persons on public roadways or rights-of-way and interstate highways creates an unsafe situation for the well-being of both pedestrians and motorists within this state and all will be well served by implementation of this Act.

Section 2. R.S. 14:97.1(A) is hereby amended and reenacted and R.S. 14:97.1(C) is hereby enacted to read as follows:

§97.1. Solicitation on an interstate highway or in a public right-of-way

A. Solicitation on an interstate highway or in a public right-of-way is the intentional act of soliciting, begging, panhandling, or otherwise requesting anything of value on any interstate highway, public right-of-way, or any entrance or exit ramp of an interstate highway.

* * *

C. For the purposes of this Section, "anything of value" means cash, currency, coin, or any other financial instrument given to a person not exempted by R.S. 32:218.

Approved by the Governor, June 19, 2024.

A true copy:

Nancy Landry
Secretary of State

ACT No. 679

HOUSE BILL NO. 105
BY REPRESENTATIVE TARVER
AN ACT

To enact R.S. 42:1123(36), to allow a public servant and related persons to advertise with a governmental entity subject to certain conditions; to provide for effectiveness; and to provide for related matters.

Be it enacted by the Legislature of Louisiana:

Section 1. R.S. 42:1123(36) is hereby enacted to read as follows:

§1123. Exceptions

This Part shall not preclude:

* * *

(36) A public servant, an immediate family member of a public servant, or a legal entity in which the public servant or a member of his immediate family has a substantial economic interest from providing to an agency of the governmental entity of the public servant a thing of economic value to obtain advertisements or other recognition featuring the public servant, immediate family member, or the legal entity if:

(a) The public servant recuses or disqualifies himself on all matters

involving the transaction, if applicable.

(b) The terms and conditions of the transaction are the same as or substantially similar to those available to similarly situated persons who are not public servants or related persons.

(c) The transaction is conducted without preference and in the same manner and subject to the same requirements and conditions applicable to the general public.

(d) The value of the transaction does not exceed ten thousand dollars. However, no person shall enter into separate transactions valued at ten thousand dollars or less as a subterfuge to avoid the limitation in this Subparagraph.

* * *

Section 2. This Act shall become effective upon signature by the governor or, if not signed by the governor, upon expiration of the time for bills to become law without signature by the governor, as provided by Article III, Section 18 of the Constitution of Louisiana. If vetoed by the governor and subsequently approved by the legislature, this Act shall become effective on the day following such approval.

Approved by the Governor, June 19, 2024.

A true copy:

Nancy Landry
Secretary of State

ACT No. 680

HOUSE BILL NO. 121
BY REPRESENTATIVES CREWS, AMEDEE, EDMONSTON, FIRMENT,
MCCORMICK, AND SCHAMERHORN AND SENATORS ABRAHAM, BASS,
CLOUD, EDMONDS, HODGES, MIGUEZ, SEABAUGH, AND STINE
AN ACT

To enact R.S. 17:2122 and 3996(B)(82), relative to education; to provide with respect to the use of certain names and pronouns for students and employees; to prohibit public school governing authorities from adopting certain policies; to provide with respect to school employees; to provide with respect to students; to provide for remedies and corrective actions; to require each public school governing authority to adopt policies; to provide for civil liability; and to provide for related matters.

Be it enacted by the Legislature of Louisiana:

Section 1. This Act shall be known and may be cited as the "Given Name Act".

Section 2.(A) The legislature finds that:

(1) The Fourteenth Amendment of the Constitution of the United States of America protects the right of parents to direct the care, upbringing, education, and welfare of their children.

(2) The United States Supreme Court has held that: "[T]he Due Process Clause does not permit a State to infringe on the fundamental right of parents to make child rearing decisions simply because a state judge believes a 'better' decision could be made". Troxel v. Granville, 530 U.S. 57, at 72-73 (plurality op.).

(3) The United States Supreme Court has explained that the liberty specially protected by the Due Process Clause of the Fourteenth Amendment of the Constitution of the United States of America includes the right "to direct the education and upbringing of one's children". Washington v. Glucksberg, 521 U.S. 702, 720 (1997).

(4) In Garcetti v. Ceballos, 547 U.S. 410 (2006), the United States Supreme Court has held that public employees do not retain First Amendment protection for speech uttered in the context of their official duties as they are not speaking as public citizens.

(5) Individuals under the age of eighteen are minors, and the courts have recognized their immaturity and the unique nature of the public school setting.

(6) However, the United States Supreme Court has also recognized "it can hardly be argued that either students or teachers shed their constitutional rights to freedom of speech of expression at the schoolhouse gate. This has been the unmistakable holding of this Court for almost 50 years." Tinker v. Des Moines Indep. Cmty. Sch. Dist., 393 U.S. 503, 506 (1969).

(7) And under the First Amendment, "the government may not compel a person to speak its own preferred messages. Nor does it matter whether the government seeks to compel a person to speak its message when he would prefer to remain silent or to force an individual to include other ideas with his own speech that he would prefer not to include." 303 Creative LLC v. Elenis, 600 U.S. 570, 586 (2023).

(B) It is the intent of the legislature that the public education system uphold the constitutional and long-recognized rights of parents, students, and teachers within the context of public education.

Section 3. R.S. 17:2122 and 3996(B)(82) are hereby enacted to read as follows:

A. As used in this Section, the following terms have the following meanings:

(1) "Employee" means any individual working in any capacity at a public school including but not limited to teachers and other school employees, school bus operators, extracurricular personnel, and independent contractors.

(2) "Legal name" means a person's name as may be evidenced on his original birth certificate issued at or near the time of birth.

(3) "Parent" means a student's parent or legal guardian.

(4) "Sex" means a person's immutable biological sex, either female or male.

as may be evidenced on his original birth certificate issued at or near the time of birth.

(a) “Female” means an individual whose biological reproductive system is developed to produce ova and who has, had, will have, or would have, but for a developmental or genetic anomaly or historical accident, the reproductive system that at some point produces, transports, and utilizes eggs for fertilization.

(b) “Male” means an individual whose biological reproductive system is developed to fertilize the ova of a female who has had, will have, or would have, but for a developmental or genetic anomaly or historical accident, the reproductive system that at some point produces, transports, and utilizes sperm for fertilization.

(5) “Student” means a person enrolled at a public school on a full-time or part-time basis.

B.(1) A public school governing authority shall not adopt a policy that provides for an inquiry of an employee’s pronouns that is inconsistent with the employee’s sex or provides for an inquiry of an employee’s name other than the employee’s legal name, or a derivative thereof.

(2) A public school governing authority shall not adopt a policy that provides for an inquiry of a student’s pronouns that is inconsistent with the student’s sex or provides for an inquiry of a student’s name other than the person’s legal name, or a derivative thereof.

C.(1)(a) An employee shall not be required to address a student by a name other than the student’s legal name, or a derivative thereof, and the employee shall not be required to use a pronoun that is inconsistent with the student’s sex.

(b) An employee shall not be subject to adverse employment action for declining or refusing to do any of the following:

(i) Address a person using a name other than the person’s legal name, or a derivative thereof, or by a pronoun that is inconsistent with the person’s sex.

(ii) Identify his own pronouns, in violation of Subsection B of this Section.

(c) A student shall not be subject to disciplinary action by a public school for declining or refusing to do any of the following:

(i) Address a person using a name other than the person’s legal name, or a derivative thereof, or by a pronoun that is inconsistent with the person’s sex.

(ii) Identify his own pronouns, in violation of Subsection B of this Section.

(2) If a school employee refers to a minor student by a pronoun that is inconsistent with the student’s sex or refers to the student by a name other than the student’s legal name, or a derivative thereof, the parent may seek corrective action by the school principal so that the student will be addressed according to the student’s sex, as defined in Subsection A of this Section.

(a) If the school principal intentionally refuses to implement corrective action, then the parent shall have remedies pursuant to Subsection D of this Section.

(b) If after the school principal implements corrective action, an employee intentionally refuses to honor the corrective action, then the parent shall have remedies pursuant to Subsection D of this Section.

D.(1) An employee, parent of a minor student, or a student who has reached the age of majority aggrieved by an intentional violation of this Subsection by a public school shall have a private cause of action for injunctive relief, monetary damages, reasonable attorney fees and costs, and any other appropriate relief.

(2) All civil actions brought pursuant to this Section shall be initiated within two years of the violation occurring.

E. Each public school governing authority shall adopt policies for implementing the provisions of this Section and provide such policies to employees.

F. This Section shall not be construed to permit employees to disclose student information as prohibited under the Federal Education Records Privacy Act (FERPA), 20 U.S.C.A. §1232(g).

* * *

§3996. Charter schools; exemptions; requirements

* * *

B. Notwithstanding any state law, rule, or regulation to the contrary and except as may be otherwise specifically provided for in an approved charter, a charter school established and operated in accordance with the provisions of this Chapter and its approved charter and the school’s officers and employees shall be exempt from all statutory mandates or other statutory requirements that are applicable to public schools and to public school officers and employees except for the following laws otherwise applicable to public schools with the same grades:

* * *

(82) Names and pronouns, R.S. 17:2122.

* * *

Section 2. If any provision or item of this Act, or the application thereof, is held invalid, such invalidity shall not affect other provisions, items, or applications of the Act which can be given effect without the invalid provision, item, or application and to this end the provisions of this Act are hereby declared severable.

Approved by the Governor, June 19, 2024.

A true copy:

Nancy Landry

Secretary of State

ACT No. 681

HOUSE BILL NO. 122
BY REPRESENTATIVES HORTON, AMEDEE, CREWS,
EDMONSTON, AND MCCORMICK
AN ACT

To enact R.S. 17:412, relative to public school teachers, personnel, and students; to provide relative to discussion of sexual orientation or gender identity with students; to prohibit teachers and others from discussing their sexual orientation or gender identity with students; and to provide for related matters.

Be it enacted by the Legislature of Louisiana:

Section 1. R.S. 17:412 is hereby enacted to read as follows:

§412. Sexual orientation, gender identity; prohibited instruction, discussion

A. No teacher, school employee, or other presenter at a school shall engage in the following discussions with students in grades kindergarten through twelve:

(1) Covering the topics of sexual orientation or gender identity in any classroom discussion or instruction in a manner that deviates from state content standards or curricula developed or approved by public school governing authorities.

(2) Covering the topics of sexual orientation or gender identity during any extracurricular academic, athletic, or social activity under the jurisdiction of the school or public school governing authority.

(3) Discussing his own sexual orientation or gender identity.B. Nothing in this Section shall be construed to mean a student may not seek out guidance from a teacher or licensed mental health professional outside classroom hours with prior parental consent.

Approved by the Governor, June 19, 2024.

A true copy:

Nancy Landry

Secretary of State

ACT No. 682

HOUSE BILL NO. 165
BY REPRESENTATIVES BOYD AND CHASSION
AN ACT

To amend and reenact R.S. 40:1025(A)(1), (B), and (C) and to enact R.S. 40:1025(E), relative to penalties for transactions in drug related objects; to reduce the penalty for possession or use of marijuana drug paraphernalia; and to provide for related matters.

Be it enacted by the Legislature of Louisiana:

Section 1. R.S. 40:1025(A)(1), (B), and (C) are hereby amended and reenacted and R.S. 40:1025(E) is hereby enacted to read as follows:

§1025. Penalties

A.(1) ~~The Except as provided in Subsection E of this Section, the first violation of or failure to comply with any provision of this Part shall subject the offender to a fine not in excess of three hundred dollars, or imprisonment of not more than fifteen days, or both.~~

* * *

B. On a second conviction, except as provided in Subsection E of this Section, the offender shall be fined not more than one thousand dollars, or imprisoned for not more than six months, or both.

C. On a third or subsequent conviction, except as provided in Subsection E of this Section, the offender shall be fined not more than two thousand five hundred dollars, or imprisoned, with or without hard labor, for not more than two years, or both.

* * *

E. The penalty for possessing drug paraphernalia intended for, or used solely for, the inhalation, ingestion, epidermal or sublingual absorption, or other method of introducing marijuana or marijuana derivatives into the human body are as follows for quantities of paraphernalia not exceeding those required for individual personal use:

(1) On a first conviction, a fine of one hundred dollars.

(2) On a second conviction, a fine of five hundred dollars.

(3) On a third or subsequent conviction, a fine of two thousand five hundred dollars.

Approved by the Governor, June 19, 2024.

A true copy:

Nancy Landry

Secretary of State

ACT No. 683

HOUSE BILL NO. 291
BY REPRESENTATIVE MCFARLAND
AN ACT

To provide with respect to the Revenue Sharing Fund and the allocation and distribution thereof for Fiscal Year 2024-2025 and to provide for related matters.

Be it enacted by the Legislature of Louisiana:

Section 1. For the purposes of this Act, the following definitions shall apply and obtain:

(1) Unless otherwise provided herein, “tax recipient bodies” shall mean

the city of New Orleans, parish governing authorities, school boards, special taxing districts, and other bodies which were eligible for reimbursement or payment from the Property Tax Relief Fund prior to its abolition and repeal by Act 10 of the 1972 Extraordinary Session of the Louisiana Legislature and any other taxing district listed in Sections 1(a)(3) and 1(a)(4) or any other taxing district for any millage specified in Section 9(B) of this Act. In the parish of Rapides, “tax recipient bodies” shall not include Red River Waterway District. In the parish of Lafourche, “tax recipient bodies” shall not include the Atchafalaya Basin Levee District, the Lafourche Basin Levee District, and Fresh Water District No. 1.

(2) “Tax recipient bodies” shall not include the millage levied by the various law enforcement districts in the state in lieu of commissions as a result of Act 689 of the 1976 Regular Session of the Louisiana Legislature; however, law enforcement districts shall be considered tax recipient bodies for any millage voted and levied for that purpose to the extent specifically provided in Section 9(B) of this Act.

(3) “Tax recipient bodies” shall also mean those special taxing districts and other bodies which were not eligible for reimbursement as provided in Section 1(a)(1) but which had erroneously shared as a tax recipient body in the proceeds of Act 598 of the 1977 Regular Session and were subsequently determined by the state treasurer to be ineligible for such participation under the provisions of Act 592 of the 1978 Regular Session. The exclusive listing of all such special taxing districts and other bodies is as follows:

- Acadia
 - Mermentau River Harbor & Terminal
- Allen
 - Elizabeth Recreation District #3
 - Kinder Recreation District #2--Maintenance
 - Hospital Service District #3--Maintenance
- Ascension
 - Lighting District #6
 - Lighting District #7
- Avoyelles
 - Red River Waterway District--Capital Outlay
 - Red River Waterway District--Operations
- Beauregard
 - Waterworks District #3--Ward 4
 - Waterworks District #3--Ward Bienville
 - Fire Protection District #6
 - Hospital Service District #2
- Caldwell
 - Columbia Heights Sewerage
- Cameron
 - Cameron Water District #1--Maintenance
 - Water District #7--Maintenance
 - Grand Lake Recreation District--Maintenance
 - Water District #10--Maintenance
 - Fire District #10--Maintenance
- Catahoula
 - Hospital District #2
- Claiborne
 - Hospital District #1
- Concordia
 - Recreation District #3--Maintenance
 - Fire Protection District #1
- Evangeline
 - Cemetery Tax District--Ward 4
 - Cemetery Tax District #1
 - Cemetery Tax District #6
 - Water District #1--Maintenance
 - Evangeline Parish School Board
 - Consolidated School District No. 2
 - Evangeline Parish School Board
 - Consolidated School District No. 7
- Grant
 - Hospital District #1
 - Recreational District #2
- Jefferson
 - Ambulance Service #1
 - Community Center Playground District #1
 - Community Center Playground District #10
 - Community Center Playground District #11
 - Community Center Playground District #12
 - Community Center Playground District #13
 - Community Center Playground District #14
 - Community Center Playground District #15
 - Fire Protection District #5
 - Fire Protection District #6
 - Sewerage District #8
 - Sewerage District #9
 - Jefferson Hospital District #1
- LaSalle
 - Sewer Maintenance
 - Recreation District #5
- Livingston
 - Road Light District #2

- Fire Protection District #1
- Fire Protection District #4
- Recreation District #3
- Morehouse
 - Bastrop Area Fire District #2
 - Fire District #1--Ward 6
 - Fire District #1--Ward 10
- Pointe Coupee
 - Sewerage District #1
- Rapides
 - Waterworks #11A--Maintenance
 - Recreational--Maintenance
- St. James
 - Road Light District #1A
 - Road Light District #2
 - Road Light District #4
- St. Landry
 - Fire Protection District #3
- St. Martin
 - Sewerage District
- St. Mary
 - West St. Mary Parish Port Commission
- St. Tammany
 - Fire District #4
 - Fire District #5
 - Fire District #7
 - Fire District #9
 - Fire District #10
 - Recreation District #2
- Tangipahoa
 - Hospital District #1--Maintenance
- Union
 - Hospital Service--Tri-Ward
 - Hospital Service--East Union
- Vermilion
 - Ward 8 Public Cemetery

(4) “Tax recipient bodies” shall also mean the following special taxing districts and other bodies which were not eligible for reimbursement as provided in Section 1(a)(1) and which had never shared, except in the parishes of Bossier, East Baton Rouge, Ouachita and Terrebonne, as a tax recipient body in the proceeds of state revenue sharing. The exclusive listing of all such special taxing districts and other bodies is as follows:

- Assumption
 - Road Lighting District #2
- Bossier
 - Cypress Back Bayou Recreation Tax--Bonds/Maintenance
- East Baton Rouge
 - Village St. George Fire District
- Ouachita
 - Cooley Hospital Tax
 - Sterlington Sewerage District
 - Fire District No. 1--Maintenance
 - North Monroe Sewerage District No. 1--Maintenance
 - Road Light District #5
 - Road Light District #1
 - Road Light District #3
 - Road Light District #4
 - East Ouachita Recreational District
- Terrebonne
 - Road Lighting District No. 4
 - Road Lighting District No. 5--Maintenance
 - Road Lighting District No. 6
 - Road Lighting District No. 8--Maintenance
 - Road Lighting District No. 9--Maintenance
 - Road Lighting District No. 10--Maintenance
 - Fire Protection District No. 4-A--Maintenance
 - Fire Protection District No. 5--Maintenance
 - Fire Protection District No. 8--Maintenance
 - Fire Protection District No. 10--Maintenance
 - Sanitation District No. 1--Maintenance
 - Recreation District No. 1--Maintenance
 - Recreation District No. 4--Maintenance
 - Road Lighting District No. 1--Maintenance
 - Road Lighting District No. 2--Maintenance
 - Road Lighting District No. 3A
 - Fire Protection District No. 123--Maintenance
 - Fire Protection District No. 9--Maintenance
 - Road Lighting District No. 7--Maintenance
- St. Tammany
 - Mosquito District No. 2(A)--10 mills
 - Mosquito District No. 2(B)--10 mills

(5)(a) In addition to the limitations herein above set forth, “tax recipient bodies” for purposes of this Act shall be tax recipient bodies within the meaning of Article VII, Section 26 of the Constitution of Louisiana, limited solely to those taxes authorized prior to January 1, 1978, and any renewals thereof, or any millage authorized prior to January 1, 1978, but not levied

in full or part on the tax rolls. In Orleans Parish this limitation shall apply solely to those taxes authorized and collected prior to January 1, 1978.

(b) “Population” shall mean that enumeration of persons within the state, its parishes, and incorporated municipalities determined by the Louisiana State University and Agricultural and Mechanical College Agriculture Center, Department of Agricultural Economics and Agribusiness, under the most recent federal-state cooperative program for local population estimates. Such determination shall be submitted to the state treasurer annually not later than January fifteenth of each calendar year. Any tax recipient body or incorporated municipality which is aggrieved by such determination may file a petition for administrative review with the state treasurer not later than March fifteenth of each calendar year hereafter. The estimates so submitted shall have no effect on the distribution for the fiscal year in which they are made but shall be utilized for purposes of this Act and for distribution during the ensuing fiscal year. The treasurer shall have authority to affirm, modify, or set aside in whole or in part, the determination of the Louisiana State University and Agricultural and Mechanical College Agriculture Center, Department of Agricultural Economics and Agribusiness.

(c) “Homesteads” shall mean that enumeration of homestead exemption claims filed with the assessors as determined by the Louisiana Tax Commission as of November fifteenth of the current calendar year from the original tax rolls submitted to the commission prior to any adjustments thereto.

(d) “Public school population” shall mean the enumeration of enrollments contained in the Department of Education Annual Report for the preceding school year.

(e) “City of New Orleans”, unless otherwise indicated herein, shall mean only the city of New Orleans, the Orleans Levee District or its successor, the Sewerage and Water Board of New Orleans, the assessor for Orleans Parish, and the Orleans Parish School Board

and reference in this Act to tax recipient bodies in the city of New Orleans shall refer only to the aforesaid entities.

Section 2. The revenue sharing fund for the Fiscal Year 2024-2025 shall consist of the sum of Ninety Million and No/100 (\$90,000,000.00) Dollars.

Section 3. The amount to be distributed annually to each parish from the revenue sharing fund shall be the sum of (a) an amount equal to that percentage of eighty percent of the total fund which is equal to the ratio which the population of the parish bears to the total state population, and (b) an amount equal to that percentage of twenty percent of the total fund which is equal to the ratio which the number of homesteads in the parish bears to the total number of homesteads in the state. As used in this Section, the term “homesteads” shall mean that enumeration of adjusted homestead exemption claims filed with the assessors as determined by the Louisiana Tax Commission as of March thirty-first of the current calendar year.

Section 4. Except as provided in Section 5, the state treasurer shall distribute the funds herein allocated to the tax collectors of the respective parishes and to the city of New Orleans.

Section 5. That portion of the fund for the parish of Ouachita allocated to the Monroe City School Board shall be an amount which will reimburse said board, to the extent available and subject to the provisions of Section 9(C) of this Act, for the taxes lost as a result of homestead exemptions based on the tax rolls for the current calendar year and shall be distributed directly to the city treasurer of the city of Monroe, who shall pay therefrom the statutorily dedicated deductions for retirement systems. For the purpose of distribution of the balance of the revenue sharing funds the state treasurer may use the amount listed on the prior year Ouachita Parish tax rolls which were due the Monroe City School Board.

Section 6. Eleven and nine-tenths percent of all revenue sharing funds distributed by the provisions of this Act, excluding such funds as are distributed directly to the city of New Orleans and the amount listed on the prior year Ouachita Parish tax rolls which were due the Monroe City School Board (\$1,181,358), shall form a special fund (\$10,043,941) to be distributed as commissions to the tax collectors of the respective parishes, the city of New Orleans excepted. Each such tax collector shall receive a percentage of such fund, based on commissions received by him pursuant to Act 153 of the 1973 Regular Session, as provided in Section 8 of this Act.

