

ACTS OF 2024 LEGISLATURE

Acts 550-640

ACT No. 550

HOUSE BILL NO. 221 BY REPRESENTATIVE BAYHAM AN ACT

To amend and reenact R.S. 18:3(A), 1300.2(A)(2), (C)(1) and (2), and (D), 1300.3(A) and (B), and 1300.5(B) and R.S. 44:4.1(B)(10), relative to recall petitions; to provide for the form requirements of a recall petition and related documents; to provide for the requirements of the signatures on a recall petition; to provide for the certification of recall petitions; to provide for the duties of the registrar of voters; to provide for the duties of the secretary of state; to provide for the status of a recall petition as a public record; to provide for effectiveness; and to provide for related matters.

Be it enacted by the Legislature of Louisiana:

Section 1. R.S. 18:3(A), 1300.2(A)(2), (C)(1) and (2), and (D), 1300.3(A) and (B), and 1300.5(B) are hereby amended and reenacted to read as follows:

§3. Petitions submitted to registrars of voters

A. Notwithstanding any other provision of law to the contrary, every petition submitted to a registrar of voters for certification shall contain the following information:

(1) The handwritten signature of the voter who is signing the petition; however, if a person is unable to write, the incapacitated person shall affix his mark to the petition and the person circulating the petition shall affix the name of the incapacitated person provided he does so in the presence of two witnesses who shall also sign their names as witnesses to the mark.

(2) The date month, day, and year the voter signed the petition.

(3) The signer's ward, precinct, and year of birth.

(4) The address at which the signer is registered to vote, including municipal number, apartment number, rural route, and box number.

(5) Name The name of the signer either typed or legibly written.

(6) Name The printed name of the person who witnessed and who obtained the signature either typed or legibly written.

(7) Date The month, day, and year on which the person witnessed and obtained the signature.

* * *

§1300.2. Petition for recall election; campaign finance disclosure

A.

* * *

(2) The secretary of state shall provide a form approved by the attorney general to be used for the petition for a recall election. Such form shall include pre-printed line numbers and shall be in conformity with the all other provisions of this Chapter and R.S. 18:3. All recall petitions shall be on an approved form or on a form which contains the same information as required by the approved form and any petition not on such a form shall be invalid.

* * *

C.(1) Prior to the entering of any signatures on a petition, the chairman designated to represent the petitioners shall file with the secretary of state a copy of the recall petition which will be used and copies of a picture identification that contain the name and signature of the chairman and vice chairman, respectively, or copies of current utility bills, bank statements, government checks, paychecks, or other government documents that show the name and address of the chairman and vice chairman, respectively. Upon receipt of the recall petition, the secretary of state shall provide to the chairman and vice chairman, respectively, a document prepared by the secretary of state in conjunction with the Louisiana Registrars of Voters Association, subject to approval as to content by the attorney general, providing general information on petition requirements and deadlines. Upon receipt of the recall petition, the secretary of state shall endorse thereon the fact and the date of filing, and this unsigned copy of the recall petition shall be a public record. A copy shall be transmitted by the secretary of state to the registrar of voters for each parish in which the recall election is to be held. The chairman shall list on the petition every parish that is wholly or partially within the voting area where the recall election is to be held. The petition shall be considered filed when it is received in the office of the secretary of state. Upon receipt of the recall petition, the secretary of state shall produce a report of the number of qualified electors in the voting area wherein the recall election is sought effective on the date of receipt of the recall petition and shall notify the registrar of voters in each parish in the voting area of the number of qualified electors of the voting area in the parish for issuance of the certification.

(2)(a) The signed and dated petition shall be submitted to the registrar

of voters for each parish within the voting area not later than one hundred eighty days after the day on which the copy of the petition was filed with the secretary of state; however, where fewer than one thousand qualified electors reside within the voting area, the petition shall be submitted to the registrar of voters not later than ninety days after the day on which the copy of the petition is filed with the secretary of state. If the final day for submitting the signed and dated petition falls on a Saturday, Sunday, or legal holiday, the deadline for filing such petition shall be on the next day which is not a Saturday, Sunday, or legal holiday. Upon receipt of the signed and dated petition, the registrar of voters shall affix the date received and a page number to the front of each page of the petition.

(b) With the recall petition the chairman shall also submit to the registrar of voters an affidavit verifying the number of signatures submitted along with an attestation that to the best of his knowledge all documents submitted are originals and not photocopies.

* * *

D. Each elector, at the time of signing the petition, shall enter his address and the date on which he signed beside or underneath his signature; however, if a person is unable to write, as provided in R.S. 18:1300.4, the two witnesses shall date their signatures. In addition, each petition shall be in compliance with the provisions of R.S. 18:3. In determining the number of qualified electors who signed the petition in any parish, the registrar of voters shall not count any signature which is ~~undated~~ does not comply with all of the requirements of R.S. 18:3 or bears a date prior to the date on which the copy of the petition initially was filed with the secretary of state or after the date of the submission of the petition to the registrar except as otherwise provided in R.S. 18:1300.3(B). The registrar shall not receive or certify a petition submitted to him for certification unless it is submitted to him timely.

* * *

§1300.3. Certification of registrar of voters; addition or withdrawal of signatures; designation as a public record; form of names

A.~~(1)(a)~~ The registrar of voters of each parish in the voting area wherein a recall election is sought shall certify on the recall petition, ~~within fifteen working days after it is presented to him for that purpose,~~ the number of names appearing thereon, the number of qualified electors of the voting area within the parish whose handwritten signatures appear on the petition, and also the total number of electors of the voting area within the parish as of the date of the filing of the petition with the secretary of state. Each registrar shall indicate on the petition the names appearing thereon who are not electors of the voting area. Each person who participates in the review of the names on the petition for certification by the registrar as required in this Section shall initial each of those portions of the petition which he reviews for certification by the registrar.

(b) The registrar of voters for each parish in the voting area may request and accept the assistance of employees of the Department of State and registrars and deputy registrars of voters from other parishes to complete the certification of the recall petition. Each person offering such assistance shall be considered a deputy registrar of the requesting parish registrar for that purpose only.

(2)(a) The registrar of voters shall complete the certification of the recall petition within twenty working days after it is presented to him for that purpose. However, if any parish wholly or partially within the voting area has more than fifty thousand registered voters, the registrar of voters for each parish within the voting area shall complete such certification ~~on the recall petition~~ within twenty thirty working days after it is presented to him for that purpose.

(b) If the petition certification deadline occurs during the time period commencing forty-five days before a primary election and ending on the date of the corresponding general election, the registrar of voters for each parish in the voting area is hereby granted an additional ten working days to complete the certification or an additional twenty working days for any parish wholly or partially within the voting area that has more than fifty thousand registered voters. If the final day for the registrar to certify the recall petition falls on a Saturday, Sunday, or legal holiday, then the next day which is not a Saturday, Sunday, or legal holiday shall be deemed to be the final day for certifying the recall petition. Each registrar also shall indicate on the petition the names appearing thereon who are not electors of the voting area. Each person who participates in the review of the names on the petition for certification by the registrar as required in this Section shall initial each of those portions of the petition which he reviews for certification by the registrar.

B.(1) The registrar of voters shall honor the written request of any voter who either desires to have his handwritten signature stricken from the petition or desires to have his handwritten signature added to the petition at any time after receipt of the signed petition as provided in R.S. 18:1300.2(C) but prior to certification of the petition or within five days after receipt of such signed petition, whichever is earlier. If the deadline for removing or adding a signature to the petition falls on a Saturday, Sunday, or legal holiday, then the next day which is not a Saturday, Sunday, or legal holiday shall be deemed to be the deadline for removing or adding a signature to the petition. The written request of the voter shall include the name and address of the voter, the signature of the voter, the date of birth of the voter, and the date.

~~(2) Upon the signature of the voter, the written request of the voter to have his signature stricken or added to the recall petition shall be a public record. Any person in possession of such a written request shall be the custodian thereof. The voter or any other person who is the custodian of the written request designated by the voter shall transmit the written request to the~~

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

registrar of voters for each parish within the voting area by mail or directly by hand, immediately upon signature of the voter or upon receipt of the signed, written request.

(3) The written request of a voter to have his signature stricken from or added to the recall petition shall be a public record at the time the recall petition becomes public record.

§1300.5. Chairman and vice chairman designated in petition; petition designated as a public record

B. ~~Upon Ninety days following~~ the signature of the first elector, the recall petition, including the name, address, and signature of each elector who has signed thereon, ~~shall be becomes~~ a public record. The chairman, or the vice chairman when acting as the chairman, shall be the custodian thereof. The petition and the custodian shall be subject to all of the provisions of R.S. 44:31 et seq.

Section 2. R.S. 44:4.1(B)(10) is 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:

(10) R.S. 18:43, 44, 114, 116, 154, 1300.3, 1300.5, 1308, 1491.5, 1495.3, 1511.8

Section 3. The provisions of this Act shall become effective on January 1, 2025, and shall apply only to recall petitions filed with the secretary of state on or after January 1, 2025. Any petition filed with the secretary of state prior to January 1, 2025, shall be subject to the provisions of R.S. 18:3(A) and Chapter 6-C of Title 18 of the Revised Statutes of 1950 as provided immediately prior to the effectiveness of this Act.

Approved by the Governor, June 10, 2024.

A true copy:

Nancy Landry
Secretary of State

ACT No. 551

HOUSE BILL NO. 224

BY REPRESENTATIVES KERNER AND THOMPSON
AN ACT

To amend and reenact R.S. 14:102.1(A)(2)(a) and (b) and (B)(5), relative to the crime of cruelty to animals; to provide for prohibition of owning or keeping an animal after committing the offense of simple cruelty to animals or aggravated cruelty to animals; to provide for penalties; and to provide for related matters.

Be it enacted by the Legislature of Louisiana:

Section 1. R.S. 14:102.1(A)(2)(a) and (b) and (B)(5) are hereby amended and reenacted to read as follows:

§102.1. Cruelty to animals; simple and aggravated

A.
(2)(a) Whoever commits the crime of simple cruelty to animals shall be fined not more than one thousand dollars, or imprisoned for not more than six months, or both. ~~In addition, the~~ The court may also order the offender to pay for any expenses incurred for the housing of the animal and for medical treatment of the animal, pursuant to Code of Criminal Procedure Article 883.2. In addition, the court may issue an order prohibiting the defendant from owning or keeping animals for a period of not more than one year.

(b) Whoever commits a second or subsequent offense of simple cruelty to animals shall be fined not less than five thousand dollars nor more than twenty-five thousand dollars or imprisoned, with or without hard labor, for not less than one year nor more than ten years, or both. In addition, the court ~~shall may~~ issue an order prohibiting the defendant from owning or keeping animals for a period of ~~time deemed appropriate by the court~~ not more than five years.

B.

(5) In addition to any other penalty imposed for a violation of this Subsection, the offender shall be ordered to undergo a psychological evaluation and subsequently recommended psychological treatment and ~~shall may~~ be banned by court order from owning or keeping animals for a period of ~~time deemed appropriate by the court~~ not more than ten years. Any costs associated with any evaluation or treatment ordered by the court shall be borne by the defendant.

Approved by the Governor, June 10, 2024.

A true copy:

Nancy Landry
Secretary of State

ACT No. 552

HOUSE BILL NO. 236

BY REPRESENTATIVE MCMAKIN

(On Recommendation of the Louisiana State Law Institute)
AN ACT

To amend and reenact R.S. 9:331 and to enact R.S. 9:331.3, relative to evaluations in child custody proceedings; to provide for mental health evaluations; to provide for child custody evaluations; to provide for costs; to provide for qualifications; to provide for the elements of a written report; to provide for the use of the findings; to provide for ex parte communication; and to provide for related matters.

Be it enacted by the Legislature of Louisiana:

Section 1. R.S. 9:331 is hereby amended and reenacted and R.S. 9:331.3 is hereby enacted to read as follows:

§331. Custody or visitation proceeding; court-ordered mental health evaluation by licensed mental health professional

A. The court may order ~~an a~~ a mental health evaluation of a party or the child in a custody or visitation proceeding for good cause shown. The mental health evaluation shall be made by a licensed mental health professional selected by the parties or by the court. The court may render judgment for the costs of the mental health evaluation, or any part thereof, against any party or parties; as ~~if the court~~ the court may consider equitable, taking into consideration the parties' ability to pay. The court may also preliminarily allocate costs at the outset and reserve the right to reallocate costs upon conclusion of the matter.

B. The court may order a party or the child to submit to and cooperate in the mental health evaluation, testing, or interview by the licensed mental health professional. The licensed mental health professional shall provide ~~the court and~~ the parties with a written report. The licensed mental health professional shall serve as ~~the a~~ a witness of ~~the court~~, subject to cross-examination by a party.

C. "Licensed mental health professional" as used in this Chapter means a person who possesses at least a master's degree and who ~~is licensed~~ holds a current unrestricted license in counseling, social work, psychology, or marriage and family counseling; ~~or exempt from licensing requirements pursuant to R.S. 37:1113 and 1121.~~

D. Any licensed mental health professional appointed by the court to conduct a mental health evaluation in a case where domestic abuse is an issue shall have current and demonstrable training and experience working with perpetrators and victims of domestic abuse.

~~D.E.~~ When a licensed mental health professional has been appointed by the court, there shall be no ex parte communication by the litigants or their attorneys with the licensed mental health professional unless authorized by law or court order or agreed to by the parties. All oral communication with the licensed mental health professional shall be by teleconference or meeting in which each party to the proceeding participates either through the party's attorney or as a self-represented litigant. All written communication or correspondence to the licensed mental health professional, along with any attachments thereto, shall be provided contemporaneously to all parties to the litigation or their attorneys of record. Communications initiated by the licensed mental health professional with a litigant for the purpose of conducting the court-ordered evaluation shall not be considered ex parte communications prohibited by this Subsection.

F. Mental health evaluations conducted pursuant to this Section are subject to the following evidentiary restrictions:

(1) All opinion testimony offered by a licensed mental health professional shall be subject to Code of Evidence Articles 702 and 703.

(2) No licensed mental health professional conducting an evaluation pursuant to this Section shall undertake or perform any other role or function relative to the parties or children.

(3) Every licensed mental health professional conducting an evaluation pursuant to this Section shall comply with all statutory and administrative licensing and ethical rules and regulations otherwise applicable to the profession.

(4) All parties shall have the right to full pretrial discovery of the entire file of the licensed mental health professional regarding the case, including the right to depose the licensed mental health professional.

(5) No indigent parent shall be denied the opportunity to depose, cross-examine, or otherwise challenge a court-appointed licensed mental health professional in the same manner as a non-indigent parent, and any fees and costs incurred in any such deposition shall be considered within the purview of Code of Civil Procedure Article 5185.

(6) No evidence concerning polygraphs, voice-stress analysis, or other such physiological measures shall be admitted into evidence in any form.

(7) All psychological testing, principles, diagnoses, and concepts utilized by a licensed mental health professional shall be limited to those which have been empirically established and generally accepted in the mental health profession as valid and reliable for the parameters and conditions purportedly tested or the issues evaluated.

Revision Comments - 2024

Introduction and use of mental health evaluations in court are governed by the general rules of the Code of Civil Procedure and the Code of Evidence.

* * *

§331.3. Custody or visitation proceeding; court-ordered child custody

evaluation

A. The court may order a child custody evaluation in a custody or visitation proceeding for good cause shown. The child custody evaluation shall be made by a licensed mental health professional, as defined in R.S. 9:331, using the Association of Family and Conciliation Courts' Guidelines for Parenting Plan Evaluations in Family Law Cases.

B. To serve as a court-ordered child custody evaluator in accordance with this Section, a licensed mental health professional shall have completed at least five co-evaluations under the direct supervision of another court-ordered child custody evaluator. Licensed mental health professionals who completed at least five court-ordered child custody evaluations prior to the effective date of this Act are not required to complete the co-evaluations in order to serve as a court-ordered child custody evaluator.

C. The court may order a party or the child to submit to and cooperate in the evaluation, testing, or interview by a child custody evaluator.

D. In a case where domestic abuse is an issue, the child custody evaluator shall have current and demonstrable training and experience working with perpetrators and victims of domestic abuse.

E. The court may render judgment for the costs of the child custody evaluation, or any part thereof, against any party or parties as the court may consider equitable, taking into consideration the parties' ability to pay. The court may also preliminarily allocate costs at the outset and reserve the right to reallocate costs upon conclusion of the custody matter.

F. The child custody evaluator shall provide the parties with a written report. This report shall state the basis of the evaluator's conclusions or recommendations, and the extent to which the information obtained limits the reliability and validity of the opinion and the conclusions and recommendations of the evaluator.

G. There shall be no presumption in favor of the child custody evaluator's findings.

H. The child custody evaluator shall serve as a witness, subject to cross-examination by a party.

I. When a child custody evaluator has been appointed by the court, there shall be no ex parte communication by the litigants or their attorneys with the child custody evaluator unless authorized by law or court order or agreed to by the parties. All oral communication with the child custody evaluator shall be by teleconference or meeting in which each party to the proceeding participates either through the party's attorney or as a self-represented litigant. All written communication or correspondence to the child custody evaluator, along with any attachments thereto, shall be provided contemporaneously to all parties to the litigation or their attorneys of record. Communications initiated by the child custody evaluator with a litigant for the purpose of conducting the court-ordered evaluation shall not be considered ex parte communications prohibited by this Subsection.

J. Child custody evaluations conducted pursuant to this Section are subject to the following evidentiary restrictions:

(1) All opinion testimony offered by a child custody evaluator shall be subject to Code of Evidence Articles 702 and 703.

(2) No child custody evaluator conducting an evaluation pursuant to this Section shall undertake or perform any other role or function relative to the parties or children.

(3) Every child custody evaluator conducting an evaluation pursuant to this Section shall comply with all statutory and administrative licensing and ethical rules and regulations otherwise applicable to the profession.

(4) All parties shall have the right to full pretrial discovery of the entire file of the child custody evaluator regarding the case, including the right to depose the child custody evaluator.

(5) No indigent parent shall be denied the opportunity to depose, cross-examine, or otherwise challenge a court-appointed child custody evaluator in the same manner as a non-indigent parent, and any fees and costs incurred in any such deposition shall be considered within the purview of Code of Civil Procedure Article 5185.

(6) No evidence concerning polygraphs, voice-stress analysis, or other such physiological measures shall be admitted into evidence in any form.

(7) All psychological testing, principles, diagnoses, and concepts utilized by a child custody evaluator shall be limited to those which have been empirically established and generally accepted in the mental health profession as valid and reliable for the parameters and conditions purportedly tested or the issues evaluated.

Revision Comments - 2024

(a) In Subsection D of this Section, see R.S. 9:365, requiring the same experience when the Post-Separation Family Violence Relief Act applies.

(b) Under this Section, the court may order a child custody evaluation that is broad in scope or may limit the scope of the evaluation to a particular area.

(c) Expert child custody evaluations are also governed by the general rules of the Code of Civil Procedure and the Code of Evidence.

Approved by the Governor, June 10, 2024.

A true copy:

Nancy Landry
Secretary of State

ACT No. 553

HOUSE BILL NO. 247
BY REPRESENTATIVE ECHOLS

AN ACT

To amend and reenact R.S. 23:1601(8) and to enact R.S. 23:1714(D), relative to unemployment compensation benefits; to provide relative to the disqualification of benefits; to provide for certain penalties for the acceptance of overpayments of benefits; to provide for an effective date; and to provide for related matters.

Be it enacted by the Legislature of Louisiana:

Section 1. R.S. 23:1601(8) is hereby amended and reenacted and R.S. 23:1714(D) is hereby enacted to read as follows:

§1601. Disqualification for benefits

An individual shall be disqualified for benefits:

(8)(a) For the week, or fraction thereof, with respect to which he makes a false statement or representation knowing it to be false, or knowingly fails to disclose a material fact in obtaining or increasing benefits, whether or not he is successful in obtaining or increasing benefits, or otherwise due to his fraud receives any amount as benefits under this Chapter to which he was not entitled, for the remainder of the benefit year subsequent to the commission of the fraudulent act and continuing ~~for the fifty-two weeks which immediately follow the week in which such determination was made until the benefits so obtained plus any penalty imposed in accordance with R.S. 23:1714 are repaid, or until ten years have elapsed from the date of disqualification.~~

(b) All benefits paid with respect to such weeks shall be immediately due and on demand paid in accordance with department regulations to the administrator for the fund and such individual shall not be entitled to further benefits until repayment has been made or the claim for repayment has prescribed. If information indicating a claimant has earned any unreported wages for weeks claimed is obtained by the administrator, prior to the administrator rendering a determination on the issue the claimant shall be notified by mail or other delivery method. The claimant shall have seven days from the date of mailing to respond, or if notice is not by mail, then the claimant shall have seven days from the delivery date of such notice to respond.

(b)(c) A claim for repayment under this Section shall prescribe against the state ten years from the date the administrator determines that repayment is due. This prescription shall be interrupted for the period of time during which an appeal is pending, by the filing of suit for collection by the administrator or by an acknowledgment or partial payment of the indebtedness. Any disqualification decision or determination pursuant to this Paragraph may be appealed in the same manner as from any other disqualification imposed under this Chapter.

§1714. Penalties

D. In all overpayments involving one thousand dollars or more of benefits obtained as a result of fraud, as defined in R.S. 23:1601(8), the administrator shall refer all information relating to the overpayment and claimant to the office of the district attorney in which the claimant resides. Acceptance of such overpayment shall be considered a crime of theft under R.S. 14:67 upon proof beyond a reasonable doubt that the over payment was obtained by fraud or false pretenses. Notwithstanding this Subsection, neither a criminal referral or conviction is necessary for the administrator to assess any civil penalty outlined in this Section or R.S. 23:1601(8).

Section 2. The provisions of this Act shall become effective on December 31, 2024.

Approved by the Governor, June 10, 2024.

A true copy:

Nancy Landry
Secretary of State

ACT No. 554

HOUSE BILL NO. 253

BY REPRESENTATIVES STAGNI, ADAMS, BAYHAM, BILLINGS, BRASS, ROBBY CARTER, WILFORD CARTER, CARVER, CHASSION, DOMANGUE, FISHER, FREIBERG, GADBERRY, GREEN, HILFERTY, JACKSON, KNOX, LARVADAIN, LYONS, MARCELLE, MOORE, NEWELL, OWEN, AND THOMPSON

AN ACT

To enact R.S. 33:2581.4, relative to certain firefighters and fire service employees; to provide relative to cancer screenings for such firefighters and employees; to provide relative to the time period for cancer screening examinations; to provide relative to screenings for retired firefighters and fire service employees; to provide for an effective date; and to provide for related matters.

Be it enacted by the Legislature of Louisiana:

Section 1. R.S. 33:2581.4 is hereby enacted to read as follows:

§2581.4. Cancer screenings; certain firefighters and fire service employees

A. A classified firefighter employed as a full-time paid employee of a municipal or parish fire department or fire protection district and fire service employees employed by a nonprofit corporation under contract with a fire protection district shall be provided a cancer screening examination conducted by a physician. The initial examination shall be conducted not less than three years after the start of employment and subsequent examinations shall be conducted during the course of employment in accordance with the

following schedule:

- (1) Every five years for firefighters and fire service employees who are not less than twenty years of age and not more than thirty-nine years of age.
- (2) Every four years for firefighters and fire service employees who are not less than forty years of age and not more than forty-nine years of age.
- (3) Every three years for firefighters and fire service employees who are fifty years of age or older.

B. The examination shall include but not be limited to screening for the following cancers:

- (1) Colon.
- (2) Lung.
- (3) Bladder.
- (4) Oral.
- (5) Thyroid.
- (6) Skin.
- (7) Blood.
- (8) Breast.
- (9) Cervical.
- (10) Testicular.
- (11) Prostate.

C. Any firefighter or fire service employee who retires from active service, including a firefighter or fire service employee who retires due to a disability, shall be provided cancer screening examinations by his former employer pursuant to the schedule provided in Subsection A of this Section.

D. All costs associated with cancer screening examinations provided for in this Section shall be paid by the firefighter's or fire service employee's employer or former employer. No copayment, deductible, coinsurance, or any out-of-pocket expense shall be required for such examinations.

E. No firefighter or fire service employee shall be required to participate in cancer screening examinations.

F. The provisions of the Section shall not be applicable to any firefighter or fire service employee who resigned or was terminated by his employer.

G. Nothing in this Section shall be construed to require a personal health insurance company to pay for cancer screening examinations for firefighters or fire service employees that are conducted more frequently than such examinations are recommended in the most recently published recommendations established by the American Cancer Society or the National Comprehensive Cancer Network.

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 10, 2024.

A true copy:
Nancy Landry
Secretary of State

ACT No. 555

HOUSE BILL NO. 328
BY REPRESENTATIVE MCFARLAND
AN ACT

To amend and reenact R.S. 16:11(A)(2), relative to the annual salary of assistant district attorneys payable by the state; to provide relative to reallocation by all judicial districts; and to provide for related matters.

Be it enacted by the Legislature of Louisiana:

Section 1. R.S. 16:11(A)(2) is hereby amended and reenacted to read as follows:

§11. Annual salary of assistant district attorneys payable by state

A.

* * *

(2) ~~Notwithstanding the provisions of R.S. 16:51(A)(19), (23), (32), and (38) to the contrary, the district attorney District attorneys for the parish of Orleans and the Nineteenth, Twenty-Third, and the Thirty-Second Judicial Districts all judicial districts~~ may reallocate by combining or dividing the total amount fixed in Paragraph (1) of this Subsection to pay the salaries of any of his other assistant district attorneys in any lawful manner he deems appropriate. ~~The district attorney All district attorneys~~ shall certify to the state treasurer the amount of the annual salary payable upon warrant for each of his assistant district attorneys provided for in ~~R.S. 16:51(A)(19), (23), (32), and (38)~~ by R.S. 16:51.

* * *

Approved by the Governor, June 10, 2024.

A true copy:
Nancy Landry
Secretary of State

ACT No. 556

HOUSE BILL NO. 352
BY REPRESENTATIVE TARVER
AN ACT

To enact R.S. 23:631(E), relative to employment; to provide for the payment of compensation; to provide for payment after termination of employment under certain circumstances; and to provide for related matters.

Be it enacted by the Legislature of Louisiana:

Section 1. R.S. 23:631(E) is hereby enacted to read as follows:

§631. Discharge or resignation of employees; payment after termination of employment

* * *

E. (1) For purposes of this Section and R.S. 23:634, compensation available in the form of commission, incentive pay, or bonus shall be considered an amount then due only if, at the time of separation, the compensation has been earned and not modified in accordance with a written policy addressing the commission, incentive pay, or bonus.

(2) The following provisions shall be lawful:

(a) A policy providing for adjustments to the amount based on changes to the order generating a commission which affects the amount of the commission.

(b) A policy providing that a payment to the laborer or employee is not earned unless and until the employer has received the payment which generates the commission, incentive pay, or bonus.

(3) In the case of a bonus, the amount of which is determined by financial information reflecting the employee's or employer's performance on an annual, quarterly, or other periodic basis, a reasonable amount of time, not to exceed one hundred twenty calendar days from the end of such periodic basis, shall be allowed based on standard accounting practices used by the employer to make the determination as to whether a bonus is due and the amount thereof.

Approved by the Governor, June 10, 2024.

A true copy:
Nancy Landry
Secretary of State

ACT No. 557

HOUSE BILL NO. 356
BY REPRESENTATIVES BOYD, ADAMS, BACALA, BRASS, WILFORD
CARTER, CHASSION, COX, DEWITT, FISHER, FREEMAN, GREEN,
HORTON, HUGHES, JACKSON, KNOX, LAFLEUR, LYONS, MARCELLE,
MENA, MOORE, NEWELL, PHELPS, SCHLEGEL, SELTERS, TAYLOR,
VENTRELLA, AND WALTERS
AN ACT

To enact Code of Criminal Procedure Article 573.4, relative to time limitations for initiating prosecutions; to provide relative to time limitations in which to institute prosecution for the crime of third degree rape; and to provide for related matters.