Section 7.A. Two and forty-four hundredths percent of all revenue sharing funds distributed by the provisions of this Act, excluding such funds as are distributed directly to the city of New Orleans and the amount listed on the prior year Ouachita tax rolls which were due the Monroe City School Board (\$1,181,358), shall form a special fund (\$2,059,430) to be distributed to the various retirement systems which were eligible for payment pursuant to Act 153 of the 1973 Regular Session, as provided in Section 8 of this Act for distribution to such retirement systems, and shall make due payment thereof to each retirement system in the same proportion that the statutory deduction provided by law for the system bears to the total statutory deductions provided by law for all such retirement systems. For the purpose of distributing these retirement contributions, the state treasurer may use the statutory deductions determined by the Public Retirement Systems Actuarial Committee as per R.S. 11:103 for the previous calendar year.

B. The city of New Orleans shall make the deductions legally established for retirement systems which were eligible for payment pursuant to Act 153 of the 1973 Regular Session and shall make due payment in accordance with the statutory deductions provided by law for all such retirement systems. Notwithstanding the above provisions the city of New Orleans shall remit the following amounts for the indicated retirement systems for Fiscal Year 2024-2025: Assessors’ Retirement Fund, \$168,474; Clerks of Court Retirement

and Relief Fund, \$137,015; District Attorneys’ Retirement System, \$67,281; Registrars of Voters Employees’ Retirement System, \$64,443; Sheriffs’ Pension and Relief Fund, \$55,762.

Section 8. The respective percentages to be used in calculating tax collectors’ commissions and retirement system distributions shall be as follows:

<u>PARISH</u>	<u>SHERIFF</u>	<u>RETIREMENT</u>
Acadia	1.491%	1.047%
Allen	.739%	.475%
Ascension	1.283%	.985%
Assumption	.871%	.399%
Avoyelles	1.263%	.811%
Beauregard	.842%	.583%
Bienville	.596%	.405%
Bossier	1.705%	2.281%
Caddo	5.490%	10.375%
Calcasieu	4.719%	6.051%
Caldwell	.473%	.319%
Cameron	.498%	.400%
Catahoula	.468%	.303%
Claiborne	.543%	.326%
Concordia	.730%	.486%
DeSoto	.547%	.349%
East Baton Rouge	7.118%	11.977%
East Carroll	.443%	.331%
East Feliciana	.489%	.238%
Evangeline	.730%	.525%
Franklin	.731%	.757%
Grant	.614%	.357%
Iberia	2.221%	1.847%
Iberville	1.391%	.810%
Jackson	.653%	.495%
Jefferson	13.312%	13.856%
Jefferson Davis	.693%	.766%
Lafayette	3.081%	2.843%
Lafourche	1.928%	1.958%
LaSalle	.548%	.349%
Lincoln	.727%	.922%
Livingston	1.679%	1.322%
Madison	.443%	.401%
Morehouse	1.001%	.907%
Natchitoches	1.072%	.775%
Ouachita	2.736%	3.200%
Plaquemines	1.436%	1.241%
Pointe Coupee	.641%	.422%
Rapides	3.250%	3.751%
Red River	.421%	.147%
Richland	.655%	.683%
Sabine	.685%	.517%
St. Bernard	3.467%	3.005%
St. Charles	1.060%	.959%
St. Helena	.446%	.291%
St. James	.928%	.759%
St. John the Baptist	1.184%	.704%
St. Landry	2.740%	2.013%
St. Martin	1.121%	.626%
St. Mary	1.895%	1.826%
St. Tammany	2.752%	2.396%
Tangipahoa	2.773%	1.863%
Tensas	.343%	.266%
Terrebonne	2.233%	2.175%
Union	.590%	.409%
Vermilion	1.220%	1.004%
Vernon	1.627%	1.112%
Washington	1.349%	.922%
Webster	1.068%	1.131%
West Baton Rouge	.747%	.516%
West Carroll	.464%	.466%
West Feliciana	.404%	.188%
Winn	.633%	.377%

Section 9. All remaining funds shall be allocated and distributed as follows:

A. Subject to the provisions of Subsection B of this Section and except as provided by Section 5, the tax collector of each parish and the city of New Orleans shall allocate and distribute, within fifteen days after receipt thereof, to the tax recipient bodies within his jurisdiction an amount available after commissions and deductions which is necessary to offset losses attributable to homestead exemptions. In any parish which had excess funds in 1977, the amount available for the reimbursement of homestead exemption losses shall be limited to the amount used for that purpose in 1977, adjusted by the percentage by which the number of homesteads in the parish increased or decreased from 1977 to 2023, together with any additional taxing bodies or millages authorized to participate on the same pro rata basis under the provisions of Section 1(a)(3), Section 1(a)(4), and Section 9(B) of this Act. This restriction shall not apply to the parish of East Carroll and to parishes in which there were no excess funds in 1977. However, in the city of New Orleans the amount available for the reimbursement of homestead exemption losses

shall be limited to the amount used for that purpose in 1977, except that the amount distributed to the Orleans Levee District or its successor shall be limited solely to the amount used for the reimbursement of homestead exemption losses in 1977 on the Orleans Levee District’s two mill tax. The remaining amount shall be adjusted by the percentage by which the number of homesteads in the city of New Orleans increased or decreased from 1977 to 2023, together with any additional taxing bodies or millages authorized to participate on the same pro rata basis under the provisions of Subsection B of this Section.

B. For purposes of this Subsection only, “tax recipient bodies” shall mean and include any recipient of funds hereunder, but limited solely to such specified disbursements. The millages listed are included solely as an identification aid for administrative purposes and the new tax approved by the electorate shall be eligible for distribution hereunder, regardless of fluctuations in millage caused by adjustments for reassessment or other purposes. In no event shall any amount be deemed available within the meaning of Article VII, Section 26 of the Constitution of Louisiana to reimburse losses attributable to homestead exemptions for taxes authorized after January 1, 1978, and any renewals thereof, with the following basic exceptions:

(1) In the parish of Sabine, all millages listed on the tax roll, except the sheriff’s original millage, shall share on a pro rata basis.

(2) In the parish of DeSoto, all school board taxes authorized after January 1, 1978, and prior to the convening of the 1979 Regular Session, the 7 mill parishwide school tax authorized May 2, 1987, the 37 mill school special tax authorized October 24, 1987, the assessor’s original millage, the maintenance taxes for Fire Protection Districts Nos. 1, 5, 8, and 9 prior to 1990, the 7 mill tax authorized in 1994 for Fire District #2, the additional 8.37 mill tax authorized on November 7, 1978, for the parish law enforcement district, the 1 mill tax authorized April 5, 1997, for Water District #1, the 3 mills tax authorized November 21, 2002, for the parish library, and the 1 mill tax authorized July 16, 1994, for the Communications District 911 System, shall share on a pro rata basis with all other tax recipient bodies in the parish. The parish road maintenance tax which lapsed in 1983 and which was reauthorized at 5 mills in 1984 shall share on a pro rata basis with all other tax recipient bodies in the parish.

(3) In the parish of Bossier, after full reimbursement of all taxes authorized prior to May 1, 1978, to all other tax recipient bodies in the parish including the additional 3 mills authorized on April 5, 1980, for the law enforcement district and the assessor’s original millage, the following new millages shall be reimbursed to the extent available:

School Board District 13--11.63 mills/September 16, 1978
School Board District 3--15.1 mills/September 16, 1978

(4) In the parish of Grant, all new millages authorized prior to January 1, 1989, the 10.9 mill tax authorized January 16, 1999, for the library, the millage authorized October 7, 1989, for Fire District No. 1, the 15 mill tax authorized in 1995 for Fire District #3, the additional mills for the law enforcement district and the assessor’s original millage, but excluding bond millages, shall share on a pro rata basis with all other tax recipient bodies in the parish.

(5) In the parish of Webster, after full reimbursement of all taxes authorized prior to January 1, 1978, to all other tax recipient bodies in the parish and the assessor’s original millage, the following new millages shall be reimbursed to the extent available:

Doyline School District No. 7--33.32 mills/August 1, 1979
Consolidated School District No. 3--10.51 mills/June 1, 1978
Minden School District No. 6--32.9 mills/May 1, 1980
Parish Library--12 mills/November 2004

(6) In the parish of Vernon, all taxes authorized after January 1, 1978, including the additional 7 mills authorized on April 4, 1981, for the law enforcement district, but excluding the sheriff’s original millage, shall share on a pro rata basis with all other tax recipient bodies in the parish.

(7) In the parish of East Baton Rouge, the B.R.E.C. Maintenance and Operation and Capital Improvement millages shall be limited to a total of 5.44 mills.

(8) In the parish of Lafourche, the total parish allocation, excluding the tax collector’s commission and the retirement systems’ deductions shall form a special fund to be distributed as follows:

Parish Council - 57.40%
School Board - 27.25%
South Lafourche Levee District - 2.95%
Port Commission - 2.06%
Assessor - 3.32%
Bayou Lafourche Fresh Water District - 2.82%
North Lafourche Levee District - 4.20%

Provided, however, that of the funds distributed to the Bayou Lafourche Fresh Water District in any state fiscal year, no less than Ten Thousand (\$10,000) Dollars shall be used for the abatement of water hyacinth and other noxious vegetation within the jurisdiction of the district in Lafourche Parish.

(a) Of the amount distributed to the parish the following allocations shall be made:

Bayou Blue Fire District - 0.42%
Drainage District No. 1 - 0.90%
Drainage District No. 5 - 0.65%
Fire District No. 1 - 0.57%
Fire District No. 2 - 0.59%
Fire District No. 3 - 1.30%

Fire District No. 9 - 0.42%
Lafourche Ambulance District No. 1 - .61%
Recreation District No. 2 - 2.81%
Water District No. 1 - 3.02%
Health Unit - 3.04%
Recreation Commission - 5.05%
Recreation District No. 1 - 0.96%
Recreation District No. 8 - 0.61%
Drainage - 10.14%
Road Lighting - 4.24%
Public Buildings - 6.19%
Library - 6.24%
Criminal - 0.24%
Road District #1 - 5.46%
Drainage 1 of 12 - 0.20%
Drainage 2 of 12 - 0.11%
Drainage 3 of 12 - 0.14%
Juvenile Justice - 1.47%

(b) The amount distributed to the school board shall be allocated as follows:

Schools - 24.31%
Special Education - 2.94%

(9) In the parish of Calcasieu, the total parish allocation, excluding the tax collector’s commission and the retirement systems’ deductions, shall form a special fund to be distributed as follows:

Police Jury--48.5%
School Board--29.4%
Sheriff--11.9%
Police Jury--5.0% to be distributed to the district attorney
Lake Charles Harbor and Terminal District--2.8%
Assessor--2.3%
Vinton Harbor and Terminal District--0.1%.

(10) In the parish of Iberville, the library’s 1996 millage shall be limited to 2.9 mills.

(11) In the parish of St. Bernard, the assessor’s millage shall be limited to 1.47 mills.

(12) In the parish of Livingston, the library’s 1995 millage shall be limited to 3.48 mills, the assessor’s millage shall be limited to 2.56 mills, and the Juvenile Detention Center’s 1995 millage shall be limited to .44 mills, the #2 Fire District’s millage shall be limited to .81 mills, the #8 Fire District’s millage shall be limited to 1.91 mills, and the #9 Fire District’s millage shall be limited to 1.96 mills.

(13) In the parish of Assumption, the total parish allocation, excluding the tax collector’s commission and the retirement systems’ deductions, shall form a special fund to be distributed as follows:

Law Enforcement District - 30.77%
Police Jury - 30.25%
School Board - 28.72%
Assessment District - 10.26%

(14) The following new millages shall share on a pro rata basis with all other tax recipient bodies in their respective parishes:

Acadia
Bayou des Cannes-Nepique Gravity Drainage District--10 mills/1996
5th Ward Gravity Drainage District--5 mills/April, 1980
Iota-Long Point Gravity Drainage--0.40 mills/October 27, 1979
Bayou Mallett Gravity Drainage--0.73 mills/April 5, 1980
6th Ward and Crowley Dist. Maint.--1.29 mills/Dec. 8, 1979
Basile School District #7 Maintenance--3.32 mills/May 19, 1979
Acadia-St. Landry Hospital District--7 mills/November 2, 1982
Bayou Plaquemine-Wikoff Drainage--5 mills/Jan. 21, 1984
Library--4.25 mills/Jan. 19, 1985
Road Maintenance--3 mills/Nov. 28, 1981
Health Unit Mt.--1.06 mills/Nov. 28, 1981
Fire District #4 Maintenance – 8 mills/January 16, 1999
Assessor’s original millage
Fire District #6 Maintenance--8.01 mills/June 15, 2000

Allen
Law Enforcement District (Additional)--6.47 mills/April 11, 1992
Assessor--5.23 mills/1990
Road Dist. #1--4.86 mills/1992
Road Dist. #1--20.69 mills/1995
Road Dist. #1A--8 mills/1995
Road District No. 2 Maintenance--7 mills/October 6, 1990
Road District No. 2 Maintenance--10 mills/July 18, 1992
Road District No. 2 Bridge Maint.--5 mills/July 18, 1992
Road District No. 3 Maintenance--8.18 mills/March 10, 1992
Road District No. 3 Maintenance--10 mills/January 20, 1990
Road Dist. #3--30 mills/1995
Road Dist. #4--21.12 mills/1995
Road District No. 4 Maintenance--30 mills/March 10, 1992
Library -- 10.76 mills/October 2002
Courthouse and Jail--4 mills/November 6, 2012
Road District 5--5.30 mills/November 6, 2012

Ascension
Law Enforcement District (Additional)--5 mills/Nov. 4, 1980
Library Maintenance/Library--5.6 mills
East Asc. Gravity Drainage Dist.--5 mills/January 20, 1979

West Asc. Gravity Drainage Dist.--5 mills/November 4, 1980	Rural Fire District Maintenance--2 mills
West Ascension Gravity Drainage Dist.-- 4.67 mills/2000	Courthouse Maintenance--2 mills
Mental Health -- 2 mills/2000	Road Maintenance and Construction--0.75 mills/March 26, 1983
Road Lighting District No. 1--5 mills/ January 16, 1993	Drainage Maintenance and Construct.--0.75 mills/March 26, 1983
Road Lighting District No. 2--5 mills/ January 16, 1993	East Carroll Hospital Service Dist.--5 mills/May 5, 1984
Road Lighting District No. 3--5 mills/ January 16, 1993	Assessor's original millage
Road Lighting District No. 4--5 mills/ January 16, 1993	East Feliciana
Road Lighting District No. 5--5 mills/ January 16, 1993	Assessment District, 1997
Road Lighting District No. 6--5 mills/ January 16, 1993	Evangeline
Road Lighting District No. 7--5 mills/ September 27, 1986	Consolidated School Dist. #2--9.47 mills/May 19, 1979
Prairieville Fire District #3--11 mills/ July 16, 2005	Basile New School Dist. #7--3.32 mills/May 19, 1979
Prairieville Fire District #3--10 mills/April 2, 2011	Elderly Services--1 mill/Nov. 4, 1980
Assessor's original millage	Ward 5 Fire Protection District--11.17 mills
Avozelles	Pine Prairie Fire Protection District--8.95 mills/Nov. 3, 1992
All millages listed on the tax roll, except the sheriff's original millage, shall share on a pro rata basis.	Acadia-Evangeline Fire Protection District--0.97 mills
Beauregard	Mamou Fire Protection District No. 1--8.0 mills/April, 1995
Law Enforcement District--5 mills/April 5, 1980	Fire District No. 2 -- 5 mills/1999
Assessor's original millage	District Two Cemetery--1.07 mills
Bienville	District Three Cemetery--1.07 mills
Solid Waste--6 mills/April 7, 1984	District Seven Cemetery--1.01 mills
Assessor's 1997 millage	Road District Two--10.00 mills (Additional)
Caddo	Road District No. 5--10 mills/1997
Fire Protection District No. 1--5 mills/July 16, 1983	Ward One Cemetery--1 mill/1997
Juvenile Court--0.12 mills/January 16, 1982	Ward Four Cemetery--1 mill/1997
Jail Facilities--4.00 mills/April 5, 1980	Ward Five Cemetery--1 mill/1997
Courthouse Maintenance--3.00 mills/January 16, 1982	Road District Three--.48 mills/1987 and 5.0 mills/1996
Law Enforcement District (Cont. Ser.)--4.00 mills/April 30, 1983	Road District Four--10.00 mills (Additional)
Library--4.90 mills/April, 1988	Mamou Gravity Drainage District No. 5--1.56 mills
Library--5.26 mills/April 1996	Prairie Mamou Gravity Drainage District No. 8--3.42 mills
Fire Dist. No. 2--10 mills/April 7, 1984	Durald Gravity Drainage District No. 4
Fire Dist. No. 3--10 mills/Sept. 29, 1984	Vidrine Gravity Drainage District No. 7
Fire Dist. No. 4--10 mills/Nov. 6, 1984	Assessor's original millage
Fire Dist. No. 5--10 mills/Nov. 6, 1984	Lone Pine Fire District--20 mills/November 21, 2012
Fire Dist. No. 6--10 mills/Jan. 19, 1985	Franklin
Fire Dist. No. 7--10 mills	Law Enforcement District--10 mills/July 10, 1982
Fire Dist. No. 8--4 mills/1999	Assessor's original millage
Fire Dist. No. 9--10 mills/Nov. 18, 1989	Library--7 mills/1990
Fire Dist. No. 1--10 mills/1989	Health Unit--3.0 mills/November 6, 1990
School Board Operations--11 mills/May 4, 1985	Parish Equipment--8.0 mills/October 16, 1993
Public Works--6 mills/November 4, 1986	Drainage Maintenance--11 mills/October 16, 1993
Public Facilities--0.92 mills	Courthouse Maintenance--4 mills/October 16, 1993
Jail--2 mills	Iberia
Assessor's original millage	Recreation District No. 8--1.85 mills/November 13, 1993
Parish Health Unit--1 mill/1990	Assessment District
Caddo Detention Center--3 mills/1990	Iberville
Law Enforcement District--3 mills/November 6, 1990	Law Enforcement District (Additional)--5 mills/December 8, 1979
Law Enforcement District--3.0 mills/October 16, 1993	Assessor's original millage
BioMedical--2 mills/1993	Jackson
Criminal Justice System--1.82 mills/October 20, 2001	Additional Support to Public Sch.--7.07 mills/July 28, 1979
Caldwell	Law Enforcement District--8 mills/May 16, 1981
Assessor's original millage	Library--All millages
Recreation Maintenance--November 1995	Assessment district
Road Maintenance--May 1990	Jefferson
Cameron	West Jefferson Levee District--All millages
Law Enforcement District (Add.)--8 mills/April 7, 1990	Consolidated Waterworks District No. 1--3.54 mills/October 19, 2013
Assessor's original millage	Consolidated Sewerage District No. 1--3.58 mills/October 19, 2013
Catahoula	Lafayette
All millages listed on the tax roll, except the sheriff's original millage, shall share on a pro rata basis.	Lafayette Parish Public Library--1.09 mills/May, 1979
Claiborne	School Board--10 mills/May 4, 1985
Assessment District	Lafayette Parish Sheriff--5.0 mills/May, 1980
School District #13--12 mills/November 2, 1982	Assessor's original millage
Law Enforcement District--6.25 mills/July 21, 1990	Bayou Vermilion District--All maintenance taxes prior to 1990
School Board Maintenance--2 mills/April 5, 1986	LaSalle
School Board Operations--5 mills/April 5, 1986	Law Enforcement District (Additional)--8.2 mills
Police Jury Building--2 mills/March 30, 1985	Library--November 1995
Road, Street & Bridge Maintenance--1993	Road District 2B--3.09 mills/April 16, 1988
Road Equipment--1993	Road District 2BN--1.03 mills/April 16, 1988
Concordia	Ambulance Tax--0.65 mills
School Operation & Maintenance--23.25 mills/September, 1982	Road and Bridge--0.66 mills
Library--All millages	Health Unit--0.23 mills
Assessor's original millage	Fair Tax--0.09 mills
Law Enforcement District--12 mills/April 11, 1992	Special B & C 1A--0.19 mills
Highway, Drainage and Courthouse Maintenance--10 mills/October 16, 1993	Sewer Maintenance--6.04 mills
East Baton Rouge	Fire District--5.32 mills
Fire Protection #6 (Hooper Rd.) --10 mills/November 6, 1984	Little Creek-Searcy Volunteer Fire District -- 20 mills
Fire Protection #3 (Brownsfield) --10 mills/November 6, 1984	Summerville-Rosefield Volunteer Fire District -- 20 mills
Fire Protection #4 (Central) -- 10 mills/October 8, 1985	Eden-Fellowship Volunteer Fire District -- 9.79 mills
Zachary Constitutional School -- 5 mills/November 15, 2003	Whitehall Volunteer Fire District -- Operations -- 10 mills
Baker Constitutional School -- 5 mills/November 15, 2003	Whitehall Volunteer Fire District -- Maintenance -- 10 mills
East Carroll	Recreation District #22--1.05 mills
Garbage District No. 1--7 mills/November 4, 1980	Assessor's original millage
Parish Library--6.5 mills/May 22, 1989	Lincoln
Parish Health Unit--3 mills	Library Const./Mt.--0.75 Mills/January 21, 1978
	Law Enforcement District (Additional)--8.5 mills/July 22,1992
	School-Special Maint. & Oper.--0.15 mills/May 18, 1979
	School-Special Repair & Equip.--0.15 mills/May 18, 1979

Library--0.71 mills/January 15, 1983
Assessor's original millage

Livingston
Law Enforcement District (Special)--12.19 mills/1976
Recreation District #3--2 mills/May 19, 1979
School District No. 5--5 mills/November 2, 1982
Fire District No. 1--10.04 mills/1986
Fire District No. 5--10 mills/Nov. 6, 1984
Fire District No. 7 -- 5 mills/1999
Fire District No. 10--10.33 mills/1985
Fire District No. 11--All millages
Roads & Bridges--5 mills/November 3, 1992

Madison
Assessor's original millage

Morehouse
Bastrop Area Fire Pro. Dist. No. 2--2 mills/Nov. 7, 1978
Assessor's original millage
Library--1 mill/ Jan. 20, 1990

Natchitoches
Law Enforcement District (Additional)--10 mills/May 16, 1981
Fire District No. 6--7 mills
Parish Ambulance Tax
Fire District No. 7--10 mills
Goldonna Area Fire Protection Dist. No. 2
Library--3 mills/1988
Assessor's original millage