Be it enacted by the Legislature of Louisiana:

Section 1. Code of Criminal Procedure Article 573.4 is hereby enacted to read as follows:

Art. 573.4. Running of time limitations; exception; third degree rape
The time limitations established by Article 572 shall not commence to run as to the crime of third degree rape (R.S. 14:43) until the crime is discovered by the victim.

Approved by the Governor, June 10, 2024.

A true copy:
Nancy Landry
Secretary of State

ACT No. 558

HOUSE BILL NO. 407
BY REPRESENTATIVE STAGNI
AN ACT

To enact Chapter 24 of Title 46 of the Louisiana Revised Statutes of 1950, to be comprised of R.S. 46:1971 through 1978, relative to support animals and service dogs; to provide for purposes and definitions; to provide documentation requirements for healthcare providers in recommending support animals; to provide notice requirements in the sale of support animals; to prohibit certain misrepresentations; to provide for penalties; to provide for exceptions; and to provide for related matters.

Be it enacted by the Legislature of Louisiana:

Section 1. Chapter 24 of Title 46 of the Louisiana Revised Statutes of 1950, comprised of R.S. 46:1971 through 1978, is hereby enacted to read as follows:

CHAPTER 24. SUPPORT AND SERVICE ANIMAL INTEGRITY ACT
§1971. Short title
This Chapter shall be cited as "The Louisiana Support and Service Animal Integrity Act".

§1972. Purposes and intent
The purpose and intent of this Chapter is to restore integrity into the process of determining whether an individual has a disability which requires the use of a support animal and to impose penalties on those who determine that an individual requires the use of a support animal without having a reliable basis to do so and those who claim the need for a support animal on account of a disability or handicap without having a reliable basis for that need. It is the further purpose and intent of this Chapter to place limitations on individuals and businesses selling support animals and items attendant to

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

support animals. It is also the purpose and intent of this Chapter to penalize those who misrepresent an animal as a service dog and to provide immunity to owners and lessors of residential dwellings from and against liability for injuries and damages caused by support animals and service dogs.

§1973. Definitions

As used in this Chapter:

(1) “Disability” is defined in accordance with the federal “Americans with Disabilities Act of 1990”, 42 U.S.C. 12101 et seq., and its related amendments and implementing regulations. The term “disability” includes a handicap as defined by the federal “Fair Housing Act”, 42 U.S.C. 3601 et seq., as amended, and 24 CFR 100.201.

(2) “Healthcare provider” has the same definition as set forth in R.S. 40:1231.1.

(3) “Healthcare services” has the same definition as set forth in R.S. 22:1020.1.

(4) “Public accommodation” or “place of public accommodation” has the same meaning as set forth in R.S. 51:2232.

(5) “Service dog” has the same definition as set forth in R.S. 46:1952.

(6) “Support animal” means an animal, other than a service dog as defined in R.S. 46:1952, that does work, performs tasks, provides assistance, or therapeutic emotional support for individuals with disabilities.

(7) “Therapeutic relationship” means the provision of healthcare services by a healthcare provider in good faith and with actual knowledge of an individual’s disability and that individual’s disability-related need for a support animal. The term “therapeutic relationship” does not include services provided by an individual or entity that issues a certificate, license, letter or similar document that purports to confirm, without conducting a meaningful assessment of an individual’s disability or an individual’s disability-related need for a support animal, that a person has either a disability or a disability-related need for a support animal.

§1974. Requirements for documentation produced by healthcare providers; prohibitions

A. No healthcare provider shall produce documentation relating to an individual’s need for a support animal unless the healthcare provider complies with all of the following:

(1) Possesses an active and valid Louisiana license or an active license within a healthcare profession that has a licensure compact to perform the healthcare services being offered to an individual.

(2) Is qualified and licensed to evaluate and diagnose disabilities and has performed a disability assessment of an individual.

(3) Includes in the documentation relating to an individual’s need for a support animal all the following:

(a) The effective date of the documentation.

(b) The license number of the healthcare provider.

(c) The type of professional license held by the healthcare provider.

(4) Establishes a therapeutic relationship with an individual no less than thirty days prior to producing the documentation regarding the individual’s need for a support animal.

(5) Has engaged with an individual in person or remotely in at least two sessions before issuing documentation determining that the individual requires a support animal.

(6) Performs a clinical evaluation of an individual no less than thirty days before producing documentation regarding individual’s need for a support animal.

B. No healthcare provider shall represent or attempt to represent that an individual has a disability requiring a support animal when an individual is not disabled or does not need a support animal on account of the individual’s disability.

C. No individual shall represent or attempt to represent to a third party that he has a disability requiring a support animal when the individual is not disabled or does not require a support animal on account of the individual’s disability.

§1975. Misrepresentation of service animal

No individual shall misrepresent an animal to be a service dog or service dog-in-training to a person or entity that owns or operates a public accommodation or a residential dwelling.

§1976. Notice requirements for the sale of support animals

A.(1) An individual or business that sells or provides an animal for use as a support animal shall provide a written notice to the buyer or recipient of the animal that states all the following:

(a) The animal does not have the special training required to qualify as a service dog.

(b) The animal is not entitled to the rights and privileges accorded by law to a service dog.

(2) Misrepresenting an animal as a service dog or animal may subject an individual to a civil penalty pursuant to R.S. 46:1977.

B. An individual or business that sells or provides a certificate or letter for a support animal shall provide a written notice to the buyer or recipient that states the following:

(1) The item does not entitle a support animal to the rights and privileges accorded by law to a service dog.

(2) Misrepresenting an animal as a service dog may subject an individual to a civil penalty pursuant to R.S. 46:1977.

C. The written notice described in Subsections A and B of this Section shall be made in the following manner:

(1) In bold typed print of no less than twelve-point font.

(2) Provided on any of the following:

(a) The receipt for the support animal.

(b) The product described in Subsection B of this Section.

(c) A separate piece of paper.

§1977. Violations; penalties

A. Any individual, business, or healthcare provider that violates the provisions in this Chapter shall be fined no more than five hundred dollars for the first offense.

B. Any individual, business, or healthcare provider that violates the provisions in this Chapter shall be fined no more than one thousand dollars for the second offense.

C. Any individual, business, or healthcare provider that violates the provisions in this Chapter shall be fined no more than two thousand five hundred dollars for the third, or any subsequent, offense.

§1978. Exceptions

Nothing in this Chapter shall be construed to restrict or modify any federal or state laws related to an individual’s rights for reasonable accommodation and equal access to housing, including but not limited to rights afforded in accordance with the Louisiana Equal Housing Opportunity Act, R.S. 51:2601, the Fair Housing Act, 42 U.S.C. 3601, the Americans with Disabilities Act, or related state or federal legislation.

Approved by the Governor, June 10, 2024.

A true copy:

Nancy Landry
Secretary of State

ACT No. 559

HOUSE BILL NO. 413

BY REPRESENTATIVES STAGNI, BILLINGS, BRYANT, BUTLER, WILFORD CARTER, CARVER, CHASSION, COX, DEWITT, DOMANGUE, FARNUM, GADBERRY, GLORIOSO, GREEN, JACKSON, MIKE JOHNSON, KNOX, LAFLEUR, LARVADAIN, LYONS, MACK, MOORE, NEWELL, OWEN, SCHLEGEL, SELTERS, TAYLOR, THOMPSON, WILDER, WYBLE, AND YOUNG

AN ACT

To amend and reenact R.S. 40:1665(B), relative to firefighters; to provide for financial security of certain surviving spouses and children; to provide for applicability to certain firefighters employed by federal agencies; 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 “Fire Chief T.J. Maury Act”.

Section 2. R.S. 40:1665(B) is hereby amended and reenacted to read as follows:

§1665. Financial security for surviving spouses and children of firemen in certain cases

* * *

B. Firemen, within the meaning of this Section, shall include all paid, regularly employed firemen and all volunteer firemen of any municipality, parish, federally or state- recognized Indian tribe or tribal unit, or fire protection district maintaining a fire department, or of any volunteer fire department. Firemen shall also include any firefighter who is a Louisiana resident and is employed by or under the control of one of the following federal agencies if the injury resulting in death occurred in Louisiana: the Department of Defense, the Department of Veterans Affairs, the Department of Agriculture, the Department of the Interior, or the Federal Emergency Management Administration.

* * *

Section 3. The provisions of R.S. 40:1665(B) as amended by this Bill shall be applied retroactively to August 1, 2023.

Approved by the Governor, June 10, 2024.

A true copy:

Nancy Landry
Secretary of State

ACT No. 560

HOUSE BILL NO. 416

BY REPRESENTATIVES JORDAN, CARPENTER, WILFORD CARTER, CHASSION, COX, FISHER, FREEMAN, GREEN, HUGHES, JACKSON, KNOX, LAFLEUR, LARVADAIN, LYONS, MOORE, NEWELL, ORGERON, PHELPS, SELTERS, TAYLOR, WALTERS, AND WILLARD

AN ACT

To enact Code of Criminal Procedure Article 985.3, relative to expungement of criminal records; to provide for a court-ordered immediate expungement in certain cases; to provide for the applicable expungement form to be used; to provide relative to service and contents of the immediate expungement; and to provide for related matters.

Be it enacted by the Legislature of Louisiana:

Section 1. Code of Criminal Procedure Article 985.3 is hereby enacted to read as follows:

Art. 985.3. Immediate expungement; judicial discretion

A. The court may order the immediate expungement of the record of

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

the arrest and conviction of the violation that necessitated participation in the probation or program by a person who is otherwise eligible for an expungement upon the successful completion of a court-ordered probation or alternative sentencing program.

B. Only the form provided in Article 992 shall be used to expunge the record of a person who is otherwise eligible for an expungement upon the successful completion of a court-ordered probation or alternative sentencing program.

C. The immediate expungement shall be served pursuant to the provisions of Article 982 and shall include the court record with the signed order with all of the following:

- (1) The bill of information.
- (2) The sentencing minutes.
- (3) Any documents or records relevant to the arrest incident and plea agreements, if available.

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

ACT No. 561

HOUSE BILL NO. 429
BY REPRESENTATIVES BRYANT, BAYHAM, BRAUD, BUTLER, CARRIER, WILFORD CARTER, COX, DOMANGUE, FONTENOT, HUGHES, KERNER, LAFLEUR, JACOB LANDRY, LYONS, MOORE, ORGERON, ROMERO, ST. BLANC, TAYLOR, AND WALTERS
AN ACT

To enact R.S. 17:192.2, relative to school food programs; to provide relative to school breakfast and lunch and other food served in elementary and secondary schools; to prohibit serving imported seafood to students; and to provide for related matters.

Be it enacted by the Legislature of Louisiana:
Section 1. R.S. 17:192.2 is hereby enacted to read as follows:

§192.2. Imported seafood; prohibition
A.(1) No public school governing authority shall serve seafood that originated outside of the United States to students in schools under its jurisdiction.

(2) No nonpublic school that receives state funds shall serve seafood that originated outside of the United States to its students.

(3) The provisions of this Subsection apply to breakfasts and lunches served as part of a school food program and foods other than school breakfast and lunch.

(4) The provisions of this Subsection shall apply to the Louisiana State Capitol cafeteria.

B. The State Board of Elementary and Secondary Education shall promulgate rules as necessary for the implementation of this Section.

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

ACT No. 562

HOUSE BILL NO. 483
BY REPRESENTATIVE THOMAS
AN ACT

To enact R.S. 18:1309(K)(2)(e), relative to qualifications of early voting election commissioners; to prohibit registered sex offenders and child predators from serving as early voting election commissioners; to provide for an effective date; and to provide for related matters.

Be it enacted by the Legislature of Louisiana:
Section 1. R.S. 18:1309(K)(2)(e) is hereby enacted to read as follows:
§1309. Early voting; verification

K.

(2) A person to whom one or more of the following applies shall not serve as an early voting commissioner:

(e) The person is required to register as a sex offender or child predator pursuant to R.S. 15:542.

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 10, 2024.
A true copy:
Nancy Landry
Secretary of State

ACT No. 563

HOUSE BILL NO. 494
BY REPRESENTATIVES WILLARD AND CHASSION
AN ACT

To amend and reenact R.S. 40:1321(A), relative to special identification cards; to provide access to special identification cards for children of a certain age; to provide an effective date; and to provide for related matters.

Be it enacted by the Legislature of Louisiana:

Section 1. R.S. 40:1321(A) is hereby amended and reenacted to read as follows:

§1321. State identification cards; special identification cards; issuance; veteran designation; disabled veteran designation; university logo; “I’m a Cajun” designation; needs accommodation designation; autism spectrum disorder designation; fees; expiration and renewal; exceptions; promulgation of rules; promotion of use; persons less than twenty-one years of age; the Protect and Save our Children Program; Selective Service Registration

A. Any Louisiana resident may obtain a special identification card from the office of motor vehicles within the Department of Public Safety and Corrections, hereinafter referred to as “OMV”. The identifying information and documents of identification required to obtain a special identification card shall be the same as those required to obtain a Louisiana driver’s license, as stated in R.S. 32:409.1. However, if the applicant is seventeen years of age, the signature of the custodial parent or guardian shall not be required, provided the applicant has the necessary identifying information and documents. If the applicant is fourteen to sixteen years of age and is accompanied by a person over the age of twenty-one years with whom he lives, or the applicant is accompanied by a person over the age of twenty-one years who works for a non-profit agency that assists children under the age of eighteen, that person may sign in lieu of the custodial parent or guardian for the issuance of a special identification card, provided the applicant has the necessary identifying information, documents, and is not requesting a REAL ID.

Section 2. The provisions of this Act shall become effective January 1, 2025.

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

ACT No. 564

HOUSE BILL NO. 505
BY REPRESENTATIVE FONTENOT
AN ACT

To enact Code of Criminal Procedure Articles 311(11) and 328(C), relative to electronic bonds; to provide for definitions; and to provide for related matters.

Be it enacted by the Legislature of Louisiana:
Section 1. Code of Criminal Procedure Articles 311(11) and 328(C) are hereby enacted to read as follows:

Art. 311. Definitions
For the purpose of this Title, the following definitions shall apply:

(11) Electronic bond is a commercial bail bond contract executed digitally as security given by a surety to assure a defendant’s appearance before the proper court whenever required.

Art. 328. Bail undertaking

C.(1) An electronic bond may be executed in a parish where the sheriff has electronic bond software in place. Agents may be approved by the sheriff to execute an electronic bond. A licensed bail bond producer applying for electronic bond authority may make an application to the sheriff and shall be domiciled and maintain a principal place of business in this state and possess a Louisiana bail bond producer license for at least three years preceding the date of application.

(2) The approving sheriff authority may require any documents deemed necessary to verify the information contained in the application.

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

ACT No. 565

HOUSE BILL NO. 507
BY REPRESENTATIVE ZERINGUE
AN ACT

To amend and reenact R.S. 14:61(B)(1), (C), and (D) and to enact R.S. 14:61(E), relative to the unlawful entry of a critical infrastructure; to provide relative to the definition of a critical infrastructure; to provide for enhanced sentencing upon subsequent offenses; and to provide for related matters.

Be it enacted by the Legislature of Louisiana:

Section 1. R.S. 14:61(B)(1), (C), and (D) are hereby amended and reenacted and R.S. 14:61(E) is hereby enacted to read as follows:
§61. Unauthorized entry of a critical infrastructure

B. For the purposes of this Section, the following words shall have the following meanings:

(1) “Critical infrastructure” means any and all structures, equipment, or other immovable or movable property located within or upon chemical manufacturing facilities, refineries, electrical power generating facilities, electrical transmission substations and distribution substations, water intake structures and water treatment facilities, natural gas transmission compressor stations, ~~liquefied~~ liquefied natural gas (LNG) terminals and storage facilities, natural gas and hydrocarbon storage facilities, transportation facilities, such as ports, railroad switching yards, pipelines, and trucking terminals, water control structures including floodgates or pump stations, wireline and wireless communications and data network facilities, or any site where the construction or improvement of any facility or structure referenced in this Section is occurring.

C.~~(1)~~ Whoever Except as provided in Paragraph (2) of this Subsection, whoever commits the crime of unauthorized entry of a critical infrastructure shall be imprisoned with or without hard labor for not more than five years, fined not more than one thousand dollars, or both.

(2) On a conviction for a second or subsequent violation of Subsection A of this Section, the offender shall be imprisoned with or without hard labor for not less than six months nor more than ten years, fined not less than five hundred dollars nor more than four thousand dollars, or both.

D. Whoever commits the crime of unauthorized entry of a critical infrastructure during the existence of a state of emergency, which has been declared by the governor or the chief executive officer of any parish, shall be fined not more than five thousand dollars and shall be imprisoned at hard labor for not less than three years nor more than fifteen years.

~~D. E.~~ Nothing in this Section shall be construed to apply to or prevent the following:

(1) Lawful assembly and peaceful and orderly petition, picketing, or demonstration for the redress of grievances or to express ideas or views regarding legitimate matters of public interest, including but not limited to any labor dispute between any employer and its employee or position protected by the United States Constitution or the Constitution of Louisiana.

(2) Lawful commercial or recreational activities conducted in the open or unconfined areas around a pipeline, including but not limited to fishing, hunting, boating, and birdwatching.

(3) Nothing in this Section shall be construed to prevent the owner of an immovable from exercising right of ownership, including use, enjoyment, and disposition within the limits and under the conditions established by law.

Approved by the Governor, June 10, 2024.

A true copy:
Nancy Landry
Secretary of State

ACT No. 566

HOUSE BILL NO. 528
BY REPRESENTATIVE EGAN
AN ACT

To amend and reenact R.S. 36:785, relative to the deputy secretary of the Department of Veterans Affairs; to establish the position of director of medical services; to provide for responsibilities; to provide for salary; and to provide for related matters.

Be it enacted by the Legislature of Louisiana:

Section 1. R.S. 36:785 is hereby amended and reenacted to read as follows:
§785. Deputy secretary

A. There may be a deputy secretary of the Department of Veterans Affairs who shall be appointed by the secretary with consent of the Senate and who shall serve at the pleasure of the secretary at a salary fixed by the secretary, which salary shall not exceed the amount approved for such position by the legislature while in session. The duties and functions of the deputy secretary shall be determined and assigned by the secretary. If appointed, he shall serve as acting secretary in the absence of the secretary.

B. The deputy secretary may serve concurrently as the director of medical services who shall oversee medical operations at the veterans’ homes of this state and provide oversight over all contracted physicians and manage veteran mental health programs and veteran homelessness within the department. If the deputy secretary also serves as the director of medical services, the salary shall be set by the secretary.

Approved by the Governor, June 10, 2024.

A true copy:
Nancy Landry
Secretary of State

ACT No. 567

HOUSE BILL NO. 621
BY REPRESENTATIVE STAGNI

AN ACT

To amend and reenact R.S. 26:911(B)(1)(b) and Subpart BB of Part II-A of Chapter 1 of Subtitle I of Title 39 of the Louisiana Revised Statutes of 1950, consisting of R.S. 39:100.231, to enact R.S. 26:926.1, and to repeal R.S. 26:926, relative to vapor products; to prohibit retail dealers of electronic cigarette products from purchasing such products from certain sources; to establish a vapor product and alternative nicotine product directory; to authorize the commissioner of the office of alcohol and tobacco control to impose fees and fines under certain circumstances; to provide for criminal penalties for certain violations; to provide for requirements and limitations; to provide for age verification; to provide for the disposition of the tax on vapor products; to provide for an effective date; and to provide for related matters.

Be it enacted by the Legislature of Louisiana:

Section 1. R.S. 26:911(B)(1)(b) is hereby amended and reenacted and R.S. 26:926.1 is hereby enacted to read as follows:

§911. Acts prohibited

B.(1)

(b) No vapor retail dealer shall purchase alternative nicotine products, vapor products, or electronic cigarette products for resale except from a wholesale dealer operating with a valid unsuspended Louisiana wholesale dealer permit and a valid stamping agent designation permit pursuant to the provisions of R.S. 26:902(2)(a), except as provided for in by this Chapter.

§926.1. Vapor product and alternative nicotine product directory

A. Every vapor product manufacturer and alternative nicotine product manufacturer whose products are sold in this state, whether directly or through a wholesale dealer, retail dealer, or similar intermediary or intermediaries, shall execute and deliver on a form prescribed by the commissioner, a certification to the commissioner affirming, under penalty of perjury, either of the following:

(1) The product was on the market in the United States as of August 8, 2016, and the manufacturer has applied for a marketing order pursuant to 21 U.S.C. 387j for the vapor product or alternative nicotine product by submitting a premarket tobacco product application on or before September 9, 2020, to the United States Food and Drug Administration, hereinafter referred to in this Section as “FDA”, and either of the following is true:

(a) The premarket tobacco product application for the vapor product or alternative nicotine product remains under review by the FDA.

(b) The FDA has issued a no marketing order for the vapor product or alternative nicotine product, but the agency or a federal court has issued a stay order or injunction during the pendency of the manufacturer’s appeal of the no marketing order, or the order has been appealed either to the FDA or a challenge to the order filed with a federal court and the appeal or challenge is still pending.

(2) The manufacturer has received a marketing order or other authorization under 21 U.S.C. 387j for the vapor product or alternative nicotine product from the FDA.

B. In addition to the requirements of Subsection A of this Section, each manufacturer shall provide a copy of the cover page of the premarket tobacco application with evidence of receipt of the application by the FDA or a copy of the cover page of the marketing order or other authorization issued pursuant to 21 U.S.C. 387j, whichever is applicable.

C. Any manufacturer submitting a certification pursuant to Subsection A of this Section shall notify the commissioner within thirty days of any material change to the certification, including issuance by the FDA of any of the following:

(1) A market order or other authorization pursuant to 21 U.S.C. 387j.

(2) An order requiring a manufacturer to remove a product from the market either temporarily or permanently.

(3) Any notice of action taken by the FDA affecting the ability of the new product to be introduced or delivered into interstate commerce for commercial distribution.

(4) Any change in policy that results in a product no longer being exempt from federal enforcement oversight.

D. The commissioner shall develop and maintain a directory listing all vapor product manufacturers and alternative nicotine product manufacturers that have provided certifications that comply with Subsection A of this Section and all products that are listed in those certifications.

E. The commissioner shall do all of the following:

(1) Make the directory available for public inspection on the public website of the office of alcohol and tobacco control.

(2) Update the directory as necessary in order to correct mistakes and to add or remove vapor product manufacturers and alternative nicotine product manufacturers or products manufactured by those manufacturers.

(3) Send monthly notifications to each wholesale dealer, retail dealer, and manufacturer of vapor products and manufacturer of alternative nicotine products that has qualified or registered with the commissioner, by electronic communication, containing a list of all changes that have been made to the directory in the previous month. In lieu of sending monthly notifications, the commissioner may make the information available in a prominent place on the public website of the office of alcohol and tobacco control.

F. Notwithstanding Subsection A of this Section, if a vapor product manufacturer or alternative nicotine product manufacturer can demonstrate

to the commissioner that the FDA has issued a rule, guidance, or any other formal statement that temporarily exempts a vapor product or alternative nicotine product from the federal premarket tobacco application requirements, the vapor product or alternative product may be added to the directory upon request by the manufacturer if the manufacturer provides sufficient evidence that the vapor product or alternative nicotine product is compliant with the federal rule, guidance, or other formal statement, as applicable.

G. Each certifying vapor product manufacturer or alternative nicotine product manufacturer shall pay an initial fee of one hundred dollars per product stock keeping unit or SKU to offset the costs incurred by the commissioner for processing the certifications and operating the directory. The commissioner shall collect an annual renewal fee of one hundred dollars per product stock keeping unit or SKU to offset the costs associated with maintaining the directory and satisfying the requirements of this Section. The fees received pursuant to this Section by the commissioner shall be used by the office of alcohol and tobacco control exclusively for processing the certifications and operating and maintaining the directory.

H. Beginning on the date that the commissioner makes the directory available for public inspection on the public website of the office of alcohol and tobacco control as provided in Subsection E of this Section, a vapor product manufacturer or alternative nicotine product manufacturer who offers for sale a vapor product or alternative nicotine product not listed on the directory is subject to a one thousand dollar daily fine for each vapor product or alternative nicotine product offered for sale in violation of this Section until the offending product is removed from the market or until the offending product is properly listed on the directory.

I.(1) The sale, possession, or transportation of vapor products or alternative nicotine products not listed on the directory by any person, including a permitted wholesale dealer or retail dealer, shall be subject to provisions of R.S. 47:858, 859, and 860 as if such wholesale dealer or retail dealer did not possess a valid permit.

(2) Each unit of vapor product or alternative nicotine product sold or offered for sale, possessed, or transported shall constitute a separate violation for purposes of Paragraph (1) of this Subsection.

J. Any other violation of this Section shall result in a fine of five hundred dollars per offense.

K. The commissioner shall adopt rules for the implementation and enforcement of this Section.

Section 2. Subpart BB of Part II-A of Chapter 1 of Subtitle I of Title 39 of the Louisiana Revised Statutes of 1950, consisting of R.S. 39:100.231, is hereby amended and reenacted to read as follows:

~~SUBPART BB. THE DEPARTMENT OF WILDLIFE AND FISHERIES,
OFFICE OF STATE FIRE MARSHAL, AND THE LOUISIANA PUBLIC
DEFENDER BOARD OFFICE OF THE STATE PUBLIC DEFENDER
COMPENSATION FUND~~

~~§100.231. Department of Wildlife and Fisheries, Office of State Fire Marshal, and Louisiana Public Defender Board Office of the State Public Defender Compensation Fund~~

A. There is hereby created, as a special fund in the state treasury, the Department of Wildlife and Fisheries, Office of State Fire Marshal, and Louisiana Public Defender Board Office of the State Public Defender Compensation Fund, hereafter referred to in this Section as the “fund”.

B.(1) Notwithstanding any provision of law to the contrary, after compliance with the requirements of Article VII, Section 9(B) of the Constitution of Louisiana, relative to the Bond Security and Redemption Fund, and after a sufficient amount is allocated from that fund to pay all of the obligations secured by the full faith and credit of the state which become due and payable within any fiscal year, after the first twenty-two million dollars of the avails of the tax levied pursuant to the provisions of R.S. 47:841(F) is deposited into the Louisiana State Police Salary Fund pursuant to the provisions of R.S. 22:831(B)(2), the treasurer shall deposit the next six million dollars of the avails of the tax levied pursuant to the provisions of R.S. 47:841(F) into the fund. Monies in the fund shall be used solely as provided for in Subsection C of this Section.

(2) Monies in the fund shall be invested by the treasurer in the same manner as monies in the state general fund, and interest earned on investment of the monies shall be credited to the fund. Unexpended and unencumbered monies in the fund at the end of the fiscal year shall remain in the fund.

C. Monies in the fund shall only be withdrawn subject to an appropriation by the legislature and shall be distributed as follows:

(1) The first distribution to the office of alcohol and tobacco control shall be six hundred thousand dollars. These funds shall be expended exclusively for the purposes of the enforcement of vapor products and electronic cigarettes.

(2) The remaining funds shall be distributed and shared equally among the following governmental units:

(a) The funds distributed to the Department of Wildlife and Fisheries shall be used exclusively to cover the cost of salary increases and related benefits for enforcement agents.

(b) The funds distributed to the office of the state fire marshal shall be used exclusively to cover the cost of salary increases and related benefits for its employees.

(c) The funds distributed to the Louisiana Public Defender Board office of the state public defender shall be used exclusively to cover the cost of salary increases and related benefits for its employees.