City of New Orleans
Board of Assessors' original millage

Ouachita
Law Enforcement District (Add.)--7.85 mills/Oct. 17, 1981
Ouachita Parish Road Lighting District No. 1 (Lakeshore Area)
Ouachita Parish Assessment District
Green Oaks Juvenile Detention Home -- 3.75 mills/1996
Library -- 7.75 mills/1995

Plaquemines
School Board Tax--6 (4 Maint./2 Sal.) mills/November 19, 1983
Law Enforcement District (Additional)--5 mills/May 4, 1985
Water--2.47 mills in 1992
Library--1.24 mills in 1992
Pollution Control--2.47 mills in 1992
Road Maintenance--1.86 mills in 1992
Public Health--1.24 mills in 1992
Waste Disposal--3.69 mills in 1992
Incineration--1.24 mills in 1992
Hospital--2.54 mills in 1992
Law Enforcement Jail Fac. Prop. I--6 mills/October 3, 1992
Assessor's original millage

Pointe Coupee
Law Enforcement District (Additional)--10 mills/April 4, 1981
School Board--5.83 mills/April 4, 1981
Library--1.22 mills/April 4, 1981
Fire Protection Dist. #1--All maint. millages prior to 1991
Fire Protection District #2--3 mills/October 17, 1981
Fire Protection District #3--3 mills/October 17, 1981
Fire Protection District #4--3 mills/October 17, 1981
Fire Protection District #5--5 mills/October 17, 1981
Sewerage Dist. No. 1 Mt.--5 mills/July 9, 1977 (levied 1980)
Assessor's original millage

Rapides
Rapides Parish School Board--20 mills/April 1, 1978
Rapides Parish School Board--15.20 mills/May 13, 1978
Gravity Drainage District #1 Main.--1 mill/October 17, 1981
Road District 1A (Ward 4)
Road District 2C
Road District 3A
Road District 5A
Road District 6A (Ward 6)
Road District 7A (Ward 7)
Road District 36 (Ward 8)
Road District 9B (Ward 9)
Road District 10A (Ward 10)
Road District 2B (Ward 11)
Fire District #8 (Maint.)--20 mills/April 30,1983
School District No. 11 (Ward 10)--2 mills/May 7, 1980
School District No. 50 (Ward 11)--2 mills/September 11, 1982
School Dist. No. 51 (Ward 5)--All maint. millages prior to 1990
Consolidated School Dist. No. 62--4.02 mills/April 4, 1987
Consolidated School Dist. No. 62--4.00 mills/April 16, 1988
Fire District No. 5--20 mills/Nov. 4, 1986
Fire District No. 3--12 mills/Oct. 19, 1985
Fire District No. 7--6 mills/May 3, 1986
Fire District No. 9
Fire District No. 10--20 mills/Nov. 4, 1986
Fire District No. 11
Fire District No. 12
Assessor's original millage

Plainview Fire District No. 10--10 mills/1990
Fire District #4
Fire District #7
Senior Citizens
Buckeye Recreational District
Flatwoods Fire District
Law Enforcement District (Additional)--Nov. 6, 1984
Fire District No. 6--20 mills
Library--6.0 mills/January 15, 1994
Library--1.00 mill/September 30, 2006
Recreational District Ward 9--6.14 mills/November 17, 2001
Red River
Law Enforcement District (Additional)--5 mills/April 5, 1980

St. Bernard
St. Bernard Port, Harbor and Terminal District--All millages
Library--All millages

St. Charles
Law Enforcement District (Add.)--7.75 mills/Nov. 4, 1980
Library--3 mills/September 27, 1986
Law Enforcement District --3.75 mills/July 16, 2005
Assessor's original millage

St. Helena
Parishwide Road District Maintenance
Road District #1 Maintenance
Sub-Road District #2 of Road District #2 Maintenance
Road District #3 Maintenance
Road District #4 Maintenance
Road District #5 Maintenance
Road District #6 Maintenance
Parish Library
Fire Protection District #5 Maintenance
Law Enforcement District--10 mills/May 3, 1986
Assessor's original millage
Sub-Road District #1 of Road District #2
Fire Protection District #2
Fire Protection District #3
Florida Parishes Juvenile Detention Center--3 mills/1995

St. James
St. James Hospital Board--4.31 mills/May 18, 1979
Gramercy Recreation District--5 mills/May 18, 1979
Law Enforcement District--6.00 mills/July 16, 1988
Assessment District, 1985

St. John
Law Enforcement District (Additional)--15.18 mills/May 17, 1980
Assessor's original millage

St. Landry
Gravity Drainage District No. 1 of Ward 2
Fire District #3
Fire District #2
Fire District No. 5
St. Landry Parish School Board--12 mills/May 3, 1986
Jail Maintenance Tax--1 mill/April 30, 2011
Fire District No. 6
Acadia-St. Landry Hospital District--7 mills/November 2, 1982
Road District #11A, Sub-1--10.00 mills/1993
Road District #11-A, Sub-2 Maintenance--5 mills/April 30, 1983
Road District #3, Ward 1, Sub-1 Main.--10 mills/Jan. 21, 1984
Road District #12, Ward 2--2.65 mills/January 1, 1979
Road District #1, Ward 3
Road District #4--10 mills/July 21, 2001
Road District #5--15 mills/1993
Road District #6--15 mills/ May 4, 2002
Assessor's original millage
South St. Landry Comm. Library Dist.--5.75 mills/Nov. 16, 1991
Fire District #1

St. Martin
Assessor's original millage

St. Mary
Wax Lake East Drainage District
Sub Gravity Drainage District of Wax Lake East
Assessor--2.9 mills/1982
Hospital Service District No. 1--7.88 mills/1999
Hospital Service District No. 1--6 mills/1999
Hospital Service District No. 1--3.47 mills/2003

St. Tammany
All millages listed on the tax roll, and in particular the parish library millages authorized on April 5, 1980, and May 5, 1984, with the exception of the sheriff's original millage, shall share on a pro rata basis.

Tangipahoa
Road Lighting District No. 2--5 mills/July 21, 1990
Library--60 mills/1984
Library Maint.--2.60 mills/May 4, 1985
Garbage District # 1 Maint.--10 mills/March 26, 1983
Road District # 7 Maint.--5 mills/Sept. 11, 1982
Fire Dist. #1--2.10 mills/1978
Fire Protection District No. 1--7 mills/1998

Fire Dist. #1--5.65 mills/1996
Fire Protection District # 2--10 mills/May 5, 1984 (2 taxes)
Fire Dist. #2--10 mills/1996
Law Enforcement District (Additional)--10 mills
Drainage District #4 Maint.--3 mills/April 30, 1983
Assessor's original millage
Gravity Drainage District No. 5--5 mills/April 7, 1990
Florida Parishes Juvenile Detention Center--3 mills/1995
Pontchatoula Recreation Dist.--10 mills/1996
Independence Recreation Dist.--15 mills/1996
Hammond Alternate School -- 3 mills/1996
Hammond Recreation District No. 1 – 10 Mills/November 10, 2010
Tensas
Gravity Drainage Dist. No. 2--3 mills/October 3, 1992
Medical Services--12 mills/February 28, 1987
Assessor's additional millage--1988
Terrebonne
All millages listed on the tax roll, except the sheriff's original millage, shall share a pro rata basis.
Vermilion
Subroad Dist. No. 5 of Road Dist. No. 2--5 mills/1979
Road District No. 3--5 mills/1979
Subroad Dist. No. 2 of Road Dist. No. 2--5 mills/1979
Library -- 1.12 mills/1994
Washington
Washington Schools Spec. Main./Op.--0.90 mills/1984
School District #2 Maintenance--0.98 mills/1981
School District #2 Support--0.98 mills/1981
Bogalusa City Schools Main./Op.--23 mills/1989
Library--4.57 mills/1987
Angie School--5 mills/1990
Assessor's millage
Rich. FD #2 -- 8 mills/1998
Bonner Creek Fire Dist.--8.46 mills/1987
Bonner Creek Fire Dist.--5 mills/1996
Spring Hill Fire Dist. #8--5.73 mills/1995
Spring Hill Fire District #8 -- 6 mills/1998
Mt. Herman Fire Dist. #9--16 mills/1995
Pine Fire Dist. #4--10 mills/1995
Angie Fire Dist. #5--10 mills/1992
Varnado Fire Dist. #6--10 mills/1992
Fire Dist. #7--5 mills/1996
Fire Dist. #7--12.27 mills/1992
Hayes Creek Fire District #3--17 mills/1999
Florida Parishes Juvenile Detention Center--3 mills/1995
West Baton Rouge
Law Enforcement District (Additional)--5 mills/1980
Assessment District of West Baton Rouge Parish--1.35 mills/1985
West Carroll
Ward 1 Road Maintenance--5.45 mills
Ward 2 Road Maintenance--4.59 mills
Ward 2 Special Tax--Road District #2--2.75 mills
Ward 3 Road Maintenance--4.96 mills
Ward 3 Special Tax--Road Dist. #3--2.98 mills
Ward 4 Road Maintenance--Road Dist. No. 4-4--4.20 mills
Ward 4 Road Maintenance--Road Dist. No. 4-6--5.28 mills
Ward 4 Special Tax--Road Dist. #4-4--2.52 mills
Ward 4 Special Tax--Road Dist. #4-6--3.17 mills
Ward 5 Road Maintenance--4.78 mills
Ward 5 Special Tax--Road Dist. No. 5--2.87 mills
Public Health Unit Maintenance--1.5 mills/ 1980
Roads & Bridges--8 mills/March 30, 1985
School Parishwide Maintenance--10 mills/ 1990
Assessment District
West Feliciana
Law Enforcement District (Additional)--6 mills/1986
Assessor's original millage
Winn
Law Enforcement District (Additional)--8 mills/1981
Assessor's original millage
Library -- 1979 millage
Library -- 3 mills/1999

C.(1) If the amount distributed to the tax collector and the city of New Orleans is less than the amount required to reimburse tax losses on the basis of the tax rolls of the current calendar year as provided in Subsection A of this Section, the tax collector and the city of New Orleans shall prorate such lesser amount among the various tax recipient bodies within the parish so that the lesser amount received by each tax recipient body shall be proportionate to the reduction in the total amount distributed to each parish, and the amount distributed by the state treasurer to the city treasurer of the city of Monroe shall be based upon similar prorating, if necessary; however, in the parish of St. Bernard, the Lake Borgne Levee District shall receive a minimum of \$163,000 and the St. Bernard Port, Harbor and Terminal District shall receive a minimum of \$125,000 and, in Allen Parish the Special Law Enforcement District shall receive a minimum of \$58,000 and the Assessor shall receive a minimum of \$36,500.

(2) No bond millages levied to service bonds under the authority of Louisiana Constitution Article VI, Section 33(B) or Article XIV, Section 14 of the Louisiana Constitution of 1921 or any other constitutional or statutory authority for the issuance of general obligation bonds shall share in the proceeds of this Act and the governing authority of the issuing political subdivision shall levy and collect or cause to be levied and collected on all taxable property in the political subdivision ad valorem taxes sufficient to pay principal and interest and redemption premiums, if any, on such bonds as they mature; the only exceptions to this prohibition shall be specifically included in this Subsection. In the parish of Natchitoches, bond millages shall share and any tax recipient body in said parish otherwise eligible to participate in the revenue sharing fund may use the funds for the retirement of the principal, interest, or premium, if any, or any combination thereof, of any outstanding bonded indebtedness of such tax recipient body. In the parish of Livingston the millage authorized in 1975 for the parish health unit shall share as an operation and maintenance millage. In the parish of Avoyelles, the Ward 7 School District Construction Tax and the Ward 10 School District Construction Tax shall each share as an operation and maintenance millage. In the parish of DeSoto, the 150 mills authorized for School District #2 shall share as an operation and maintenance millage. In the parish of East Baton Rouge, the BREC Capital Improvement Tax shall share as an operation and maintenance millage. Bond millages may share in the parish of Sabine; however, if there are no excess funds those millages levied for operation and maintenance of those taxing districts eligible for reimbursement shall have priority for reimbursement to the extent that funds are available. In the parish of Bossier, bond millages and operation and maintenance millages shall share on a pro rata basis and the school bonds listed in Section 9(B)(3) shall share as provided therein.

(3) In the parish of St. Tammany, the parish governing authority shall make available out of its allocated funds a sufficient amount for the operation and maintenance of the food stamp offices and the service office for veterans established under R.S. 29:261. In the parish of St. Tammany, the parish governing authority shall make available out of its allocated funds five thousand dollars for the St. Tammany Humane Society. In the event of any decrease in the state's appropriated portion of the salaries of the St. Tammany Parish Registrar of Voters Office, the parish governing authority shall make available out of its allocated funds a sufficient amount to replace such state funds, not to exceed \$15,537.58. Of the funds allocated within the parish of St. Charles, thirty thousand dollars shall be distributed to the St. Charles Department of Community Services to be used for the operation of an outreach program at the St. Rose Community Center. Of the funds allocated within the parish of Acadia, \$180,000 shall be distributed to the law enforcement district.

Section 10. In the event the distribution to the tax collector in each parish and to the city of New Orleans is more than the amount necessary to satisfy the requirements of Sections 6 and 7 of this Act and to reimburse all tax recipient bodies as set forth in Section 9 of this Act, then the city of New Orleans and the tax collector in each parish, within fifteen days after receipt thereof, shall distribute such remaining excess amount as follows, except as otherwise provided in Subsection D of this Section:

A. The portion of the excess equal to the ratio that the parish public school population bears to the total population of the parish shall be allocated and distributed to the respective city and parish school boards in the parish proportionate to the public school population of each.

B. The next portion of the excess remaining after allocation and distribution to the school boards, equal to the ratio that the total population of all incorporated areas in the parish bears to the total parish population, shall be allocated and distributed to the respective incorporated municipalities of the parish proportionate to the respective population of each.

C. The remaining portion of such excess, if any, after allocation and distribution to the school boards and incorporated areas of a parish, shall be allocated and distributed to the parish governing authority.

D. For purposes of this Subsection only, "tax recipient bodies" shall mean and include any recipient of excess funds hereunder. In the following parishes the tax collector thereof, or in Orleans Parish, the city of New Orleans, within fifteen days after receipt thereof, shall distribute such excess amount as follows:

(1) In the parish of Plaquemines, one hundred percent thereof to the parish governing authority.

(2) In the parishes of Cameron, St. Charles, and St. John the Baptist, seventy-five percent thereof to the parish governing authority, and twenty-five percent thereof to the parish school board.

(3) In the city of New Orleans, seventy percent thereof to the city of New Orleans and thirty percent thereof to the Orleans Parish School Board.

(4) In the parish of Jefferson, sixty percent thereof to the parish governing authority, twenty-five percent thereof to the parish school board, and fifteen percent thereof to the incorporated municipalities in the parish, to be distributed to such incorporated municipalities pro rata on a population basis. However, no less than twenty-five percent of the funds distributed to the parish governing authority in this Paragraph shall be utilized for existing drainage projects and for providing for additional pumps for those projects and excluding normal labor operating costs and other normal operational costs; such funds may also be used to repair parish property damaged by storms.

(5) In the parishes of Acadia, Bienville, East Feliciana, Franklin, Jackson, St. Helena, St. James, Vernon, Washington, and West Feliciana, fifty percent

thereof to the parish governing authority, twenty-five percent thereof to the parish school board except that in the parish of Washington, which has a dual parish and city school administration, the twenty-five percent to the school boards shall be prorated between the parish and city school systems on the basis of public school population, and twenty-five percent thereof to the incorporated municipalities in the parish, to be distributed to such incorporated municipalities pro rata on a population basis, except that in the parish of West Feliciana the initial fifteen thousand dollars of such excess shall be retained by the sheriff and the twenty-five percent for incorporated municipalities shall be distributed to the town of St. Francisville. In the parish of East Feliciana, the initial twenty-five thousand dollars of such excess shall be retained by the sheriff.

(6) In the parish of Jefferson Davis, the portion of the excess equal to the ratio that the public school population of the parish bears to the total population of the parish shall be allocated and paid to the Jefferson Davis Parish School Board, ten thousand dollars shall be allocated and paid to the Assessor for Jefferson Davis Parish, and of the remainder of the excess, fifty percent thereof to the parish governing authority and fifty percent thereof to the incorporated municipalities in the parish, two thousand one hundred dollars to be distributed to each incorporated municipality and the balance thereof to be distributed to such incorporated municipalities pro rata on a population basis.

(7) In the parish of St. Landry, thirty thousand dollars to the parish school board for the operation of two food processing plants and the remainder as follows: twenty-five percent to the sheriff for the operation and maintenance of his office; twenty-five percent to the parish school board for use by the school board; twenty-five percent to the municipalities of the parish, out of which five hundred dollars shall first be given to each municipality and the balance shall be distributed to the municipalities on the basis of the formula applying to the distribution of the tobacco tax; and twenty-five percent to the parish governing authority.

(8) In the parishes of Catahoula and Concordia, forty-four percent thereof to the parish governing authority, thirty-three percent thereof to the parish school board, and twenty-three percent thereof to the incorporated municipalities in the parish, to be distributed to such incorporated municipalities pro rata on a population basis; prior to the distribution of any excess funds in Concordia Parish, the parish libraries therein shall be reimbursed an amount equal to any increase in the sheriff's commission deducted from library taxes over and above the percentage authorized to be deducted in the 1975 calendar year; and the balance of the excess shall be distributed as provided in this Paragraph. However, in the parish of Catahoula, the tax collector shall retain the sum of seventeen thousand dollars of the excess, in addition to the commission provided in Section 6 of this Act, and the balance of the excess shall be distributed as provided in this Paragraph; and further, in the parish of Concordia, the tax collector shall retain the sum of thirty-five thousand dollars of the excess, in addition to the commission provided in Section 6 of this Act, and the balance of the excess shall be distributed as provided in this Paragraph.

(9) In the parishes of Sabine and Tangipahoa, forty percent thereof to the parish governing authority, thirty percent thereof to the parish school board, and thirty percent thereof to the incorporated municipalities in the parish, to be distributed to such incorporated municipalities pro rata on a population basis.

(10) In the parishes of Tensas and Winn, thirty-five percent thereof to the parish governing authority, thirty-five percent thereof to the parish school board, and thirty percent thereof to the incorporated municipalities in the parish, to be distributed to such incorporated municipalities pro rata on a population basis.

(11) In the parishes of Allen, Avoyelles, Bossier, Claiborne, DeSoto, East Carroll, Evangeline, Iberia, Lafayette, Lincoln, Madison, Rapides, Richland, St. Martin, St. Mary, Union, Webster, and West Carroll, thirty-three and one-third percent thereof to the parish governing authority, thirty-three and one-third percent thereof to the parish school board, and thirty-three and one-third percent thereof to the incorporated municipalities in the parish, to be distributed to such incorporated municipalities pro rata on a population basis. Further, in the parish of Evangeline the additional excess funds received by the school board as a result of the change in percentages from those provided in Act 719 of the 1975 Regular Session of the Louisiana Legislature shall be used solely for the purpose of restoring the salaries or benefits to those school board employees to the same level or amount as were paid prior to the recent reductions or decreases in such salaries or benefits; however, if the excess funds are insufficient to restore the salaries or benefits to their former level or amount, then the excess funds shall be distributed on a pro rata basis. In the parish of Lafayette, the initial distribution shall be sixty thousand dollars to the Lafayette Association for Retarded Citizens, Incorporated, for operating expenses, one hundred seventy thousand dollars to the Lafayette Parish Sheriff, and the balance of the excess shall be distributed as provided above in this Paragraph. In the parish of Union, the initial distribution shall be six thousand dollars to the Spencer-West Sterlington Fire Protection District, Incorporated, for operating expenses; thereafter, the sheriff and ex officio tax collector shall retain the sum of

fifty thousand dollars of the excess, in addition to the commission provided in Section 6 of this Act, and the balance of the excess shall be distributed as provided above in this Paragraph. In the parish of St. Mary, the parish governing authority shall make available out of its allocated excess funds a sufficient amount to the parish registrar of voters to pay the expenses of voter

canvass required by law. In the parish of East Carroll the tax collector shall retain the sum of fifteen thousand dollars of the excess, in addition to the commission provided in Section 6 of this Act, and the balance of the excess shall be distributed as provided above in this Paragraph. In the parish of Claiborne the tax collector may retain up to an aggregate of ten percent of the excess as agreed to by resolution passed by the parish governing authority before receiving its part designated in this Paragraph, by resolution passed by the parish school board before receiving its part as designated in this Paragraph, and a resolution from each municipality in said parish; each of the above bodies in Claiborne Parish may provide the same or a different percentage for the sheriff but not to exceed ten percent of its share. In the parish of Webster the tax collector may retain up to an aggregate of ten percent of the excess to be received by the cities of Minden and Springhill and upon passage of resolutions authorizing same by respective governing authorities may retain amounts fixed in the resolution not to exceed ten percent of excess received by the police jury of Webster Parish and each of the other incorporated municipalities in Webster Parish.

(12) In the parishes of Iberville, Pointe Coupee, and West Baton Rouge, thirty-three and one-third percent thereof to the parish governing authority, thirty-three and one-third percent thereof to the parish school board, and thirty-three and one-third percent thereof of such excess amount to the incorporated municipalities in the parish, in the same amounts of funds as were distributed to each in 1972 under the provisions of Act 4 of the 1972 Extraordinary Session except:

(a) If the amount of excess funds is insufficient to supply the amounts distributed in 1972 to each incorporated municipality in the parish, the amount to be allocated and distributed to each incorporated municipality shall be reduced by the ratio that the amount of excess funds distributed to it in 1972 under Act 4 of the 1972 Extraordinary Session bore to the total amount of excess funds then so distributed to all of the incorporated municipalities in the parish; or

(b) If the amount of such excess funds exceeds the amount necessary to supply the same amounts of excess funds distributed in 1972 to each incorporated municipality in the parish, the excess over the amounts distributed in 1972 shall be allocated and distributed to each incorporated municipality in the parish in the ratio that the population in each bears to the total population of all of the incorporated municipalities in the parish.

However, in the parish of Pointe Coupee, the sheriff shall retain the sum of ten thousand dollars of such excess amount, in addition to the commission provided in Section 6 of this Act, to be used for the operation and maintenance of his department, and the balance of the excess shall be distributed as provided above in this Paragraph.

(13) In the parish of Ouachita, the funds shall be distributed as follows: thirty-three percent thereof to the parish governing authority, thirty percent thereof to the city and parish school boards to be prorated between the city and parish school boards on the basis of public school population, and thirty-seven percent thereof to the incorporated municipalities in the parish, to be distributed to such incorporated municipalities pro rata on a population basis.

(14) In the parish of Caddo, twenty-five percent thereof to the parish governing authority, thirty-five percent thereof to the parish school board, and forty percent thereof to the incorporated municipalities in the parish, to be distributed to such incorporated municipalities pro rata on a population basis.

(15) In the parish of East Baton Rouge, such excess amount shall be distributed to the East Baton Rouge Parish School Board, the East Baton Rouge City-Parish Government, the town of Zachary, the city of Baker and the East Baton Rouge Parish Recreation Commission in proportion to the ad valorem taxes collected by or reimbursed to each and sales taxes collected by each in the twelve-month period ending June 30, 1974, and every subsequent twelve-month period. However, twenty thousand dollars of such excess funds shall be dedicated to each of the following volunteer fire departments: Pride, Sharon Hills, Central, Brownsfield and East Side.

(16) In the parish of Calcasieu, thirty-three and one-third percent thereof to the parish governing authority, thirty-three and one-third percent thereof to the parish school board, and thirty-three and one-third percent thereof to the incorporated municipalities in the parish, two thousand one hundred dollars to be distributed to each incorporated municipality and the balance thereof to be distributed to such incorporated municipalities pro rata on a population basis.

(17) In the parish of Beauregard, forty percent thereof to the parish governing authority, thirty-five percent thereof to the parish school board, and twenty-five percent thereof to the incorporated municipalities in the parish, to be distributed to such incorporated municipalities pro rata on a population basis.

(18) In the parish of Morehouse, one-third thereof to the parish school board, one-third thereof to the parish governing authority, and one-third thereof to the incorporated municipalities in the parish, to be distributed to such incorporated municipalities pro rata on a population basis.

(19) In the parish of Grant, fifty percent thereof to the sheriff and fifty percent thereof to the parish governing authority.

(20) In the parish of Lafourche, one hundred percent thereof to the parish governing authority, the first two hundred thousand dollars of which shall be used for existing parish roads.

(21) In the parishes of Caldwell and LaSalle, one-third thereof to the parish governing authority, one-third thereof to the parish school board, and one-

third thereof to the incorporated municipalities in the parish, to be distributed to such incorporated municipalities pro rata on a population basis. Prior to the distribution of any excess funds in LaSalle Parish, one thousand dollars shall be disbursed to the Hardtner Medical Center, a publicly owned hospital, to be donated to the Medical Scholarship Fund, and five thousand dollars shall be disbursed to the LaSalle Association for the Developmentally Delayed, however, none of these monies are to be used for salaries and provided that this amount is spent to directly assist the students, and the balance of the excess shall be distributed as provided above in this Paragraph.

(22) In the parish of Rapides, the initial fifteen thousand dollars of such excess shall be paid over to the town of Ball, and the remainder of the excess shall be divided as follows: thirty-three and one-third percent thereof to the parish governing authority, thirty-three and one-third percent thereof to the parish school board, and thirty-three and one-third percent thereof to the incorporated municipalities pro rata on a population basis.

(23) In the parish of Vermilion, sixty percent to the sheriff and forty percent to the Vermilion Parish assessor.

(24) In the parish of Red River, the initial distribution shall be two thousand five hundred dollars to the National Guard Armory located in said parish and the balance of the excess shall be distributed as provided in Subsections A, B, and C of this Section.

(25) In the parish of Assumption, the first twenty thousand dollars of excess shall be distributed to the Assumption Parish Assessor, with the residual being distributed as provided in Subsections A, B, and C of this Section.

E. In the parishes of Allen and Cameron, such excess amounts shall not be expended until the parish or expending authority or agency has received the approval of a majority of the legislative delegation representing the parish, the senators and representatives each having an equal vote, provided that if there is a tie vote, the parish or expending authority or agency shall have one vote in order to break the tie vote.

F. In order to provide flexibility in the use of excess funds, no excess funds shall be distributed to any recipient by the tax collector of the parish of Evangeline as provided in this Section until approval of such distribution of excess funds to each recipient thereof has been granted by the member or members of the House of Representatives and the Senate who represent the parish in the legislature. Such approval shall be requested by the chief executive officer of the recipient body who shall submit to the respective members of the legislature a written request for such excess funds, such written request to contain the amount of excess funds requested and the purpose for which they will be expended. Upon receipt, but only upon receipt, by the tax collector of the written approval of such a request from each of the members of the legislature who represent the parish, the tax collector of the parish shall make the distribution requested provided that such distribution is in compliance with the provisions of this Act and particularly other provisions of this Section.

Section 11. The parish governing authority shall have the power and authority to expend such excess funds received by it for any governmental purpose or function and may allocate and distribute any portion of such excess funds received by it to its tax recipient bodies, sheriff, other taxing districts, incorporated municipalities, and other public officials.

Section 12. In accordance with the provisions of this Act, the amount to be distributed to each parish and to the city of New Orleans during the Fiscal Year 2024-2025 shall be as follows:

Total Due PARISH	Sheriff's FY 2024-2025	Retirement Fund	Contribution
ACADIA	\$1,140,159	\$149,755	\$21,562
ALLEN	\$446,996	\$74,225	\$9,782
ASCENSION	\$2,622,226	\$128,864	\$20,285
ASSUMPTION	\$411,850	\$87,483	\$8,217
AVOUELLES	\$783,857	\$126,855	\$16,702
BEAUREGARD	\$740,429	\$84,570	\$12,006
BIENVILLE	\$256,075	\$59,862	\$8,341
BOSSIER	\$2,500,217	\$171,249	\$46,976
CADDO	\$4,380,970	\$551,412	\$213,666
CALCASIEU	\$3,975,370	\$473,974	\$124,616
CALDWELL	\$205,115	\$47,508	\$6,570
CAMERON	\$111,775	\$50,019	\$8,238
CATAHOULA	\$182,905	\$47,006	\$6,240
CLAIBORNE	\$281,233	\$54,539	\$6,714
CONCORDIA	\$359,941	\$73,321	\$10,009
DESOTO	\$567,852	\$54,940	\$7,187
EAST BATON ROUGE	\$8,638,368	\$714,928	\$246,658
EAST CARROLL	\$131,957	\$44,495	\$6,817
EAST FELICIANA	\$400,092	\$49,115	\$4,901
EVANGELINE	\$638,177	\$73,321	\$10,812
FRANKLIN	\$401,945	\$73,421	\$15,590
GRANT	\$454,703	\$61,670	\$7,352
IBERIA	\$1,359,124	\$223,076	\$38,038
IBERVILLE	\$598,360	\$139,711	\$16,681
JACKSON	\$301,812	\$65,587	\$10,194
JEFFERSON	\$8,213,124	\$1,337,046	\$285,354
JEFFERSON DAVIS	\$634,514	\$69,605	\$15,775
LAFAYETTE	\$4,832,826	\$309,454	\$58,550
LAFOURCHE	\$1,944,292	\$193,647	\$40,324
LASALLE	\$302,193	\$55,041	\$7,187

LINCOLN	\$899,261	\$73,019	\$18,988
LIVINGSTON	\$2,970,585	\$168,638	\$27,226
MADISON	\$177,372	\$44,495	\$8,258
MOREHOUSE	\$489,551	\$100,540	\$18,679
NATCHITOCHES	\$717,922	\$107,671	\$15,961
ORLEANS	\$6,778,496	\$ 0	\$ 0
OUACHITA	\$3,013,268	\$274,802	\$65,902
PLAQUEMINES	\$435,763	\$144,231	\$25,558
POINTE COUPEE	\$422,323	\$64,382	\$8,691
RAPIDES	\$2,556,961	\$326,428	\$77,249
RED RIVER	\$153,811	\$42,285	\$3,027
RICHLAND	\$403,805	\$65,788	\$14,066
SABINE	\$459,495	\$68,801	\$10,647
ST. BERNARD	\$872,164	\$348,223	\$61,886
ST. CHARLES	\$1,012,786	\$106,466	\$19,750
ST. HELENA	\$232,389	\$44,796	\$5,993
ST. JAMES	\$390,312	\$93,208	\$15,631
ST. JOHN	\$809,401	\$118,920	\$14,498
ST. LANDRY	\$1,629,308	\$275,204	\$41,456
ST. MARTIN	\$1,042,777	\$112,593	\$12,892
ST. MARY	\$985,739	\$190,333	\$37,605
ST. TAMMANY	\$5,453,396	\$276,409	\$49,344
TANGIPAHOA	\$2,696,637	\$278,518	\$38,367
TENSAS	\$78,797	\$34,451	\$5,478
TERREBONNE	\$2,058,723	\$224,281	\$44,793
UNION	\$429,038	\$59,259	\$8,423
VERMILLION	\$1,151,379	\$122,536	\$20,677
VERNON	\$919,031	\$163,415	\$22,901
WASHINGTON	\$896,234	\$135,493	\$18,988
WEBSTER	\$740,227	\$107,269	\$23,292
WEST BATON ROUGE	\$557,811	\$75,028	\$10,627
WEST CARROLL	\$192,905	\$46,604	\$9,597
WEST FELICIANA	\$284,364	\$40,578	\$3,872
WINN	\$269,512	\$63,578	\$7,764
TOTAL	\$90,000,000	\$10,043,941	\$2,059,430

Section 13. The state treasurer shall distribute one-third of the total amount herein allocated to the parishes from the revenue sharing fund to the parish tax collector, or in Orleans Parish to the city of New Orleans, not later than the first day of December in each year, one-third thereof not later than the fifteenth day of March in each year and one-third thereof not later than the fifteenth day of May in each year, and each one-third of the total allocation shall be distributed in accordance with the provisions of Sections 6, 7, 9, and 10 of this Act; however, the legislative auditor may authorize the granting of additional sums due any recipient in advance upon a showing that the advance receipt of such funds is reasonably necessary. If the state treasurer does not distribute the fund on or before the dates specified in this Act, any interest or other income derived by the state from the parish allocations, earned prior to the distribution to the parishes, shall be paid over a pro rata basis together with the principal amounts due the parishes under the provisions of this Act. Any interest or other income derived by the parish tax collector or the city of New Orleans from the investment or other use of such total parish allocations received from the state treasurer, earned prior to the distributions within the parish as required by the foregoing provisions of this Act, shall be paid over a pro rata basis together with the principal amounts due the local

recipients under the provisions of this Act upon distribution thereto, and the parish tax collectors or the city of New Orleans may retain only investment income earned on that portion of the total parish allocation to which they are otherwise entitled under the provisions of this Act. In light of the fact that all assessment roll figures will not be available in time to base the December distribution by the treasurer on current figures, the distribution of funds on the first day of December pursuant to this Act shall be based on the distribution figures for Fiscal Year 2023-2024. The remaining two distributions on the fifteenth day of March and the fifteenth day of May shall be based on current figures for Fiscal Year 2024-2025, and such distributions shall be adjusted to compensate for the differences resulting in the use of the Fiscal Year 2023-2024 figures for the December distribution.

Section 14. On or before such date as shall be established by the state treasurer, each tax collector, the city of New Orleans, and the city treasurer of the city of Monroe annually shall file with the state treasurer, on such forms as the state treasurer may require, all information necessary to the computation of the funds to be distributed within the parishes, including, but not limited to, a listing of all such local entities seeking eligibility for funds as a tax recipient body under the qualifications set out in Section 1(A) of this Act, all new millages of such tax recipient bodies as are listed in Section 9(B) of this Act, and all remaining authorities on the tax rolls which are otherwise ineligible to participate in the distribution of revenue sharing funds as tax recipient bodies. The listing shall include such verification for eligibility as may be required by the state treasurer and, notwithstanding the provisions of Section 12 of this Act, no revenue sharing funds shall be distributed prior to receipt and acceptance by the state treasurer of such information and verification. The same authorities shall in the same manner submit to the state treasurer a statement of the amount of revenue sharing funds distributed to each recipient of such funds, including the amount deducted for sheriffs' commissions and for retirement system contributions and shall state clearly on such forms the amount of the distribution to each such recipient which is derived from excess funds and the amount of such

distribution which represents reimbursement for tax losses by reasons of the homestead exemption. Such statement shall also include the amount of any revenue sharing funds which remain to be distributed and the recipients to which such remaining funds will be distributed.

Approved by the Governor, June 19, 2024.

A true copy:
Nancy Landry
Secretary of State

ACT No. 684

HOUSE BILL NO. 305
BY REPRESENTATIVES ORGERON, AMEDEE, BAYHAM, BERAULT,
BILLINGS, BOURRIQUE, BRAUD, CARRIER, WILFORD CARTER,
CARVER, COX, CREWS, DEWITT, DOMANGUE, EGAN, FONTENOT, MIKE
JOHNSON, KERNER, ST. BLANC, THOMPSON, WYBLE, AND ZERINGUE
AN ACT

To amend and reenact R.S. 49:214.5.4(E)(1), (3), (4)(introductory paragraph) and (b), and (5)(a)(introductory paragraph) and (b) and (F) and to enact R.S. 49:214.5.4(K), relative to proceeds from alternative energy production in the coastal area; to provide for disposition of revenues; to provide for restrictions on the use of revenues; to provide for effectiveness; and to provide for related matters.

Be it enacted by the Legislature of Louisiana:

Section 1. R.S. 49:214.5.4(E)(1), (3), (4)(introductory paragraph) and (b), and (5)(a)(introductory paragraph) and (b) and (F) are hereby amended and reenacted to read as follows:

§214.5.4. Funding and resource allocation

* * *

E.(1) Subject to Article VII, Sections 9(B) and 10.1 of the Constitution of Louisiana, in each fiscal year, the federal revenues that are received by the state generated from Outer Continental Shelf energy production, including but not limited to oil and gas activity, wind energy, solar energy, tidal energy, wave energy, geothermal energy, and other alternative or renewable energy production or sources, and eligible, as provided by federal law, to be used for the purposes provided in this Subsection shall be deposited and credited by the treasurer to the Coastal Protection and Restoration Fund.

* * *

(3) In each year, no more than ten percent of the federal revenues received by the state generated from Outer Continental Shelf ~~oil and gas activity~~ energy production may be used for the purposes of infrastructure directly impacted by coastal wetlands losses.

(4) In each fiscal year, at least two hundred thousand dollars but no more than seven percent of the federal revenues received by the state generated from Outer Continental Shelf ~~oil and gas activity~~ energy production may be used for administrative costs or fees. The provisions of this Paragraph shall not apply to the following:

* * *

(b) Any securitization or other monetizing of all or any portion of the federal revenues received by the state generated from Outer Continental Shelf ~~oil and gas activity~~ energy production.

* * *

(5)(a) Beginning with Fiscal Year 2022, a portion of the total federal revenues received by the state generated from Outer Continental Shelf ~~oil and gas activity~~ energy production shall be allocated solely for hurricane protection projects, including operation and maintenance, that are included in or consistent with the master plan as follows:

* * *

(b) If the total federal revenues received by the state generated from Outer Continental Shelf ~~oil and gas activity~~ energy production are less than one hundred million dollars in any fiscal year, then the minimum allocations contained in Subparagraph (a) of this Paragraph shall not apply.

* * *

F. The money in the fund shall be invested as provided by law and any earnings realized on investment of money in the fund shall be deposited in and credited to the fund. Revenues derived from integrated coastal protection programs, projects, or activities shall be deposited in and credited to the fund. Money from other sources, such as donations, appropriations, or dedications, may be deposited in and credited to the fund; however, the balance of the fund which, exclusive of federal revenues received as provided for in Subsection E of this Section and state revenues as provided in Subsection K of this Section, consists of mineral revenues from severance taxes, royalty payments, bonus payments, or rentals shall not exceed five hundred million dollars. Any unexpended money remaining in the fund at the end of the fiscal year shall be retained in the fund.

* * *

Section 2. R.S. 49:214.5.4(K) is hereby enacted to read as follows:

* * *

K.(1) Subject to Article VII, Sections 9(B) and 10.1 of the Constitution of Louisiana, in each fiscal year, the revenues that are received by the state generated upon state lands or waterbottoms located in the coastal area from alternative or renewable energy production or sources, including but not limited to wind energy, solar energy, tidal energy, wave energy, and geothermal energy, shall be deposited and credited by the treasurer to the Coastal Protection and Restoration Fund.

(2) Such revenues shall be used only for the purposes of integrated coastal protection, including but not limited to coastal wetlands conservation, coastal restoration, hurricane protection, or for infrastructure directly impacted by coastal wetlands losses.

(3) In each year, no more than ten percent of the revenues received by the state generated upon state lands or waterbottoms located in the coastal area from alternative or renewable energy production or sources, including but not limited to wind energy, solar energy, tidal energy, wave energy, and geothermal energy, may be used for the purposes of infrastructure directly impacted by coastal wetlands losses.

Section 3.(A) The provisions of this Section and Section 2 of this Act shall become effective upon signature by the governor or, if not signed by the governor, upon expiration of the time for bills to become law without signature by the governor, as provided by Article III, Section 18 of the Constitution of Louisiana. If vetoed by the governor and subsequently approved by the legislature, this Section and Section 2 of this Act shall become effective on the day following such approval.

(B) The provisions of Section 1 of this Act shall take effect and become operative if and when the proposed amendment of Article VII of the Constitution of Louisiana contained in the Act which originated as House Bill No. 300 of this 2024 Regular Session of the Legislature is adopted at a statewide election and becomes effective.

Approved by the Governor, June 19, 2024.

A true copy:
Nancy Landry
Secretary of State

ACT No. 685

HOUSE BILL NO. 314
BY REPRESENTATIVE MCFARLAND
AN ACT

To provide for the establishment and reestablishment of agency ancillary funds, to be specifically known as internal service funds, auxiliary accounts, or enterprise funds for certain state institutions, officials, and agencies; to provide for appropriation of funds for Fiscal Year 2024-2025; to provide for an effective date; and to regulate the administration of said funds.

Be it enacted by the Legislature of Louisiana:

Section 1. There are hereby appropriated the amounts shown below, which shall be payable out of the state general fund, to the extent of funds deposited, unless otherwise specified, for the establishment and reestablishment of agency ancillary funds which shall be specifically known as internal service funds, auxiliary accounts, or enterprise funds. The monies in each fund shall be used for working capital in the conduct of business enterprises rendering public service, auxiliary service, and interagency service.

In the conduct of each such business, receipts shall be deposited in the state treasury and disbursements made by the state treasurer to the extent of the amount deposited to the credit of each ancillary fund, for the current fiscal year. All funds appropriated herein shall be expended in compliance with the public bid laws of the state.

Section 2.A. Except as otherwise provided by law or as herein otherwise provided, any fund equity resulting from prior year operations shall be included as a resource of the fund from which the ancillary fund is directly or indirectly derived.

B. Funds on deposit with the state treasury at the close of the fiscal year are authorized to be transferred to each fund respectively, as equity for the next fiscal year. All unexpended cash balances as of June 30, 2025, shall be remitted to the state treasurer on or before August 14, 2025. If not reestablished in the subsequent year's Act, the agency must liquidate all assets and return all advances no later than August 14, 2025.

C. The program descriptions contained in this Act are not part of the law and are not enacted into law by virtue of their inclusion into this Act.

Section 3. All money from federal, interagency transfers, statutory dedications, or fees and self-generated revenues shall be available for expenditure in the amounts herein appropriated.

Any increase in such revenues shall be available for allotment and expenditure by an agency on approval of an increase in the appropriation by the commissioner of administration and the Joint Legislative Committee on the Budget. Any increase in such revenues for an agency without an appropriation from the respective revenue source shall be incorporated into the agency's appropriation on approval of the commissioner of administration and the Joint Legislative Committee on the Budget.

Section 4.A. The figures in parentheses following the designation of a budget entity are the total authorized positions and authorized other charges positions for that entity. The number of employees approved for each agency, as a result of the passage of this Act, may be increased by the commissioner of administration when sufficient documentation is presented and the request is deemed valid. However, any request which exceeds five positions shall be approved by the commissioner of administration and the Joint Legislative Committee on the Budget.

B. The budget request of any agency with an appropriation level of thirty million dollars or more shall include within its existing table of organization positions which perform the function of internal auditing, including the position of a chief audit executive. The chief audit executive shall be responsible for ensuring that the internal audit function adheres to the

Institute of Internal Auditors, International Standards for the Professional Practice of Internal Auditing. The chief audit executive shall maintain organizational independence in accordance with these standards and shall have direct and unrestricted access to the commission, board, secretary, or equivalent head of the agency. The chief audit executive shall certify to the commission, board, secretary, or equivalent head of the agency that the internal audit function conforms to the Institute of Internal Auditors, International Standards for the Professional Practice of Internal Auditing.

Section 5. All key and supporting performance objectives and indicators for the departments, agencies, programs, and budget units contained in the Governor's Executive Budget Supporting Document shall be adjusted by the commissioner of administration to reflect the funds appropriated therein. The commissioner of administration shall report on these adjustments to the Joint Legislative Committee on the Budget each year by August fifteenth.

Section 6. The following definition is provided for the terms of this Act: "working capital" shall be considered the excess of current assets over current liabilities on an accrual basis.

Section 7. Should any section, subsection, clause, sentence, phrase, or part of the Act for any reason be held, deemed, or construed to be unconstitutional or invalid, such decisions shall not affect the remaining provisions of the Act, and the legislature hereby declares that it would have passed the Act, and each section, subsection, clause, sentence, phrase, or part thereof, irrespective of the fact that one or more of the sections, subsections, clauses, sentences, phrases, or parts thereof, is declared unconstitutional or invalid. To this end, the provisions of this Act are hereby declared severable.

Section 8. Internal Service Funds. These funds account for the financing of goods or services provided by one department or agency to other departments or agencies of the governmental unit, or to other governmental units, on a cost-reimbursement basis. Excess cash funds, excluding cash funds arising from working capital advances, shall be invested by the state treasurer with the interest proceeds therefrom credited to each account and shall not be transferred to the state general fund.

Section 9. In conjunction with the continuing assessment of the existing staff, assets, contracts, and facilities of each department, agency, program or budget unit's information technology resources and procurement resources, upon completion of this assessment and to the extent optimization of these resources will result in the projected cost savings through staff reductions, realization of operational efficiencies, cost avoidance, and elimination of asset duplication, the commissioner of administration is authorized to transfer the functions, positions, assets, and funds from any other department, agency, program, or budget units related to these optimizations to a different department. The provisions of this Section shall not apply to the Department of Culture, Recreation and Tourism, or any agency contained in Schedule 04, Elected Officials, of the General Appropriation Act.

SCHEDULE 21

ANCILLARY APPROPRIATIONS

21-800 OFFICE OF GROUP BENEFITS

EXPENDITURES:	<u>FY 24 EOB</u>	<u>FY 25 REC</u>
State Group Benefits -		
Authorized Positions	(56)	(56)
Expenditures	<u>\$1,810,338,359</u>	<u>\$1,912,028,797</u>

Program Description: Provides for the administration of group health and accidental insurance and group life insurance for current and former state employees and other participating groups.