Section 3. R.S. 26:926 is hereby repealed in its entirety.

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 10, 2024.

A true copy:

Nancy Landry
Secretary of State

ACT No. 568

**HOUSE BILL NO. 716
BY REPRESENTATIVE OWEN
AN ACT**

To enact Chapter 1-E of Title 37 of the Louisiana Revised Statutes of 1950, to be comprised of R.S. 37:51 through 59, relative to universal occupational license recognition; to provide for definitions; to provide for conditions for application; to provide for occupational licensing requirements; to provide for conditional license or certification by the Louisiana State Board of Medical Examiners and the Louisiana Board of Veterinary Medicine; to provide for dental licensure; to require proof of residency; to provide for jurisprudential examination; to provide for an examination by the Horticultural Commission of Louisiana; to provide for board decisions on applications; to provide for appeals of a board decision on applications; to provide for state law and jurisdiction; to provide for exemptions; to provide for limitations; and to provide for related matters.

Be it enacted by the Legislature of Louisiana:

Section 1. Chapter 1-E of Title 37 of the Louisiana Revised Statutes of 1950, comprised of R.S. 37:51 through 59, is hereby enacted to read as follows:

CHAPTER 1-E. WELCOME HOME ACT

§51. Definitions

The words defined in this Section have the meanings given them for purposes of this Chapter unless the context clearly requires otherwise.

(1) “Board” means any state executive branch board, commission, department, or other agency that regulates the entry of persons into a particular profession or occupation or that is authorized to issue or revoke occupational licenses or certifications.

(2) “Occupational license” means a nontransferable authorization issued by a state to an individual to legally practice or engage in a regulated profession or occupation.

(3) “Other state” or “another state” means any United States territory or state in the United States other than this state.

(4) “Scope of practice” means the procedures, actions, processes, and work that a person may perform pursuant to an occupational license or certification issued in this state.

§52. Occupational license or certification

A. Notwithstanding any other law, a board shall issue an occupational license or certification to a person upon application, if all the following apply:

(1) The applicant holds a current and valid occupational license or certification in another state in a lawful occupation with a similar scope of practice, as determined by the board in this state.

(2) The applicant has held the occupational license or certification in the other state for at least one year.

(3) The other state required the applicant to pass an examination, or to meet education, training, or experience standards.

(4) The other state holds the applicant in good standing.

(5) The applicant does not have a disqualifying criminal record as determined by the board in this state under state law.

(6) The applicant does not have a disciplinary action or investigation pending in another state. If the applicant has a disciplinary action or investigation pending, the board in this state shall not issue or deny an occupational license or certification to the person until the disciplinary action or investigation is resolved or the person otherwise meets the criteria for an occupational license or certification in this state to the satisfaction of the board in this state.

(7) The applicant pays all applicable fees in this state.

(8) The applicant lives in this state and provides proof of residency as outlined in R.S. 37:53.

B. If another state issued the applicant a certification, but this state requires an occupational license to work, the board in this state shall issue an occupational license to the applicant if the applicant otherwise satisfies Subsection A of this Section.

C. Notwithstanding any other provision of law to the contrary, the Louisiana State Board of Medical Examiners and the Louisiana Board of Veterinary Medicine shall issue a conditional license or certification, pending normal licensure, to an applicant who otherwise satisfies Subsection A of this Section.

D. In addition to the requirements of Subsection A of this Section, the Louisiana State Board of Dentistry may require that an applicant for dental licensure has successfully completed an initial clinical licensure examination in a jurisdiction that included a hand skills assessment.

E. A license issued pursuant to this Chapter may contain the following statement: “Licensed by Endorsement, R.S. 37:51 et seq.”

§53. Residency

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

For purposes of this Chapter, residency may be established by producing proof of one of the following:

- (1) A current state-issued identification card.
- (2) A state-issued voter registration card.
- (3) Documentation of current in-state employment or notarized letter of promise of employment of the applicant or his spouse. If an applicant uses this method to obtain licensure, a board shall require another form of proof of residency listed in this Section, six months after licensure is granted.
- (4) A current homestead exemption for this state.

§54. Examination

- A. A board may require an applicant to pass a jurisprudential examination specific to relevant state laws that regulate the occupation if an occupational license or certification in this state requires an applicant to pass a jurisprudential examination specific to relevant state statutes and administrative rules that regulate the occupation or certification.
- B. If the Horticulture Commission of Louisiana administers an examination as part of the licensure process, it may require applicants to take and pass all or part of the examination as may be necessary to demonstrate competence regarding Louisiana specific flora or Louisiana specific environmental issues.
- C. If an examination is required for licensure or certification pursuant to the Louisiana Pesticide Law, R.S. 3:3201 et seq, applicants may be required to take and pass all or part of the examination as may be necessary to demonstrate competence regarding Louisiana specific flora, fauna, or environmental issues.

§55. Decision

A board shall provide an applicant with a written decision regarding his application within sixty days after receiving a complete application.

§56. Appeal

- A. An applicant may appeal a board's decision to a court of general jurisdiction.
- B. An applicant may appeal any of the following:
 - (1) The board's denial of an occupational license or certification.
 - (2) The board's determination of the occupation or certification.
 - (3) The board's determination of the similarity of the scope of practice of the occupational license or certification issued.

§57. State laws and jurisdiction

- A person who obtains an occupational license or certification pursuant to this Chapter is subject to all of the following:
 - (1) The laws regulating the occupation in this state.
 - (2) The jurisdiction of the board in this state.

§58. Exceptions

- A. This Chapter does not apply to an occupation regulated by the state supreme court.
- B. This Chapter shall not apply to peace officers as defined in R.S. 40:2402.
- C. This Chapter does not apply to water and wastewater operator licenses.
- §59. Limitations
 - A. Nothing in this Chapter shall be construed to prohibit a person from applying for an occupational license or certification under another statute or rule in state law.
 - B. An occupational license or certification issued pursuant to this Chapter is valid only in this state. It does not make the person eligible to work in another state under an interstate compact or reciprocity agreement unless otherwise provided in law.
 - C. Nothing in this Chapter shall be construed to prevent this state from entering into a licensing compact, professional national mobility agreement, or reciprocity agreement with another state, foreign province, foreign country, international organization, or other entity. A person may apply for licensure in accordance with the provisions of this Chapter or may apply for licensure pursuant to the terms of the applicable licensing compact, professional national mobility agreement, or reciprocity agreement.
 - D. Nothing in this Chapter shall be construed to prevent this state from recognizing occupational credentials issued by a private certification organization, foreign province, foreign country, international organization, or other entity.
 - E. Nothing in this Chapter shall be construed to require a private certification organization to grant or deny private certification to any individual.

Approved by the Governor, June 10, 2024.

A true copy:
Nancy Landry
Secretary of State

ACT No. 569

HOUSE BILL NO. 761
BY REPRESENTATIVE LACOMBE
AN ACT

To enact R.S. 33:9038.77, relative to cooperative economic development in certain municipalities; to authorize municipalities meeting specified criteria to create a taxing district for the redevelopment of blighted property into a conference style hotel and related facilities; to provide for the governance, boundaries, and powers and duties of the district, including the authority to engage in tax increment financing; to authorize and to provide for related matters.

Be it enacted by the Legislature of Louisiana:

Section 1. R.S. 33:9038.77 is hereby enacted to read as follows:

* As it appears in the enrolled bill

§9038.77. Cooperative economic development; certain municipalities

- A. A municipality with a population of between one thousand five hundred twenty-five and one thousand six hundred as established by the most recent federal decennial census may create a taxing district as provided in this Section. Any such taxing district is a political subdivision of the state.
- B. The ordinance creating the district shall establish the boundaries of the district.
- C. Any such district shall be created to provide for cooperative economic development among the municipality, the parish, the owners of property in the district, the district, and the state, in order to provide for the redevelopment of and dramatic improvement to the blighted property within the area of the district into a conference-style hotel and related facilities.
- D.(1) The ordinance creating the district shall provide for its governing board subject to the provisions of this Subsection.
 - (2) A majority of the members of the board shall constitute a quorum for the transaction of business. The board shall keep minutes of all meetings and shall make them available for inspection through the board's secretary-treasurer. The minute books and archives of the district shall be maintained by the board's secretary-treasurer. The monies, funds, and accounts of the district shall be in the official custody of the board.
 - (3) The board shall adopt bylaws and prescribe rules to govern its meetings. The members of the board shall serve without salary or per diem but shall be entitled to reimbursement for reasonable, actual, and necessary expenses incurred in the performance of their duties.
 - (4) The domicile of the board shall be established by the board at a location within the district.
 - (5) The board shall elect from its own members a president, vice-president, and a secretary-treasurer, whose duties shall be common to such offices or as may be provided by bylaws adopted by the district. The board shall hold regular meetings and may hold special meetings as provided in the bylaws.
 - E. The district, acting by and through its board, shall be a special taxing district and shall have and exercise all powers of a political subdivision and special taxing district necessary or convenient for the carrying out of its objectives and purposes including but not limited to the following:
 - (1) To sue and to be sued.
 - (2) To adopt bylaws, rules, and regulations.
 - (3) To receive by gift, grant, donation, or otherwise any sum of money, property, aid, or assistance from the United States, the state of Louisiana, or any political subdivision thereof, or any person, firm, or corporation.
 - (4) To enter into contracts, agreements, or cooperative endeavors with the state and its political subdivisions or political corporations and with any public or private association, corporation, business entity, or person, including but not limited to pledge and collateral assignment agreements and tax collection agreements.
 - (5) To appoint officers, agents, and employees, prescribe their duties, and fix their compensation.
 - (6) To acquire by gift, grant, purchase, lease, or otherwise property as necessary or desirable for carrying out the objectives and purposes of the district and to mortgage and sell such property.
 - (7) In its own name and on its own behalf to incur debt and to issue bonds, notes, certificates, and other evidences of indebtedness. If the district issues bonds pursuant to this Section, the district shall be deemed and considered to be an issuer for purposes of R.S. 33:9037 and shall, to the extent not in conflict with this Section, be subject to the provisions of R.S. 33:9037.
 - (8) To establish such funds or accounts as necessary for the conduct of the affairs of the district.
 - (9) To levy and collect the taxes authorized by this Section.
 - (10) To enter into one or more agreements to provide for the collection of the taxes collected within the district and remittance of the taxes to the appropriate recipients.
 - F.(1) In order to provide funds for the purposes of the district, the district may levy and collect within the district a tax upon the occupancy of hotel rooms and a tax upon the sale of food and beverage not intended for home consumption. The aggregate tax rate upon the occupancy of hotel rooms within the district shall be at least equal to the aggregate rate of all taxes upon the occupancy of hotel rooms levied and collected within the parish where the district is located. The aggregate food and beverage tax rate within the district shall be at least equal to the aggregate rate of all taxes on food and beverage levied and collected within the parish where the district is located.
 - (2)(a) The word "hotel" as used in this Section shall mean and include any establishment, both public and private, engaged in the business of furnishing or providing rooms intended or designed for dwelling, lodging, or sleeping purposes to transient guests where such establishment consists of two or more guest rooms.
 - (b) The occupancy tax shall be paid by the person who exercises or is entitled to occupancy of the hotel room and shall be paid at the time the rent or fee of occupancy is paid.
 - (c) The food and beverage tax shall be paid by the person who pays for the food and beverages at the point of sale.
 - (d) The word "person" as used in this Section has the same meaning as contained in R.S. 47:301(8).
 - (3) The taxes authorized in this Section shall be imposed by ordinance adopted by the board without the need of an election.
 - (4) If there are no hotel occupancy or sales taxes whatsoever generated at the property and, but for the hotel project to be developed at the property

~~within the district, there would be no collection of a hotel occupancy tax or food and beverage tax by any taxing authority within the district, and if the district elects to levy and collect the taxes authorized in this Section, the levy shall be deemed to supersede and be in lieu of only other taxes on hotel occupancy and sales within the district that do not secure bonds that have been authorized, that have not been dedicated by other law or by proposition approved by electors voting in an election for such purpose, and that are not based on a per-person basis. Additionally, if during the term of the district, other taxes on hotel occupancy or sales within the district that are not available for use for tax increment financing purposes subsequently cease to be authorized to secure bonds, cease to secure bonds that have been authorized, or cease to be dedicated by other law or by proposition approved by electors voting in an election for such purpose and thus become available for the use of the financing purposes hereunder, the levy pursuant to this Section shall at that time be deemed to supersede and be in lieu of such other taxes on hotel occupancy or sales within the district and shall be available for use for the purposes of the district.~~

~~G.(1)(a) The district may issue revenue bonds, in one or more series, payable from an irrevocable pledge and dedication of available non-voter elected, pledged, or dedicated up to the full amount of hotel occupancy and food and beverage sales tax increments, in an amount to be determined by the district, to finance or refinance any project or projects or parts thereof which are consistent with the purposes of the district. Additionally, without the necessity of issuing revenue bonds, the district may pledge the tax increments collected under the authority of this Section to any financing or multiple refinancing of a hotel and related facilities within the district in furtherance of the purposes of the district. Such financing may include but shall not be limited to loans, mortgages, the issuance of bonds, or the issuance of certificates of indebtedness. For each of the designated non-voter elected, pledged, or dedicated food and beverage and hotel occupancy taxes collected within the district, a tax increment shall consist of that portion of the aggregate of such tax revenues collected by the district each year which exceeds the amount of such taxes that were collected in the year immediately prior to the year in which the district was established.~~

~~(b) Dedication of tax increments to pay the revenue bonds shall not impair existing obligations of the district and shall not include tax revenues previously dedicated by the district for a special purpose.~~

~~(2) The authority granted to the district pursuant to the provisions of this Section is subject to the limitations provided in R.S. 33:9038.42.~~

~~H. The district shall dissolve and cease to exist one year after the date on which all loans, bonds, notes, and other evidences of indebtedness of the district, including refunding bonds, are paid in full as to both principal and interest; however, the district shall not have an existence of more than forty years from the date on which a tax authorized pursuant to this Section is first levied by the district.~~

~~I. Any ordinance or resolution authorizing bonds or other debt obligations or the pledge of tax increments collected under the authority of this Section to any financing authorized by this Section may be published at least once in the official journal of the parish where the district is located. For thirty days after the date of publication, any person in interest may contest the legality of the ordinance or resolution and of any provision therein made for the security and payment of the debt obligation or the levy and collection of such taxes. After that time, no one shall have any cause of action to test the regularity, formality, legality, or effectiveness of the ordinance or resolution, and provision thereof for any cause whatever. Thereafter, it shall be conclusively presumed that every legal requirement for the levy and collection of taxes, the issuance of bonds or other debt obligation, or legal requirement for the levy and collection of taxes, the issuance of bonds or other debt obligations, or the pledge of tax increment collected, including all things pertaining to the authorizing thereof, has been complied with. No court shall have authority to inquire into any of these matters after the thirty day period after publication.~~

~~J. This Section, being necessary for the welfare of the municipality and the parish and the residents thereof, shall be liberally construed to effect the purposes thereof.~~

Approved by the Governor, June 10, 2024.

A true copy:
Nancy Landry
Secretary of State

ACT No. 570

HOUSE BILL NO. 779
BY REPRESENTATIVES BOYD, BRYANT, CARPENTER, CHASSION,
COX, GREEN, HUGHES, KNOX, LAFLEUR, LYONS, MARCELLE, MENA,
MOORE, NEWELL, SELDERS, TAYLOR, AND WALTERS
AN ACT

To amend and reenact R.S. 14:46.3(B), relative to the crime of trafficking of children for sexual purposes; to provide for a definition; and to provide for related matters.

Be it enacted by the Legislature of Louisiana:

Section 1. R.S. 14:46.3(B) is hereby amended and reenacted to read as follows:

§46.3. Trafficking of children for sexual purposes

* * *

B. For purposes of this Section, “commercial sexual activity” means any

~~sexual act performed or conducted lewd or lascivious act upon the person or in the presence of any child~~ when any thing of value has been given, promised, or received by any person.

* * *

Approved by the Governor, June 10, 2024.

A true copy:
Nancy Landry
Secretary of State

ACT No. 571

HOUSE BILL NO. 812
BY REPRESENTATIVE ROMERO
AN ACT

To amend and reenact R.S. 3:556.3(B)(introductory paragraph), (5), and (6) and (C), (F), and (H), relative to the Louisiana Crawfish Promotion and Research Board; to provide for changes in the membership of the board; to provide relative to the terms of board members; to provide for changes in meeting requirements; and to provide for related matters.

Be it enacted by the Legislature of Louisiana:

Section 1. R.S. 3:556.3(B)(introductory paragraph), (5), and (6) and (C), (F), and (H) are hereby amended and reenacted to read as follows:

§556.3. Louisiana Crawfish Promotion and Research Board

* * *

B. The board shall consist of ~~eleven~~ thirteen members appointed by the commissioner of agriculture and forestry in accordance with the following provisions:

* * *

(5) ~~One member~~ Three members who ~~is are~~ engaged in crawfish farming or crawfish harvesting appointed from a list of ~~three~~ six persons nominated by the Louisiana Farm Bureau Federation.

(6) One member who is engaged in the crawfish industry appointed from a list of three persons nominated by an owner or operator of a facility which produces or sells artificial crawfish bait.

* * *

C. Members shall be appointed for terms concurrent with the term of the commissioner of agriculture and forestry. Each appointment by the commissioner shall be submitted to the Senate for confirmation.

* * *

F. A majority of the appointed members who ~~serve of on~~ the board shall constitute a quorum for the transaction of business. All official actions of the board shall require the affirmative vote of a majority of the members of the board present and voting.

* * *

H. The board shall meet ~~quarterly~~ at least twice per calendar year and may meet at other times on the call of the chairman or by request of any four members. The board shall not receive per diem or mileage for more than twelve meetings in any calendar year.

* * *

Approved by the Governor, June 10, 2024.

A true copy:
Nancy Landry
Secretary of State

ACT No. 572

HOUSE BILL NO. 864
BY REPRESENTATIVE GREEN
AN ACT

To amend and reenact R.S. 13:5304(B)(3) through (11), (J)(1) and (3), and (K), to enact R.S. 13:5304(B)(12) and (13), and to repeal R.S. 13:5304(B)(10.1), relative to the drug division probation program; to provide relative to conditions of drug division probation; to provide relative to eligibility for a drug division program; to provide relative to designated treatment professionals; and to provide for related matters.

Be it enacted by the Legislature of Louisiana:

Section 1. R.S. 13:5304(B)(3) through (11), (J)(1) and (3), and (K) are hereby amended and reenacted and R.S. 13:5304(B)(12) and (13) are hereby enacted to read as follows:

§5304. The drug division probation program

* * *

B. Participation in probation programs shall be subject to the following provisions:

(1) The district attorney may propose to the court that an individual defendant be screened for eligibility as a participant in the drug division probation program if all of the following criteria are satisfied:

* * *

(3) ~~In offering a defendant the opportunity to request treatment, the court shall advise the defendant of the following:~~

~~(a) If the defendant is accepted into the drug division probation program, then the defendant must waive the right to a trial. The defendant must enter a plea of guilty to the charge, with the stipulation that sentencing be deferred or that sentence be imposed, but suspended, and the defendant placed on supervised probation under the usual conditions of probation and under~~

certain special conditions of probation related to the completion of such substance abuse treatment programs as are ordered by the court.

~~(b) If the defendant requests to undergo treatment and is accepted, the defendant shall be placed under the supervision of the drug division probation program for a period determined by the court, except that the probation period for a defendant convicted of a violation of R.S. 14:98, 98.1, 98.2, or 98.3 shall not be less than twelve months.~~

~~(c) During treatment the defendant may be confined in a treatment facility or, at the discretion of the court, the defendant may be released on a probationary basis for treatment or supervised aftercare in the community.~~

~~(d) The court may impose any conditions reasonably related to the complete rehabilitation of the defendant.~~

~~(e) The defendant shall be required to participate in an alcohol and drug testing program at his own expense, unless the court determines that he is indigent.~~

~~(f) If the defendant completes the drug division probation program, and successfully completes all other requirements of his court-ordered probation, the conviction may be set aside and the prosecution dismissed in accordance with the provisions of Code of Criminal Procedure Articles 893 and 894. If the defendant was sentenced at the time of the entry of the plea of guilty, the successful completion of the drug division probation program and the other requirements of probation will result in his discharge from supervision. If the defendant does not successfully complete the drug division probation program, the judge may revoke the probation and impose sentence, or the judge may revoke the probation and order the defendant to serve the sentence previously imposed and suspended. The court shall inform the defendant that the drug division program or district attorney may request that the defendant provide the following information to the court to determine eligibility and suitability for program admission:~~

~~(a) Information regarding prior criminal charges.~~

~~(b) Education, work experience, and training.~~

~~(c) Family history, including residence in the community.~~

~~(d) Medical and mental history, including any psychiatric or psychological treatment or counseling.~~

~~(e) Any other information reasonably related to the success of the treatment program.~~

~~(4) The defendant has the right to be represented by counsel at all stages of a criminal prosecution and in any court hearing relating to the drug division probation program. The defendant shall be represented by counsel during the negotiations to determine eligibility to participate in the drug division probation program and shall be represented by counsel at the time of the execution of the probation agreement, and at any hearing to revoke the defendant's probation and discharge him from the program, unless the court finds and the record shows that the defendant has knowingly and intelligently waived his right to counsel. The defendant shall undergo a program screening by a staff member of the drug division probation program that is knowledgeable in specialty court clinical suitability. The clinical screening tool shall be validated, evidence based, and include risk and need components. The findings of the screening shall be reported to the court, district attorney, and the defendant's counsel.~~

~~(5) The defendant must agree to the drug division probation program. If the defendant elects to undergo treatment and participate in the drug division probation program, the court shall order an examination of the defendant by one of the court's designated licensed treatment professionals. Treatment professionals shall possess sufficient experience in working with criminal justice clients with alcohol or drug abuse or addictions, or both, and shall be certified and approved by the state of Louisiana. The designated treatment professionals shall utilize standardized testing and evaluation procedures to determine whether or not the defendant is an appropriate candidate for a treatment program and shall report such findings to the court and the district attorney. The defendant shall meet the suitability requirements as defined by best practice standards developed for the drug division probation program and adopted by the Louisiana Supreme Court.~~

~~(6) The designated treatment professionals shall examine the defendant, using standardized testing and evaluation procedures, and shall report to the court and the district attorney the results of the examination and evaluation along with its recommendation as to whether or not the individual is a suitable candidate for the drug division probation program. Only those defendants who suffer from alcoholism or a drug abuse or addiction, or both, or who are in danger of becoming dependent on alcohol or drugs and who are likely to be rehabilitated through treatment shall be considered for treatment. Upon a determination that the defendant meets the eligibility and suitability criteria, the court may offer a defendant the opportunity to participate in the program and undergo treatment. The court shall advise and the defendant shall be subject to the following:~~

~~(a) If the defendant is accepted into the drug division probation program, then the defendant shall waive the right to a trial. The defendant shall enter a plea of guilty to the charge, with the stipulation that sentencing be deferred or that sentence be imposed, but suspended, and the defendant be placed on supervised probation under the usual conditions of probation and under certain special conditions of probation related to the completion of such substance abuse treatment programs as are ordered by the court.~~

~~(b) Upon acceptance of the guilty plea, the defendant's case shall be transferred to the drug court division, where the defendant shall be under the supervision of the drug division probation program for a period of not less than twelve months.~~

(c) During drug division probation program supervision, the defendant may be required to receive long-term residential treatment, in-patient treatment, or community-based out-patient treatment based on a clinical assessment recommendation and approval by the drug division probation program judge.

(d) The court may impose any conditions reasonably related to the complete rehabilitation of the defendant.

(e) The defendant shall be required to participate in an alcohol and drug testing program at his own expense, unless the court determines that he is indigent.

(f) If the defendant successfully completes all requirements of the drug division probation program and all other requirements of his court-ordered probation, the judge may, on motion of the district attorney or the defendant, order the setting aside of the conviction and dismissal of prosecution within the provisions of Code of Criminal Procedure Articles 893 or 894.

(g) If the defendant does not successfully complete the drug division probation program, the judge may revoke the probation and impose sentence, or the judge may revoke the probation and order the defendant to serve the sentence previously imposed and suspended.

(7) The court shall inform the defendant that the treatment program examiner or district attorney may request that the defendant provide the following information to the court:

(a) Information regarding prior criminal charges.

(b) Education, work experience, and training.

(c) Family history, including residence in the community.

(d) Medical and mental history, including any psychiatric or psychological treatment or counseling.

(e) Any other information reasonably related to the success of the treatment program. The defendant has the right to be represented by counsel at all stages of a criminal prosecution and in any court hearing relating to the drug division probation program. The defendant shall be represented by counsel during the determination of eligibility and suitability to participate in the drug division probation program at the time of the execution of the sentencing agreement and at any subsequent probation revocation hearing to discharge him, unless the court finds and the record shows that the defendant has knowingly and intelligently waived his right to counsel.

(8) The designated program shall recommend to the court a preliminary length of stay and level of care for the defendant.

(9) The defendant shall agree to participation in the drug division probation program.

(9) (10) Besides the report eligibility and suitability reports submitted by the examiner, the judge and district attorney shall consider the following factors in determining whether drug court probation would be in the interests of justice and of benefit to the defendant and the community:

(a) The nature of the crime charged and the circumstances surrounding the crime.

(b) Any special characteristics or circumstances of the defendant.

(c) Whether the defendant is a first-time offender of an alcohol- or drug-related offense, and, if the defendant has previously participated in this or a similar program, the degree of success attained.

(d) Whether there is a probability that the defendant will cooperate with and benefit from probation and treatment through the drug division probation program.

(e) Whether the available drug division probation program is appropriate to meet the needs of the defendant.

(f) The impact of the defendant's probation and treatment upon the community.

(g) Recommendations, if any, of the involved law enforcement agency.

(h) Recommendations, if any, of the victim.

(i) Provisions for and the likelihood of obtaining restitution from the defendant over the course of his probation.

(j) Any mitigating circumstances.

(k) Any other circumstances reasonably related to the individual defendant's case.

(10) (11) In order to be eligible for the drug division probation program, the defendant must shall satisfy each of the following criteria:

(a) The defendant cannot have any prior felony conviction for any offense defined as a homicide in R.S. 14:29.

(b) The crime before the court cannot be a crime of violence as defined in R.S. 14:2(B), except a first conviction of an offense with a maximum prison sentence of ten years or less that was not committed against a family member or household member as defined by R.S. 14:35.3, or against a dating partner as defined by R.S. 46:2151, or an offense of domestic abuse battery that is punishable by imprisonment at hard labor as provided in R.S. 14:35.3.

(c) Other criminal proceedings alleging commission of a crime of violence as defined in R.S. 14:2(B) cannot be pending against the defendant.

(d) The crime before the court cannot be a charge of driving under the influence of alcohol or any other drug or drugs that resulted in the death of a person.

(10) (12) A defendant previously convicted or adjudicated a delinquent for the offense of simple battery shall not be deemed ineligible for the drug division probation program on the sole basis of such status.

(11) (13)(a) The judge shall make the final determination of eligibility. If, based on the examiner's report and the recommendations of the district attorney and the defense counsel, the judge determines that the defendant should be enrolled in the drug division probation program, the court shall accept the defendant's guilty plea and suspend or defer the imposition

of sentence and place the defendant on probation under the terms and conditions of the drug division probation program. The court also may impose sentence and suspend the execution thereof, placing the defendant on probation under the terms and conditions of the drug division probation program.

~~(b) If the judge determines that the defendant is not qualified for enrollment, the judge shall state for the record the reasons for that determination.~~

~~(c) A treatment professional may petition the court to reject a referral through the drug division probation program if the treatment professional deems the defendant to be inappropriate for admission to the treatment program. Additionally, a treatment professional may petition the court for immediate discharge of any individual who fails to comply with treatment program rules and treatment expectations or who refuses to constructively engage in the treatment process.~~

~~(b) If it is determined after screening that the defendant is not qualified for enrollment in the drug division probation program, reasons for that determination shall be provided to the defendant and made part of the record in his case.~~

~~(c) The office of probation and parole or the district attorney may petition the court for immediate discharge of any individual who fails to comply with treatment program rules and treatment expectations or who refuses to constructively engage in the treatment process.~~

* * *

J. Each judicial district that establishes a drug division shall adopt written policies and guidelines for the implementation of a probation program in accordance with this Chapter. The policies and guidelines shall include provisions concerning the following:

(1) How to examine screen the defendant initially to determine if he or she is qualified suitable for enrollment.

* * *

(3) What ~~licensed treatment professionals~~ drug division probation program staff are certified by the court.

~~K. Each drug division shall develop a method of evaluation so that its effectiveness can be measured. These evaluations shall be compiled annually and transmitted to the judicial administrator of the Supreme Court of Louisiana and shall include information on recidivism reduction on the participants in the program.~~

K. Each drug division shall implement process and outcome measures promulgated by the Louisiana Supreme Court Drug and Specialty Court Office for assessing program effectiveness. Reports of progress and outcome measures shall be transmitted annually to the judicial administrator of the Supreme Court of Louisiana.

* * *

Section 2. R.S. 13:5304(B)(10.1) is hereby repealed in its entirety. Approved by the Governor, June 10, 2024.

A true copy:
Nancy Landry
Secretary of State

ACT No. 573

HOUSE BILL NO. 880
BY REPRESENTATIVE SCHAMERHORN
AN ACT

To amend and reenact R.S. 47:462(B)(6) and 508(A)(3) and to enact R.S. 47:508(A)(4), relative to the registration of certain commercial vehicles; to provide an exception to annual registration renewals for trucks weighing ten thousand to sixteen thousand pounds; and to provide for related matters.

Be it enacted by the Legislature of Louisiana:

Section 1. R.S. 47:462(B)(6) and 508(A)(3) are hereby amended and reenacted and R.S. 47:508(A)(4) is hereby enacted to read as follows:

§462. Trucks and trailers

* * *

B. Rates

* * *

(6) Provided further that the registration or license tax for each motor truck and tandem truck having a gross vehicle weight per load-carrying axle rating up to and including ~~ten sixteen~~ sixteen thousand pounds or less shall be paid and shall expire annually from the date of issuance. ~~and The registration or license tax for motorcycles may be paid; every four years; pursuant to a staggered registration system as shall be adopted by the commissioner.~~

* * *

§508. Registration; commercial vehicles; exemption

A.

* * *

(3) Notwithstanding any other provision of law to the contrary, every registration of a truck in excess of ~~ten sixteen~~ sixteen thousand pounds or trailer licensed pursuant to R.S. 47:462, except those trailers provided in R.S. 47:462(B)(1)(b), shall expire one year from the date of issuance and thereafter shall be renewed annually.

(4) Notwithstanding any other provision of law to the contrary, every registration of a truck between ten thousand pounds and sixteen thousand pounds shall expire annually from the date of issuance.

* * *

Approved by the Governor, June 10, 2024.

A true copy:
Nancy Landry
Secretary of State

ACT No. 574

HOUSE BILL NO. 881
BY REPRESENTATIVES BEAULLIEU, AMEDEE, BOURRIAQUE, BOYER,
BUTLER, CARRIER, COX, EMERSON, FONTENOT, LAFLEUR, JACOB
LANDRY, TAYLOR, AND THOMPSON
AN ACT

To amend and reenact R.S. 25:652(A), relative to the Council for the Development of French in Louisiana; to provide relative to the membership of the council; and to provide for related matters.

Be it enacted by the Legislature of Louisiana:

Section 1. R.S. 25:652(A) is hereby amended and reenacted to read as follows:

§652. Membership; appointment; terms; vacancies; compensation

A. The council shall be composed of twenty-three members as follows:

(1) Two members appointed by the governor.

~~(2) Three members appointed by the Louisiana section of the Assemblée des Parlementaires Francophones~~ One member appointed by the lieutenant governor.

~~(3) Two members~~ One member appointed by the council's Consortium of Louisiana Colleges and Universities.

(4) One member appointed by the Le Centre International de Lafayette.

~~(5) One member appointed by the Louisiana Cultural Economy Foundation~~ Louisiana Parents for French Immersion.

(6) The mayor of New Orleans, or his designee.

(7) One member appointed by the French-American Chamber of Commerce, Louisiana Chapter.

(8) One member appointed by the Louisiana Educational Television Authority.

(9) One member appointed by La Fondation Louisiane.

(10) Four members appointed by the Louisiana Consortium of Immersion Schools. The appointment of the members shall be made as follows: two members shall reside east of the Atchafalaya River, and two members shall reside west of the Atchafalaya River.

(11) One member appointed by the American Association of Teachers of French, Louisiana Chapter.

(12) One member appointed by the United Houma Nation, one member of the Pointe-Au-Chien Indian Tribe, and one member of the Jean Charles Choctaw Nation, each serving on a two-year rotational basis. The Pointe-Au-Chen Indian tribe member shall serve from August 1, 2024, through July 31, 2026; the Jean Charles Choctaw Nation member shall serve from August 1, 2026, through July 31, 2028; and the United Houma Nation member shall serve from August 1, 2028, through July 31, 2030. Thereafter, the two-year rotation shall continue in the order provided for in this Paragraph.

(13) One member appointed by the Association Louisiane-Acadie.

(14) One member appointed by the Louisiana State Bar Association, Francophone Section.

(15) One member appointed by the African-American Museum of St. Martinville.

(16) One member appointed by CREOLE, Inc.

(17) Two members appointed by the legislative Acadiana Delegation.

(18) One member appointed by the president of the University of Louisiana at Lafayette, McNeese State University, or Nicholls State University. The appointment of the member pursuant to this Paragraph shall be made as follows: the president of the University of Louisiana at Lafayette shall appoint the member whose term begins in 2024, the president of McNeese State University shall appoint the member whose term begins in 2028, and the president of Nicholls State University shall appoint the member whose term begins in 2032. The university presidents shall rotate appointing a member in this manner for subsequent terms.

* * *

Approved by the Governor, June 10, 2024.

A true copy:
Nancy Landry
Secretary of State

ACT No. 575

HOUSE BILL NO. 882
BY REPRESENTATIVE LACOMBE
AN ACT

To amend and reenact R.S. 26:271.1(A)(2)(b), relative to retail sales on or off premises of a microbrewery; to provide relative to transfers; to provide relative to conditions; and to provide for related matters.

Be it enacted by the Legislature of Louisiana:

Section 1. R.S. 26:271.1(A)(2)(b) is hereby amended and reenacted to read as follows:

§271.1. Microbrewery; retail sales on or off premises

A.

* * *

(2) A licensed wholesaler may transfer from a permitted microbrewery to another permitted microbrewery up to fifty percent of the total manufactured beverages sold at the receiving microbrewery provided all of the following conditions are met:

* * *

(b) The receiving microbrewery shall have, at a minimum, a ~~ten-barrel~~ five-barrel brewing system.

* * *

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

ACT No. 576

**HOUSE BILL NO. 901
BY REPRESENTATIVE MANDIE LANDRY
AN ACT**

To amend and reenact R.S. 15:570(E)(1), 574(B)(2), and 574.4(B)(1), R.S. 46:1844(A)(2), (N)(4), and (O)(2), and 2162(A)(1), and Children’s Code Article 725.4, relative to the Crime Victims Services Bureau within the Department of Public Safety and Corrections; to provide for a renaming of the bureau; and to provide for related matters.

Be it enacted by the Legislature of Louisiana:

Section 1. R.S. 15:570(E)(1), 574(B)(2), and 574.4(B)(1) are hereby amended and reenacted to read as follows:

§570. Execution; officials and witnesses; minors excluded; time of execution; notice to victim’s relatives

* * *

E.(1) The secretary of the Department of Public Safety and Corrections shall, at least ten days prior to the execution, either give written notice or verbal notice, followed by written notice placed in the United States mail within five days thereafter, of the date and time of execution to the victim’s parents, or guardian, spouse, and any adult children who have indicated to the secretary that they desire such notice by registering with the ~~Crime Victims Services Bureau~~ Louisiana Victim Outreach of the Department of Public Safety and Corrections. The secretary, in such notice, shall give the named parties the option of attending the execution.

* * *

§574. Adoption of rules by Board of Pardons

* * *

B.

* * *

(2) The board shall not take up any consideration of an application for a hearing or for a pardon, clemency, or commutation until it has made reasonable efforts to contact the victim or the surviving family members of the victim, including correspondence mailed at least thirty days prior to the date of the hearing to the last known address of the victim or the surviving family members of the victim, and it has notified the ~~Crime Victims Services Bureau~~ Louisiana Victim Outreach of the Department of Public Safety and Corrections.

* * *

§574.4. Parole; eligibility; juvenile offenders

* * *

B.(1) Except as provided in Paragraph (2) of this Subsection, and except as provided in Paragraph (A)(5) and Subsections D, E, and H of this Section, no prisoner serving a life sentence shall be eligible for parole consideration until his life sentence has been commuted to a fixed term of years. No prisoner sentenced as a serial sexual offender shall be eligible for parole. No prisoner may be paroled while there is pending against him any indictment or information for any crime suspected of having been committed by him while a prisoner. Notwithstanding any other provisions of law to the contrary, a person convicted of a crime of violence and not otherwise ineligible for parole shall serve at least sixty-five percent of the sentence imposed, before being eligible for parole. The victim or victim’s family shall be notified whenever the offender is to be released provided that the victim or victim’s family has completed a Louisiana victim notice and registration form as provided in R.S. 46:1841 et seq., or has otherwise provided contact information and has indicated to the Department of Public Safety and Corrections, ~~Crime Victims Services Bureau~~ Louisiana Victim Outreach, that they desire such notification.

* * *

Section 2. R.S. 46:1844(A)(2), (N)(4), and (O)(2) and 2162(A)(1) are hereby amended and reenacted to read as follows:

§1844. Basic rights for victim and witness

A.

* * *

(2) The Department of Public Safety and Corrections shall maintain the ~~Crime Victims Services Bureau~~ Louisiana Victim Outreach presently in operation. The bureau shall publicize and provide a way for crime victims and their family members to be kept informed about the following:

* * *

N. Duties of the Department of Public Safety and Corrections.

* * *

(4) When an inmate in physical custody is within three months of his earliest

projected release date, a registered victim may contact the ~~Crime Victims Services Bureau~~ Louisiana Victim Outreach of the Department of Public Safety and Corrections, corrections services, to request a current photograph of the inmate. The department shall take all reasonable steps to provide a photograph to the registered victim at least ten days prior to the inmate’s actual release.

O. Notification of pardon or parole.

* * *

(2) Beginning August 1, 2018, when an inmate in physical custody is within three months of his earliest projected release date, a registered victim may contact the ~~Crime Victims Services Bureau~~ Louisiana Victim Outreach to submit a reentry statement to the committee on parole requesting that the inmate be subject to certain proximity or contact restrictions, as part of the inmate’s parole conditions, that the victim believes are necessary for the victim’s protection. The committee on parole may consider the victim’s reentry statement only for the purpose of determining the inmate’s parole conditions and not for the purpose of determining whether to order the release of the inmate on parole. A victim’s reentry statement is not binding on the committee on parole, but shall be considered in concert with other relevant information when setting parole conditions. The provisions of this Paragraph apply only to those persons who are to appear at a hearing before the committee on parole to determine whether the person should be granted parole.

* * *

§2162. Assistance to victims of human trafficking

A. Classification of victims of human trafficking. As soon as practicable after the initial encounter with a person who reasonably appears to a law enforcement agency, a district attorney’s office, or the office of the attorney general to be a victim of human trafficking, such agency or office shall:

(1) Notify the ~~Crime Victims Services Bureau~~ Louisiana Victim Outreach of the Department of Public Safety and Corrections that such person may be eligible for services under this Chapter.

* * *

Section 3. Children’s Code Article 725.4 is hereby amended and reenacted to read as follows:

Art. 725.4. Duties of law enforcement

The officer shall notify the ~~Crime Victims Services Bureau~~ Louisiana Victim Outreach of the Department of Public Safety and Corrections that the child may be eligible for special services and, as a mandatory reporter as required by Children’s Code Article 610, shall notify the Department of Children and Family Services that the child is in need of protective services.

Approved by the Governor, June 10, 2024.

A true copy:

Nancy Landry
Secretary of State

ACT No. 577

**HOUSE BILL NO. 913
BY REPRESENTATIVE SELTERS
AN ACT**

To enact Chapter 67 of Title 51 of the Louisiana Revised Statutes of 1950, to be comprised of R.S. 51:3271 through 3274, relative to transparency for utility bills; to provide for certain information from utility bills for residential properties; to provide for definitions; to provide for requests for information; to provide for violations, civil remedies, and penalties; and to provide for related matters.

Be it enacted by the Legislature of Louisiana:

Section 1. Chapter 67 of Title 51 of the Louisiana Revised Statutes of 1950, comprised of R.S. 51:3271 through 3274, is hereby enacted to read as follows:

CHAPTER 67. TENANT BILL TRANSPARENCY

§3271. Definitions

For the purposes of this Chapter, the following terms and phrases shall have the meanings ascribed as follows:

(1) “Housing provider” means a property owner, lessor, property manager, or property management company that offers residential property for lease or rent.

(2) “Individual meter” means a residential unit with a meter affixed to it that is used to monitor the consumption of water, gas, or electricity.

(3) “Original bill” means the utility bill provided to the housing provider by a utility for a specific unit or residential unit.

(4) “Tenant” means a lessee of residential property or a person whose name appears on a lease indicating that he is an occupant of the residential property.

(5) “Third-party billing” means a form of billing where an intermediary handles the invoicing and payment between a housing provider and a tenant

(6) “Unit” or “residential unit” means a living space or combination of rooms designed to provide independent year-round living facilities for one family or household, with provisions for sleeping, eating, and sanitation.

(7) “Utility” or “utilities” means a provider of water, gas, or electric service that is regulated by the Louisiana Public Service Commission or a local governmental subdivision or owned or operated by a local governmental subdivision.

§3272. Applicability

This Chapter applies to any housing provider that utilizes third-party billing

to manage utility billing for a residential unit with an individual meter and is offered for lease or rent.

§3273. Access to utility bills

A. A tenant may request a housing provider to supply him with a copy of the original bill for any utility supplied to the unit in which the tenant resides.

B. The request authorized in Subsection A of this Section shall be in writing and specify the following:

(1) Each utility for which the tenant is requesting a copy of the original bill.

(2) The range of dates for which the tenant is requesting a copy of an original bill or bills. Dates requested shall be no earlier than the last day of the billing cycle immediately preceding the date the request is transmitted to the housing provider.

(3) Whether the tenant is requesting to be provided with a copy of all future original bills for the utility specified in the request.

C. A housing provider shall supply the tenant with copies of the original bill for the previous billing cycle or cycles requested in compliance with this Section within thirty days of receipt of a request that complies with this Section.

D. A housing provider shall supply the tenant with a copy of the original bill for future billing cycles requested in compliance with this Section within thirty days of receipt of the original bill.

E. Failure of a housing provider to comply with this Section shall not relieve a tenant from the responsibility to remit full payment to a third-party billing service.

F. The request authorized by this Section and the response required by this Section may be by electronic means if the electronic means meets the requirements of the Louisiana Uniform Electronic Transactions Act, R.S. 9:2601 et seq.

§3274. Violations; civil remedies; penalties

A. A housing provider that violates the provisions of this Chapter shall be fined not more than five hundred dollars per violation.

B. A tenant may bring a civil action against a housing provider in violation of the provisions of this Chapter to enjoin further violation and recover penalties pursuant to Subsection A of this Section.

C. The attorney general may bring an action against a housing provider in violation of the provisions of this Chapter to seek injunctive relief and to impose penalties pursuant to Subsection A of this Section.

Approved by the Governor, June 10, 2024.

A true copy:

Nancy Landry
Secretary of State

ACT No. 578

HOUSE BILL NO. 921
BY REPRESENTATIVE HILFERTY
AN ACT

To enact R.S. 47:1989(D)(5), relative to ad valorem taxes; to limit the determination of fair market value of real property by an assessor under certain circumstances; to provide for certain exceptions; to provide for effectiveness; and to provide for related matters.

Be it enacted by the Legislature of Louisiana:

Section 1. R.S. 47:1989(D)(5) is hereby enacted to read as follows:

§1989. Review of appeals by tax commission

* * *

D.

* * *

(5) The fair market value of real property in a determination by a board of review or the tax commission or in a final, nonappealable judgment issued by a court in an action to review the correctness of an assessment pursuant to the provisions of this Section shall be utilized by the assessor for assessment purposes in subsequent tax years until reappraisal in a future mandated reappraisal year unless a change in the physical condition of the property that would result in an increase or decrease in the fair market value of the property by more than twenty-five percent justifies an earlier reappraisal. The provisions of this Paragraph shall not limit the ability or obligation of an assessor to reduce an assessment as a result of a change in the condition of the property pursuant to the provisions of R.S. 47:1978 or 1978.1.

* * *

Section 2. The provisions of this Act shall become effective on January 1, 2025, and shall be applicable to all tax years beginning on or after January 1, 2025.

Approved by the Governor, June 10, 2024.

A true copy:

Nancy Landry
Secretary of State

ACT No. 579

HOUSE BILL NO. 923
BY REPRESENTATIVE BOYER
AN ACT

To amend and reenact R.S. 40:1461(B), (C), and (D) and to enact R.S. 40:1461(G), relative to rules and regulations for the commissioner of the office of motor

vehicles; to provide for the issuance, suspension, or revocation of licenses or contracts; to establish fines for penalties; and to provide for related matters.

Be it enacted by the Legislature of Louisiana:

Section 1. R.S. 40:1461(B), (C), and (D) are hereby amended and reenacted and R.S. 40:1461(G) is hereby enacted to read as follows:

§1461. Requirements for private training and driving instructor schools

* * *

B. Every person desiring to train or instruct in driving courses shall file a written application with the ~~deputy secretary~~ commissioner.

~~C. The commissioner deputy secretary of the Department of Public Safety and Corrections, public safety services office of motor vehicles, shall establish rules and regulations governing the issuance and revocation of requirements and qualifications of each applicant and enumerating the terms of the contract and causes of suspension or revocation of the contract and possible fines for violations committed thereunder in accordance with the Administrative Procedure Act subject to oversight review by the House and Senate committees on transportation, highways, and public works, for the following:~~

~~(1) The issuance, suspension, or revocation of licenses.~~

~~(2) The requirements and qualifications of each applicant for a contract.~~

~~(3) The establishment of the terms, manner, and location of instruction and testing.~~

~~(4) The establishment of the causes of suspension or revocation of the license and contract and the imposition of a fine not to exceed one thousand five hundred dollars, pursuant to a schedule, for any violation of statutory law, rules, and regulations or the terms of the contract.~~

~~D. The deputy secretary commissioner shall charge a fee of twenty-five dollars for each school or agency. The deputy secretary commissioner shall charge a fee of ten dollars for each additional instructor the school or agency may employ.~~

* * *

G. For purposes of this Section as it relates to a driving instructor training school or agency for a Class D or E license, or a person providing driving courses for a Class D or E license, the following words and phrases shall have the meaning ascribed to them in this Section, unless the context clearly indicates a different meaning:

(1) "Principal" means a person or provider who has the primary responsibility for a driver education program at a school or agency.

(2) "Third-party tester" means a person or entity licensed to provide driving courses who has executed a contract with the department to administer knowledge and road-skills tests required by Louisiana law for driver's license issuance.

(3) "Third-party examiner" means a person employed by a third-party tester who is licensed as an instructor and is also authorized by a contract with the state to administer the knowledge and road-skills test for Class D and E licenses.

(4) "Engaged in the business of operating a private driving instructor training school or agency" means any person or entity who applies to or contracts with the office of motor vehicles to operate a driving instructor training school or agency pursuant to R.S. 32:408.1 or R.S. 40:1461 and any current or prospective employee who works the business including but not limited to an instructor, an examiner, or any staff member who has access to the students' records.

Approved by the Governor, June 10, 2024.

A true copy:

Nancy Landry
Secretary of State

ACT No. 580

SENATE BILL NO. 116
BY SENATOR JACKSON-ANDREWS AND REPRESENTATIVE KNOX
AN ACT

To amend and reenact Code of Criminal Procedure Art. 978(A)(2) and 992 and to enact Code of Criminal Procedure Art. 978(F), relative to expungement of records; to provide for the expungement of a felony record with another felony conviction during the ten-year cleansing period under certain circumstances; to provide relative to expungement forms; and to provide for related matters.

Be it enacted by the Legislature of Louisiana:

Section 1. Code of Criminal Procedure Art. 978(A)(2) and 992 are hereby amended and reenacted and Code of Criminal Procedure Art. 978(F) is hereby enacted to read as follows:

Art. 978. Motion to expunge record of arrest and conviction of a felony offense

A. Except as provided in Paragraph B of this Article, a person may file a motion to expunge his record of arrest and conviction of a felony offense if any of the following apply:

* * *

(2) More than ten years have elapsed since the person completed any sentence, deferred adjudication, or period of probation or parole based on the felony conviction, and the person has not been convicted of any other criminal offense ~~during the ten-year for a period~~, of at least ten years preceding the motion and has no criminal charge pending against him. The motion filed pursuant to this Subparagraph shall include a certification obtained from the

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

district attorney which verifies that, to his knowledge, the applicant has no convictions during the ten-year period **immediately preceding the motion**, and no pending charges under a bill of information or indictment.

F. A person shall be eligible to have more than one felony conviction expunged in a ten-year period if each felony is eligible for expungement under the provisions of this Article.

Art. 992. Order of expungement form to be used
STATE OF LOUISIANA
JUDICIAL DISTRICT FOR THE PARISH OF

No.: _____ Division: “ _____ ”
State of Louisiana
vs.

ORDER OF EXPUNGEMENT OF ARREST/CONVICTION RECORD
Considering the Motion for Expungement
☐ The hearing conducted and evidence adduced herein, OR
☐ Affidavits of No Opposition filed,
IT IS ORDERED, ADJUDGED AND DECREED
☐ THE MOTION IS DENIED for No(s). , , for the following reasons (check all that apply):
☐ More than five years have not elapsed since Mover completed the misdemeanor conviction sentence.
☐ More than ten years have not elapsed since Mover completed the felony conviction sentence.
☐ Mover was convicted of one of the following ineligible felony offenses:
☐ A violation of the Uniform Controlled Dangerous Substances Law which is ineligible to be expunged.
☐ An offense currently listed as a sex offense that requires registration pursuant to R.S. 15:540 et seq., at the time the Motion was filed, regardless of whether the duty to register was ever imposed.
☐ An offense defined or enumerated as a “crime of violence” pursuant to R.S. 14:2(B) at the time the Motion was filed.
☐ The arrest and conviction being sought to have expunged is for operating a motor vehicle while intoxicated and a copy of the proof from the Department of Public Safety and Corrections, office of motor vehicles, is not attached as required by C.Cr.P. Art. 984(A).
☐ Mover was convicted of a misdemeanor which arose from circumstances involving a sex offense as defined in R.S. 15:541.
☐ Mover was convicted of misdemeanor offense of domestic abuse battery which was not dismissed pursuant to C.Cr.P. Art. 894(B).
☐ Mover did not complete pretrial diversion.
☐ The charges against the mover were not dismissed or refused.
☐ Mover’s felony conviction was not set aside and dismissed pursuant to C.Cr.P. Art. 893(E).
☐ Mover’s felony conviction was not set aside and dismissed pursuant to C.Cr.P. Art. 894(B).
☐ Mover completed a DWI pretrial diversion program, but five years have not elapsed since the mover’s date of arrest.
☐ Mover’s conviction for felony carnal knowledge of a juvenile is not defined as misdemeanor carnal knowledge of a juvenile had the mover been convicted on or after August 15, 2001.
☐ Mover was not convicted of a crime that would be eligible for expungement as required by C.Cr.P. Art. 978(E)(1).
☐ Mover has criminal charges pending against him.
☐ Mover was convicted of a criminal offense during the ten-year period, **excluding any noncapital felony during the preceding ten-year period that would otherwise be eligible for expungement pursuant to C.Cr.P. Art. 978(F).**
☐ Mover received a first offender pardon but for an ineligible offense.
☐ Mover did not receive a first offender pardon.
☐ Denial for any other reason provided by law with attached reasons for denial.
☐ **THE MOTION IS HEREBY GRANTED** for No(s). _____ and all agencies are ordered to expunge the record of arrest/conviction and any photographs, fingerprints, or any other such information of any kind maintained in connection with the Arrest(s)/Conviction(s) in the above-captioned matter, which record shall be confidential and no longer considered a public record, nor be available to other persons except a prosecutor, member of a law enforcement agency, or a judge who may request such information in writing certifying that such request is for the purpose of prosecuting, investigating, or enforcing the criminal law, for the purpose of any other statutorily defined law enforcement or administrative duties, or for the purpose of the requirements of sex offender registration and notification pursuant to the provisions of R.S. 15:541 et seq. or upon an order of this Court to any other person for good cause shown, or as otherwise authorized by law.
☐ **THE MOTION IS HEREBY GRANTED FOR EXPUNGEMENT BY REDACTION** If the record includes more than one individual and the mover is entitled to expungement by redaction pursuant to Code of Criminal Procedure Article 985, for No(s). _____ and all agencies are ordered to expunge the record of arrest/conviction and any photographs, fingerprints, or any other such information of any kind maintained in relation to the Arrest(s)/Conviction(s) in the above-captioned matter as they relate to the mover only. The record shall be confidential and no longer considered a public record, nor be available to other persons except a prosecutor, member of a law

enforcement agency, or a judge who may request such information in writing certifying that such request is for the purpose of prosecuting, investigating, or enforcing the criminal law, for the purpose of any other statutorily defined law enforcement or administrative duties, or for the purpose of the requirements of sex offender registration and notification pursuant to the provisions of R.S. 15:541 et seq. or upon an order of this Court to any other person for good cause shown, or as otherwise authorized by law.

NAME: _____
_____(Last, First, MI)
DOB: ____/____/____(MM/DD/YY)
GENDER: _____Female _____Male
SSN (last 4 digits): XXX-XX-_____
RACE: _____
DRIVER LIC.# _____
ARRESTING AGENCY: _____
SID# (if available): _____
ARREST NUMBER (ATN): _____
AGENCY ITEM NUMBER: _____
ARREST DATE: ____/____/____(MM/DD/YY)
THUS ORDERED AND SIGNED this ____ day of _____, 20____
at _____, Louisiana.