TOTAL EXPENDITURES	<u>\$1,810,338,359</u>	<u>\$1,912,028,797</u>
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MEANS OF FINANCE:		
State General Fund by:		
Interagency Transfers	\$ 1,098,733	\$ 1,098,733
Fees & Self-generated Revenues	<u>\$1,809,239,626</u>	<u>\$1,910,930,064</u>

TOTAL MEANS OF FINANCING	<u>\$1,810,338,359</u>	<u>\$1,912,028,797</u>
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21-804 OFFICE OF RISK MANAGEMENT

EXPENDITURES:	<u>FY 24 EOB</u>	<u>FY 25 REC</u>
Risk Management -		
Authorized Positions	(42)	(42)
Expenditures	<u>\$ 351,935,936</u>	<u>\$ 324,549,759</u>

Program Description: Provides for the overall executive leadership and management of the office, support services, policy analysis, management direction of the state's self-insurance program; provides funding for the payment of losses on medical, malpractice, property, comprehensive general liability, personal injury, automobile liability, automobile physical damage, bonds, crime, aviation, wet marine boiler and machinery and miscellaneous tort claims; provides funding for the payment of contracts issued for professional legal defense of claims made against the state; provides funding for the reimbursement of the Division of Risk Litigation in the Office of the Attorney General for costs incurred for professional legal defense of claims made against the state.

TOTAL EXPENDITURES	<u>\$ 351,935,936</u>	<u>\$ 324,549,759</u>
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MEANS OF FINANCE:		
State General Fund (Direct)	\$ 10,500,000	\$ 0
State General Fund by:		
Interagency Transfers	\$ 294,354,590	\$ 292,247,518
Fees & Self-generated Revenues	\$ 45,081,346	\$ 30,302,241
Statutory Dedications:		
Future Medical Care Fund	<u>\$ 2,000,000</u>	<u>\$ 2,000,000</u>

TOTAL MEANS OF FINANCING	<u>\$ 351,935,936</u>	<u>\$ 324,549,759</u>
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21-806 LOUISIANA PROPERTY ASSISTANCE AGENCY

EXPENDITURES:	<u>FY 24 EOB</u>	<u>FY 25 REC</u>
Louisiana Property Assistance -		
Authorized Positions	(37)	(37)
Expenditures	<u>\$ 12,592,368</u>	<u>\$ 12,508,355</u>

Program Description: Provides for the accountability of the state's movable property through the development and implementation of sound management practices.

TOTAL EXPENDITURES	<u>\$ 12,592,368</u>	<u>\$ 12,508,355</u>
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MEANS OF FINANCE:		
State General Fund by:		
Interagency Transfers	\$ 1,615,846	\$ 1,615,846
Fees & Self-generated Revenues	<u>\$ 10,976,522</u>	<u>\$ 10,892,509</u>

TOTAL MEANS OF FINANCING	<u>\$ 12,592,368</u>	<u>\$ 12,508,355</u>
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Payable out of the State General Fund by Fees and Self-generated Revenues to the Louisiana Property Assistance Program for reimbursements from the sale of movable property \$ 15,000,000

21-807 LOUISIANA FEDERAL PROPERTY ASSISTANCE AGENCY

EXPENDITURES:	<u>FY 24 EOB</u>	<u>FY 25 REC</u>
Federal Property Assistance -		
Authorized Positions	(9)	(9)
Expenditures	<u>\$ 3,455,836</u>	<u>\$ 3,482,573</u>

Program Description: Seeks to assure the fair and equitable distribution of federal property allocated to Louisiana by the General Services Administration to eligible Louisiana donees.

TOTAL EXPENDITURES	<u>\$ 3,455,836</u>	<u>\$ 3,482,573</u>
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MEANS OF FINANCE:		
State General Fund by:		
Interagency Transfers	\$ 1,084,342	\$ 1,084,342
Fees & Self-generated Revenues	<u>\$ 2,371,494</u>	<u>\$ 2,398,231</u>

TOTAL MEANS OF FINANCING	<u>\$ 3,455,836</u>	<u>\$ 3,482,573</u>
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21-811 PRISON ENTERPRISES

EXPENDITURES:	<u>FY 24 EOB</u>	<u>FY 25 REC</u>
Prison Enterprises -		
Authorized Positions	(72)	(72)
Expenditures	<u>\$ 35,380,985</u>	<u>\$ 35,700,056</u>

Program Description: Utilizes the resources of the Department of Public Safety and Corrections in the production of food, fiber, and other necessary items used by offenders in order to lower the cost of incarceration; provides products and services to state agencies and agencies of parishes, municipalities, and other political subdivisions; and provides work opportunities for offenders. Prison Enterprises conducts both industry operations and agriculture operations.

TOTAL EXPENDITURES	<u>\$ 35,380,985</u>	<u>\$ 35,700,056</u>
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MEANS OF FINANCE:		
State General Fund by:		
Interagency Transfers	\$ 26,231,562	\$ 26,478,752
Fees & Self-generated Revenues	<u>\$ 9,149,423</u>	<u>\$ 9,221,304</u>

TOTAL MEANS OF FINANCING	<u>\$ 35,380,985</u>	<u>\$ 35,700,056</u>
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21-815 OFFICE OF TECHNOLOGY SERVICES

EXPENDITURES:	<u>FY 24 EOB</u>	<u>FY 25 REC</u>
Technology Services -		
Authorized Positions	(819)	(833)

Authorized Other Charges Positions	(9)	(9)
Expenditures	\$ 723,703,210	\$ 668,970,138

Program Description: *The mission of the Office of Technology Services (OTS) is to establish competitive, cost-effective technology systems and services while acting as the sole centralized customer for the acquisition, billing and record keeping of those technology services. OTS shall charge respective user agencies for the cost of the technology and services provided including the cost of the operation of the office in a fair, equitable, and consistent manner, in full compliance with State of Louisiana statutes.*

Cyber Assurance Program -		
Authorized Positions	(14)	(0)
Expenditures	\$ 34,463,692	\$ 29,828,040

Program Description: *The mission of the Cyber Assurance program is to properly align and invest in Louisiana’s proven cyber capabilities to provide sustainable cyber assurance services to state and local entities which operationally increase visibility/awareness to threats and reduce cyber risk to an acceptable level.*

TOTAL EXPENDITURES	\$ 758,166,902	\$ 698,798,178
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MEANS OF FINANCE:		
State General Fund by:		
Interagency Transfers	\$ 756,648,429	\$ 697,279,705
Fees & Self-generated Revenues	\$ 1,518,473	\$ 1,518,473
TOTAL MEANS OF FINANCING	\$ 758,166,902	\$ 698,798,178

Payable out of the State General Fund by Interagency Transfers from various agencies to the Technology Services Program for five (5) authorized T.O. positions		\$ 666,155
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21-816 DIVISION OF ADMINISTRATIVE LAW

EXPENDITURES:	FY 24 EOB	FY 25 REC
Administration -		
Authorized Positions	(58)	(59)
Expenditures	\$ 9,437,006	\$ 9,302,033

Program Description: *Provides a neutral forum for handling administrative hearings for certain state agencies, with respect for the dignity of individuals and their due process rights.*

TOTAL EXPENDITURES	\$ 9,437,006	\$ 9,302,033
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MEANS OF FINANCE:		
State General Fund by:		
Interagency Transfers	\$ 9,408,109	\$ 9,273,136
Fees & Self-generated Revenues	\$ 28,897	\$ 28,897
TOTAL MEANS OF FINANCING	\$ 9,437,006	\$ 9,302,033

Payable out of the State General Fund by Interagency Transfers from the Louisiana Department of Health for additional case load experienced due to the Public Health Emergency unwind		\$ 234,315
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21-820 OFFICE OF STATE PROCUREMENT

EXPENDITURES:	FY 24 EOB	FY 25 REC
Office of State Procurement -		
Authorized Positions	(99)	(99)
Expenditures	\$ 13,657,114	\$ 13,430,188

Program Description: *The mission of the Office of State Procurement is to provide cost-effective services that satisfy the needs of approved governmental units of the State of Louisiana through the management of products and services.*

TOTAL EXPENDITURES	\$ 13,657,114	\$ 13,430,188
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MEANS OF FINANCE:		
State General Fund by:		
Interagency Transfers	\$ 4,999,758	\$ 4,725,806
Fees & Self-generated Revenues	\$ 8,657,356	\$ 8,704,382
TOTAL MEANS OF FINANCING	\$ 13,657,114	\$ 13,430,188

21-829 OFFICE OF AIRCRAFT SERVICES

EXPENDITURES:	FY 24 EOB	FY 25 REC
Flight Maintenance -		
Authorized Positions	(4)	(4)
Expenditures	\$ 3,388,815	\$ 3,477,876

Program Description: *The mission of the Office of Aircraft Services is to manage the overall maintenance and provide all needed and required support for safe, proper, and economic operation of the State’s various aircraft. Flight Maintenance Operations ensures flight safety, maintains high safety standards while minimizing aircraft downtime for repairs, and provides high quality, efficient, and economical repair and fueling services for state-operated aircraft.*

TOTAL EXPENDITURES	\$ 3,388,815	\$ 3,477,876
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MEANS OF FINANCE:		
State General Fund by:		
Interagency Transfers	\$ 3,209,600	\$ 3,298,661
Fees & Self-generated Revenues	\$ 179,215	\$ 179,215

TOTAL MEANS OF FINANCING	\$ 3,388,815	\$ 3,477,876
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21-860 ENVIRONMENTAL STATE REVOLVING LOAN FUNDS

EXPENDITURES:	FY 24 EOB	FY 25 REC
Environmental State Revolving Loan Fund	\$ 130,775,600	\$ 128,026,100

Program Description: *The Water Planning and Assessment Division in conjunction with the Financial Services Division - State Revolving Fund Section strive to uphold Title VI and amended section 221 of the federal Clean Water Act and to protect the health and welfare of the citizens of the state, as well as to enhance the environment of the state by administering the Clean Water State Revolving Fund and the Sewer Overflow and Stormwater Reuse Municipal Grants Program. The Remediation Division’s Brownfields Program, in conjunction with the Financial Services Division, strives to uphold the Small Business Liability Relief and Brownfields Revitalization Act and 2018 Brownfields Utilization, Investment, and Local Development (BUILD) Act to address environmental concerns at vacant and underutilized properties to facilitate their reuse and to support community revitalization.*

TOTAL EXPENDITURES	\$ 130,775,600	\$ 128,026,100
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MEANS OF FINANCE:		
State General Fund by:		
Statutory Dedications:		
Clean Water State Revolving Fund	\$ 125,000,000	\$ 125,000,000
Brownfields Cleanup Revolving Loan Fund	\$ 350,000	\$ 350,000
Matching Funds Fund	\$ 4,256,600	\$ 1,507,100
Federal Funds	\$ 1,169,000	\$ 1,169,000

TOTAL MEANS OF FINANCING	\$ 130,775,600	\$ 128,026,100
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21-861 DRINKING WATER REVOLVING LOAN FUND

EXPENDITURES:	FY 24 EOB	FY 25 REC
Drinking Water Revolving Loan Fund	\$ 50,681,458	\$ 50,681,458

Program Description: *Assist public water systems in financing needed drinking water infrastructure improvements (e.g. treatment plant, distribution main replacement, storage facilities, new wells). The Drinking Water Revolving Loan Fund provides assistance in the form of low-interest loans and technical assistance to public water systems in Louisiana to assist them with complying with state and federal drinking water regulations, ensuring that their customers are provided with safe drinking water thereby protecting the public health.*

TOTAL EXPENDITURES	\$ 50,681,458	\$ 50,681,458
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MEANS OF FINANCE:		
State General Fund by:		
Statutory Dedication:		
Drinking Water Revolving Loan Fund	\$ 47,988,458	\$ 47,988,458
Matching Funds Fund	\$ 2,693,000	\$ 2,693,000

TOTAL MEANS OF FINANCING	\$ 50,681,458	\$ 50,681,458
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Payable out of the State General Fund by Statutory Dedications out of the Matching Funds Fund to the Drinking Water Revolving Loan Fund Program		\$ 5,599,798
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Section 10. This Act shall become effective on July 1, 2024.
Approved by the Governor, June 19, 2024.
A true copy:
Nancy Landry
Secretary of State

BY REPRESENTATIVES OWEN, AMEDEE, CARLSON, CARVER,
FREIBERG, ROMERO, SCHLEGEL, ST. BLANC, TARVER, TAYLOR,
THOMPSON, AND YOUNG
AN ACT

To amend and reenact R.S. 17:6(A)(15), to enact R.S. 17:6(A)(16), and to repeal R.S. 17:81(R), (T), (X), and (Y), 154(A)(2) and (3), 252(D), 263, 267, 271, 271.1, 275, 276.1, 279 through 280.2, 404, 416.14(C)(2), 437, 437.1(B), 437.2, 440.1, 440.2, and 3996(B)(4), (22), (24), (30), (34), (44), (51), (64), (68), (69), (73), and (76), relative to required instruction for students and required training for teachers and other school employees; to repeal certain specific instructional and training requirements; to authorize the State Board of Elementary and Secondary Education to promulgate rules providing for certain instructional and training requirements; to require the state board to consider certain topics for inclusion in such requirements; and to provide for related matters.

Be it enacted by the Legislature of Louisiana:

Section 1. R.S. 17:6(A)(15) is hereby amended and reenacted and R.S. 17:6(A)(16) is hereby enacted to read as follows:

§6. General powers of board

A. In the exercise of its supervision and control over the public elementary and secondary schools and special schools under its jurisdiction, and in the exercise of its budgetary responsibility for all funds appropriated or allocated by the state for public elementary and secondary schools and special schools placed under its jurisdiction, the board shall have authority to:

* * *

(15) Promulgate rules that require the inclusion of certain topics in student instruction and in the training of teachers and other school employees.

(16) Perform such other functions as are necessary to the supervision and control of those phases of education under its supervision and control.

* * *

Section 2. R.S. 17:81(R), (T), (X), and (Y), 154(A)(2) and (3), 252(D), 263, 267, 271, 271.1, 275, 276.1, 279 through 280.2, 404, 416.14(C)(2), 437, 437.1(B), 437.2, 440.1, 440.2, and 3996(B)(4), (22), (24), (30), (34), (44), (51), (64), (68), (69), (73), and (76) are hereby repealed in their entirety.

Section 3. The State Board of Elementary and Secondary Education shall consider the topics contained in the provisions of law repealed by Section 2 of this Act for inclusion in the requirements that it may provide for by rule as authorized by Section 1 of this Act.

Section 4. This Act shall become effective upon signature by the governor or, if not signed by the governor, upon expiration of the time for bills to become law without signature by the governor, as provided by Article III, Section 18 of the Constitution of Louisiana. If vetoed by the governor and subsequently approved by the legislature, this Act shall become effective on the day following such approval.

Approved by the Governor, June 19, 2024.

A true copy:

Nancy Landry
Secretary of State

ACT No. 687

HOUSE BILL NO. 326

BY REPRESENTATIVES HORTON, BUTLER, CARRIER, COATES, FISHER,
AND LAFLEUR AND SENATORS BASS, BOUDREAUX, HENRY,
JENKINS, MIGUEZ, PRESSLY, PRICE, AND SEABAUGH

AN ACT

To enact R.S. 40:1374.1 to provide relative to occupational diseases; relative to the division of state police; to provide that the development of hearing loss while employed in the division of state police is an occupational disease; to provide for benefits to an affected employee; to provide for a rebuttable presumption under certain circumstances; to provide for the testing of audiology examinations; and to provide for related matters.

Be it enacted by the Legislature of Louisiana:

Section 1. R.S. 40:1374.1 is hereby enacted to read as follows:

§1374.1. Development of hearing loss during employment in the division of state police; occupational disease

A. For the purpose of this Section, “division” has the same meaning as provided for in R.S. 40:1372.

B.(1) Any loss of hearing that is ten decibels or greater on average for the frequencies that the Occupational Safety and Health Administration monitors for noise exposure in the general population when adjusted for aging and that develops during employment in the division shall, for purposes of this Section only, be classified as a disease or infirmity connected with employment.

(2) The employee affected shall be entitled to medical benefits, including hearing aids, as granted by the laws of this state to which one suffering an occupational disease is entitled to, regardless of whether the employee is on duty at the time he is stricken with the loss of hearing.

(a) Such loss of hearing shall be presumed to have developed during employment and shall be presumed to have been caused by or to have resulted from hazardous noise exposure when diagnostic hearing testing reveals a decrease of ten decibels or more for the frequencies that the Occupational Safety and Health Administration monitors for noise exposure from the baseline audiological evaluation.

(b) This presumption shall be rebuttable by a preponderance of evidence, and such presumption shall be overcome if the evidence does not establish that the nature of the work performed was the predominant and major cause

of the hearing loss.

(c) The presumption shall be extended to an employee following termination of service for a period of twenty-four months.

C.(1) Each person selected for appointment to an entry level position in the division on and after August 1, 2024, shall submit to a baseline audiology examination, an audiological examination every five years, and a final termination audiological evaluation at the end of service. An employee shall receive his baseline examination not later than one year after his appointment.

(2) The appointing authority shall develop and implement policies and procedures for the administration of such examinations.

D.(1) Nothing in this Section shall modify the qualifications necessary to establish eligibility to receive benefits or the calculation of benefits to be paid in accordance with any Louisiana public pension or retirement system, plan, or fund.

(2) In case of a conflict between any provision of Title 11 of the Louisiana Revised Statutes of 1950 and any provision of this Section, the provision of Title 11 of the Louisiana Revised Statutes of 1950 shall control.

Approved by the Governor, June 19, 2024.

A true copy:

Nancy Landry
Secretary of State

ACT No. 688

HOUSE BILL NO. 334

BY REPRESENTATIVES AMEDEE, CARLSON, CARVER, EDMONSTON,
MELERINE, ORGERON, AND SCHLEGEL

AN ACT

To enact Chapter 19-A of Title 17 of the Louisiana Revised Statutes of 1950, to be comprised of R.S. 17:3011 through 3014, relative to school chaplains; to provide for the employment or acceptance as a volunteer of a certified chaplain by public school boards; to provide for support, services, and programs for students; to provide for responsibility and hiring requirements; to provide for prohibiting certain hires as chaplains; to provide for limitation of liability; and to provide for related matters.

Be it enacted by the Legislature of Louisiana:

Section 1. Chapter 19-A of Title 17 of the Louisiana Revised Statutes of 1950, comprised of R.S. 17:3011 through 3014, is hereby enacted to read as follows:

CHAPTER 19-A. SCHOOL CHAPLAINS

§3011. School chaplains; employment; volunteer

Each city, parish, or other local public school board may employ or accept as a volunteer a certified chaplain to provide support, services, and programs for students, staff, and parents as assigned by a school board pursuant to the provisions of this Chapter.

§3012. Selection; responsibility; certification

A. The school chaplain shall be selected by and be responsible to the local school officials in each city, parish, or other local public school system.

B. Any school chaplain employed or accepted as a volunteer pursuant to the provisions of this Section is not required to be certified by the State Board of Elementary and Secondary Education.

C. Nothing in this Section shall prohibit any school board from employing or accepting as a volunteer more than one chaplain for any school.

§3013. Hiring requirements; prohibited hires

A. A city, parish, or other local public school board that employs or accepts as a volunteer, a chaplain, under this Chapter, shall ensure that the chaplain submits to a fingerprint-based state and federal background check, as provided in R.S. 15:587.1, before the chaplain begins employment or volunteering at a school.

B. A city, parish, or other local public school board shall not employ or accept as a volunteer a chaplain who has registered or is required to register as a sex offender or child predator in accordance with R.S. 15:542 et seq.

§3014. Limitation of liability; school chaplain

A. No person shall have a cause of action against a chaplain for any action taken or statement made in adherence with the provisions for service, support, and programs for students.

B. The immunity from liability provided for in Subsection A of this Section, shall not apply to any action or statement by such chaplain, if such action or statement was maliciously, willfully, and deliberately intended to cause harm to harass or intimidate those seeking support, services and programs.

Section 2. This Act shall become effective upon signature by the governor or, if not signed by the governor, upon expiration of the time for bills to become law without signature by the governor, as provided by Article III, Section 18 of the Constitution of Louisiana. If vetoed by the governor and subsequently approved by the legislature, this Act shall become effective on the day following such approval.

Approved by the Governor, June 19, 2024.

A true copy:

Nancy Landry
Secretary of State

ACT No. 689

HOUSE BILL NO. 362

BY REPRESENTATIVES KERNER, CHASSION, AND KNOX AND
SENATOR FOIL
AN ACT

To enact R.S. 17:1944(H), relative to students with exceptionalities; to require local education agencies to adopt policies relative to the provision of information to parents at annual Individualized Education Program meetings; to specify that the information contain information about tutorship and other issues related to certain children’s attainment of the age of majority; to require the state Department of Education to develop the information and provide it to local education agencies; and to provide for related matters.

Be it enacted by the Legislature of Louisiana:
Section 1. R.S. 17:1944(H) is hereby enacted to read as follows:
§1944. Local education agency; responsibilities

H.(1) Each local education agency shall adopt a policy requiring each school under its jurisdiction to provide written information regarding legal procedures affecting the transfer of individual rights from parent to child when the child attains the age of majority, including but not limited to supported decision making, power of attorney, continuing or permanent tutorship, and limited and full interdiction, to parents as provided in this Subsection.

(2) The document shall inform parents of legal options and how each option relates to such transfer of rights.

(3) At the child’s first Individualized Education Program meeting of the school year, the document shall be provided to a parent of each child who is fourteen, fifteen, sixteen, or seventeen years old who participates in alternate assessment pursuant to R.S. 17:24.4(F)(3) or an alternate pathway to promotion pursuant to R.S. 17:24.4(H). Parents shall be provided a form by which to confirm receipt of the information.

(4) The state Department of Education shall develop the information and provide it to each local education agency for this purpose.

(5) For purposes of this Subsection, “parent” means a child’s parent, tutor, or legal guardian.

(6) The information provided as required by this Subsection is not intended to be legal advice, which the document provided shall indicate, and the local education agency shall have no liability for claims arising from the information provided.

Section 2. If Senate Bill No. 61 of this 2024 Regular Session of the Legislature becomes law, the Louisiana State Law Institute is hereby authorized and directed to change “continuing or permanent” as it appears in this Act to “full or limited continuing”.

Section 3. The provisions of this Act shall be known and cited as the “Hunter and Kennedy Clanton Act”.

Approved by the Governor, June 19, 2024.