JUDGE
PLEASE SERVE:
1. District Attorney: _____
2. Arresting Agency: _____
3. Parish Sheriff: _____
4. Louisiana Bureau of Criminal Identification and Information _____
5. Attorney for Defendant (or defendant) _____
6. Clerk of Court _____
Approved by the Governor, June 11, 2024.
A true copy:
Nancy Landry
Secretary of State

ACT No. 581

SENATE BILL NO. 234
BY SENATORS MIGUEZ AND STINE AND REPRESENTATIVES
AMEDEE, BAYHAM, BILLINGS, BOYER, BRYANT, CARRIER,
CHENEVERT, CREWS, DICKERSON, EMERSON, FIRMENT, MIKE
JOHNSON, JACOB LANDRY, MCCORMICK, ROMERO AND WILDER
AN ACT
To enact R.S. 38:2216.1 and R.S. 39:1602.2, relative to public contracts; to prohibit certain discriminatory practices with respect to firearm associations, retailers, and manufacturers; to provide for definitions; to provide restrictions on applicability; to authorize the attorney general to take certain legal action against a company; to provide for an effective date; and to provide for related matters.
Be it enacted by the Legislature of Louisiana:
Section 1. R.S. 38:2216.1 is hereby enacted to read as follows:
§2216.1. Prohibition on contracts with companies that discriminate against firearm and ammunition industries
A. As used in this Section, the following terms shall have the following meanings unless the context clearly indicates otherwise:
(1) “Ammunition” shall mean a loaded cartridge or shotshell, case, primer, projectile, wadding, or propellant powder.
(2) “Company” shall mean a for-profit organization, association, corporation, partnership, joint venture, limited partnership, limited liability partnership, or limited liability company that exists to make a profit. “Company” shall not mean a sole proprietorship.
(3)(a) “Discriminate against a firearm entity or firearm trade association” shall mean that the company:
(i) Refuses to engage in the trade of any goods or services with the entity or association based solely on its status as a firearm entity or firearm trade association. ‘Status’ includes the lawful products and services provided by and lawful practices of firearm entities and firearm trade associations.
(ii) Refrains from continuing an existing business relationship with the entity or association based solely on its status as a firearm entity or firearm trade association. ‘Status’ includes the lawful products and services provided by and lawful practices of firearm entities and firearm trade associations.
(iii) Terminates an existing business relationship with the entity or association based solely on its status as a firearm entity or firearm trade association. ‘Status’ includes the lawful products and services provided by and lawful practices of firearm entities and firearm trade associations.
(b) A company does not “discriminate against a firearm entity or firearm trade association” if it refuses to engage in the trade of any goods or services, refrains from continuing an existing business relationship, or declines to enter into, modifies, or terminates an existing business relationship for any of the following reasons:
(i) To comply with federal, state, or local law, policy, or regulations or a directive by a regulator.
(ii) For any traditional or ordinary business reason that is specific to the customer or potential customer and not based solely on an entity’s or association’s status as a firearm entity or firearm trade association. ‘Status’

includes the lawful products and services provided by and lawful practices of firearm entities and firearm trade associations.

(c) Nothing in this Paragraph shall be construed to require a company that is a merchant, retail seller, or platform to sell or list for sale ammunition, firearms, or firearm accessories.

(4) “Firearm” shall mean a weapon that expels a projectile by the action of explosive or expanding gases.

(5) “Firearm accessory” shall mean:

(a) A device specifically designed or adapted to enable an individual to wear, carry, store, or mount a firearm on the individual or on a conveyance.

(b) An item used in conjunction with or mounted on a firearm that is not essential to the basic function of the firearm, including a detachable firearm magazine.

(6) “Firearm entity” shall mean:

(a) A manufacturer, distributor, wholesaler, supplier, or retailer of firearms, firearm accessories, or ammunition.

(b) A business establishment, private club, or association that operates an area for the discharge or other use of firearms for silhouette, skeet, trap, black powder, target, self-defense, or similar recreational shooting, at which not fewer than twenty different individuals discharge firearms each calendar year.

(7) “Firearm trade association” shall mean any person, corporation, unincorporated association, federation, business league, or business organization that meets all of the following criteria:

(a) Is not organized or operated for profit and for which none of its net earnings inures to the benefit of any private shareholder or individual.

(b) Has two or more firearm entities as members.

(c) Is exempt from federal income taxation pursuant to 26 U.S.C. 501(a) as an organization described by 26 U.S.C. 501(c)(6).

(8) “Public entity” means and includes the state of Louisiana, or any agency, board, commission, department, or public corporation of the state, created by the constitution or statute or pursuant thereto, or any political subdivision of the state, including but not limited to any political subdivision as defined in Article VI Section 44 of the Constitution of Louisiana, and any public housing authority, public school board, or any public officer whether or not an officer of a public corporation or political subdivision.

B.(1) The provisions of this Section shall apply to any contract with a value of one hundred thousand dollars or more that meets all of the following criteria:

(a) It is to be paid primarily from public funds.

(b) It is between a public entity and a company with at least fifty full-time employees.

(c) It is renewed or entered into on or after August 1, 2024.

(2) Notwithstanding the provisions of Paragraph (1) of this Subsection, the provisions of this Section shall not apply if either of the following conditions are met:

(a) The contract is with a sole-source provider.

(b) The public entity does not receive any bids from companies that are able to provide the written verification required by this Section.

C. Except as provided in Subsection D of this Section, a public entity may not enter into a contract with a company for the purchase of goods or services unless the contract contains a written verification from the company of both of the following:

(1) The company does not have a practice, policy, guidance, or directive that discriminates against a firearm entity or firearm trade association based solely on the entity's or association's status as a firearm entity or firearm trade association.

(2) The company will not discriminate against a firearm entity or firearm trade association during the term of the contract based solely on the entity's or association's status as a firearm entity or firearm trade association.

D. A public entity may not enter into a joint or multi-party contract for the purchase of goods or services unless the contract contains a written verification as required pursuant to Subsection C of this Section from each company that is a party to the contract; however, such contract shall not be required to contain a verification from any company that will receive less than one hundred thousand dollars pursuant to the contract.

E. The attorney general shall have authority to enforce the requirements of this Section, and if legal action is taken in which he prevails, then he shall be entitled to recover all reasonable costs and reasonable attorney fees incurred.

Section 2. R.S. 39:1602.2 is hereby enacted to read as follows:

§1602.2. Prohibition on contracts with companies that discriminate against firearm and ammunition industries

A. As used in this Section, the following terms shall have the following meanings unless the context clearly indicates otherwise:

(1) “Ammunition” shall mean a loaded cartridge or shotshell, case, primer, projectile, wadding, or propellant powder.

(2) “Company” shall mean a for-profit organization, association, corporation, partnership, joint venture, limited partnership, limited liability partnership, or limited liability company that exists to make a profit. “Company” shall not mean a sole proprietorship.

(3)(a) “Discriminate against a firearm entity or firearm trade association” shall mean the company:

(i) Refuses to engage in the trade of any goods or services with the entity or association based solely on its status as a firearm entity or firearm trade association. ‘Status’ includes the lawful products and services provided by and lawful practices of firearm entities and firearm trade associations.

(ii) Refrains from continuing an existing business relationship with the entity or association based solely on its status as a firearm entity or firearm trade

association. ‘Status’ includes the lawful products and services provided by and lawful practices of firearm entities and firearm trade associations.

(iii) Terminates an existing business relationship with the entity or association based solely on its status as a firearm entity or firearm trade association. ‘Status’ includes the lawful products and services provided by and lawful practices of firearm entities and firearm trade associations.

(b) A company does not “discriminate against a firearm entity or firearm trade association” if it refuses to engage in the trade of any goods or services, refrains from continuing an existing business relationship, or declines to enter into, modifies, or terminates an existing business relationship for any of the following reasons:

(i) To comply with federal, state, or local law, policy, or regulations or a directive by a regulator.

(ii) For any traditional or ordinary business reason that is specific to the customer or potential customer and not based solely on an entity's or association's status as a firearm entity or firearm trade association. ‘Status’ includes the lawful products and services provided by and lawful practices of firearm entities and firearm trade associations.

(c) Nothing in this Paragraph shall be construed to require a company that is a merchant, retail seller, or platform to sell or list for sale ammunition, firearms, or firearm accessories.

(4) “Firearm” shall mean a weapon that expels a projectile by the action of explosive or expanding gases.

(5) “Firearm accessory” shall mean:

(a) A device specifically designed or adapted to enable an individual to wear, carry, store, or mount a firearm on the individual or on a conveyance.

(b) An item used in conjunction with or mounted on a firearm that is not essential to the basic function of the firearm, including a detachable firearm magazine.

(6) “Firearm entity” shall mean:

(a) A manufacturer, distributor, wholesaler, supplier, or retailer of firearms, firearm accessories, or ammunition.

(b) A business establishment, private club, or association that operates an area for the discharge or other use of firearms for silhouette, skeet, trap, black powder, target, self-defense, or similar recreational shooting, at which not fewer than twenty different individuals discharge firearms each calendar year.

(7) “Firearm trade association” shall mean any person, corporation, unincorporated association, federation, business league, or business organization that meets all of the following criteria:

(a) Is not organized or operated for profit and for which none of its net earnings inures to the benefit of any private shareholder or individual.

(b) Has two or more firearm entities as members.

(c) Is exempt from federal income taxation pursuant to 26 U.S.C. 501(a) as an organization described by 26 U.S.C. 501(c)(6).

(8) “Governmental entity” shall mean:

(a) Any department, office, division, commission, council, board, bureau, committee, institution, agency, government corporation, or other establishment or official of the executive branch of state government.

(b) Any parish, city, town, governmental body, and any other subdivision of the state or public agency thereof, public authority, public educational, health, or other institution, and to the extent provided by law, any other entity which expends public funds for the acquisition or leasing of supplies, services, major repairs, and construction, and any nonprofit corporation operating a charitable hospital.

B.(1) The provisions of this Section shall apply to any contract with a value of one hundred thousand dollars or more that meets all of the following criteria:

(a) It is to be paid primarily from public funds.

(b) It is between a public entity and a company with at least fifty full-time employees.

(c) It is renewed or entered into on or after August 1, 2024.

(2) Notwithstanding the provisions of Paragraph (1) of this Subsection, the provisions of this Section shall not apply if either of the following conditions are met:

(a) The contract is with a sole-source provider.

(b) The government entity does not receive any bids from companies that are able to provide the written verification required by this Section.

C. Except as provided in Subsection D of this Section, a governmental entity may not enter into a contract with a company for the purchase of goods or services unless the contract contains a written verification from the company of both of the following:

(1) The company does not have a practice, policy, guidance, or directive that discriminates against a firearm entity or firearm trade association based solely on the entity's or association's status as a firearm entity or firearm trade association.

(2) The company will not discriminate against a firearm entity or firearm trade association during the term of the contract based solely on the entity's or association's status as a firearm entity or firearm trade association.

D. A governmental entity may not enter into a joint or multi-party contract for the purchase of goods or services unless the contract contains a written verification as required pursuant to Subsection C of this Section from each company that is a party to the contract; however, such contract shall not be required to contain a verification from any company that will receive less than one hundred thousand dollars pursuant to the contract.

E. The attorney general shall have authority to enforce the requirements of this Section, and if legal action is taken in which he prevails, then he shall be entitled to recover all reasonable costs and reasonable attorney fees incurred.

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

ACT No. 582

SENATE BILL NO. 235
BY SENATOR HENSGENS
AN ACT

To amend and reenact R.S. 27:601(B) and 625(G)(7) and to enact R.S. 27:625(G)(8), and Subpart CC of Part II-A of Chapter 1 of Subtitle I of Title 39 of the Louisiana Revised Statutes of 1950, to be comprised of R.S. 39:100.241, relative to sports wagering; to provide regarding definitions, enforcement, licenses and permits, and wagering; to provide for requirements and regulations; to provide for revenue allocation; to create the Louisiana Equine Promotion and Research Fund; to provide for the transfer, deposit, and use of monies in the fund; to provide for an effective date; and to provide for related matters.

Be it enacted by the Legislature of Louisiana:

Section 1. R.S. 27:601(B) and 625(G)(7) are hereby amended and reenacted and R.S. 27:625(G)(8) is hereby enacted to read as follows:

§601. Title and citation; privilege

* * *

B. Any license, permit, approval, or thing obtained ~~or~~, issued ~~,~~ **or renewed** pursuant to the provisions of this Chapter is expressly declared by the legislature to be a pure and absolute revocable privilege and not a right, property or otherwise, under the constitution of the United States or of the state of Louisiana. Further, the legislature declares that no holder of any license or permit acquires any vested interest or right therein or thereunder.

* * *

§625. State tax; levy

* * *

G. After complying with the provisions of Subsection D of this Section, each fiscal year the state treasurer shall credit the following amounts to the following funds:

* * *

(7) **Two and one-half percent of the monies collected pursuant to this Section, not to exceed five hundred thousand dollars, shall be credited to the Louisiana Equine Promotion and Research Fund as established by R.S. 39:100.241.**

(8) Any remaining funds shall be available as state general funds.

Section 2. Subpart CC of Part II-A of Chapter 1 of Subtitle I of Title 39 of the Louisiana Revised Statutes of 1950, comprised of R.S. 39:100.241, is hereby enacted to read as follows:

SUBPART CC. LOUISIANA EQUINE PROMOTION AND RESEARCH FUND
§100.241. Louisiana Equine Promotion and Research Fund

A. There is hereby created, as a special fund in the state treasury, the Louisiana Equine Promotion and Research Fund, hereafter referred to in this Section as the “fund”.

B.(1) After compliance with the requirements of Article VII, Section 9(B) of the Constitution of Louisiana, the fund shall consist of monies deposited into the fund pursuant to the requirements of R.S. 27:625(G)(7) and any other monies appropriated or transferred by the legislature. The state treasurer shall deposit into the fund all donations, gifts, and grants received by the state for the Louisiana Equine Promotion and Research Program as well as any other monies which may be provided for the program by law.

(2) Monies in the fund shall be invested by the treasurer in the same manner as monies in the state general fund, and interest earned on investment of the monies shall be credited to the fund. All unexpended and unencumbered monies in the fund at the end of the fiscal year shall remain in the fund.

C. Monies in the fund shall be appropriated to the Department of Agriculture and Forestry for the Louisiana Equine Promotion and Research Program in accordance with the provisions of R.S. 3:2076 and 2077.

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 11, 2024.

A true copy:
Nancy Landry
Secretary of State

ACT No. 583

SENATE BILL NO. 261
BY SENATOR HODGES
AN ACT

To amend and reenact R.S. 18:435(A)(4) and (B)(2) and to enact R.S. 18:435(A)(5) and (B)(1)(c) and 1309(N), relative to elections; to provide for the appointment of poll watchers; and to provide for related matters.

Be it enacted by the Legislature of Louisiana:

Section 1. R.S. 18:435(A)(4) and (B)(2) are hereby amended and reenacted and R.S. 18:435(A)(5) and (B)(1)(c) and 1309(N) are hereby enacted to read as follows:

§435. Watchers; appointment and commission

A.(1)

* * *

(4)(a) The parish executive committee of a recognized political party having at least twenty-five percent of the registered voters in the state registered as being affiliated with the political party is entitled to have political party super watchers in the parish if a candidate affiliated with the political party is on the ballot. The designation of political party super watchers shall be made in accordance with this Section and as provided in Subparagraph (b) of this Paragraph.

(b)(i) In a parish with fewer than fifty thousand registered voters, the parish executive committee of the recognized political party may designate one political party super watcher.

(ii) In a parish with fifty thousand or more but fewer than one hundred thousand registered voters, the parish executive committee of the recognized political party may designate two political party super watchers.

(iii) In a parish with one hundred thousand or more but fewer than one hundred-fifty thousand registered voters, the parish executive committee of the recognized political party may designate three political party super watchers.

(iv) In a parish with one hundred-fifty thousand or more but fewer than two hundred thousand registered voters, the parish executive committee of the recognized political party may designate four political party super watchers.

(v) In a parish with two hundred thousand or more registered voters, the parish executive committee of the recognized political party may designate five political party super watchers.

(c) Each political party super watcher shall have the qualifications, powers, and duties of watchers provided for by R.S. 18:427 and shall be admitted as a watcher in every precinct in the designated parish where a candidate affiliated with his political party is on the ballot, except that not more than one political party super watcher may serve at a single precinct at the same time.

(d) The chairman of the parish executive committee of the political party shall sign and be responsible for filing the list of political party super watchers.

(e) The chairman of the state central committee of a recognized political party may designate super watchers for the parish, in accordance with this Section, in any parish without a parish executive committee of the recognized political party.

(4)(5) The commissioners shall regulate the number of watchers inside the polling place as provided in R.S. 18:427.

B.(1)

* * *

(c) A list of political party super watchers submitted by a party for the primary election may be used for the general election only if the chairman of the parish executive committee or the state central committee of the party notifies the clerk of court in writing by 4:30 p.m. on the tenth business day before the general election that he wants to use the same list of political party super watchers.

(2) Except for a candidate, parish executive committee or state central committee of a recognized political party filing a list of political party super watchers, or recognized political party filing for a slate of candidates for presidential elector, any person filing a list of watchers must shall attach a certified statement that the report required by R.S. 18:1486 has been filed with the supervisory committee in compliance with the Campaign Finance Disclosure Act.

* * *

§1309. Early voting; verification

* * *

N.(1) The parish executive committee of a recognized political party having at least twenty-five percent of the registered voters in the state registered as being affiliated with the political party is entitled to have an early voting watcher at each early voting location in the parish, as space permits, at which a candidate affiliated with the political party is on the ballot.

(2) A qualified voter of the state who is not a candidate in the election may serve as an early voting watcher.

(3) A watcher shall be admitted within the designated early voting location during the conduct of early voting where a candidate affiliated with the political party is on the ballot and shall call any infraction of the law to the attention of the registrar of voters or deputy registrar. An early voting watcher may keep notes on the conduct of early voting, but he shall not take part in performing the procedures of Subsections D, E, or F of this Section. An early voting watcher shall not electioneer, engage in political discussions, or unnecessarily delay a voter at the polling place. An early voting watcher is subject to the authority of the registrar of voters or deputy registrar and shall not interfere with the registrar or deputy registrar in the performance of their duties. The parish executive committee of a political party shall be entitled to have both a watcher and alternate watcher serve at the same early voting location, except that the early voting watcher and alternate watcher may not serve at a single voting location at the same time.

(4) The registrar of voters or deputy registrar shall regulate the number of watchers inside the early voting location as provided in R.S. 18:427.

(5) A list of early voting watchers shall be filed with the registrar of voters by hand delivery, facsimile, mail, or commercial courier before 4:30 p.m. on the fourteenth business day before the first day of early voting for the primary or general election; however, if the fourteenth business day before the first day of early voting for the primary or general election falls on a Saturday, Sunday, or other legal holiday, the list shall be filed on the next day which is not a Saturday, Sunday, or other legal holiday. For purposes of this Paragraph, “commercial courier” shall have the same meaning as provided in R.S. 13:3204(D).

(6) The chairman of the parish executive committee of the political party shall

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

sign and be responsible for filing the list of early voting watchers.

(7) A list of early voting watchers submitted for the primary election may be used for the general election only if the chairman of the parish executive committee of the political party notifies the registrar of voters in writing by 4:30 p.m. on the tenth business day before the start of early voting for the general election that he wants to use the same list of early voting watchers.

(8) A list of early voting watchers shall contain only one early voting watcher and one alternate watcher for each early voting location where the state central committee of the political party is entitled to have an early voting watcher. The list shall be typed or legibly written, and it shall contain the name and mailing address of each early voting watcher and alternate watcher and a designation of the early voting location where each is to serve.

(9) The chairman of the state central committee of a recognized political party may designate early voting watchers for the parish in accordance with this Subsection in any parish without a parish executive committee of the recognized political party.

Approved by the Governor, June 11, 2024.

A true copy:
Nancy Landry
Secretary of State

ACT No. 584

SENATE BILL NO. 294

BY SENATORS HODGES, BASS, CLOUD, EDMONDS, FESI,
HENRY, MIGUEZ, MORRIS, PRESSLY AND SEABAUGH AND
REPRESENTATIVES AMEDEE, CARLSON, EDMONSTON, MELERINE
AND OWEN
AN ACT

To amend and reenact the heading of Part XIV of Chapter 26 of Title 17 of the Louisiana Revised Statutes of 1950, and R.S. 17:3399.31(1), (2), and (5), 3399.32(A), 3399.33, the heading and introductory paragraph of R.S. 17:3399.34, and 3399.38 and to enact R.S. 17:3399.34(4), (5), and (6), 3399.39, 3399.40, and 3399.41, relative to free speech and First Amendment protected expressive activities on the campuses of public postsecondary education institutions; to provide with respect to constitutionally protected activities; to provide with respect to free speech; to provide with respect to lawful assembly; to provide with respect to religious liberty; to provide with respect to religious or faith-based student organizations; to provide with respect to the election of officers, choice of leaders, or acceptance of members of religious and faith-based student organizations; to prohibit protections for activities conducted by organizations that have been designated as a foreign terrorist organization by the federal government; to prohibit protections for activities that are in violation of criminal law; to provide with respect to the right of association; to provide with respect to individual dignity; to prohibit discrimination on the basis of political ideas, affiliations, or ideology; to provide with respect to due process; to provide for remedies; to provide for definitions; to provide for exclusions; to provide for an effective date; and to provide for related matters.

Be it enacted by the Legislature of Louisiana:

Section 1. The heading of Part XIV of Chapter 26 of Title 17 of the Louisiana Revised Statutes of 1950, and R.S. 17:3399.31(1), (2), and (5), 3399.32(A), 3399.33, the heading and introductory paragraph of R.S. 17:3399.34, and 3399.38 are hereby amended and reenacted and R.S. 17:3399.34(4), (5), and (6), 3399.39, 3399.40, and 3399.41 are hereby enacted to read as follows:

**PART XIV. CAMPUS FREE EXPRESSION SPEECH AND FIRST
AMENDMENT PROTECTED EXPRESSIVE ACTIVITIES ON CAMPUSES**

§3399.31. Definitions

As used in this Part, the following terms have the following meanings unless the context clearly indicates otherwise:

(1) **“Free speech and First Amendment Expressive protected expressive activities”** include but are not limited to any lawful verbal or written means by which individuals or groups communicate ideas to one another, as provided by the First Amendment of the Constitution of the United States of America and by **Article I, Section 7** of the Constitution of Louisiana, including all forms of peaceful assembly, **lawful** protest, speech, distribution of literature, carrying signs, and circulating petitions. **This “Free speech and First Amendment protected expressive activities” expressly excludes all of the following:**

(a) commercial Commercial activities where in which individuals or groups are being compensated or attempting to advertise, market, or accrue financial gain to any individual, corporation, business, or organization.

(b) Activities in which an individual or group is knowingly being monetarily funded or organized by any individual, corporation, business, or organization that has been designated as a foreign terrorist organization or foreign adversary by the United States Department of State, pursuant to 8 U.S.C. 1189 or 15 CFR 7.4.

(c) Any criminal activity which is prohibited under Title 14 of the Louisiana Revised Statutes of 1950 or any other provision of state law with criminal penalties.

(2) “Material and substantial disruption” means when a person, with the intent and knowledge of doing so, significantly hinders expressive activity **free speech and First Amendment protected expressive activities**, prevents the communication of the message, or prevents the transaction of the business of a lawful meeting, gathering, or procession by either of the following:

(a) Engaging in **fighting assault, battery, attempted battery**, violence, or similar unlawful behavior **in violation of Title 14 of the Louisiana Revised Statutes of 1950 or any other provision of state law with criminal penalties.**

(b) Physically blocking or using threats of violence to prevent any person from attending, listening to, viewing, or otherwise participating in **an expressive activity a free speech and First Amendment protected expressive activity.**

* * *

(5) “Student-on-student discriminatory harassment” means unwelcome conduct that targets its a victim ~~on the basis of a class protected under federal, state, or local law~~ **in violation of this Part** and that is so severe, pervasive, and objectively offensive and so undermines and detracts from the victim’s educational experience that the victim is effectively denied equal access to an institution’s resources and opportunities.

* * *

§3399.32. Expressive **Free speech and First Amendment protected expressive** activities; public postsecondary education institutions; protected

A. Expressive **Free speech and First Amendment protected expressive** activities at public postsecondary education institutions by students, administrators, faculty members, staff members, and invited guests are protected, **pursuant to the First Amendment of the Constitution of the United States of America and Article I, Section 7 of the Constitution of Louisiana.**

* * *

§3399.33. Freedom of association; **religious liberty; faith-based** student organizations; **political or ideological belief-based organizations**

A. No public postsecondary education institution shall deny a political or ideological belief-based organization or a religious or faith-based student organization any benefit or privilege available to any other student organization, or otherwise discriminate against a political or ideological belief-based organization or a faith-based organization, based on the expression political, ideological, or religious beliefs of the organization, including any requirement that the.

B. No public postsecondary education institution shall engage in discrimination on the basis of political, ideological, or religious beliefs against any organization or the organization’s leaders or members of the organization in a manner that does any of the following:

(1) **Affirm and adhere to Restricts the organization’s sincerely held religious beliefs or the political or ideological beliefs of the organization.**

(2) **Comply Restricts compliance with the organization’s standards of conduct with respect to free speech and First Amendment protected expressive activities.**

(3) **Further Restricts the organization’s mission or purpose, as defined by the organization with respect to free speech and First Amendment protected expressive activities.**

(4) **Requires the organization to accept elected officers, choose leaders, or accept members who are not members of the same religion or the same political party or who do not share the same ideological beliefs if to do so would violate the organization’s standards of conduct.**

§3399.34. Institutional policies on free expression **speech and First Amendment protected expressive activities**

Each public postsecondary education institution shall develop policies, regulations, and expectations of students regarding free ~~expression and association~~ **speech and First Amendment protected expressive activities** on campus that are consistent with this Part and the policies of its management board. The policies shall outline the rights of students, administrators, faculty, and staff and shall:

* * *

(4) **Include a statement that each institution shall strive to ensure the fullest degree of protection for each student’s political views and freedom of association.**

(5) **Include a statement that every professor or instructor at the institution shall be prohibited from imposing the professor’s political views on students in violation of R.S. 17:3399.39.**

(6) **Include a statement that the institution is engaged in protecting its students from student-on-student discriminatory harassment pursuant to R.S. 17:3399.32(F).**

* * *

§3399.38. Conflict with other laws

A. The provisions of this Part shall supersede and control to the extent of any conflict with any other provision of law and shall govern a public postsecondary education institution’s obligation to address all forms of discriminatory harassment perpetrated by one student on another, including sexual harassment.

B. Nothing in this Section shall be construed to limit or deny any protections or remedies available to a student pursuant to any other provision of law.

§3399.39. Right to individual dignity; each student’s right to be free from discrimination on the basis of political ideas, affiliations, or ideology

A. Article I, Section 3 of the Constitution of Louisiana guarantees that each person, including a college or university student, has the right to “individual dignity” and further provides that protections are guaranteed against discrimination based upon the student’s “political ideas or affiliations”.

B. A public postsecondary education management board shall make reasonable efforts to protect students from discrimination on the basis of political ideas, affiliations, or ideology.

C. No professor or instructor who teaches a class to students at an institution of higher education shall impose the professor’s or instructor’s political views onto students and, therefore, shall be prohibited from doing any of the following:

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

(1) Requiring a student to attend a political protest or engage in any other political activity outside the classroom that aligns with the political views of the professor or instructor.

(2) Requiring a student to participate in a certain political activity outside the classroom as a condition of obtaining the letter grade to which the student would otherwise be entitled based upon the student's actual academic performance in the class.

§3399.40. Due process requirements; right to an attorney
A public postsecondary education management board shall be prohibited from denying any student the right to have an attorney present at any disciplinary hearings to which the student is a party if the student desires to engage an attorney at the student's expense.

§3399.41. Remedies
A. The attorney general may obtain injunctive relief, protective order, writ of mandamus, or declaratory relief to prevent any violation of this Part. Should the attorney general prevail, the court shall award reasonable attorney fees and costs.
B. A student who is harmed in violation of this Part shall have a cause of action for remedies as provided for in this Subsection and may obtain appropriate relief, including but not limited to any of the following:
(1) Injunctive relief, protective order, writ of mandamus or a prohibition, or declaratory relief to prevent any violation of this Part. The court may waive the requirement that the student petitioner post bond to obtain injunctive relief for good cause shown.
(2) Actual damages.
(3) Recovery of reasonable attorney fees and costs.