A true copy:
Nancy Landry
Secretary of State

ACT No. 690

HOUSE BILL NO. 366
BY REPRESENTATIVE DAVIS
AN ACT

To amend and reenact R.S. 37:1431(2), (9), (13), and (15) and to enact R.S. 37:1431(35) and 1448.4, relative to Louisiana real estate license law; to provide for definitions; to provide for buyer agreements; to provide for terms and conditions; and to provide for related matters.

Be it enacted by the Legislature of Louisiana:

Section 1. R.S. 37:1431(2), (9), (13), and (15) are hereby amended and reenacted and R.S. 37:1431(35) and 1448.4 are hereby enacted to read as follows:

§1431. Definitions

As used in this Chapter the following words have the meaning ascribed to them in this Section unless the context clearly indicates otherwise:

(2) “Agent” or “real estate agent” means a licensee acting ~~under~~ in accordance with the provisions of this Chapter in a real estate transaction.

(9) “Commission” means the Louisiana Real Estate Commission unless used in the context of compensation.

(13) “Individual real estate broker” means ~~an individual~~ a natural person licensed as a real estate broker and does not mean a licensed corporation, limited liability company, or partnership licensed as a real estate broker.

(15) “Listing agent” means ~~a licensee~~ an agent, as defined by this Section, who has obtained a listing of real estate to act as an agent for compensation.

(35)(a) “Buyer agreement” means a written document signed by a broker and a buyer detailing the services to be provided by the broker to the buyer.

(b) For the purposes of this Paragraph and R.S. 37:1448.4, the following terms shall mean:

(i) “Buyer” means a person who utilizes the services of a real estate licensee in connection with the purchase, or the submission of an offer to purchase, a home, or who utilizes, or seeks to utilize, the services of a real estate licensee

with the objective or purported objective or entering into a contract to purchase a home.

(ii) “Home” means residential real property consisting of one or not more than four residential dwelling units, which are buildings or structures each of which is occupied or intended for occupancy as a single-family residence.

§1448.4. Buyer Agreements; requirements; authorization; exceptions

A.(1) A buyer agreement shall be executed between a broker and a buyer.

(2) The buyer agreement shall include the amount of compensation payable to the broker or the manner in which the amount of compensation payable to the broker shall be calculated.

(3) The buyer agreement may provide that sources of broker compensation may include but is not limited to funds from a buyer, a seller, a listing agent, or any combination thereof.

B. This Section shall not apply in the following circumstances:

(1) When a person leases or seeks to lease a home with the services of a real estate licensee.

(2) When a person leases or purchases, or seeks to lease or purchase, property other than a home with the services of a real estate licensee.

Section 2. The Louisiana State Law Institute is hereby authorized to update any citation referenced in Louisiana Law to conform with the changes made by this Act.

Section 3. Section 1 of this Act shall become effective August 19, 2024.

Section 4. This Section and Sections 2 and 3 of this Act shall become effective upon signature by the governor or, if not signed by the governor, upon expiration of the time for bills to become law without signature by the governor, as provided by Article III, Section 18 of the Constitution of Louisiana. If vetoed by the governor and subsequently approved by the legislature, this Act shall become effective on the day following such approval.

Approved by the Governor, June 19, 2024.

A true copy:
Nancy Landry
Secretary of State

ACT No. 691

HOUSE BILL NO. 372
BY REPRESENTATIVES CREWS, CHASSION, AND KNOX
AN ACT

To enact R.S. 36:259(B)(20) and R.S. 40:1134, relative to the transfer of a patient from a ground ambulance provider to a hospital; to create the Ambulance Patient Offload Delay Collaborative; to provide for legislative intent; to provide for requirements of the bureau of emergency medical services; to provide for requirements of the collaborative; to provide for reporting; to provide for rulemaking; and to provide for related matters.

Be it enacted by the Legislature of Louisiana:

Section 1. R.S. 36:259(B)(20) is hereby enacted to read as follows:
§259. Transfer of agencies and functions to Louisiana Department of Health

B. The following agencies are placed within the Louisiana Department of Health and shall exercise and perform their powers, duties, functions, and responsibilities as otherwise provided by law:

(20) Ambulance Patient Offload Delay Collaborative (R.S. 40:1134).

Section 2. R.S. 40:1134 is hereby enacted to read as follows:

§1134. Ambulance Patient Offload Delay Collaborative

A. The legislature finds and declares all of the following:

(1) The emergency medical services system (EMS) and hospitals and their emergency departments are critical components of Louisiana’s emergency healthcare delivery system.

(2) Ambulances throughout the United States and in many other countries are experiencing significant delays in offloading patients into hospital emergency departments.

(3) The cause of the delay is multifaceted and may include factors such as high demand on emergency departments, hospital staffing challenges, hospital throughput procedures, and hospital administrative policies.

(4) Extended ambulance patient offload times are disruptive to the EMS system by taking the ambulance out of service and decreasing advanced life support services in the community, which increases healthcare costs and can back up the entire continuum of emergency healthcare.

(5) Hospitals and EMS personnel are all acting in the best interest of the patient and agree that providing the best possible patient care is the goal despite offload delay challenges.

(6) It is imperative that ambulance providers and hospitals collaborate to develop statewide, regional, or local plans to address the problem of ambulance patient offload delays.

B. (1) There is hereby created within the Louisiana Department of Health, bureau of emergency medical services, the Ambulance Patient Offload Delay Collaborative which shall analyze and develop solutions to the problem of ambulance patient offload delays.

(2) The bureau of emergency medial services shall facilitate discussions and meetings of a statewide collaborative to include the bureau, the Louisiana Hospital Association, the Louisiana Ambulance Alliance, and other appropriate stakeholders as considered necessary by the collaborative.

CODING: Words in ~~struck through~~ type are deletions from existing law; words underlined (House Bills) and underscoring and **boldfaced** (Senate Bills) are additions.

(3) The collaborative shall hold its first meeting on or before October 1, 2024, and shall meet as often as is necessary to fulfill the requirement of this Section.

(4) The collaborative shall be responsible for all of the following:
(a) Reviewing the Emergency Medical Treatment and Active Labor Act (EMTALA) to clearly understand the rights and responsibilities of ambulance service providers and hospitals.

(b) Collecting and reviewing currently available data from emergency medical services and hospitals concerning ambulance patient offload times.

(c) Developing a set of data collection guidelines and performance measures, as well as a standardized reporting process, to identify and track hospitals that exceed the established industry standards for patient offload delays. These standards should be based on best practices and prioritize patient welfare and safety.

(d) Exploring enacted legislation and best practices and policies in other states and countries that have been successful and promising in resolving or improving ambulance patient offload delays through processes that may be implemented locally or on a regional or statewide scale.

(e) Exploring and researching options for reducing demand on hospital emergency departments from individuals transported by ambulance services, specifically treatment-in-place ambulance services and ambulance transports to alternative destinations other than hospital emergency departments for low acuity patients utilizing the 911 system. Research shall include payment mechanisms and funding options for services provided to patients which reduce emergency department demands.

(f) Proposing a format for facilitating local collaborative communications between ambulance service providers and hospital administrators.

C.(1) The collaborative shall prepare a report summarizing its findings and recommendations, including any data collected in accordance with this Section, for submission by the department to the House and Senate committees on health and welfare by February 1, 2025.

(2) The collaborative may continue to meet as necessary after submitting the final report required in Paragraph (1) of this Subsection. If the collaborative continues to meet, it shall submit an annual report to the House and Senate committees on health and welfare by February first of each year.

D. The department may promulgate rules in accordance with the Administrative Procedure Act to carry out the provisions of this Section.

Approved by the Governor, June 19, 2024.

A true copy:
Nancy Landry
Secretary of State

ACT No. 692

**HOUSE BILL NO. 374
BY REPRESENTATIVE ECHOLS
AN ACT**

To enact R.S. 40:2116(B)(7), relative to facility need review; to require facility need review for certain healthcare providers; and to provide for related matters.

Be it enacted by the Legislature of Louisiana:
Section 1. R.S. 40:2116(B)(7) is hereby enacted to read as follows:
§2116. Facility need review

* * *

B. The following healthcare providers shall be subject to facility need review to determine the need for a new or additional facility, provider, program, service, or bed:

* * *

(7) Residential substance abuse treatment providers except those that provide services to women and adolescents.

* * *

Approved by the Governor, June 19, 2024.

A true copy:
Nancy Landry
Secretary of State

ACT No. 693

**HOUSE BILL NO. 376
BY REPRESENTATIVES RISER, CHASSION, KNOX, AND SELTERS
AN ACT**

To amend and reenact R.S. 40:966(F)(2) through (5) and (8)(b)(i) and (c), 1046(A)(1), (3), (5), and (7), (C)(1) and (2)(c), (g), and (i), (D), (E), (F), (G)(1), (2), (3)(a) through (d), and (4) through (7), (H)(6)(a)(introductory paragraph) and (a)(vi), and (L), 1046.1(A), (B), (C)(1), (2)(a)(introductory paragraph) and (b), (D), (E), and (F)(introductory paragraph), 1046.2(F)(introductory paragraph), (1), and (2)(introductory paragraph) and (b), (G)(introductory paragraph) and (1), (I)(introductory paragraph) and (1)(introductory paragraph) and (b), (2), and (3), and 1046.4(B) and to repeal R.S. 40:1046(C)(2)(a), (f), and (j) through (l), relative to the production of therapeutic marijuana; to extend the termination date; to provide for the sale of marijuana for therapeutic use; to provide for the transfer of regulatory authority from the Louisiana Board of Pharmacy to the Louisiana Department of Health; to provide for marijuana retail permits; to provide for rulemaking; to provide for an effective date;

and to provide for related matters.

Be it enacted by the Legislature of Louisiana:

Section 1. R.S. 40:966(F)(2) through (5) and (8)(b)(i) and (c), 1046(A)(1), (3), (5), and (7), (C)(1) and (2)(c), (g), and (i), (D), (E), (F), (G)(1), (2), (3)(a) through (d), and (4) through (7), (H)(6)(a)(introductory paragraph) and (a)(vi), and (L), 1046.1(A), (B), (C)(1), (2)(a)(introductory paragraph) and (b), (D), (E), and (F)(introductory paragraph), 1046.2(F)(introductory paragraph), (1), and (2)(introductory paragraph) and (b), (G)(introductory paragraph) and (1), (I)(introductory paragraph) and (1)(introductory paragraph) and (b), (2), and (3), and 1046.4(B) are hereby amended and reenacted to read as follows:

§966. Penalty for distribution or possession with intent to distribute narcotic drugs listed in Schedule I; possession of marijuana, synthetic cannabinoids, and heroin

* * *

F.

* * *

(2) Any ~~pharmacy licensed to dispense~~ retailer permitted to sell marijuana pursuant to R.S. 40:1046, and any employee, board member, director, or agent of a ~~pharmacy licensed to dispense~~ retailer permitted to sell marijuana pursuant to R.S. 40:1046, shall be exempt from the provisions of this Section for possession of marijuana at a location designated by the Louisiana ~~Board of Pharmacy~~ Department of Health's rules and regulations, or distribution of marijuana in a form approved by the Louisiana ~~Board of Pharmacy~~ Department of Health to a patient with a valid recommendation or prescription, in the state-sponsored medical marijuana program. This Paragraph shall not prevent the arrest or prosecution of any person for diversion of marijuana or any of its derivatives or other conduct outside the scope of the state-sponsored medical marijuana program or for violations of ~~the~~ Louisiana ~~Board of Pharmacy~~ Department of Health's rules and regulations.

(3) Any licensee or its subordinate contractor licensed by the ~~Louisiana Department of Agriculture and Forestry~~ Health to produce marijuana pursuant to R.S. 40:1046, and any employee, board member, director, or agent of a marijuana licensee or its subordinate contractor licensed pursuant to R.S. 40:1046, shall be exempt from prosecution under this Section for possession, production, or manufacture of marijuana at the production facility designated by the ~~Louisiana Department of Agriculture and Forestry~~ Health or for the transportation of marijuana or any of its derivatives in accordance with the ~~Louisiana Department of Agriculture and Forestry~~ Health's rules and regulations. This Paragraph shall not prevent the arrest or prosecution of any person for diversion of marijuana from the production facility designated by the ~~Louisiana Department of Agriculture and Forestry~~ Health outside the scope of the state-sponsored medical marijuana program or for violations of the ~~Louisiana Department of Agriculture and Forestry~~ Health's rules and regulations.

(4) Any laboratory that tests marijuana or marijuana preparations produced and distributed under the state-sponsored medical marijuana program, and any employee, board member, director, or agent of a testing laboratory pursuant to R.S. 40:1046, shall be exempt from prosecution under this Section for possession of marijuana or any of its derivatives at a research laboratory designated by the ~~Louisiana Board of Pharmacy~~ Department of Health or for transportation of marijuana or any of its derivatives in accordance with ~~Louisiana Board of Pharmacy~~ Department of Health's rules and regulations. This Paragraph shall not prevent the arrest or prosecution of any person for diversion of marijuana from a research laboratory designated by the ~~Louisiana Board of Pharmacy~~ Department of Health or other conduct outside the scope of the state-sponsored medical marijuana program or for violations of ~~Board of Pharmacy~~ the Louisiana Department of Health's rules and regulations.

(5) Any person, ~~employee, board member, director, or agent~~ conducting research as the licensee pursuant to R.S. 40:1046 and ~~any employee, board member, director, agent, or any person conducting research in partnership with the licensee~~ shall be exempt from prosecution under this Section for the possession, production, or manufacture of marijuana or any of its derivatives ~~at the production facility designated by the Department of Agriculture and Forestry~~ or for the transportation of marijuana or any of its derivatives in accordance with ~~Louisiana Department of Agriculture and Forestry~~ Health's rules and regulations. This Paragraph shall not prevent the arrest or prosecution of any person for diversion of marijuana or any of its derivatives ~~from the production facility designated by the Department of Agriculture and Forestry~~ or other conduct outside the scope of the state-sponsored medical marijuana program or for violations of the ~~Louisiana Department of Agriculture and Forestry~~ Health's rules and regulations.

* * *

(8)

* * *

(b) Notwithstanding any other provision of law to the contrary, except when the person to be arrested has committed a felony, although not in the presence of the officer, no peace officer may arrest any employee, board member, director, or agent during the course and scope of his employment with the following, pursuant to R.S. 40:1046:

(i) A ~~pharmacy licensed to dispense~~ retailer permitted to sell marijuana for therapeutic use.

* * *

(c) The defendant shall bear the burden of proving that the possession, manufacture, production, transportation, or distribution was in accordance with the state-sponsored medical marijuana program, ~~the Louisiana Board of~~

Pharmacy rules and regulations, or the Louisiana Department of Agriculture and Forestry Health's rules and regulation, as applicable.

* * *

§1046. Recommendation and dispensing sale of marijuana for therapeutic use; rules and regulations of the Louisiana Board of Pharmacy; production facility licensing; regulations and permitting by the Louisiana Department of Health

A.(1) Notwithstanding any other provision of this Part, any clinician authorized by the provisions of Subsection B of this Section to recommend medical marijuana, referred to in this Section as an “authorized clinician”, may recommend, in any form as permitted authorized by the rules and regulations of the Louisiana Board of Pharmacy Department of Health, hereafter referred to as the “department”, raw or crude marijuana, tetrahydrocannabinols, or a chemical derivative of tetrahydrocannabinols for therapeutic use by any patient clinically diagnosed as suffering from a debilitating medical condition.

* * *

(3) For purposes of this Part, “recommend” or “recommended” means an opinion of any authorized clinician, provided within a bona fide clinician-patient relationship, that, in the sincere judgment of the clinician, therapeutic cannabis may be helpful to the patient's condition or symptoms and is communicated by any means allowed by the Louisiana Board of Pharmacy department.

* * *

(5)(a) No pharmacy authorized to dispense retailer permitted to sell marijuana for therapeutic use in accordance with the provisions of this Section shall dispense sell more than two and one-half ounces, or seventy-one grams, of raw or crude marijuana every fourteen days to any individual patient.

(b) No pharmacy authorized to dispense retailer permitted to sell marijuana for therapeutic use in accordance with the provisions of this Section shall dispense sell raw or crude marijuana to any person under twenty-one years of age without a recommendation from an authorized clinician specifically recommending marijuana in raw or crude form for that person.

* * *

(7) Nothing in this Subsection shall be construed to prevent the Louisiana Board of Pharmacy department from permitting authorizing, by rule, medical marijuana in a form to be administered by metered-dose inhaler. For purposes of this Section, “metered-dose inhaler” means a device that delivers a specific amount of medication to the lungs, in the form of a short burst of medicine that is usually self-administered by the patient via inhalation.

* * *

C.(1) The Louisiana Board of Pharmacy department shall adopt rules to provide for relating to therapeutic marijuana retail permits.

(2) The rules promulgated pursuant to this Subsection shall include but not be limited to:

* * *

(c) Procedures and protocols to provide that no recommended therapeutic marijuana may be dispensed sold from, produced from, obtained from, sold to, or transferred to a location outside of this state.

* * *

(g) The establishment of other licensing permit, renewal, and operational standards which are deemed necessary by the Louisiana Board of Pharmacy department.

* * *

(i) The establishment of health, safety, and security requirements for dispensers of recommended therapeutic marijuana retail permit holders.

* * *

D. Nothing in this Section shall be construed to prohibit the Louisiana State Board of Medical Examiners or the Louisiana Board of Pharmacy department from adopting emergency rules as otherwise provided for in the Administrative Procedure Act.

E. Marijuana, tetrahydrocannabinols, or a chemical derivative of tetrahydrocannabinols recommended pursuant to this Section shall be dispensed sold in person from by a licensed pharmacy marijuana retail permit holder in good standing located in Louisiana.

F.(1)(a) Each permitted retailer shall acquire and maintain all software, hardware, and communications infrastructure necessary to ensure connectivity to and implementation of the Louisiana Medical Marijuana Tracking System, hereafter referred to as the “LMMTS”, from seed to delivery to an approved laboratory, to wholesale to permitted retailers, to wholesale to another licensed cultivation facility, to delivery to an authorized researcher, to sale to patients or caregivers by permitted retailers, or to destruction. A person who recommends and a person who dispenses sells marijuana, tetrahydrocannabinols, or a chemical derivative of tetrahydrocannabinols pursuant to this Section shall review the patient's information in the database of the prescription monitoring program established in R.S. 40:1001 et seq. LMMTS prior to the recommending and dispensing selling thereof.

(b) Each retail permit holder shall appoint a minimum of one pharmacist residing in Louisiana who has an active unrestricted license with the Louisiana Board of Pharmacy who is designated by the retail permit holder to be responsible for the operation of the primary retail location and any satellite locations in compliance with all applicable laws and regulations. The pharmacist shall be considered on duty when accessible by the employees and agents of the primary retail location and any satellite locations through telephonic means during open hours and available by telephone or video

conference for a patient consultation during open hours.

(2) Any person who dispenses sells marijuana, tetrahydrocannabinols, or a chemical derivative of tetrahydrocannabinols pursuant to this Section shall comply with the reporting requirements of the prescription monitoring program established in R.S. 40:1001 et seq LMMTS.

G.(1)(a) The Louisiana Board of Pharmacy department shall develop issue an annual license for a pharmacy to dispense retail permit to sell recommended marijuana for therapeutic use and, except as provided in Paragraph (3) of this Subsection, shall limit the number of licenses retail permits granted in the state to no more than ten licenses. Except as provided in Subparagraph (b) of this Paragraph, the board shall award one license per region as delineated in Paragraph (2) of this Subsection and one additional license to the region with the highest population density as of August 1, 2022, and shall award each license through a competitive process. The board shall consider the status of an applicant as a minority-, woman-, or veteran-owned business as a primary factor in awarding a license.

(b) Upon each annual renewal period, a retail permit in force shall be renewed by the department for the next succeeding period upon proper application for renewal and payment of permit fees as required by law and the rules and regulations of the department.

(c) Subject to the limitations in this Subsection, the department shall select a new retail permit holder through a competitive bid process in accordance with the applicable provisions of the Louisiana Procurement Code, R.S. 39:1551 et seq., only if any of the following occur:

(i) After written notice from the department and failure of the retail permit holder to cure within thirty days following receipt of written notice, a retail permit holder fails to comply with the proper application for renewal and payment of permit fees as required by law and the rules and regulations of the department, and the retail permit is revoked.

(ii) A retail permit is voluntarily returned or remitted to the department prior to the expiration of the permit period.

(b) (e) The transfer of a membership interest in an entity operating a pharmacy licensed by the Louisiana Board of Pharmacy that holds a marijuana retail permit to dispense recommended marijuana for therapeutic use may be conducted without approval of the department shall be subject to approval of the board in the same manner required for the transfer of a membership interest in any other pharmacy licensed by the board.

(2) For the purposes of this Subsection, the regions among which the Louisiana Board of Pharmacy shall allocate marijuana pharmacy licenses retail permits are allocated shall correspond to the sets of parishes comprising, respectively, the administrative regions of the Louisiana Department of Health as those regions existed on August 1, 2022. On and after October 1, 2022, at least one licensed marijuana pharmacy retailer shall be located in each region.

(3)(a) After three thousand five hundred active, qualified patients are identified in the prescription monitoring program in a region, the Louisiana Board of Pharmacy department shall notify and allow the marijuana pharmacy licensee retail permit holder in that region to open one additional marijuana pharmacy retail location as a satellite location in that region. For the purposes of this Paragraph, “satellite location” shall mean an additional marijuana pharmacy retail location operated by a marijuana pharmacy licensee retail permit holder within the licensee's same geographic region but physically separate from the location of the originally licensed original therapeutic marijuana pharmacy retail location.

(b) After seven thousand active, qualified patients are identified in the prescription monitoring program in a region, the Louisiana Board of Pharmacy department shall notify and allow the marijuana pharmacy licensee retail permit holder in that region to open one additional marijuana pharmacy retail location as a second satellite location in that region.

(c) The licensee retail permit holder shall submit an application to open a satellite location provided for in this Paragraph no later than ninety days after receipt of the notification sent by the Louisiana Board of Pharmacy department pursuant to Subparagraph (b) of this Paragraph to inform the licensee of his eligibility to open a satellite location. The satellite location shall be operational within three hundred ten days of the approval of the application by the Louisiana Board of Pharmacy department. The Louisiana Board of Pharmacy department may grant additional time for the satellite location to become operational due to a circumstance beyond the control of the licensee retail permit holder. If a marijuana pharmacy licensee retail permit holder declines to open a satellite location pursuant to Subparagraph (a) or (b) of this Paragraph, then the Louisiana Board of Pharmacy department may issue, pursuant to the provisions of Paragraph (1) of this Subsection, an additional marijuana pharmacy license retail permit in that region to open one marijuana pharmacy retail location in lieu of the original licensee's retail permit holder's satellite location in that region.