Section 2. The Louisiana State Law Institute, pursuant to its statutory authority, is hereby authorized and directed to make technical changes by changing the term "expressive activities" to "free speech and First Amendment protected expressive activities" contained in Part XIV of Chapter 26 of Title 17 of the Louisiana Revised Statutes of 1950, and comprised of R.S. 17:3399.31 through 3399.40.

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 11, 2024.

A true copy:
Nancy Landry
Secretary of State

ACT No. 585

SENATE BILL NO. 301
BY SENATOR MIGUEZ AND REPRESENTATIVES AMEDEE, BERAULT, BILLINGS, BOYER, CARLSON, CARRIER, CHENEVERT, GALLE, HORTON, MCCORMICK, ORGERON, OWEN, RISER, ROMERO, THOMPSON, WILDER AND WYBLE
AN ACT

To enact Chapter 67 of Title 51 of the Louisiana Revised Statutes of 1950, to be comprised of R.S. 51:3300 through R.S. 51:3303, relative to firearms and ammunition retailers; to provide relative to payment card transactions involving firearms and ammunition retailers; to provide for definitions; to provide for violations; to provide for remedies; to provide relative to terms, conditions, and procedures; and to provide for related matters.

Be it enacted by the Legislature of Louisiana:
Section 1. Chapter 67 of Title 51 of the Louisiana Revised Statutes of 1950, comprised of R.S. 51:3300 through R.S. 51:3303, is hereby enacted to read as follows:
CHAPTER 67. THE SECOND AMENDMENT FINANCIAL PRIVACY ACT
§3300. Short Title
This Chapter shall be known and may be cited as "The Second Amendment Financial Privacy Act".
§3301. Definitions
As used in this Chapter, the following words and phrases have the following meanings:
(1) "Ammunition" means ammunition or cartridge cases, primers, bullets, or propellant powder designed for use in any firearm.
(2) "Assign" or "assignment" refers to a covered entity's policy, process or practice that labels, links, or otherwise associates a merchant category code with a merchant or a payment card transaction in a manner that allows the covered entity or any other entity facilitating or processing the payment card transaction to identify whether a merchant is a firearm retailer or whether a transaction involves the sale of firearms or ammunition.
(3) "Covered entity" means an entity, or agent of an entity, that establishes a relationship with a retailer for the purpose of processing credit, debit, or prepaid transactions.
(4) "Firearm" has the same meaning as in R.S. 40:1781 and includes a firearm component or accessory.
(5) "Firearm retailer" means any person or entity that is physically located in this state and is engaged in the lawful selling or trading of firearms, antique firearms, or ammunition to be used in firearms or antique firearms.
(6) "Government entity" means the state, a political subdivision of the state, or

THE ADVOCATE
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* As it appears in the enrolled bill

any court, agency, or instrumentality of the foregoing.

(7) "Merchant category code" means the code, approved by the international organization for standardization or an equivalent successor organization specifically for firearm retailers, that is assigned to a retailer based on the types of goods and services offered to a retailer's customers.

(8) "Payment card" means credit card, charge card, debit card, or any other card that is issued to a customer and allows the customer to purchase goods or services from a merchant.

(9) "Payment card network" means an entity, or agent of an entity, that provides the proprietary services, infrastructure, and software to conduct debit card or credit card transaction authorizations, clearances, and settlements and that an entity uses to accept as a form of payment a brand of debit card, credit card, or other device that may be used to carry out debit or credit transactions.

(10) "Payment card transaction" means any transaction in which a payment card is accepted as payment.

§3302. Financial privacy
A. Except for those records kept during the regular course of a criminal investigation and prosecution, or as otherwise required by law, no government entity or official and no agent or employee of a governmental entity shall knowingly keep or cause to be kept any list, record, or registry of privately owned firearms or the owners of those firearms.
B. A payment card network shall not require or incentivize the use of a merchant category code in a manner that distinguishes a firearm retailer from other retailers.
C. A covered entity shall not assign a firearm retailer a merchant category code that distinguishes the firearm retailer from other retailers.

§3303. Violations
A. The attorney general shall investigate reasonable allegations that a person or entity, including a government entity, has violated the provisions of this Chapter and, upon finding violation, provide written notice to the person or entity believed to have committed the violation. The person or entity shall cease the violation within thirty business days after receiving written notice from the attorney general pursuant to this Section.
B.(1) If a person or entity does not cease the violation within thirty business days after receiving written notice from the attorney general in accordance with this Section, the attorney general shall file an action against that person or entity to seek an injunction.
(2) If the court finds that the person or entity violated the provisions of this Chapter and has not ceased the activity constituting the violation, the court shall enjoin the person or entity from continuing such activity and shall award attorney fees and costs.
(3) If a person or entity purposely fails to comply with an injunction issued pursuant to Paragraph (2) of this Subsection after thirty business days of being served with the injunction, the attorney general, upon petition to the court, shall seek to impose on that person or entity a civil fine in an amount not to exceed one thousand dollars per violation. In assessing such a civil fine, the court shall consider factors resulting from the violation, including the financial resources of the violator and the harm or risk of harm to the rights under the Second Amendment to the United States Constitution and Article I, Section 11 of the Constitution of Louisiana.
(4) Any order assessing a civil fine pursuant to Paragraph (3) of this Subsection shall be stayed pending appeal of the order.
C. The attorney general has exclusive authority to enforce the provisions of this Chapter. The remedies set forth in this Section are the exclusive remedies for any violation of this Chapter.
D. It shall be a defense to a proceeding initiated pursuant to this Section that a merchant category code was required to be permitted or assigned by law.

Approved by the Governor, June 11, 2024.

A true copy:
Nancy Landry
Secretary of State

ACT No. 586

SENATE BILL NO. 306
BY SENATORS CATHEY, ABRAHAM, BARROW, HODGES, KLEINPETER, MIGUEZ AND MORRIS
AN ACT

To amend and reenact R.S. 14:46.2(A)(1)(a), (B)(2), and (F)(1), and 46.3(D), relative to the penalties for human trafficking; to increase the penalties for human trafficking committed against certain victims; and to provide for related matters.

Be it enacted by the Legislature of Louisiana:
Section 1. R.S. 14:46.2(A)(1)(a), (B)(2), and (F)(1) and 46.3(D) are hereby amended and reenacted to read as follows:
§46.2. Human trafficking
A. It shall be unlawful:
(1)(a) For any person to knowingly recruit, harbor, transport, provide, solicit, sell, receive, isolate, entice, obtain, patronize, procure, purchase, hold, restrain, induce, threaten, subject, or maintain the use of another person through fraud, force, or coercion to provide services or labor.
* * *
B.
* * *
(2)(a) Whoever commits the crime of human trafficking when the services

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

include commercial sexual activity or ~~any sexual conduct constituting a crime under the laws of this state~~ **a sex offense as defined in R.S. 15:541** shall be fined not more than fifteen thousand dollars and shall be imprisoned at hard labor for not more than twenty years.

(b)Whoever commits the crime of human trafficking in violation of the provisions of Subparagraph (A)(1)(b) of this Section ~~involving a person under the age of twenty-one years but eighteen years or older~~ shall be fined not more than fifty thousand dollars, imprisoned at hard labor for not less than fifteen years, nor more than fifty years, or both.

~~(c) Whoever commits the crime of human trafficking in violation of the provisions of Subparagraph (A)(1)(b) of this Section when the trafficking involves a person under the age of eighteen years shall be punished by life imprisonment at hard labor without benefit of probation, parole, or suspension of sentence and fined not more than seventy-five thousand dollars.~~

* * *

F.(1) A victim of trafficking involving services that include commercial sexual activity or ~~any sexual contact which constitutes a crime pursuant to the laws of this state~~ **a sex offense as defined in R.S. 15:541** shall have an affirmative defense to prosecution for any of the following offenses which were committed as a direct result of being trafficked:

- (a) R.S. 14:82 (Prostitution).
- (b) R.S. 14:83.3 (Prostitution by massage).
- (c) R.S. 14:83.4 (Massage; sexual conduct prohibited).
- (d) R.S. 14:89 (Crime against nature).
- (e) R.S. 14:89.2 (Crime against nature by solicitation).

* * *

§46.3. Trafficking of children for sexual purposes

* * *

D.(1)~~(a)~~ Whoever violates the provisions of Paragraph (A)(1), (2), (4), (5), or (6) of this Section shall be **punished by life imprisonment at hard labor without benefit of probation, parole, or suspension of sentence** and fined not more than **seventy-five** thousand dollars, imprisoned at hard labor for not less than **fifteen**, nor more than **fifty** years, or both.

~~(b) Whoever violates the provisions of Paragraph (A)(1), (2), (4), (5), or (6) of this Section when the victim is under the age of fourteen years shall be fined not more than seventy-five thousand dollars and imprisoned at hard labor for not less than twenty-five years nor more than fifty years. At least twenty-five years of the sentence imposed shall be served without benefit of probation, parole, or suspension of sentence.~~

~~(c) Any person who violates the provisions of Paragraph (A)(1), (2), (4), (5), or (6) of this Section, who was previously convicted of a sex offense as defined in R.S. 15:541 when the victim of the sex offense was under the age of eighteen years, shall be fined not more than one hundred thousand dollars and shall be imprisoned at hard labor for not less than fifty years or for life. At least fifty years of the sentence imposed shall be served without benefit of parole, probation, or suspension of sentence.~~

(2) Whoever violates the provisions of Paragraph (A)(3) of this Section shall be **fined not more than fifty thousand dollars, imprisoned at hard labor for not less than fifteen nor more than fifty years or both** with shall be required to serve at least five years **being served** of the sentence provided for in Subparagraph ~~(D)(1)(a)~~ of this Section without benefit of probation, parole, or suspension of sentence. Whoever violates the provisions of Paragraph (A)(3) when the victim is under the age of fourteen years shall be **fined not more than seventy-five thousand dollars and imprisoned at hard labor for not less than twenty-five nor more than fifty years, with** required to serve at least ten years **being served** of the sentence provided for in Subparagraph ~~(D)(1)(b)~~ of this Section without benefit of probation, parole, or suspension of sentence.

* * *

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

ACT No. 587

SENATE BILL NO. 431
BY SENATOR CLOUD
AN ACT

To enact Subpart CC of Part II-A of Chapter 1 of Subtitle I of Title 39 of the Louisiana Revised Statutes of 1950, to be comprised of R.S. 39:100.241 and 100.242, relative to juvenile detention facility funding and other nonrecurring criminal justice system priority projects; to create the Criminal Justice Priority Funding Commission; to provide for membership of the commission; to provide for the implementation and administration of the Criminal Justice Priority Funding Commission Program; to provide relative to a grant application process for construction of juvenile detention centers and for other nonrecurring criminal justice system priority projects; to create the Criminal Justice Priority Fund; to provide for oversight and approval of use of funds by the Joint Legislative Committee on the Budget; to provide for audits; to provide relative to terms, conditions, requirements, and procedures; and to provide for related matters.

Be it enacted by the Legislature of Louisiana:

Section 1. Subpart CC of Part II-A of Chapter 1 of Subtitle I of Title 39, comprised of R.S. 39:100.241 and 100.242, is hereby enacted to read as follows:
SUBPART CC. CRIMINAL JUSTICE PRIORITY FUNDING COMMISSION

PROGRAM AND CRIMINAL JUSTICE PRIORITY FUND

§100.241. Criminal Justice Priority Funding Commission Program

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

- (1) “Commission” means the Criminal Justice Priority Funding Commission.**
- (2) “Committee” means the Joint Legislative Committee on the Budget.**
- (3) “Division” means the division of administration.**
- (4) “Fund” means the Criminal Justice Priority Fund.**
- (5) “Program” means the Criminal Justice Priority Funding Commission Program.**

(6) “Regional juvenile detention center authority” means any regional juvenile detention center authority created in Title 15 of the Louisiana Revised Statutes of 1950 or as provided in criteria established in the guidance promulgated pursuant to this Section.

B.(1) The commission is hereby established to review applications submitted to the program as provided in this Section and make recommendations for funding to the Joint Legislative Committee on the Budget.

(2) The commission shall be comprised of the following twelve members:

- (a) The president of the Senate or his designee.**
- (b) A member of the Senate Committee on Judiciary B appointed by the president of the Senate.**
- (c) A member of the Senate Committee on Finance appointed by the president of the Senate.**
- (d) A member of the Senate Committee on Revenue and Fiscal Affairs appointed by the president of the Senate.**
- (e) The speaker of the House of Representatives or his designee.**
- (f) A member of the House Committee on Administration of Criminal Justice appointed by the speaker of the House of Representatives.**
- (g) A member of the House Committee on Appropriations appointed by the speaker of the House of Representatives.**
- (h) A member of the House Committee on Ways and Means appointed by the speaker of the House of Representatives.**
- (i) The commissioner of administration or his designee.**
- (j) The secretary of the Department of Public Safety and Corrections or his designee.**
- (k) The secretary of the Department of Revenue or his designee.**
- (l) One member appointed by the governor.**
- (3) The commissioner of administration shall serve as chairman of the commission.**
- (4) A quorum of the commission shall be seven members. Any recommendations made by the commission shall require the affirmative vote of a majority of the commission provided a quorum is present.**
- (5) The members of the commission shall serve without compensation. The appointed members of the commission who are state employees may receive the same reimbursement of travel expenses for attending the meetings as is allowed for state employees’ travel. The appointed members of the commission who are not state employees may receive the same reimbursement of travel expenses for attending the meetings as is allowed for state employees’ travel, except all legislative members of the commission shall receive the same per diem and travel expenses for attending meetings of the commission or any meeting thereof as is normally provided for members of the legislature.**
- (6) The staffs of the Senate, House of Representatives, and the legislative fiscal office shall provide staff support and otherwise assist the commission as required by the commission.**

C.(1) The program is hereby established to provide funding for the following:

- (a) Grants to nonstate entities for the design, construction, site purchase, refurbishment, site work, and other necessary items or materials for the building, repair, or refurbishment of fully operational juvenile detention centers to house both pre-adjudicated and post-adjudicated juveniles.**
- (b) The office of juvenile justice for the design, construction, site purchase, refurbishment, site work, and other necessary items or materials for the building, repair, or refurbishment of fully operational juvenile detention centers to house both pre-adjudicated and post-adjudicated juveniles.**
- (c) Immediate and necessary building and repairs to facilities owned by the office of juvenile justice.**
- (d) Grants to nonstate entities for the design, construction, site purchase, refurbishment, site work, and other necessary items or materials for the building, repair, or refurbishment of adult correctional and detention facilities.**
- (e) Grants to parish sheriffs for the design, construction, site purchase, refurbishment, site work, and other necessary items or materials for the building, repair, or refurbishment of necessary law enforcement facilities in the custody and control of the sheriff.**
- (f) The Department of Public Safety and Corrections for the design, construction, site purchase, refurbishment, site work, and other necessary items or materials for the building, repair, or refurbishment of adult correctional and detention facilities.**
- (g) Grants to nonstate entities and funding for state entities for other criminal justice priorities, including but not limited to statewide or regional crime labs for repairs, construction, or equipment necessary to fully operate such entities; immediate and necessary funding to the Integrated Criminal Justice Information System Policy Board as well as to the relevant state and local public entities for the purpose of facilitating the statewide integration of data and information necessarily generated by and shared across law enforcement, court systems, and statewide databases in this state; and other criminal justice funding priorities as deemed appropriate and necessary by the commission.**
- (2) The division of administration shall administer the program in consultation**

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

with relevant state agencies and other stakeholders. The division shall establish a working panel comprised of employees of the division and state and local public agencies or entities and stakeholders, as provided in the guidance promulgated pursuant to the provisions of this Section. The working panel shall review and rate applications submitted by any entity deemed eligible by the commission or otherwise eligible pursuant to the provisions of this Section and submit recommendations for funding to the commission.

D.(1) The division shall promulgate guidance for the administration of the program. The guidance shall include application requirements; application period dates; deadlines for submissions and approval; criteria for ratings; and a process for ensuring and prioritizing funding for juvenile detention facilities in regions in this state lacking adequate resources and facilities for housing juveniles from those regions, for adult correctional and detention facilities owned and operated by one or more parish sheriffs for urgent and necessary repairs and construction that include or will facilitate rehabilitative programming, and for other criminal justice priorities that will assist in expediting the processing of evidence and the criminal trial process. The Administrative Procedure Act, R.S. 49:950 et seq., shall not apply to guidance promulgated pursuant to this Section. No later than August 1, 2024, the division shall submit the proposed guidance to the commission for review and approval. Any changes to the guidance shall require approval by the commission.

(2) Prior to the application period, the division shall conduct outreach and educational efforts for all relevant stakeholders and local governing authorities to raise awareness regarding the program.

(3) The division shall post on its website a copy of the guidance promulgated pursuant to this Section as well as any additional information regarding the program, including the application process, procurement, or scoring criteria upon request of the commission.

E. In addition to the guidance provided for in Subsection D of this Section, the division shall submit a proposal outlining administrative costs for the program to the commission for review and approval prior to implementing the program. The commission shall review the proposed administrative costs and make a recommendation to the Joint Legislative Committee on the Budget for funding for administrative costs. The committee shall review the recommendations submitted by the commission and approve administrative costs for the program.

F. Notwithstanding any provision of law to the contrary, the division may enter into consulting services, professional services, and information and technology services contracts for the purpose of the procurement of any goods or services necessary to implement and expedite the distribution of funds as emergency procurements exempt from the provisions of the Louisiana Procurement Code and corresponding rules and regulations. The cost of such contracts shall be considered administrative costs.

G. The division shall begin accepting applications no later than September 1, 2024.

H. Within forty-five days of the end of the application period, the division shall submit the working panel's ratings of proposed projects and recommendations for funding for the projects to the commission. The working panel's recommendations to the commission shall include recommendations for utilization of any existing funding sources known or available to an applicant.

I. The commission shall review the ratings and recommendations submitted by the working panel. The commission shall submit its recommendations for grant awards or funding to the Joint Legislative Committee on the Budget.

J.(1) The committee shall review the recommendations submitted by the commission and have final approval of projects that receive grant awards or funding through the program.

(2) The commission may rescind any grant award or funding for a project if the recipient fails to comply with the guidance approved by the commission.

K. Beginning January 1, 2025, the division shall submit a quarterly status update, including a construction progress report, for projects that received funding approval to the commission and the Joint Legislative Committee on the Budget.

L. Each recipient that receives funding pursuant to this Section shall comply with the provisions of R.S. 24:513.

\$100.242. Criminal Justice Priority Fund

A. There is hereby created in the state treasury, as a special fund, the Criminal Justice Priority Fund.

B. Monies appropriated or transferred to the fund shall be deposited by the state treasurer after compliance with the requirements of Article VII, Section 9(B) of the Constitution of Louisiana relative to the Bond Security and Redemption Fund. Monies in the fund shall be invested in the same manner as monies in the state general fund. Interest earned on the investment of monies in the fund shall be deposited in and credited to the fund. All unexpended and unencumbered monies in the fund at the end of the fiscal year shall remain in the fund.

C. Monies in the fund shall be used to provide grant awards and funding for the program pursuant to the provisions of this Subpart.

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 11, 2024.

A true copy:

Nancy Landry
Secretary of State

ACT No. 588

SENATE BILL NO. 455
BY SENATOR BARROW
AN ACT

To enact R.S. 28:26, relative to the location of psychiatric facilities; to prohibit certain psychiatric facilities from being located in certain areas; to provide for requirements imposed by local governing authorities; to provide for an effective date; and to provide for related matters.

Be it enacted by the Legislature of Louisiana:

Section 1. R.S. 28:26 is hereby enacted to read as follows:

\$26. Psychiatric facility; forensic facility; prohibitions

A.(1) No forensic psychiatric hospital issued an initial license after August 1, 2024, shall be constructed, located, or established within one thousand feet of a public or private elementary or secondary school or any site on which a public or private elementary or secondary school was formerly located.

(2) This Subsection shall not apply to a forensic psychiatric hospital issued an initial license before August 1, 2024, that seeks to renew its license.

B. Nothing in this Section shall be construed to prohibit a local governing authority from prescribing by rule or ordinance any additional requirements for facilities provided for in Subsection A of this Section.

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 11, 2024.

A true copy:

Nancy Landry
Secretary of State

ACT No. 589

SENATE BILL NO. 488
BY SENATOR CATHEY
AN ACT

To amend and reenact R.S. 42:1130.4, relative to unethical election practices; to prohibit certain false statements by political committees; to provide for penalties; and to provide for related matters.

Be it enacted by the Legislature of Louisiana:

Section 1. R.S. 42:1130.4 is hereby amended and reenacted to read as follows:

\$1130.4. False statements by candidate or political committee

No candidate in an election or any political committee shall, with the intent to mislead the voters, distribute or cause to be distributed any oral, visual, digital, or written material containing any statement which he knows or should be reasonably expected to know makes a false statement about another candidate in the election. **"Political committee" shall have the same meaning as provided in R.S. 18:1483.**

Approved by the Governor, June 11, 2024.

A true copy:

Nancy Landry
Secretary of State

ACT No. 590

SENATE BILL NO. 494
BY SENATORS MIZELL, ABRAHAM, BARROW, BOUDREAUX, CATHEY, CLOUD, COUSSAN, EDMONDS, FESI, HENRY, JACKSON-ANDREWS, KLEINPETER, MILLER, MORRIS, PRESSLY, STINE AND WOMACK AND REPRESENTATIVES BERAULT, BUTLER, CARVER, CHASSION, ECHOLS, EGAN, GLORIOSO, HEBERT, MIKE JOHNSON, JACOB LANDRY, MCMAKIN, MYERS, THOMPSON, WRIGHT AND WYBLE
AN ACT

To amend and reenact R.S. 36:4(A)(2), 101(A), 102, 104(A)(6), the introductory paragraph of R.S. 47:318(B)(2), R.S. 47:318(B)(2)(a), and R.S. 51:2311(A)(2) and (B), 2403(E) and (F)(3), to enact R.S. 36:104(A)(16),(17), and (B)(10), and 110, R.S. 39:196(D) and 1554(T), and R.S. 51:2312(D)(15), and to repeal R.S. 36:106 and 107, relative to the economic development; to provide relative to Louisiana Economic Development; to provide for the powers, duties, and organization of Louisiana Economic Development; to provide for powers and duties of the secretary of Louisiana Economic Development; to provide for an advisory committee to Louisiana Economic Development; to provide for membership of the advisory committee; to provide relative to the membership of the Louisiana Economic Development Corporation; to provide for the development and implementation of a strategic plan and an economic development plan; to provide for information technology procurement; to provide relative to procurement; to provide for exceptions; to provide for the distribution and investment of certain funds; to provide relative to terms, conditions, exceptions, and procedures; and provide for related matters.

Be it enacted by the Legislature of Louisiana:

Section 1. R.S. 36:4(A)(2), 101(A), 102, 104(A)(6) are hereby amended and reenacted and R.S. 36:104(A)(16),(17), and (B)(10), and 110 are hereby enacted to read as follows:

§4. Structure of executive branch of state government
A. In accordance with the provisions of Article IV, Section 1 and Article XIV, Section 6 of the Constitution of Louisiana, all offices, boards, commissions, agencies, and instrumentalities of the executive branch of state government, whether constitutional or statutory, and/or their functions, powers, duties, and responsibilities shall be allocated, either in the Act by which this Title was created or by legislation enacted subsequent thereto, within the departments listed in this Section, except as provided in Subsections B and C of this Section, and in order to comply with this constitutional mandate, the agencies of the executive branch of state government hereinafter enumerated, whether heretofore created by the constitution or by statute, and/or their functions, powers, duties, and responsibilities are allocated, in the manner hereinafter set forth in this Title, within the following designated departments:

(2) Department of Louisiana Economic Development.

CHAPTER 3. DEPARTMENT OF LOUISIANA ECONOMIC DEVELOPMENT
§101. Department of Louisiana Economic Development; creation; domicile; composition; purposes and functions

A. The Department of Louisiana Economic Development is created and shall be a body corporate with the power to sue and be sued. The domicile of the department shall be in Baton Rouge.

§102. Officers of the department; Louisiana Economic Development; compensation for one office only

A. The officers of the department Louisiana Economic Development shall be the secretary, the undersecretary, and the deputy secretary if a deputy secretary is appointed, and assistant secretaries, each of whom shall be selected and shall perform functions as provided in this Title.

B. No person serving as a secretary, or deputy secretary, undersecretary, or assistant secretary shall receive any additional salary from the state other than that salary which he receives by virtue of serving in any one of such offices. Any Neither the secretary nor the deputy secretary shall be a statewide elected official appointed to serve as a secretary, deputy secretary, undersecretary, or assistant secretary shall not receive any additional salary from the state other than that salary which he receives as a statewide elected official.

C. Notwithstanding any provision herein to the contrary, subject to approval of the governor, any person, including any statewide elected official, serving or appointed to serve as a secretary, undersecretary, or deputy secretary, or assistant secretary may receive additional compensation for part-time services rendered as an instructor in post-secondary educational institutions, or as a member of the National Guard.

§104. Powers and duties of the secretary of economic development
A. In addition to the functions, powers, and duties otherwise vested in the secretary by law, he shall:

(6) Act as the sole agent of the state or, in necessary cases, designate one of the offices within the department or its assistant secretary, to cooperate with the federal government and with other state and local agencies in matters of mutual concern and in the administration of federal funds granted to the state or directly to the department or an office thereof to aid in the furtherance of any function of the department and its offices. For this purpose he may take such actions, in accordance with any applicable state law, necessary to meet such federal standards as are established for the administration and use of such federal funds, except as otherwise specifically provided in this Title or by the constitution and laws of this state. The office shall develop and implement a plan to actively seek federal, private, and other grants to support the activities of the department and advance the economic growth and prosperity of the state.

(16) Develop a comprehensive strategic plan and long-range economic development plan in consultation with, and advice from, the Louisiana Economic Development Partnership.

(17) Notwithstanding any provision of law to the contrary and with the approval of the commissioner of administration, have the authority to enter into a cooperative endeavor agreement providing for the lease of property under the control and supervision of Louisiana Economic Development for establishment and operation of a facility for the purpose of creating economic benefits to the state, including new jobs, payroll, or other benefits.
B. The secretary shall have the authority to:

(10) Notwithstanding any provision of law to the contrary, exercise discretion in reconsidering the disallowance of any amounts of an incentive administered by Louisiana Economic Development when the basis of the disallowance relates to the expiration of filing deadlines or the failure to perform a requirement of the program due to the occurrence of an event beyond the control of the incentive recipient.

§110. Louisiana Economic Development Partnership; advisory committee
A. There is hereby created an advisory committee to be known as the Louisiana Economic Development Partnership. The committee shall advise the

department on matters relating to economic development policies, strategies, programs, and initiatives to promote economic growth in the state.

B.(1) The committee shall consist of eleven appointed members as follows:
(a) Nine members appointed by the governor, one from within the geographic boundaries of each of the state's eight regional economic development organizations and one at large.

(b) One member appointed by the president of the Senate.
(c) One member appointed by the speaker of the House of Representatives.

(2) The secretary of Louisiana Economic Development or his designee shall serve as an ex-officio and nonvoting member of the committee.

C. No member of the advisory committee shall hold an elected office while serving as an appointed member of the advisory committee.

D. Vacancies on the advisory committee shall be filled in the same manner as the original appointment.

E. The secretary of Louisiana Economic Development or his designee shall serve a term coterminous with the term of the governor. The remaining members shall serve four-year terms, except that, of the initial appointments, four shall be for two-year terms, four shall be for three-year terms, and three shall be for four-year terms. Vacancies shall be filled in the manner of original appointment. No member shall be eligible to serve more than two terms; however, after the expiration of the term of a member appointed to serve three years or less, two additional terms may be served if appointed thereto. A person appointed to fill a vacancy may be appointed to serve two additional terms.