(d) The board department shall consider any unserved parishes within the region when approving a satellite location or additional marijuana pharmacy for licensure retail permits pursuant to this Paragraph.

* * *

(4)(a) The total number of marijuana pharmacy retail locations, including satellite locations, approved by the Louisiana Board of Pharmacy department pursuant to Paragraph (3) of this Subsection shall not be greater than thirty locations.

(b) The provisions of this Paragraph shall not be construed to authorize a marijuana pharmacy licensee retail permit holder to open more than two satellite locations in a single region.

(5) The provisions of this Subsection shall not be construed to require the closure of any marijuana ~~pharmacy retail~~ location, including satellite locations, if the active, qualified patient count drops below three thousand five hundred after the location is approved by the board.

(6)(a) No marijuana ~~pharmacy retail permit holder~~ shall locate within a fifteen-mile radius of another ~~license retail permit~~ holder's marijuana ~~pharmacy retail location~~.

(b) Notwithstanding the provisions of Subparagraph (a) of this Paragraph, in a region that encompasses any parish with a population of more than three hundred fifty thousand persons according to the most recent federal decennial census, no marijuana ~~pharmacy retail permit holder~~ shall locate within a ten-mile radius of another ~~license retail permit~~ holder's marijuana ~~pharmacy retail location~~.

(c) Notwithstanding the provisions of Subparagraphs (a) and (b) of this Paragraph, in a region that encompasses any municipality with a population of more than three hundred fifty thousand persons according to the most recent federal decennial census, no marijuana ~~pharmacy retail permit holder~~ shall locate within a five-mile radius of another ~~license retail permit~~ holder's marijuana ~~pharmacy retail location~~.

(d) ~~The provisions of this Paragraph shall not apply if all affected retail permit holders submit a written mutual agreement to the department waiving the provisions of this Paragraph.~~

(7) Each marijuana ~~pharmacy licensed in accordance with the provisions of this Subsection retail permit holder~~ shall offer home delivery to patients in each zip code within its region at least once per month.

* * *

H.

* * *

(6)(a) The Louisiana Department of Health shall collect all of the following information from each ~~licensee retail permit holder~~:

* * *

(vi) The amount of therapeutic marijuana distributed to each ~~pharmacy licensed to dispense therapeutic marijuana in this state retail permit holder~~ during each calendar year.

* * *

L. The provisions of this Section shall terminate on ~~January 1, 2025~~ July 1, 2030.

§1046.1. ~~Dispensing Sale~~ of marijuana for therapeutic use to visiting qualifying patients

A. As used in this ~~Section Part~~, the following terms have the meaning ascribed in this Subsection:

(1) “~~Board~~” means the Louisiana Board of Pharmacy.

(2) “~~Debilitating medical condition~~” has the meaning ascribed in R.S. 40:1046(A)(2)(a).

(2) “~~Department~~” means the Louisiana Department of Health.

(3) “~~Marijuana pharmacy~~” means a pharmacy that holds a specialty license to dispense medical marijuana issued pursuant to R.S. 40:1046(G).

(4) (3) “~~Medical marijuana~~” means marijuana for therapeutic use produced pursuant to the provisions of R.S. 40:1046(H).

(5) (4) “~~Prescription monitoring program LMMTS~~” means the electronic seed-to-sale tracking system approved by the department for the monitoring of controlled substances and drugs of concern established in R.S. 40:1004.

(6) (5) “~~Visiting qualifying patient~~” means a patient with a debilitating medical condition who is not a resident of Louisiana or who has been a resident of Louisiana for less than thirty days and who is in actual possession of a valid medical marijuana registry identification card, or its equivalent, which has been issued under the medical marijuana laws of another state, district, territory, commonwealth, or insular possession of the United States.

B. A visiting qualifying patient may obtain medical marijuana from a marijuana ~~pharmacy retail permit holder~~ upon producing evidence of his valid medical marijuana registry identification card, or its equivalent, which has been issued under the medical marijuana laws of another state, district, territory, commonwealth, or insular possession of the United States.

C.(1) A marijuana ~~pharmacy retail permit holder~~ shall require each visiting qualifying patient to certify on a form approved by the ~~board department~~ that he has been diagnosed by a ~~licensed physician authorized clinician~~ with one or more debilitating medical conditions. The form shall include the full name, address, and phone number of the visiting qualifying patient and shall include a statement to be signed by the patient by which he shall attest that he will not divert to any person any medical marijuana ~~dispensed sold~~ to him by the marijuana ~~pharmacy retail permit holder~~.

(2)(a) A marijuana ~~pharmacy retail permit holder~~ shall retain a copy of each of the following documents received from a visiting qualifying patient:

* * *

(b) The ~~board department~~ shall promulgate in accordance with the Administrative Procedure Act a record retention schedule for marijuana ~~pharmacies retail permit holders~~ which applies to the documents identified in this Paragraph.

D. Prior to dispensing any medical marijuana product to a visiting qualifying patient, a ~~dispensing pharmacist or the pharmacist's designee~~ at a marijuana ~~pharmacy retail location~~ shall review the patient's records in the ~~prescription monitoring program LMMTS~~. The pharmacist ~~or the pharmacist's designee~~ shall resolve any concerns identified in the review of the patient's ~~prescription monitoring program~~ records by consultation with the patient's physician.

E.(4) Upon ~~dispensing sale of~~ any medical marijuana product to a visiting

qualifying patient, the ~~dispensing pharmacist or the pharmacist's designee~~ at a marijuana ~~pharmacy retail location~~ shall report that transaction to the ~~prescription monitoring program LMMTS in conformance with program rules governing dispensing of controlled substances to Louisiana resident patients and as required by any rules of the board that apply to marijuana pharmacies.~~

(2) ~~The dispensing pharmacist at a marijuana pharmacy shall perform a prospective drug utilization review for each visiting qualifying patient and shall counsel each such patient every time medical marijuana is dispensed to the patient in conformance with rules of the board governing dispensing of controlled substances to Louisiana resident patients and in compliance with applicable rules of the board on drug utilization review and patient counseling.~~

F. No marijuana ~~pharmacy retail permit holder~~ shall ~~dispense~~ sell medical marijuana to a person who holds himself out to be a visiting qualifying patient if the ~~dispensing pharmacist or the pharmacist's designee at the pharmacy retail location~~ determines any of the following with respect to that person:

* * *

§1046.2. ~~Contractors; selection; Licensees;~~ minimum standards

* * *

F. All of the following requirements shall apply with respect to data management by ~~contractors licensees~~:

(1) Each ~~contractor licensee~~ shall acquire and maintain all software, hardware, and communications infrastructure necessary to ensure connectivity to and implementation of the Louisiana Medical Marijuana Tracking System, referred to hereafter in this Subsection as the LMMTS, to track therapeutic marijuana from seed to distribution to an approved laboratory, to ~~licensed pharmacies retail permit holders~~, to another cultivation ~~contractor licensee~~ or to destruction, tagging each plant and product with a unique identification number, and entering the number into the LMMTS for tracking. The ~~contractor licensee~~ shall bear the cost of all expenses related to tracking, tagging, and implementation of the LMMTS.

(2) Within twenty-four hours of the respective qualifying event, the ~~contractor licensee~~ shall record the following in the LMMTS:

* * *

(b) The sale, transfer, or transport of therapeutic marijuana or its derivatives to another ~~contractor licensee~~, approved laboratory, or therapeutic marijuana ~~pharmacy retail permit holder~~.

* * *

G. All of the following standards and requirements shall apply to ~~contractors' licensees'~~ inventory:

(1) Each ~~contractor licensee~~ shall maintain a comprehensive inventory of all marijuana, including without limitation usable marijuana available for ~~dispensing sale~~, mature marijuana plants, and seedlings at each authorized location. Following an initial inventory, all marijuana shall be inventoried on a weekly basis.

* * *

I. All of the following requirements shall apply to transportation of therapeutic marijuana by ~~contractors licensees~~:

(1) Prior to transporting therapeutic marijuana, a ~~contractor licensee~~ shall generate an inventory manifest in the Louisiana Medical Marijuana Tracking System, referred to hereafter in this Subsection as the LMMTS, including all of the following information:

* * *

(b) The name of the ~~contractor licensee~~, approved laboratory, or ~~licensed pharmacy retail permit holder~~ receiving the transport.

* * *

(2) The ~~contractor licensee~~ originating the transport shall provide the ~~contractor licensee~~, approved laboratory, or ~~licensed pharmacy retail permit holder~~ receiving the transport with a copy of the LMMTS inventory manifest, which shall not be altered after departing the originating ~~contractor's licensee's~~ facility.

(3) The ~~contractor licensee~~, approved laboratory, or ~~licensed pharmacy retail permit holder~~ receiving the transport shall record the quantities of all therapeutic marijuana products in the LMMTS. However, any ~~contractor licensee~~, approved laboratory, or ~~licensed pharmacy retail permit holder~~ receiving a therapeutic marijuana transport shall refuse the transport if it is not accompanied by an unaltered LMMTS inventory manifest.

* * *

§1046.4. Testing; sample collection; minimum standards; reporting; remediation

* * *

B. Each batch of medical marijuana finished product shall pass all applicable testing standards, including appropriate microbial and fungal limits, acceptable standards for pesticide chemical residues, appropriate residual solvent and heavy metals limits, homogeneity for concentrates and extracts, and complete active ingredient analysis or potency analysis prior to transportation to a medical marijuana ~~pharmacy retail permit holder~~. The administrative rules of the Louisiana Department of Health shall allow for a variance of no greater than plus fifteen percent or minus fifteen percent from the labeled amount of active ingredients in the ingredient analysis or potency analysis.

* * *

Section 2. R.S. 40:1046(C)(2)(a), (f), and (j) through (l) are hereby repealed.

Section 3.(A) The regulatory authority provided in Part X-E of Chapter 4 of Title 40 of the Louisiana Revised Statutes of 1950 shall be transferred from the Louisiana Board of Pharmacy to the Louisiana Department of Health

effective January 1, 2025. Prior to January 1, 2025, the Louisiana Department of Health shall adopt rules in accordance with the Administrative Procedure Act to provide for the regulation of therapeutic marijuana retail permit holders.

(B) To prevent any disruption to the supply chain and to ensure uninterrupted availability of recommended marijuana for therapeutic use for qualified patients, the Louisiana Department of Health shall allow the continued wholesale purchase, sale, and delivery of therapeutic marijuana by retail permit holders until such time as the department adopts all necessary rules.

(C) To prevent any disruption to patient continuity of care, on January 1, 2025, the Louisiana Board of Pharmacy shall transfer and the Louisiana Department of Health shall accept the annual licenses in force to sell marijuana for therapeutic use at the licensees primary location and all satellite locations and shall convert each license to therapeutic marijuana retail permit.

Section 4. This Act shall become effective on January 1, 2025.

Approved by the Governor, June 19, 2024.

A true copy:
Nancy Landry
Secretary of State

ACT No. 694

HOUSE BILL NO. 380
BY REPRESENTATIVES ZERINGUE, GREEN, JACKSON, NEWELL, AND THOMPSON
AN ACT

To amend and reenact R.S. 13:754(A) through (D) and (F) and 850(A), Code of Civil Procedure Article 253, and Code of Criminal Procedure Article 14.1 and to enact Code of Criminal Procedure Article 14.2, relative to electronic filings; to provide relative to the membership and duties of the Louisiana Clerks' Remote Access Authority; to provide relative to electronic filing standards and requirements; to provide relative to facsimile transmissions; to provide for contingent effectiveness; and to provide for related matters.

Be it enacted by the Legislature of Louisiana:

Section 1. R.S. 13:754(A) through (D) and (F) and 850(A) are hereby amended and reenacted to read as follows:

§754. Louisiana Clerks' Remote Access Authority; membership; board of commission; statewide portal

A. There is hereby created the Louisiana Clerks' Remote Access Authority which shall be referred to as the "LCRAA".

B. The LCRAA shall provide for infrastructure, governance, standard operating procedures, technology, maintenance, and training to support a statewide portal with a universal interface for secure remote access by internet users to certain records maintained by LCRAA members, and LCRAA shall provide assistance to LCRAA members in procuring, implementing, enhancing, and maintaining equipment, supplies, and services related to technology to facilitate electronic transactions and communications and to disseminate information to the public, to facilitate the operations of any member during any declared emergency, and to provide for document preservation. Every district clerk of court shall facilitate electronic filing, recording, and remote access through the LCRAA portal by January 1, 2026. LCRAA shall work with the district clerks of court to achieve the goal of electronic filing, recording, and remote access through the universal interface on the statewide portal maintained by LCRAA.

C.~~(1) The LCRAA shall be composed of members who are district clerks of court to provide the LCRAA with secure remote access to indices of certain records maintained by each district clerk of court. LCRAA shall adopt rules permitting additional district clerks of court to enroll as members of LCRAA on a schedule which shall include at least one enrollment period per fiscal year. Every district clerk of court shall become a member of LCRAA by July 1, 2020. LCRAA shall provide the legislature, prior to the convening of the 2020 Regular Session, with a written progress report that includes a list of participating clerks of court by parish and a list of clerks of court by parish not yet participating, an overview of the information currently available through LCRAA, and information on the availability of online records of each clerk of court by parish.~~

~~D.(1) (2) The LCRAA shall be governed by a seven-member six-member board of commissioners, referred to in this Section as the "board", and consists of the following members:~~

(a) Five commissioners to be elected by the LCRAA from the LCRAA membership.

~~(b) One commissioner to be designated by the Louisiana Bankers Association (LBA).~~

(c) One commissioner to be designated by the Louisiana Land Title Association (LLTA) or the Louisiana Association of Independent Land Title Agents (LAILTA). The commissioners from each association shall serve for a one-year term, alternating between the two associations. The designee of the LAILTA shall serve as the initial commissioner with the term beginning July 1, 2014, and ending June 30, 2015. The term for the designee of the LLTA shall begin on July 1, 2015, and end on June 30, 2016.

~~(2) (3)(a) Board members elected by the LCRAA and elected by the LBA shall serve two-year terms. The initial term shall begin on July 1, 2014, and shall end on June 30, 2016.~~

(b) Board members shall be eligible for election to succeeding terms

without limit.

(c) Any expired term or vacancy on the board of LCRAA shall be filled in the same manner as the original appointment.

~~(3) (4) The board shall elect from its members a chair, a vice chair, a secretary, a treasurer, and such other officers as it may deem necessary. The duties of the officers shall be fixed by the by-laws adopted by LCRAA.~~

~~(4) (5) The members of the board shall serve without compensation but shall be reimbursed for their reasonable expenses directly related to the governance of LCRAA.~~

~~(5) (6) The domicile of LCRAA shall be in East Baton Rouge Parish.~~

D. Every clerk of court shall provide the following information to LCRAA, which shall be compiled by LCRAA and submitted to the legislature no later than January 1, 2025:

(1) The case management system or docket system software and software vendor used by each parish clerk of court.

(2) The number and percentage of remote electronic filings and physical filings of pleadings converted to electronic image by each parish clerk of court.

(3) The capability of the case management system or docket system of each parish clerk of court to accept electronic signatures by judges and the extent of the use of electronic signature systems by judges of the court.

(4) The costs charged by each clerk of court to persons for electronic filing of civil and criminal pleadings and the amounts charged to access, view, and download images of pleadings via an electronic case management system or docket system.

(5) The costs charged by each clerk of court for electronic recording of documents effecting land titles.

(6) The cost charged by each clerk of court to access, view, or obtain copies of electronic images or paper copies of electronic images of documents in the land title database.

* * *

F.(1) Beginning September 1, 2014, members of LCRAA shall collect a fee of five dollars per recording of which no more than three dollars shall be remitted to the LCRAA and two dollars the remainder shall be retained by the member to fund costs related to participation in the statewide portal, including but not limited to acquiring hardware and software and providing document preservation. The fees shall be remitted to LCRAA by the tenth day of the month following collection. LCRAA shall use the fees received solely for the purposes set forth in this ~~Subsection~~ Section.

(2) Any user fee received by LCRAA shall be used for administering and maintaining the statewide portal and a ~~prorated~~ share, as determined by LCRAA, may be paid to members ~~based upon the public access to the records provided by the member.~~

~~(3) If the statewide portal is not operational by August 31, 2017, the additional five dollar fee shall cease to be collected.~~

* * *

§850. Facsimile transmission; filings in civil actions; fees; equipment and supplies

A. ~~Any~~ Until January 1, 2026, any document in a civil action may be filed with the clerk of court by facsimile transmission. All clerks of court shall make available for their use equipment to accommodate facsimile filing in civil actions, and the clerks of court shall not intentionally turn off or disconnect the equipment used to receive facsimile filings. Filing shall be deemed complete on the date and time indicated on the clerk of court facsimile transmission receipt. No later than on the first business day after receiving a facsimile filing, the clerk of court shall transmit to the filing party via facsimile a confirmation of receipt and include a statement of the fees for the facsimile filing and filing of the original document. The facsimile filing fee and transmission fee are incurred upon receipt of the facsimile filing by the clerk of court and payable as provided in Subsection B of this Section. The facsimile filing shall have the same force and effect as filing the original document, if the filing party complies with Subsection B of this Section.

* * *

Section 2. Code of Civil Procedure Article 253(B) and (D) are hereby amended and reenacted and Code of Civil Procedure Article 253(I) is hereby enacted to read as follows:

Art. 253. Pleadings, documents, and exhibits to be filed with clerk

* * *

~~B. The filings as provided in Paragraph A of this Article and all other provisions of this Chapter may be transmitted electronically in accordance with a system established by a clerk of court or by Louisiana Clerks' Remote Access Authority.~~ B. On and after January 1, 2026, all filings as provided in Paragraph A of this Article and all other provisions of this Chapter filed by an attorney shall be transmitted electronically through the system selected by the filing attorney. The filing shall be made in accordance with the system established by a clerk of court or by Louisiana Clerks' Remote Access Authority. The filer shall be responsible for ensuring private information is not included in filings. No filing shall include the first five digits of any social security number, tax identification numbers, state identification numbers, driver's license numbers, financial account numbers, full dates of birth, or any information protected from disclosure by state or federal law. When such a system is established, the clerk of court shall adopt and implement procedures for the electronic filing and storage of any pleading, document, or exhibit, and the official record shall be the electronic record. A pleading or document filed electronically is deemed filed on the date and time stated on the confirmation of electronic filing sent from the system, if the clerk of court

accepts the electronic filing. Public access to electronically filed pleadings and documents shall be in accordance with the rules governing access to paper filings. The clerk of court may convert into an electronic record any pleading, document, or exhibit as set forth in R.S. 44:116. ~~The originals of conveyances shall be preserved by the clerk of court.~~

* * *

D. ~~Any~~ Until January 1, 2026, any pleading or document in a traffic or criminal action may be filed with the court by facsimile transmission in compliance with the provision of the Code of Criminal Procedure Article 14.1.

* * *

I. Upon adoption of uniform filing standards by the LCRAA, no clerk of court shall accept a filing not in accordance with said standards.

* * *

Section 3. Code of Criminal Procedure Article 14.1(A) and (F) are hereby amended and reenacted and Code of Criminal Procedure Article 14.1(G) is hereby enacted to read as follows:

Art. 14.1. Filing of pleadings and documents by facsimile or electronic transmission

A. ~~Any~~ Until January 1, 2026, any document in a traffic or criminal action may be filed with the clerk of court by facsimile transmission if permitted by the policy of the clerk of court. Filing shall be deemed complete at the time the facsimile transmission is received by the clerk of court. No later than on the first business day after receiving a facsimile filing, the clerk of court shall transmit to the filing party via facsimile a confirmation of receipt and include a statement of the fees for the facsimile filing and filing of the original document. The facsimile filing fee and transmission fee are incurred upon receipt of the facsimile filing by the clerk of court and payable as provided in Paragraph B of this Article. The facsimile filing shall have the same force and effect as filing the original document, if the party complies with Paragraph B of this Article.

* * *

F. Upon adoption of uniform filing standards by the LCRAA, no clerk of court shall accept a filing not in accordance with the standards adopted by the LCRAA.

F. ~~The G. Beginning January 1, 2026, all filings as provided in this Article and all other provisions of this Code may filed by an attorney shall be transmitted electronically through the system selected by the filing attorney. The filing shall be made in accordance with a the system established by a clerk of court or by the Louisiana Clerks' Remote Access Authority. The filer shall be responsible for ensuring private information is not included in filings. No filing shall include the first five digits of any social security number, tax identification numbers, state identification numbers, driver's license numbers, financial account numbers, full dates of birth, or any information protected from disclosure by state or federal law. When such a system is established, the clerk of court shall adopt and implement procedures for the electronic filing and storage of any pleading, document, or exhibit. Furthermore, in a parish that accepts electronic filings covered under this Paragraph, the official record shall be the electronic record. A pleading or document filed electronically is deemed filed on the date and time stated on the confirmation of electronic filing sent from the system, if the clerk of court accepts the electronic filing. Public access to electronically filed pleadings and documents shall be in accordance with the rules governing access to written filings.~~

Section 4. Code of Civil Procedure Article 253 is hereby amended and reenacted to read as follows:

Art. 253. Pleadings, documents, and exhibits to be filed with clerk

A. All pleadings or documents to be filed in an action or proceeding instituted or pending in a court, and all exhibits introduced in evidence, shall be delivered or transmitted to the clerk of the court for such that purpose. The clerk of court shall endorse thereon the fact and date of filing; and shall retain possession thereof for inclusion in the record, or in the files of his the clerk's office, as required by law. The endorsement of the fact and date of filing shall be made upon receipt of the pleadings or documents by the clerk of court and shall be made without regard to whether there are orders in connection therewith to be signed by the court.

B.(1) The filings as provided in Paragraph A of this Article and all other provisions of this Chapter may be transmitted electronically in accordance with a system established by a the clerk of court, or by Louisiana Clerks' Remote Access Authority. When such a system is established, the The clerk of court shall adopt and implement procedures a system for the electronic filing and storage of any pleading, document, or exhibit, and the official record shall be the electronic record filed with a pleading. A pleading or document filed electronically is deemed filed on the date and time stated on the confirmation of electronic filing sent from the system, if the clerk of court accepts the electronic filing. Public access to electronically filed pleadings and documents shall be in accordance with the rules governing access to paper filings. The clerk of court may convert into an electronic record any pleading, document, or exhibit as set forth in R.S. 44:116. The originals of conveyances shall be preserved by the clerk of court.