F. The committee shall meet at least quarterly and may hold additional meetings as necessary.

G. A majority of the appointed members of the committee shall constitute a quorum.

H. Members of the committee shall serve without compensation, but each member shall be entitled to reimbursement of actual and necessary expenses incurred in the performance of official duties in accordance with state travel regulations.

I. The committee shall annually elect a chairman and other officers as may be deemed necessary.

Section 2. R.S. 39:196(D) and 1554(T) are hereby enacted to read as follows:
§196. Application of Part: responsibility for determining; state chief information officer

D. Notwithstanding any other provision of law to the contrary, the purchase, lease, and rental of all information technology equipment, related services, and software by Louisiana Economic Development shall be exempt from this Part, and the oversight and procurement authority of the chief information officer and office of technology services provided for in R.S. 39:15.1 et seq., except Louisiana Economic Development shall be required to continue as a LaGov agency for use of the enterprise resource planning. Louisiana Economic Development shall develop rules and regulations for the purposes adopted in this Subsection in accordance with the Administrative Procedure Act. Louisiana Economic Development and the office of technology services shall establish a transition plan that shall be completed by June 30, 2025. The actions taken pursuant to this Subsection shall be subject to the approval of the commissioner of administration before they are sent to committees required for review of agency rules in R.S. 49:966(B)(1).

§1554. Application of this Chapter

T. This Chapter shall not apply to Louisiana Economic Development; however, Louisiana Economic Development shall be required to continue as a LaGov agency, and shall adopt procurement provisions pursuant to rules adopted in accordance with the Administrative Procedure Act. The rules created by Louisiana Economic Development pursuant to this Subsection shall be subject to the approval of the commissioner of administration before they are sent to committees required for review of agency rules in R.S. 49:966(B)(1). In addition, the House Committee on Appropriations and the Senate Committee on Finance shall also have authority for review of agency rules as provided in R.S. 49:950 et seq.

Section 3. The introductory paragraph of R.S. 47:318(B)(2) and R.S. 47:318(B)(2)(a) are hereby amended and reenacted to read as follows:

§318. Disposition of collections

B.

(2) Monies in the fund shall be subject to annual appropriation to the Department of Louisiana Economic Development for the following purposes:
(a) A minimum of one million dollars annually to be used for marketing education, of which one million dollars shall be used as follows: for regional or local economic development marketing, following guidelines to be developed by the secretary for objective, performance-based criteria for the distribution of these funds.

(i) Six hundred seventy-five thousand five hundred sixty-three dollars to Marketing Education Retail Alliance, Inc.

(ii) Two hundred fifty thousand dollars to the District 2 Enhancement Corporation.

(iii) Seventy-four thousand four hundred thirty-seven dollars to the Louisiana Council for Economic Education.

Section 4. R.S. 51:2311(A)(2) and (B) and 2403(E) and (F)(3) are hereby amended and reenacted and R.S. 51:2312(D)(15) is hereby enacted to read as

follows:
§2311. Louisiana Economic Development Corporation; creation; domicile; board of directors; terms; agency
A.

- * * *
- (2) The board of directors shall be comprised of all of the following:
(a) The secretary of the Department of Economic Development or a designee.
(b) ~~One minority member who is appointed from a list of three private sector individuals submitted by Louisiana-based organizations~~ **business owner or private sector individual** representing minority business interests.
(c) ~~One member who is appointed from a list of three private sector individuals submitted by the Louisiana Chapter of the AFL-CIO~~ **private sector individual with experience as a startup founder**.
(d) ~~One member who is appointed from a list of three private sector individuals submitted by the Louisiana Retailers Association~~ **private sector individual with experience in regional economic development**.
(e) ~~One member who is appointed from a list of three private sector individuals submitted by the Louisiana Bankers Association~~ **private sector individual with experience from within a community bank, community development financial institution, or credit union**.
(f) ~~One member who is appointed from a list of three private sector individuals employed at community banks submitted by the Louisiana Bankers Association~~ **private sector individual with experience in commercial banking**.
(g) ~~One member who is appointed from a list of three private sector individuals submitted by the Society of Louisiana Certified Public Accountants~~ **private sector individual with experience in local economic development**.
(h) ~~One female member who is appointed from a list of three private sector individuals~~ **business owner or private sector individual** representing women's business interests.
(i) ~~One member representing the Louisiana~~ **private sector individual with experience in** venture capital industry ~~or the Louisiana~~ **or** angel investor community **investing**.
(j) ~~One member who is appointed from a list of three private sector individuals submitted by and currently serving on the Louisiana Workforce Investment Council Board~~ **private sector individual appointed at large**.

B. The secretary of the Department of Economic Development or a designee shall serve a term coterminous with his term in office. The remaining members shall serve four-year terms, except that, of the initial appointments, three shall be for two-year terms, three shall be for three-year terms, and two shall be for four-year terms. Vacancies shall be filled in the manner of original appointment. **No member shall be eligible to serve more than two terms; however, after the expiration of the term of a member appointed to serve three years or less, two additional terms may be served if appointed thereto. Any appointment to fill a vacancy shall be for the unexpired term. A person appointed to fill a vacancy may be appointed to serve two additional terms. A vacant board position shall not be counted as an active voting member in determining a quorum until a successor has been appointed as provided in this Subsection.**

* * *

§2312. Powers and authority; duties

* * *

D. The corporation is hereby authorized and shall have all the authority and power necessary in order to carry out and effectuate the purposes and provisions of this Chapter, including, without limiting the generality of the foregoing, the following specific powers which shall be in addition to others herein granted:

* * *

(15) To direct the state treasurer to invest, in a separate portfolio, the funds received for Louisiana Economic Development from any federal agency in accordance with federal guidelines. All investment income, net of investment expenditures, shall be credited to Louisiana Economic Development to be used as program revenue for associated funding.

* * *

§2403. Small Business Innovation Fund; purpose; program administration

* * *

E. Subject to appropriation and the provisions of this Section, monies in the fund shall be used by the Department of Economic Development for awarding grants to selected applicants. The Louisiana Economic Development Corporation, hereinafter referred to as “corporation”, ~~in conjunction with the Louisiana State University and Agricultural and Mechanical College Louisiana Technology Transfer Office, hereinafter referred to as “LTTO”,~~ shall administer awards to selected applicants in the form of grants. The ~~LTTO~~ **corporation** shall establish criteria for grant eligibility, provide for an application process, and select eligible Louisiana business applicants to receive monies from the fund.

F. Up to one hundred fifty thousand dollars shall be annually disbursed from the fund as follows:

* * *

(3) Up to thirty thousand dollars shall be appropriated to the ~~LTTO~~ **corporation** for the purpose of funding technical assistance, outreach programs, and program-related promotions.

Section 5. R.S. 36:106 and 107 are hereby repealed.
Section 6. The positions of members of the board of the directors of the Louisiana Economic Development Corporation serving on the effective date of this Act whose terms have expired shall be considered vacant.

Section 7. At the expiration of the terms of the members of the board of directors serving on the effective date of this Act, or in the event of any vacancy on the board of directors, successors shall be appointed and serve for terms in accordance with R.S. 51:2311.

Section 8. The Louisiana State Law Institute is hereby directed to change all references to the “Department of Economic Development” to “Louisiana Economic Development” throughout the Louisiana Revised Statutes of 1950.

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 11, 2024.

A true copy:
Nancy Landry
Secretary of State

ACT No. 591

SENATE BILL NO. 497
BY SENATOR MIGUEZ
AN ACT

To amend and reenact R.S. 42:1132(B)(1), 1133(A), and 1141(A)(3) and to repeal R.S. 42:1132(B)(2) and (3)(b), relative to the Board of Ethics; to provide for appointment by the governor and the legislature; to provide for the number of members of the board; to provide relative to the number of members required to conduct business; and to provide for related matters.

Be it enacted by the Legislature of Louisiana:

Section 1. R.S. 42:1132(B)(1), 1133(A), and 1141(A)(3) are hereby amended and reenacted to read as follows:
§1132. Board of Ethics

* * *

B. Membership; terms; vacancies; qualifications. (1) The Board of Ethics shall consist of ~~eleven~~ **fifteen** members to be selected as follows:

(a) The governor shall appoint ~~seven~~ **nine** members, who shall be representative of the state's population as near as practicable and who shall be subject to Senate confirmation. At least one member shall be appointed from each congressional district **and the governor shall give due consideration to the demographics of the population of the state, including without limitation geography, gender, and race.** Of those seven ~~nine~~, the governor shall appoint at least ~~three~~ **five** members, each of whom shall have been licensed to practice law in this state for at least eight years at the time of his appointment.

(b) ~~Two~~ **Three** members shall be elected by the House of Representatives, **who shall give due consideration to the demographics of the population of the state, including without limitation geography, gender, and race.**

(c) ~~Two~~ **Three** members shall be elected by the Senate, **who shall give due consideration to the demographics of the population of the state, including without limitation geography, gender, and race.**

(d) A vacancy on the board for any cause shall be filled in the same manner as the original appointment for the remainder of the original term.

(e) To the extent practicable, in making appointments pursuant to this Subsection, the governor shall appoint and the House of Representatives and the Senate shall elect members to the board so that the overall makeup of the board consists of at least five retired judges, five other retired elected officials, and five persons who have never served in an elected public office.

* * *

§1133. Board of Ethics; quorum, recusal, compensation, officers
A. Quorum. ~~Six members~~ **A majority of the total membership of the board** shall constitute a quorum for transacting the business of the board.

* * *

§1141. Complaints and investigations
A.

* * *

(3) Notwithstanding any other provision of this Chapter, the presence of ~~nine~~ **eleven** members shall be required to conduct the business of the Board of Ethics sitting en banc.

* * *

Section 2. R.S. 42:1132(B)(2) and (3)(b) are hereby repealed.
Section 3. The term of office for the four additional members of the Board of Ethics provided for in this Act shall begin on January 1, 2025.

Approved by the Governor, June 11, 2024.

A true copy:
Nancy Landry
Secretary of State

ACT No. 592

SENATE BILL NO. 500
BY SENATOR REESE AND REPRESENTATIVES BAYHAM, BRASS,
CARRIER, ECHOLS, EMERSON, JACKSON, MIKE JOHNSON AND OWEN
AN ACT

To enact R.S. 47:337.11.4, relative to the levy of local fees and taxes on certain nongaming incentives or inducements; to provide relative to the imposition

of local hotel occupancy taxes; to prohibit the levy of local fees and taxes by a local governing authority on nongaming incentives or inducements awarded by certain gaming licensees; to provide for effectiveness; and to provide for related matters.

Be it enacted by the Legislature of Louisiana:

Section 1. R.S. 47:337.11.4 is hereby enacted to read as follows:

§337.11.4. Local taxes; prohibition on levy of local taxes on nongaming incentives or inducements

A.(1) Except as expressly provided in R.S. 33:4574.11 or by express written agreement duly signed and consented to by a local governing authority and the holder of a license as defined in R.S. 27:44 and provided for in Chapter 4 of Title 27 of the Louisiana Revised Statutes of 1950, no local governing authority, including a local political subdivision or school board, shall levy any fee or tax on nongaming incentives or inducements granted by such licensee to a patron on a complimentary basis, or solely through the redemption of rewards from a loyalty rewards program, including room stays. If nongaming incentives or inducements are granted to a patron by a licensee on a discounted basis, or partially through the redemption of rewards from a loyalty rewards program, any fee or taxes levied shall be limited to the actual cash portion, if any, paid by the patron and no tax shall be applied to the extent of the discount or rewards.

(2) Except as expressly provided in R.S. 33:4574.11 or by express written agreement duly signed and consented to by a local governing authority and the holder of a license as defined in R.S. 27:353 and provided for in Chapter 7 of Title 27 of the Louisiana Revised Statutes of 1950, no local governing authority, including a local political subdivision or school board, shall levy any fee or tax on nongaming incentives or inducements granted by such licensee to a patron on a complimentary basis, or solely through the redemption of rewards from a loyalty rewards program, including room stays. If nongaming incentives or inducements are granted to a patron by a licensee on a discounted basis, or partially through the redemption of rewards from a loyalty rewards program, any fee or taxes levied shall be limited to the actual cash portion, if any, paid by the patron and no tax shall be applied to the extent of the discount or rewards.

B. No provision of this Section shall be construed to change the definition of net gaming proceeds for the purpose of the taxes provided for pursuant to Title 27 of the Louisiana Revised Statutes of 1950, nor shall it increase any allowance for promotional play provided for by law.

C. Notwithstanding any other provision of this Section to the contrary, nothing in this Section shall be interpreted to restrict the imposition of sales or use tax on the following:

(1) Any sales tax levied upon the purchase by a licensee of tangible personal property, including meals and beverages, used as a complimentary incentive or inducement.

(2) Any use tax levied upon the use by a licensee of tangible personal property, including meals and beverages, used as a complimentary incentive or inducement.

(3) Any sales or use tax due on parking, admissions, or entertainment provided on a complimentary or discounted basis if that tax is otherwise due under applicable law.

Section 2. This Act is interpretative and not substantive; it does not change the law or establish new rules, rights, or duties to any person.

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 11, 2024.

A true copy:

Nancy Landry
Secretary of State

ACT No. 593

HOUSE BILL NO. 5
BY REPRESENTATIVE OWEN
AN ACT

To enact R.S. 17:3383, relative to events hosted by public postsecondary education institutions; to provide relative to sales of goods, concessions, and merchandise; to provide relative to payments in such transactions; and to provide for related matters.

Be it enacted by the Legislature of Louisiana:

Section 1. R.S. 17:3383 is hereby enacted to read as follows:

§3383. Public postsecondary education institutions; events; payments accepted

Each public postsecondary education institution and each management board of such institutions shall accept or require the acceptance of cash as payment for goods sold at athletic or other public events including but not limited to payments for concessions and merchandise.

Approved by the Governor, June 11, 2024.

A true copy:

Nancy Landry
Secretary of State

ACT No. 594

HOUSE BILL NO. 39
BY REPRESENTATIVE MCCORMICK
AN ACT

To amend and reenact R.S. 11:1006(D) and 1007(A)(1), (B), (C), (D), and (F) and to repeal R.S. 11:1007(C)(3), relative to the Louisiana School Employees' Retirement System; to provide for reemployment of retired bus drivers; 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. 11:1006(D) and 1007(A)(1), (B), (C), (D), and (F) are hereby amended and reenacted to read as follows:

§1006. Reemployment of retirees

* * *

D. The provisions of this Section shall not apply to any retiree of this system who retired from service as a bus driver operator, who returns to active service in a full-time or part-time position as a bus driver operator covered by the provisions of this Chapter, and whose employer chooses to reemploy him pursuant to R.S. 11:1007. The full-time reemployment of such retired bus drivers operators shall be governed by the provisions of that Section.

§1007. Employment of retired bus drivers operators

A.(1)(a) Subject to the provisions of Subsection F of this Section, any retiree of this system who was retired from service as a bus driver operator on or before June 30, 2024, and who returns to active service in a full-time or part-time position as a bus driver operator covered by the provisions of this Chapter within the twelve six-month period immediately following the effective date of his retirement shall have his retirement benefit suspended for the duration of such active service or the lapse of twelve six months after the effective date of his retirement, whichever occurs first, even if such service is based on employment by contract or corporate contract. After the period of suspension of benefits as provided in this Subsection Subparagraph, the retirement benefit of such retiree shall no longer be suspended.

(b) Subject to the provisions of Subsection F of this Section, any retiree of this system who retired from service as a bus operator on or after July 1, 2024, and who returns to active service in a full-time or part-time position as a bus operator covered by the provisions of this Chapter within the twelve-month period immediately following the effective date of his retirement shall have his retirement benefit suspended for the duration of such active service or the lapse of twelve months after the effective date of his retirement, whichever occurs first, even if such service is based on employment by contract or corporate contract. After the period of suspension of benefits as provided in this Subparagraph, the retirement benefit of such retiree shall no longer be suspended.

* * *

B. During the period of his return to active service, the reemployed bus driver operator and his employer shall make contributions to the retirement system as provided by this Chapter. However, the bus driver operator shall receive no additional service credit and shall not accrue any additional benefits in the retirement system. After termination of active service and upon application therefor, the retiree shall be refunded the employee contributions paid during reemployment. The refund shall be without interest. The retirement system shall retain all interest and employer contributions.

C.(1) When any retired bus driver operator returns to active service pursuant to this Section with an employer covered by the provisions of this Chapter, the employing agency shall notify the board of trustees in writing within ten days of such employment and the date on which employment began. Upon termination, the employing agency shall also provide the board with information and notice thereof in writing. In addition to the notice required by this Subsection, the employing agency shall also report to the retirement system within forty-five days after June thirtieth of each year the names of all retired persons being paid by the employing agency, their social security numbers, and the amounts of their earnings during the previous fiscal year ending June thirtieth of the reporting year.

(2) Any employer who elects to reemploy a retired bus driver operator pursuant to this Section shall submit to the system before September first of each school year of reemployment a declaration stating the employer's intent to reemploy such bus driver operator pursuant to this Section. Such declaration shall be signed by the employer's authorized representative and the employee. If such declaration is not received by the system by such date, the reemployed bus driver operator shall be considered reemployed pursuant to the provisions of R.S. 11:1006.

(3) The superintendent of any employer who elects to reemploy a retired bus driver operator pursuant to this Section shall certify to the Board of Elementary and Secondary Education that a shortage of qualified bus drivers operators exists in the school district of such employer. The legislative auditor may audit or investigate as to whether there is a shortage of bus drivers operators in such district.

D. The status of any retired bus driver operator who is reemployed pursuant to the provisions of this Section shall be the same as that of a full-time active employee and shall be governed by the rules, procedures, policies, and statutes that apply to all such active employees.

* * *

F. Any employer who participates in the reemployment of any retired bus driver operator pursuant to this Section shall pay the actuarial cost in aggregate attributable to the reemployment of such bus driver operator

in excess of the cost that would have been incurred if the employer had reemployed the ~~driver operator~~ or ~~driver operators~~ pursuant to R.S.11:1006 as determined by the system's actuary. The actuarial cost to the system, if any, shall be included in the annual actuarial report to the board of trustees of the system and shall be submitted to the Public Retirement Systems' Actuarial Committee. Upon approval of the system's actuarial report by the Public Retirement Systems' Actuarial Committee, the participating employers shall be notified of any cost, which shall be paid to the system not later than June thirtieth following such committee's approval of the system's actuarial report.

* * *

Section 2. R.S. 11:1007(C)(3) is hereby repealed in its entirety.
Section 3. The Louisiana State Law Institute is hereby authorized and directed to change "bus driver" to "bus operator" throughout Chapter 3 of Subtitle II of Title 11.
Section 4. The cost of this Act, if any, shall be funded with additional employer contributions in compliance with Article X, Section 29(F) of the Constitution of Louisiana.
Approved by the Governor, June 11, 2024.
A true copy:
Nancy Landry
Secretary of State

ACT No. 595

HOUSE BILL NO. 88
BY REPRESENTATIVE MELERINE
AN ACT

To amend and reenact R.S. 22:1269(B)(1)(introductory paragraph) and Code of Civil Procedure Articles 42(5) and (6) and to repeal Code of Civil Procedure Article 42(7), relative to venue for foreign or alien insurers; to provide proper venue in certain circumstances; to repeal venue requirements for certain insurers; and to provide for related matters.
Be it enacted by the Legislature of Louisiana:
Section 1. R.S. 22:1269(B)(1)(introductory paragraph) is hereby amended and reenacted to read as follows:
§1269. Liability policy; insolvency or bankruptcy of insured and inability to effect service of citation or other process; direct action against insurer

* * *

B.(1) The injured person or his survivors or heirs mentioned in Subsection A of this Section, at their option, shall have a right of direct action against the insurer within the terms and limits of the policy; and, such action may be brought against the insurer alone, or against both the insured and insurer jointly and in solido, in the parish in which the accident or injury occurred or in the parish in which an action could be brought against either the insured or the insurer under the general rules of venue prescribed by Code of Civil Procedure Art. 42 only; however, such action may be brought against the insurer alone only when at least one of the following applies:

* * *

Section 2. Code of Civil Procedure Articles 42(5) and (6) are hereby amended and reenacted to read as follows:
Art. 42. General rules
The general rules of venue are that an action against:

* * *

(5) A foreign corporation or a foreign limited liability company not licensed to do business in the state, or a nonresident who has not appointed an agent for the service of process in the manner provided by law, ~~other than a foreign or alien insurer~~, shall be brought in the parish of the plaintiff's domicile or in a parish where the process may be, and subsequently is, served on the defendant.
(6) A nonresident, other than a foreign corporation ~~or a foreign or alien insurer~~, who has appointed an agent for the service of process in the manner provided by law, shall be brought in the parish of the designated post office address of an agent for the service of process.

* * *

Section 3. Code of Civil Procedure Article 42(7) is hereby repealed in its entirety.
Approved by the Governor, June 11, 2024.
A true copy:
Nancy Landry
Secretary of State

ACT No. 596

HOUSE BILL NO. 89
BY REPRESENTATIVES BAGLEY, BAYHAM, BILLINGS, LARVADAIN,
MARCELLE, AND WYBLE
AN ACT

To amend and reenact R.S. 18:59.2(A), (D)(2), and (E) and to repeal R.S. 18:59.2(C), relative to employees in the office of a registrar of voters; to provide for the maximum number of authorized positions in certain parishes; to provide for the source of parish population figures; and to provide for related matters.
Be it enacted by the Legislature of Louisiana:
Section 1. R.S. 18:59.2(A), (D)(2), and (E) are hereby amended and reenacted to read as follows:

§59.2. Number of employee positions established; increase; decrease
A.(1) Except as otherwise provided in this Section, the number of authorized positions for state employees in the office of a registrar of voters, including the position of registrar of voters, shall be based on parish population figures as shown by the latest federal census, the ~~Louisiana Tech University population estimates for Louisiana parishes~~ parish population estimates published pursuant to the United States Bureau of the Census Federal State Cooperative Program for Population Estimates, or as determined by the governing authority of each parish in accordance with law.
(2) Based on the parish population range as shown by the latest federal census, the ~~Louisiana Tech University population estimates for Louisiana parishes or census of the parish governing authority~~, the maximum number of authorized positions in each parish is established as follows:

PARISH	POPULATION RANGE	NUMBER OF POSITIONS
(1)	0 to 30,000 <u>19,000</u>	2
(2)	30,001 <u>19,001</u> to 65,000	3
(3)	65,001 to 100,000	4
(4)	100,001 to 200,000	5
(5)	200,001 to 300,000	7
(6)	300,001 to 400,000	10
(7)	400,001 to 475,000	13
(8)	475,001 to 1,000,000	17

* * *
D.
* * *

(2) If a reduction in the number of positions in the office of a registrar of voters is necessary because of a change in parish population pursuant to ~~Subsection C hereof~~, the number of positions shall be reduced by attrition.
E. Employee positions established in the office of a registrar of voters pursuant to Subsections A and B hereof that exceed the number of positions established in the office of a registrar of voters on the effective date of this Section or that increase pursuant to a change in population ~~in accordance with Subsection C hereof~~ shall not be filled until the parish governing authority has appropriated the parish portion of the salary for each position and the legislature has appropriated to the secretary of state the state portion of the salary for each such position.
Section 2. R.S. 18:59.2(C) is hereby repealed in its entirety.

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

ACT No. 597

HOUSE BILL NO. 130
BY REPRESENTATIVES BAYHAM AND KNOX
AN ACT

To amend and reenact R.S. 14:81.2(B)(2) and (3)(a), relative to the crime of molestation of a juvenile; to provide for penalties for molestation of a juvenile in certain circumstances; and to provide for related matters.
Be it enacted by the Legislature of Louisiana:
Section 1. R.S. 14:81.2(B)(2) and (3)(a) are hereby amended and reenacted to read as follows:
§81.2. Molestation of a juvenile or a person with a physical or mental disability

* * *
B.
* * *

(2) Whoever commits the crime of molestation of a juvenile, when the victim is thirteen years of age or older but has not yet attained the age of seventeen, and when the offender has control or supervision over the juvenile, shall be fined not more than ten thousand dollars, or imprisoned, with or without hard labor, for not less than ~~five ten years~~ nor more than twenty years, or both. The defendant shall not be eligible to have his conviction set aside or his prosecution dismissed in accordance with Code of Criminal Procedure Article 893.
(3)(a) Whoever commits the crime of molestation of a juvenile, when the victim is thirteen years of age or older but has not yet attained the age of seventeen, and when the offender is in a position of supervision or entrusted with a supervisory role of the juvenile that includes but is not limited to a religious, charitable, scientific, educational, athletic, or youth-serving purpose or is an educator of the juvenile, shall be fined not more than ten thousand dollars, or imprisoned, with or without hard labor, for not less than ~~five ten years~~ nor more than forty years, or both. At least ~~five ten~~ years of the sentence imposed shall be without the benefit of parole, probation, or suspension of sentence, and the defendant shall not be eligible to have his conviction set aside or his prosecution dismissed in accordance with Code of Criminal Procedure Article 893.

* * *

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

ACT No. 598

HOUSE BILL NO. 131
BY REPRESENTATIVES BOYER, BAGLEY, BROWN, BUTLER, CHASSION,
DICKERSON, EGAN, EMERSON, KNOX, LACOMBE, MARCELLE, MYERS,
SELDERS, STAGNI, THOMPSON, WALTERS, AND WYBLE
AN ACT

To amend and reenact R.S. 4:177, relative to horse racing; to provide for the payment of horse racing purses; to provide for breeder awards; and to provide for related matters.

Be it enacted by the Legislature of Louisiana:

Section 1. R.S. 4:177 is hereby amended and reenacted to read as follows:
§177. Breeder awards

Each licensee authorized to conduct race meets shall pay the equivalent of ten percent of ~~winner's share of the~~ the total purse of each race ~~won~~ earned by accredited Louisiana bred horses. The sum shall be paid by the licensee within thirty days after the close of the race meeting to the respective breeders of the first, second, and third place winners of such races as a breeder's award. The provisions of this Section shall not apply to races written exclusively for accredited Louisiana bred horses which shall be paid a breeder's award by the Louisiana State Racing Commission out of funds provided for this purpose pursuant to the provisions of R.S. 4:165(A).

Approved by the Governor, June 11, 2024.

A true copy:
Nancy Landry
Secretary of State

ACT No. 599

HOUSE BILL NO. 142
BY REPRESENTATIVES BEAULLIEU AND BRYANT
AN ACT

To enact R.S. 33:130.766(A)(2)(d), relative to the Iberia Economic Development Authority; to provide for an increase to the term of certain lease agreements entered into by the authority; and to provide for related matters.

Notice of intention to introduce this Act has been published as provided by Article III, Section 13 of the Constitution of Louisiana.

Be it enacted by the Legislature of Louisiana:

Section 1. R.S. 33:130.766(A)(2)(d) is hereby enacted to read as follows:
§130.766. Industrial Development

A.

* * *

(2)

* * *

(d) Notwithstanding any other provision of law to the contrary, the authority may enter into leases having a term, including all renewal terms, not to exceed ninety-nine years in the aggregate. The provisions of this Subparagraph shall only apply to higher education entities and private sector partners recruited by higher education entities evidenced by an agreement in writing for the purposes of economic and industrial development in the region, at a lease rate of one dollar per year.

* * *

Approved by the Governor, June 11, 2024.

A true copy:
Nancy Landry
Secretary of State

ACT No. 600

HOUSE BILL NO. 144
BY REPRESENTATIVES GLORIOSO AND TAYLOR
AN ACT

To enact R.S. 22:1339, relative to insurers; to provide relative to insurance on immovable property; to provide for prohibitions; to prohibit the value of unimproved land within policy coverage limits; and to provide for related matters.