(2) On and after January 1, 2026, all filings as provided in Paragraph A of this Article and all other provisions of this Chapter filed by an attorney shall be transmitted electronically in accordance with a system established by a clerk of court or by Louisiana Clerks' Remote Access Authority. The filer shall be responsible for ensuring private information is not included in filings. No filing shall include the first five digits of any social security number, tax identification numbers, state identification numbers, driver's license

numbers, financial account numbers, full dates of birth, or any information protected from disclosure by state or federal law. The clerk of court shall adopt a system for the electronic filing and storage of any pleading, document, or exhibit filed with a pleading. A pleading or document filed electronically is deemed filed on the date and time stated on the confirmation of electronic filing sent from the system, if the clerk of court accepts the electronic filing. Public access to electronically filed pleadings and documents shall be in accordance with the rules governing access to paper filings.

C. The clerk of court may convert into an electronic record any pleading, document, or exhibit that is filed in paper form. If requested by the filing party, the clerk of court shall return to the filing party the original of any document or exhibit that has been converted into an electronic record.

D. The official record shall be the electronic record. The original of any filed document or exhibit shall be maintained by the filing party during the pendency of the proceeding and until the judgment becomes final and definitive, unless otherwise provided by law or order of the court. Upon request and reasonable notice, the original document or exhibit shall be produced to the court. Upon reasonable notice, the original document or exhibit shall be made available to the opposing party for inspection.

E. Unless otherwise directed by the court, the original of all documents and exhibits introduced or proffered into evidence, submitted with a petition for executory process, or filed in a summary judgment proceeding shall be retained by the clerk of court until the order or judgment becomes final and definitive.

~~E. F.~~ A judge or justice presiding over a court in this state may sign a court order, notice, official court document, and other writings required to be executed in connection with court proceedings by use of an electronic signature as defined by R.S. 9:2602.

D. ~~Any pleading or document in a traffic or criminal action may be filed with the court by facsimile transmission in compliance with the provision of the Code of Criminal Procedure Article 14.1.~~

E. ~~The clerk shall not refuse to accept for filing any pleading or other document signed by electronic signature, as defined by R.S. 9:2602, and executed in connection with court proceedings, or which complies with the procedures for electronic filing implemented pursuant to this Article, if any applicable fees for filing and transmission are paid, solely on the ground that it was signed by electronic signature.~~

F. ~~G.~~ If the filing party fails to comply with any requirement of the requirements of Paragraph (A) or (B)(1) of this Article, the electronic filing shall have no force or effect. The district courts A court may provide by court rule for other matters related to filings by electronic transmission.

G. ~~H.~~ The clerk of court may procure equipment, services, and supplies necessary to accommodate electronic filings out of the clerk's salary fund.

H. ~~I.~~ All electronic filings shall include an electronic signature. For the purpose of this Article, "electronic signature" means an electronic symbol or process attached to or logically associated with a record and executed or adopted by a person with the intent to sign the record.

J. ~~The clerk of court shall not refuse to accept for filing any pleading or other document that is signed by electronic signature and executed in connection with court proceedings, or that complies with the procedures for electronic filing implemented pursuant to this Article, solely on the ground that the pleading or document was signed by electronic signature.~~

K. Upon adoption of uniform filing standards by the LCRAA, no clerk of court shall accept a filing not in accordance with the adopted standards.

Section 5. Code of Criminal Procedure Article 14.1 is hereby amended and reenacted and Code of Criminal Procedure Article 14.2 is hereby enacted to read as follows:

Art. 14.1. ~~Filing of pleadings and documents by facsimile or electronic transmission~~ Electronic filings

A. Until January 1, 2026, any document in a traffic or criminal action may be transmitted electronically in accordance with a system established by the clerk of court. The clerk of court shall adopt a system for the electronic filing and storage of any pleading, document, or exhibit other than those documents or exhibits introduced and filed at a hearing or trial. Furthermore, in a court that accepts electronic filings in accordance with this Paragraph, the official record shall be the electronic record. A pleading or document filed electronically is deemed filed on the date and time stated on the confirmation of electronic filing sent from the system, if the clerk of court accepts the electronic filing. Public access to electronically filed pleadings and documents shall be in accordance with the rules governing access to written filings.

B. Beginning January 1, 2026, all filings as provided in this Article and all other provisions of this Code filed by an attorney shall be transmitted electronically in accordance with a system established by a clerk of court or by the Louisiana Clerks' Remote Access Authority. The filer shall be responsible for ensuring private information is not included in filings. No filing shall include the first five digits of any social security number, tax identification numbers, state identification numbers, driver's license numbers, financial account numbers, full dates of birth, or any information protected from disclosure by state or federal law. The clerk of court shall adopt a system for the electronic filing and storage of any pleading, document, or exhibit other than those documents or exhibits introduced and filed at a hearing or trial. Furthermore, in a court that accepts electronic filings in accordance with this Paragraph, the official record shall be the electronic record. A pleading or document filed electronically is deemed filed on the date and time stated on the confirmation of electronic filing sent from the system, if the clerk of court

accepts the electronic filing. Public access to electronically filed pleadings and documents shall be in accordance with the rules governing access to written filings.

C. Upon adoption of uniform filing standards by the LCRAA, no clerk of court shall accept a filing not in accordance with the adopted standards.

Art. 14.2. Facsimile filings

A. Any Until January 1, 2026, any document in a traffic or criminal action may be filed with the clerk of court by facsimile transmission if permitted by pursuant to the policy of the clerk of court. Filing shall be deemed complete at the time the facsimile transmission is received by the clerk of court. No later than on the first business day after receiving a facsimile filing, the clerk of court shall transmit to the filing party via facsimile a confirmation of receipt and include a statement of the fees for the facsimile filing and filing of the original document. The facsimile filing fee and transmission fee are incurred upon receipt of the facsimile filing by the clerk of court and payable as provided in Paragraph B of this Article. The facsimile filing shall have the same force and effect as filing the original document, if the party complies with Paragraph B of this Article.

B. Within seven days, exclusive of legal holidays, after the clerk of court receives the facsimile filing, all of the following shall be delivered to the clerk of court:

(1) The original document identical to the facsimile filing in number of pages and in content of each page, including any attachments, exhibits, and orders. A document that is not identical to the facsimile filing or which that includes pages not included in the facsimile filing shall not be considered the original document.

(2) The fees for the facsimile filing and filing of the original document stated on the confirmation of receipt, if any.

(3) A transmission fee of five dollars, if the defendant had has not been declared indigent by the court.

C. If the filing party fails to comply with any of the requirements of Paragraph B of this Article, the facsimile filing shall have no force or effect.

D. Any A court district may provide by court rule for any additional requirement or provisions for filings by facsimile transmission.

E. In keeping with the clerk's policy, each clerk of court shall make available the necessary equipment and supplies to accommodate facsimile filing in criminal actions. Purchases for equipment and supplies necessary to accommodate facsimile filings may be funded from any expense fund of the office of the clerk of court as the clerks deem appropriate.

F. Upon adoption of uniform filing standards by the LCRAA, no clerk of court shall accept a filing not in accordance with the adopted standards.

F. The filings as provided in this Article and all other provisions of this Code may be transmitted electronically in accordance with a system established by a clerk of court or by the Louisiana Clerks' Remote Access Authority. When such a system is established, the clerk of court shall adopt and implement procedures for the electronic filing and storage of any pleading, document, or exhibit. Furthermore, in a parish that accepts electronic filings covered under this Paragraph, the official record shall be the electronic record. A pleading or document filed electronically is deemed filed on the date and time stated on the confirmation of electronic filing sent from the system, if the clerk of court accepts the electronic filing. Public access to electronically filed pleadings and documents shall be in accordance with the rules governing access to written filings.

Section 6.(A) Sections 2 and 3 of this Act shall become effective only if Senate Bill No. 75 of the 2024 Regular Session is not enacted and does not become law.

(B) Sections 4 and 5 of this Act shall become effective only if Senate Bill No. 75 of the 2024 Regular Session is enacted and becomes law. If Senate Bill No. 75 of the 2024 Regular Session is enacted and becomes law, then the provisions of Sections 4 and 5 of this Act supersede and control to the extent of any conflict between this Act and the Act that originated as Senate Bill No. 75 of the 2024 Regular Session.

Approved by the Governor, June 19, 2024.

A true copy:

Nancy Landry
Secretary of State

ACT No. 695

HOUSE BILL NO. 418

BY REPRESENTATIVES BEAULLIEU, JACOB LANDRY, AND WILDER
AN ACT

To amend and reenact R.S. 47:633(7)(c)(iv), relative to severance tax; to reduce the rates of severance tax on oil and gas produced from wells with inactive or orphan well status; to provide for limitations with respect to the reduced rates; to provide for an effective date; and to provide for related matters.

Be it enacted by the Legislature of Louisiana:

Section 1. R.S. 47:633(7)(c)(iv) is hereby amended and reenacted to read as follows:

§633. Rates of tax

The taxes on natural resources severed from the soil or water levied by R.S. 47:631 shall be predicated on the quantity or value of the products or resources severed and shall be paid at the following rates:

* * *

(7)

* * *

(c)

* * *

(iv)(aa) Production from an oil or gas well subsequent to the well's having been inactive for two or more years or having thirty days or less of production during the past two years shall be subject to a severance tax rate equal to fifty twenty-five percent of the rate imposed under this Paragraph or Paragraph (9) of this Section for a period of ten years: if the production commences before October 1, 2028. Production from an oil or gas well subsequent to the well's having been designated as an orphan well for longer than sixty months shall be subject to a severance tax rate equal to twenty-five twelve and one half percent of the rate imposed under this Paragraph or Paragraph (9) of this Section for a period of ten years if the production commences before October 1, 2028.

(bb) Production from an oil or gas well subsequent to the well's having been inactive for two or more years or having thirty days or less of production during the past two years shall be subject to a severance tax rate equal to fifty percent of the rate imposed under this Paragraph or Paragraph (9) of this Section for a period of ten years if the production commences on or after October 1, 2028. Production from an oil or gas well subsequent to the well's having been designated as an orphan well for longer than sixty months shall be subject to a severance tax rate equal to twenty-five percent of the rate imposed under this Paragraph or Paragraph (9) of this Section for a period of ten years if the production commences on or after October 1, 2028.

(cc) To qualify for the a reduced inactive or orphan well severance tax rate provided for in Subitem (aa) or (bb) of this Item, the oil or gas production must be produced from the same perforated producing interval or from one hundred feet above and one hundred feet below the perforated producing interval for lease wells, and within the correlative defined interval for unitized reservoirs, that the formerly inactive or orphaned well produced from before being inactive or designated as an orphan well. The exemption shall be extended by the length of any inactivity of a well that has commenced production when such inactivity is caused by a force majeure.

(aa) (dd) To qualify for inactive or orphan well status for purposes of the special rate referenced rates provided for in this Item, an application for inactive or orphan well certification shall be made to the Department of Energy and Natural Resources during the period beginning July 1, 2018, and ending June 30, 2023 2028. Upon certification that a well is inactive or orphan, production shall be subject to the special rate as provided in this Item from the date production begins or ninety days from the date of the application, whichever occurs first. If, in any one fiscal year, the secretary of the Department of Revenue estimates that the severance tax paid under the provisions of this Item will be in excess of fifteen million dollars, the secretary shall notify the commissioner of conservation who shall not certify inactive or orphan well status for any other wells for the remainder of that fiscal year. Such certifications may begin again after the beginning of the next fiscal year.

(bb) (ee) If the severance tax is paid at the full rate provided by this Section before the Department of Energy and Natural Resources approves an application for inactive or orphan well status, the operator is entitled to a credit against taxes imposed by this Section in an amount equal to the tax paid. To receive a credit, the operator must apply to the secretary of the Department of Revenue for the credit not later than the first anniversary after the date the Department of Energy and Natural Resources certifies that the well is an inactive or orphan well.

(ee) (ff) Notwithstanding any provision of law to the contrary, oil production from any orphan well as defined by R.S. 30:88.2(A) that is undergoing or has undergone well enhancements that required a Department of Energy and Natural Resources permit, including but not limited to re-entries, workovers, or plugbacks, from which production commences on or after October 1, 2021, and before June 30, 2031, shall be exempt from the severance tax. To qualify for the exemption, an application for certification shall be made to the Department of Energy and Natural Resources. Upon certification that a well qualifies for the exemption, the operator shall retain an amount equal to the severance tax otherwise due for the initial three months of the exemption. Beginning in the fourth month following certification, the operator shall report, on forms prescribed by the secretary, and remit to the Department of Revenue an amount equal to the severance tax applicable to the well pursuant to this Paragraph, which shall be credited to the associated site-specific trust account provided for in R.S. 30:88.2 and shall be subject to all due date, interest, and penalty provisions applicable to the oil severance tax.

* * *

Section 2. The provisions of this Act shall be applicable to taxable periods beginning on or after October 1, 2024.

Section 3. This Act shall become effective on October 1, 2024.

Approved by the Governor, June 19, 2024.

A true copy:

Nancy Landry
Secretary of State

ACT No. 696

HOUSE BILL NO. 430

BY REPRESENTATIVES OWEN, BAYHAM, BOYD, BRYANT, CHASSION,
CREWS, DICKERSON, EGAN, HORTON, MIKE JOHNSON, LAFLEUR,

MARCELLE, ROMERO, SCHAMERHORN, SELTERS, STAGNI, TAYLOR,
WALTERS, WYBLE, AND YOUNG
AN ACT
To enact R.S. 32:900.2, relative to proof of a “Motor Vehicle Liability Policy”;
to provide for acceptance of valid motor vehicle liability policies issued in
another state; and to provide for related matters.
Be it enacted by the Legislature of Louisiana:
Section 1. R.S. 32:900.2 is hereby enacted to read as follows:
~~§900.2. Proof of financial responsibility; policy issued in another state~~
~~Notwithstanding any other provision contained in this Title to the contrary,~~
~~if an owner of a vehicle registered in this state has a valid motor vehicle~~
~~liability policy issued in another state, his motor vehicle liability policy shall~~
~~be deemed to be valid proof of financial responsibility.~~
Approved by the Governor, June 19, 2024.
A true copy:
Nancy Landry
Secretary of State

ACT No. 697

HOUSE BILL NO. 439
BY REPRESENTATIVES BACALA, BILLINGS, BOYD, BOYER, BROWN,
WILFORD CARTER, CHASSION, DEWITT, FREIBERG, GADBERRY,
GREEN, TRAVIS JOHNSON, JORDAN, KNOX, LAFLEUR, LYONS,
MOORE, MYERS, NEWELL, SELTERS, STAGNI, TAYLOR, THOMPSON,
WALTERS, AND WILEY
AN ACT
To enact R.S. 13:782(A)(1)(e), relative to clerks of district courts; to provide for
an increase in annual compensation for clerks of district courts; to provide
for effectiveness; and to provide for related matters.
Be it enacted by the Legislature of Louisiana:
Section 1. R.S. 13:782(A)(1)(e) is hereby enacted to read as follows:
§782. Compensation of clerks
A. (1)

* * *

~~(e) The annual compensation for each population class shall be increased~~
~~by five percent annually through Fiscal Year 2027-2028. The applicable~~
~~compensation for each fiscal year shall be used to calculate any compensation~~
~~granted by Subsection J of this Section for the fiscal year. The additional~~
~~compensation authorized pursuant to the provisions of this Paragraph shall~~
~~become effective if the clerk of a district court publishes notice of intent to~~
~~increase his compensation on two separate days in the official journal of the~~
~~parish in which the clerk’s office is located. The last day of publication of~~
~~the notice shall be at least thirty days prior to the date that the clerk of the~~
~~district court increases his compensation.~~

* * *

Section 2. This Act shall become effective on July 1, 2024; if vetoed by
the governor and subsequently approved by the legislature, this Act shall
become effective on July 1, 2024, or on the day following such approval by the
legislature, whichever is later.
Approved by the Governor, June 19, 2024.
A true copy:
Nancy Landry
Secretary of State

ACT No. 698

HOUSE BILL NO. 453
BY REPRESENTATIVES KERNER, BACALA, BOYER, BRAUD, CARRIER,
CHASSION, COX, DAVIS, DEWITT, FISHER, FREIBERG, GREEN,
HUGHES, JACKSON, KNOX, LACOMBE, JACOB LANDRY, MANDIE
LANDRY, LARVADAIN, MARCELLE, MILLER, MYERS, NEWELL, ST.
BLANC, TAYLOR, AND WALTERS
AN ACT
To amend and reenact Code of Criminal Procedure Articles 571 and 571.1,
relative to limitations upon the institution of prosecution; to provide that
there is no time limitation upon the institution of prosecution for the crime
of molestation of a juvenile or a person with a physical or mental disability;
and to provide for related matters.
Be it enacted by the Legislature of Louisiana:
Section 1. Code of Criminal Procedure Articles 571 and 571.1 are hereby
amended and reenacted to read as follows:
Art. 571. Crimes for which there is no time limitation
There is no time limitation upon the institution of prosecution for any crime
for which the punishment may be death or life imprisonment or for the crime
of forcible or second degree rape (R.S. 14:42.1) ~~or molestation of a juvenile or~~
~~a person with a physical or mental disability (R.S. 14:81.2).~~
Art. 571.1. Time limitation for certain sex offenses
Except as provided by Article 572, the time within which to institute
prosecution of the following sex offenses, regardless of whether the crime
involves force, serious physical injury, death, or is punishable by imprisonment
at hard labor shall be thirty years: attempted first degree rape, also formerly
titled aggravated rape (R.S. 14:27, R.S. 14:42), attempted second degree rape,
also formerly titled forcible rape (R.S. 14:27, R.S. 14:42.1), sexual battery (R.S.

14:43.1), second degree sexual battery (R.S. 14:43.2), oral sexual battery (R.S.
14:43.3), human trafficking (R.S. 14:46.2(B)(2) or (3)), trafficking of children for
sexual purposes (R.S. 14:46.3), felony carnal knowledge of a juvenile (R.S.
14:80), indecent behavior with juveniles (R.S. 14:81), pornography involving
juveniles (R.S. 14:81.1), ~~molestation of a juvenile or a person with a physical~~
~~or mental disability (R.S. 14:81.2),~~ prostitution of persons under eighteen (R.S.
14:82.1), enticing persons into prostitution (R.S. 14:86), crime against nature
(R.S. 14:89), aggravated crime against nature (R.S. 14:89.1), crime against
nature by solicitation (R.S. 14:89.2(B)(3)), that involves a victim under eighteen
years of age. This thirty-year period begins to run when the victim attains the
age of eighteen.
Approved by the Governor, June 19, 2024.
A true copy:
Nancy Landry
Secretary of State

ACT No. 699

HOUSE BILL NO. 467
BY REPRESENTATIVES COATES, AMEDEE, BERAULT, BILLINGS,
BUTLER, CARRIER, CARVER, CREWS, DEWITT, DOMANGUE,
EDMONSTON, EGAN, FIRMENT, GALLE, GEYMAN, TRAVIS JOHNSON,
MACK, MCCORMICK, ORGERON, OWEN, SCHAMERHORN, THOMPSON,
VENTRELLA, WILDER, AND WYBLE
AN ACT
To amend and reenact R.S. 3:1391(23) through (26) and to enact R.S. 3:1391(27),
1394(A)(14), 1398.1, and 1399(D), relative to the sale of raw milk; to provide
for commercial feeds; to provide for definitions; to provide for labeling and
inspection; to provide for testing and records; to authorize the commissioner
of agriculture to suspend the sale, distribution, or movement on raw milk
under certain circumstances; and to provide for related matters.
Be it enacted by the Legislature of Louisiana:
Section 1. R.S. 3:1391(23) through (26) are hereby amended and reenacted
and R.S. 3:1391(27), 1394(A)(14), 1398.1, and 1399(D) are hereby enacted to read
as follows:
§1391. Definitions
For the purposes of this Part the following definitions shall apply:

* * *

(23) ~~“Raw milk” means the lacteal secretion from any species other than~~
~~humans, that has not been pasteurized in accordance with the processes~~
~~recognized by the United States Food and Drug Administration.~~
(23) (24) “Registrant” means the person registering a feed with the
commission.
(24) (25) “Ruminant” includes any mammal of the suborder Ruminantia,
which includes but is not limited to cattle, buffalo, sheep, goats, deer, elk,
and antelopes.
(25) (26) “Ton” means a net weight of two thousand pounds avoirdupois.
(26) (27) “Value of the protein deficiency” means the value of the crude
protein as set by the state chemist times the difference between the guaranteed
protein analysis and the actual protein analysis of the feed sample.

* * *

§1394. Labeling requirements
A. Before any feed is made available for sale, the registrant shall file with
the commission the following information for each brand of feed to be made
available for sale in the state:

* * *

(14) If the feed is raw milk:
(a) The express words “WARNING: NOT FOR HUMAN CONSUMPTION
- THIS PRODUCT HAS NOT BEEN PASTEURIZED AND MAY CONTAIN
HARMFUL BACTERIA”. This statement shall be displayed in a conspicuous
manner and shall not be smaller than the height of the minimum form
required by the Federal Fair Packaging and Labeling Act for the net quantity
statement in the table below:

Panel Size	Minimum Warning Statement Type Size
<u>≤5 in.2</u>	<u>1/16 in.</u>
<u>>5–≤25 in.2</u>	<u>1/8 in.</u>
<u>>25–≤100 in.2</u>	<u>3/16 in.</u>
<u>>100–≤400 in.2</u>	<u>1/4 in.</u>
<u>>400 in.2</u>	<u>1/2 in.</u>

(b) When pet food or specialty pet food consists of raw milk, the words,
“Raw (blank) Milk” shall appear conspicuously on the principal display
panel. “Blank” is to be completed by using the species of animal from which
the raw milk is collected.
(c) The commission by regulation may adopt, unless it determines that they
are inconsistent with the provisions of this Part or are not appropriate to the
conditions that exist in this state, the labeling requirements adopted by the
Association of American Feed Control Officials and published in the official
publication of that organization.

* * *

§1398.1. Testing and records of raw milk
A. Raw milk testing for salmonella shall be done once per month by an
accredited laboratory. A producer of raw milk shall provide test results to
the commission or a customer, upon request.
B. Test results shall be kept by the farmer or producer of raw milk for at
least two years from testing.

§1399. Detained commercial feeds; withdrawal from distribution; condemnation and confiscation; stop order

* * *

D. The commissioner may temporarily suspend the sale, distribution, or movement of any raw milk from a producer when the raw milk causes an outbreak of a contagious or infectious disease that poses an immediate threat to animal or public health. For the purposes of this Part, the Senate and House committees on agriculture, forestry, aquaculture, and rural development may conduct oversight review to override the commissioner's temporary suspension.

Approved by the Governor, June 19, 2024.
A true copy:

Nancy Landry
Secretary of State