Be it enacted by the Legislature of Louisiana:

Section 1. R.S. 22:1339 is hereby enacted to read as follows:

§1339. Homeowners' insurance; prohibited coverage of unimproved land
An insurer shall not deliver, issue, or renew any homeowner's insurance policy providing coverage for loss or damage to improvements upon immovable property that includes the value of the unimproved land in the coverage limits.

Approved by the Governor, June 11, 2024.

A true copy:
Nancy Landry
Secretary of State

ACT No. 601

HOUSE BILL NO. 146

BY REPRESENTATIVE FARNUM
AN ACT

To amend and reenact R.S. 38:2322(A), relative to board appointments for the Sabine River Authority; to provide relative to qualifications for board members residing in Calcasieu Parish; and to provide for related matters.

Notice of intention to introduce this Act has been published as provided by Article III, Section 13 of the Constitution of Louisiana.

Be it enacted by the Legislature of Louisiana:

Section 1. R.S. 38:2322(A) is hereby amended and reenacted to read as follows:

§2322. Board of commissioners

A.(1) The governing authority of the Sabine River Authority shall be vested in a board of commissioners ~~thereof~~, which is ~~hereby~~ provided for in this Section. The board shall be composed of thirteen members, who shall be appointed by the governor, one of whom shall serve as chairman. Of the thirteen members of the board to be appointed by the governor, four members shall be residents of Sabine Parish, two members shall be residents of Calcasieu Parish, two members shall be residents of Vernon Parish, two members shall be residents of DeSoto Parish, two members shall be residents of Beauregard Parish, and one member shall be a resident of Cameron Parish.

(2) Preference shall be given to a domiciled resident of the Sabine River Watershed area, as defined by the established parish drainage maps, for one of the two members from Calcasieu Parish.

~~(2)~~ (3) Each member of the board appointed by the governor shall serve at the pleasure of the governor making the appointment. Each appointment by the governor shall be submitted to the Senate for confirmation.

* * *

Approved by the Governor, June 11, 2024.

A true copy:
Nancy Landry
Secretary of State

ACT No. 602

HOUSE BILL NO. 150
BY REPRESENTATIVE TRAVIS JOHNSON AND SENATORS
BOUDREAUX, CARTER, EDMONDS, JACKSON-ANDREWS, AND REESE
AN ACT

To amend and reenact the heading of Part IV of Chapter 4-A of Title 3 of the Louisiana Revised Statutes of 1950 and R.S. 3:341(A) and 342(B) and (I) and to enact R.S. 3:341(E), relative to the Delta Agriculture Research and Sustainability District; to provide for a name change; to establish the domicile of the district; to provide for residency requirements of the district director; to provide relative to ex officio members without voting rights; and to provide for related matters.

Notice of intention to introduce this Act has been published as provided by Article III, Section 13 of the Constitution of Louisiana.

Be it enacted by the Legislature of Louisiana:

Section 1. The heading of Part IV of Chapter 4-A of Title 3 of the Louisiana Revised Statutes of 1950 and R.S. 3:341(A) and 342(B) and (I) are hereby amended and reenacted and R.S. 3:341(E) is hereby enacted to read as follows:

PART IV. DELTA AGRICULTURE ECONOMIC RESEARCH
AND SUSTAINABILITY DISTRICT

§341. Delta ~~Agriculture~~ Economic Research and Sustainability District; creation; purpose; territorial jurisdiction; ~~domicile~~

A. The Delta ~~Agriculture~~ Economic Research and Sustainability District, referred to in this Part as the “district”, is hereby constituted and is declared to be a body politic and political subdivision of the state of Louisiana, as defined in Article VI, Section 44 of the Constitution of Louisiana.

* * *

E. The domicile of the district shall be Concordia Parish.

§342. Board of commissioners; members; officers; personal immunity

* * *

B.(1) Members shall serve during their tenure in the offices listed in Subsection A of this Section.

(2) The presidents of Louisiana Tech University, University of Louisiana at Monroe, Southern University System, Louisiana State University System, and Grambling State University, and the chair of the Louisiana Public Transit Association shall serve as ex officio members without voting rights.

* * *

I.(1) The board ~~shall may hire a district director staff persons~~ to manage the day-to-day management operations of the district. The board shall establish the duties and responsibilities and the salary and benefits for the ~~position~~ positions of district director. ~~The district director~~ Staff persons shall report directly to the chairman of the board and, with approval of the board, may hire an administrative assistant.

~~(2) The district director, Staff persons hired after July 1, 2023 2024, shall be a resident residents of the state, and have been domiciled in the district for the preceding two years prior to employment. The provisions provision of this Paragraph shall not apply to the district director staff persons employed prior to July 1, 2023 2024.~~

* * *

Approved by the Governor, June 11, 2024.

A true copy:

Nancy Landry
Secretary of State

ACT No. 603

HOUSE BILL NO. 156

BY REPRESENTATIVES WILDER, AMEDEE, CREWS, EDMONSTON,
EGAN, MCCORMICK, OWEN, AND SCHAMERHORN
AN ACT

To amend and reenact R.S. 23:213, relative to employment of minors; to provide for exceptions for minors under sixteen years of age; to repeal the provision of law relative to recreation or meal periods for minors.

Be it enacted by the Legislature of Louisiana:

Section 1. R.S. 23:213 is hereby amended and reenacted to read as follows:
§213. ~~Recreation~~ Minors under sixteen; recreation or meal period

No minor ~~under sixteen years of age~~ shall be employed, permitted, or suffered to work for any five-hour period without one interval of at least thirty minutes within such period for meals. If the period of work before the interval exceeds five hours by ten minutes or less, that difference shall be considered de minimis and shall not be considered a violation of this Section. Such interval shall not be included as part of the working hours of the day. This interval shall be thirty minutes. If the length of the meal break is at least twenty minutes, the difference between the actual break time and the required thirty-minute break time shall be considered de minimis, and shall not be considered a violation of this Section. The break shall be documented, using the employer's normal timekeeping system. If a minor fails to clock in or out for a work period or meal break, and a time edit is necessary, the time edit shall be documented and acknowledged in writing by the minor and the manager who performs the time edit.

Approved by the Governor, June 11, 2024.

A true copy:

Nancy Landry
Secretary of State

ACT No. 604

HOUSE BILL NO. 220

BY REPRESENTATIVES BAYHAM, BILLINGS, CHASSION, GADBERRY,
AND LARVADAIN
AN ACT

To amend and reenact R.S. 18:535(B), relative to notice of location of polling places; to provide for publication of polling locations; to provide for the duties of the secretary of state, registrar of voters, and clerk of court; to provide for the publication of certain information online; and to provide for related matters.

Be it enacted by the Legislature of Louisiana:

Section 1. R.S. 18:535(B) is hereby amended and reenacted to read as follows:
§535. Notice of location of precincts and polling places

* * *

B. Before primary elections. The parish board of election supervisors shall publish the location of the polling places in the parish at least once before each primary election. The publication shall be in the official journal of the parish during the third week before the primary election. The locations shall be published on the website of the secretary of state, ~~and may be published on websites maintained by parish election officials, including the registrar of voters and clerk of court.~~ The secretary of state's website shall also include instructions on how a voter may subscribe to receive electronic notifications of polling place location changes. If a parish registrar of voters or clerk of court maintains a website, he shall publish on the website beginning thirty days prior to an election a publicly available list of the locations of all polling places within the parish, arranged by precinct.

Approved by the Governor, June 11, 2024.

A true copy:

Nancy Landry
Secretary of State

ACT No. 605

HOUSE BILL NO. 281

BY REPRESENTATIVE CREWS
AN ACT

To amend and reenact R.S. 2:135.1(B) and (F) and 139, relative to airport facility leases; to repeal provisions for consideration to be paid monthly or annually; to provide relative to local supervision of airports; to repeal the provision for leases not to exceed ten years along with the associated exceptions; to provide for applicability; and to provide for related matters.

Be it enacted by the Legislature of Louisiana:

Section 1. R.S. 2:135.1(B) and (F) and 139 are hereby amended and reenacted to read as follows:

§135.1. Authority to equip, improve, establish fees and charges, and lease airport facilities

* * *

B.(1)(~~a~~) The public bid requirement provided for by in Paragraph (A)(3) of

this Section shall be at the option of the sponsor when such sponsor is leasing operations space of less than two hundred fifty square feet.

(~~b~~) (2) The advertisements shall set forth a description of the property to be leased, the time when bids therefor will be received, and a short summary of the terms, conditions, and purposes of the lease to be executed. The public bids provided for in this Part shall be secret, sealed bids and shall be mailed or delivered to the lessor at its domicile address. The advertisements provided for in this Section shall constitute judicial advertisements and legal notices as required in accordance with the provisions of Chapter 5 of Title 43 of the Louisiana Revised Statutes of 1950. At the date and hour mentioned in the advertisement for consideration of bids, the bids shall be publicly opened by the lessor at its office.

(~~e~~) (3) The lessor shall accept only the highest bid submitted which yields the greatest benefits to the public in services and financial return to it by a person or persons who meet all of the conditions of this Part. The lessor shall have the right to reject all bids.

(~~d~~) (4) The lessor may execute any lease granted under such terms and conditions that it deems proper or as otherwise provided in this Part.

(~~e~~) (5) All leases signed by the lessor shall be executed in sufficient counterparts to be disposed of as follows: one copy shall be furnished to the lessee; one copy shall be recorded in the conveyance records of each parish in which the land lies; one copy shall be furnished to the secretary of the Louisiana Department of Transportation and Development; and one copy shall be retained in the records of the lessor.

~~(2) All leases executed under the provisions of this Section shall provide for consideration to be paid annually or monthly as provided for in the lease. All leases shall be for a period not exceeding ten years, except as follows:~~

~~(a) A lessor may grant an option to extend the primary lease for an additional period of not more than ten years to any lessee who leases such land or holds a ten-year lease in full force on or after August 15, 1999, when such lessee has, within the ten-year term of the lease, added or contracted for permanent improvements to be constructed or placed on or made to the land in the amount of not less than twenty thousand dollars, has provided written notification to the lessor of his desire to extend the primary lease, and has provided a proper showing that such improvements have in fact been made or contracted for.~~

~~(b) When a lease provides for the addition or construction of improvements on or to the land to a value in excess of sixty thousand dollars for non-air carrier airports or one hundred thousand dollars for air carrier airports, and further provides that such improvements will become the property of the lessor without any cost to the lessor, the lessor may grant an option to the lessee to extend the primary term of the lease for an additional ten-year period, or part thereof, for each sixty thousand dollars of improvements or additions for non-air carrier airports or one hundred thousand dollars worth of improvements or additions for air carrier airports made on or to the land, not to exceed a maximum term of one hundred years.~~

~~(c) The provisions of this Paragraph shall not apply to the Vivian Municipal Airport or the Shreveport Downtown Airport.~~

* * *

F. Notwithstanding any provisions of law to the contrary, no municipality, parish, airport district, airport authority, or other political subdivision may grant a lease of an entire airport nor may the public be deprived of its rightful, equal, and uniform use of the airport or landing field or portion thereof, except at such times as may be required in the interest of public safety and no exclusive concession, license, or lease agreement may be made relative to the business of servicing, repairing, or furnishing of supplies for aircraft, or the sale, rental, or leasing of aircraft or flight instruction. Prospective lessees providing such services must have complied with the minimum aeronautical standards established by the lessor ~~and approved by the office of aviation of the Department of Transportation and Development.~~

* * *

§139. Supervision

All cities, towns, or other political subdivisions of this state in the construction, expansion, lease, control, equipment, improvement, maintenance, operation, regulation, and policing of airports and landing fields for the use of aircraft and in the acquisition of rights and privileges for lights and markers as provided for in this Part shall obtain the consent and approval of the department of all plans or proposed work in such construction, expansion, ~~lease, control,~~ equipment, improvement, maintenance, ~~operation,~~ regulation, and policing and the department shall have supervision thereof.

Section 2. The provisions of this Act shall be applicable to any new lease agreement entered into on or after July 1, 2024.

Approved by the Governor, June 11, 2024.

A true copy:

Nancy Landry
Secretary of State

ACT No. 606

HOUSE BILL NO. 303

BY REPRESENTATIVE BOYER
AN ACT

To enact R.S. 15:933.1, relative to SNAP benefits; to require the office of juvenile justice to report relative to juveniles in custody to the Department of Children and Family Services; to provide for the adjustment of SNAP

benefits under certain circumstances; and to provide for related matters.
Be it enacted by the Legislature of Louisiana:

Section 1. R.S. 15:933.1 is hereby enacted to read as follows:
§933.1. Office of juvenile justice; statistical data collection; Department of Children and Family Services

A. For the purpose of assisting the Department of Children and Family Services in identifying changes in household circumstances for Supplemental Nutrition Assistance Program benefit allotments, the office of juvenile justice shall report identifying information to the department of each juvenile placed under the custody of the office of juvenile justice for a sentence of nine months or longer. The Department of Children and Family Services shall determine the required information necessary to identify the juvenile and the juvenile's household.

B. If the juvenile has not reached the age of majority at the time of release, the office of juvenile justice shall report to the Department of Children and Family Services when the juvenile is released from custody. For purposes of this Section, the age of majority means a child under the age of twenty-two.

C. The office of juvenile justice shall inform the Department of Children and Family Services no later than forty-five days prior to release of the juvenile from custody. If the office of juvenile justice is unable to provide notice forty-five days prior to release due to a modification of a disposition by a court, the office shall notify the department within twenty-four hours of receipt of the modified disposition.

D. Upon receipt of a report from the office of juvenile justice pursuant to this Section, the Department of Children and Family Services shall adjust the Supplemental Nutrition Assistance Program benefits for the juvenile's household to reflect the change in circumstance.

Approved by the Governor, June 11, 2024.

A true copy:
Nancy Landry
Secretary of State

ACT No. 607

HOUSE BILL NO. 329

BY REPRESENTATIVES MYERS, BACALA, BAYHAM, BERAULT, BOYER, BRYANT, CARVER, CHASSION, DEWITT, FREIBERG, MIKE JOHNSON, LAFLEUR, LYONS, MCMAHEN, MILLER, NEWELL, OWEN, SELDERS, STAGNI, TAYLOR, TURNER, WYBLE, AND ZERINGUE
AN ACT

To amend and reenact R.S. 17:3050.11(C)(1)(introductory paragraph), (D), (E), and (F) and to enact R.S. 17:3050.11(C)(1)(d), (e), and (f), (G), (H), and (I), relative to the Health Care Employment Reinvestment Opportunity (H.E.R.O.) Fund; to provide for the use of monies in the fund; to provide for the purposes and priorities of the fund; to provide for grant opportunities; to provide for procedures for grant proposals and awards; to provide for the authority of the Joint Legislative Committee on the Budget; to provide for reporting by the Louisiana Department of Health and grantees; to provide for the authority of the department; to provide for the promulgation of rules; to require the Louisiana Board of Regents to provide certain information and documentation to the Louisiana Department of Health; to provide for an effective date; and to provide for related matters.

Be it enacted by the Legislature of Louisiana:

Section 1. R.S. 17:3050.11(C)(1)(introductory paragraph), (D), (E), and (F) are hereby amended and reenacted and R.S. 17:3050.11(C)(1)(d), (e), and (f), (G), (H), and (I) are hereby enacted to read as follows:

§3050.11. Health Care Employment Reinvestment Opportunity (H.E.R.O.) Fund

* * *

C.(1) Subject to legislative appropriation, and the approval of the Board of Regents, the Louisiana Health Works Commission the Louisiana Department of Health, office of the secretary, hereinafter referred to in this Section as "department", is hereby authorized and directed to determine how monies in the fund are allocated and expended through a multi-year multiple year plan, solely and exclusively for the following purposes and in the following priorities:

* * *

(d) Support dual enrollment and pathway programs between high school career and technical programs and other healthcare programs.

(e) Support strategies for healthcare organizations to increase career pathways and apprenticeship programs.

(f) Raise awareness of and interest in a broad variety of healthcare occupations and reduce the barriers to access to the healthcare programs necessary to pursue these occupations, including financial barriers.

* * *

D.(1) The department may utilize monies in the fund for funding grant proposals that support efforts with training and education programs and institutions for the purpose of increasing educational opportunities and training of Louisiana residents who are seeking enrollment or are currently enrolled in healthcare training or education programs in Louisiana. Such grant proposals may include financial incentives to support Louisiana students in nursing and allied health profession training or education programs.

(2) The department may utilize monies in the fund in order to fund nursing or allied health internships at licensed healthcare providers in Louisiana,

including healthcare providers owned or operated by the state of Louisiana.

(3) The department may utilize monies in the fund for funding grant proposals that support joint efforts between healthcare industry partners and education programs for the purpose of increasing training opportunities for Louisiana residents who are seeking enrollment or are currently enrolled in healthcare education programs in Louisiana.

(4) The department may utilize monies in the fund, not to exceed ten percent of the fund annually, for administrative costs to implement grant proposals or programs that meet the purposes of this Section and fulfill the provisions of this Section.

(5) At least annually, the department shall publish a notice of funding opportunity on its website for not less than sixty days prior to the deadline to submit a notice of intent to apply for a grant. The notification of funding opportunity shall include all of the following:

(a) The grant period.

(b) The date by which to submit a notice of intent to apply for a grant.

(c) The deadline to apply for the grant. Proposals shall be accepted as early as thirty days following the notice of intent deadline.

(d) The dollar amount of available grant awards.

(6) Grant proposals shall include the following components which shall be used to prioritize funding along with the evaluation criteria established in Paragraph (7) of this Subsection:

(a) The total amount of funds requested and a detailed budget for the expenditure of these funds, including personnel, operating expenses, equipment acquisitions, training expenses, and other allowable expenses as outlined in the administrative rules and regulations promulgated pursuant to this Section.

(b) A narrative explaining how the grant award will increase training of nursing and allied healthcare providers and specific deliverables of the healthcare industry partner and the education program.

(c) A declaration that statutory requirements shall be satisfied.

(d) A statement that the healthcare industry partner shall match, with monies or in-kind contributions, at least an amount equal to the grant award. The statement shall indicate the cash or in-kind amounts the healthcare partner plans to contribute.

(7) The department shall evaluate and rank each completed and timely submitted proposal. The department shall consider the strength of the proposed programs, the geographic location of the proposals, and statewide workforce demands in order to promote the distribution of grant awards and avoid a concentration of grant awards in any single region of the state. The department shall evaluate the proposals on all of the following minimum criteria:

(a) Whether the funds committed by the healthcare industry partner will contribute to an eligible purpose.

(b) How the funds will be utilized to increase enrollment and program completion.

(c) How the healthcare industry partner will onboard and retain graduates.

(d) How the funds will expand nursing and allied health education programs to meet local, regional, or state workforce demands. If applicable, this shall include advanced education nursing programs and how the funds will increase the number of faculty and clinical preceptors.

(8) Prior to issuing a notice of award to any grantee, the department shall submit the proposed grant awards to the Joint Legislative Committee on the Budget for approval. The department shall award grant funding in response to eligible grant proposals based on Paragraphs (6) and (7) of this Subsection and any applicable rules and regulations promulgated pursuant to this Section. The department shall notify the grant applicant of the approved proposals and award amounts.

(9) Prior to the release of a grant award, the grantee shall provide to the department documentation of the grantee's cash or in-kind contribution.

(10) Awards shall be released on no more than a quarterly basis.

(11) Each grantee shall submit a report to the department on performance metrics and outcomes pursuant to the rules and regulations promulgated pursuant to this Section.

E. On or before October March first of each calendar year, the Louisiana Health Works Commission department shall submit a plan of fund allocation for the next fiscal year to the Board of Regents House Committee on Health and Welfare, the Senate Committee on Health and Welfare, and the Joint Legislative Committee on the Budget.

E. F. The Board of Regents department shall submit a comprehensive annual report to the Senate Committee on Finance, the House Committee on Appropriations Joint Legislative Committee on the Budget, the Senate Committee on Health and Welfare, and the House Committee on Health and Welfare no later than sixty days after the end of the fiscal year in which the monies were appropriated; pursuant to the provisions of this Section.

F. The provisions of this Section shall terminate on July 1, 2026, or when all of the monies in the fund have been expended, whichever occurs first. Any monies remaining in the fund on July 1, 2026, shall be transferred by the state treasurer to the state general fund.

G. The department may enter into any contract, memorandum of understanding, or cooperative endeavor agreement with a grantee, healthcare industry partner, or education program that may be necessary to effectuate the provisions of this Section.

H. The department shall promulgate rules and adopt regulations, in accordance with the Administrative Procedure Act, to implement the provisions of this Section.

I. To effectuate the provisions of this Section, the Louisiana Board of Regents shall assist the department with information and documentation on training and education programs and institutions related to nursing and allied health professions and related matters.

Section 2. The Louisiana Board of Regents may utilize and expend monies in the Health Care Employment Reinvestment Opportunity (H.E.R.O.) Fund to continue to fund any grant obligated or awarded by the Board of Regents on or before April 1, 2024.

Section 3. 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 11, 2024.

A true copy:
Nancy Landry
Secretary of State

ACT No. 608

HOUSE BILL NO. 330
BY REPRESENTATIVE PHELPS
AN ACT

To amend and reenact R.S. 40:1125.1(A) and (B)(1), relative to the Louisiana Sickle Cell Commission; to provide for the membership of the commission; to specifically limit the membership of the commission; and to provide for related matters.

Be it enacted by the Legislature of Louisiana:

Section 1. R.S. 40:1125.1(A) and (B)(1) are hereby amended and reenacted to read as follows:

§1125.1. Louisiana Sickle Cell Commission
A. There shall be established within the Louisiana Department of Health a commission designated the “Louisiana Sickle Cell Commission”, composed of seventeen members as provided in Subsection B of this Section. No organization, entity, or individual shall be a member unless expressly provided for in Subsection B of this Section.

B.(1) Thirteen members shall be appointed by the governor, subject to Senate confirmation, as follows:

(a) One member from a list of nominees submitted by the Sickle Cell Center of Southern Louisiana, Tulane University School of Medicine, which has provided health care to patients with sickle cell disease since 1979 and houses the only life span clinic, which provides care to patients from birth to death, and a transition clinic, which provides a seamless transition during the high risk death gap period from pediatric to adult care.

(b) One member from a list of nominees submitted by Children’s Hospital, New Orleans, which is the only hospital in this state to provide stem cell and gene therapies to patients with sickle cell disease and focuses on sickle cell pediatric hematology.

(c) One member from a list of nominees submitted by the Louisiana Primary Care Association.

(d) One member from a list of nominees submitted by the Sickle Cell Association of South Louisiana, which has served eleven parishes in south Louisiana since 1974 and has the historical and institutional knowledge of patient care within the community.

(e) One member from a list of nominees submitted by the Northeast Louisiana Sickle Cell Anemia Technical Resource Foundation, Inc, which has served northeast Louisiana since 1979 and has the historical and institutional knowledge of patient care within the community.

(f) One member from a list of nominees submitted by the Sickle Cell Disease Association of America, Inc., Northwest Louisiana Chapter, which has served northwest Louisiana since 1974 and has the historical and institutional knowledge of patient care within the community.

(g) One member from a list of nominees submitted by the Sickle Cell Anemia Research Foundation, Alexandria, which has served twelve parishes in central Louisiana since 1974 and has the historical and institutional knowledge of patient care within the community.

(h) One member from a list of nominees submitted by Southwest Louisiana Sickle Cell Anemia, Inc., which has served southwest Louisiana and has the historical and institutional knowledge of patient care within the community.

(i) Five members from a list of nominees submitted by the Louisiana Department of Health; two of whom shall be persons diagnosed with sickle cell disease, one of whom shall be a parent of a person diagnosed with sickle cell disease, and two of whom shall be medical professionals who provide treatment and care to patients diagnosed with sickle cell disease.

* * *

Approved by the Governor, June 11, 2024.

A true copy:
Nancy Landry
Secretary of State

ACT No. 609

HOUSE BILL NO. 353
BY REPRESENTATIVE GEYMANN
AN ACT

To enact R.S. 32:127.4, 127.5, and 127.6, relative to highway right-of-way crossings; to authorize golf carts to cross Louisiana Highway 378 at McKinley Street and at Louisiana Highway 379 at Hilma Street and Gray Street in the city of Westlake; to require the Department of Transportation and Development to post crossing signs; to provide for consultation between the department and the governing authority of the city of Westlake regarding guidelines for placement of crossing signs; to restrict the application of certain provisions of law; to authorize golf carts to cross Louisiana Highway 95, Louisiana Highway 35, Louisiana Highway 1104, and Louisiana Highway 178 in the town of Church Point; to establish requirements for receipt of a utility terrain vehicle permit to cross certain highways in the town of Church Point; to provide for the erection of signage, markers, or traffic control devices reflecting such crossings; to provide for the promulgation of rules and regulations; to provide for exceptions; to authorize golf carts to cross Louisiana Highway 26 in the town of Lake Arthur; and to provide for related matters.

Notice of intention to introduce this Act has been published as provided by Article III, Section 13 of the Constitution of Louisiana.

Be it enacted by the Legislature of Louisiana:

Section 1. R.S. 32:127.4, 127.5, and 127.6 are hereby enacted to read as follows: §127.4. Golf cart crossings; city of Westlake

A. Notwithstanding any provision of law to the contrary, golf carts are authorized to cross Louisiana Highway 378 at McKinley Street and at Highway 379 at Hilma Street and Gray Street on marked, designated paths, or crossings for such vehicles within the city of Westlake between sunrise and sunset.

B. A valid driver’s license shall be a prerequisite for operating a golf cart when crossing Louisiana Highway 378 and Louisiana Highway 379 at the designated crossings.

C. Crossing signs shall be posted by the Department of Transportation and Development at the request of the governing authority of the city of Westlake.

D. The Department of Transportation and Development, with the consultation and advice of the governing authority of the city of Westlake, shall formulate guidelines to determine where such crossing signs shall be placed in accordance with the provisions of this Section.

E. For the purposes of this Section, the provisions of R.S. 32:53(D), 235(C), 261, and Chapter 5 of this Title shall not apply, and golf carts shall not be considered a vehicle for purposes of defining “equipment” as referenced in Part V of Chapter 1 of this Title.

§127.5. Golf carts; Church Point

A. Notwithstanding any law to the contrary, upon final approval of the Department of Transportation and Development, golf carts shall be authorized to cross Louisiana Highway 95, Louisiana Highway 35, Louisiana Highway 1104, and Louisiana Highway 178 on marked or designated paths or crossings for such vehicles within the town limits of Church Point between sunrise and sunset.

B. A copy of the applicant’s valid driver’s license and liability insurance, a signed liability waiver, and a seventy-five dollar permit fee shall be submitted annually with a utility terrain vehicle permit application as a prerequisite for operating a golf cart when crossing Louisiana Highway 95, Louisiana Highway 35, Louisiana Highway 1104, and Louisiana Highway 178 in the town of Church Point.

C. Signs, markers, or traffic control devices designating paths or crossings for golf carts shall be posted by the Department of Transportation and Development or by the town of Church Point with prior approval from the Department of Transportation and Development. The costs for material, fabrication, mounting posts, and installation of any sign, marker, or traffic control device shall be provided by the town of Church Point.

D. The Department of Transportation and Development shall promulgate rules and regulations necessary to implement the provisions of this Section. The department shall report to the Joint Legislative Committee on Transportation, Highways and Public Works for review and approval of any rules or regulations promulgated by the department.

E. For the purposes of this Section, the provisions of R.S. 32:53(D) and Chapter 5 of this Title shall not apply, and the provisions relative to equipment of vehicles referenced in Part V of Chapter 1 of this Title shall not apply to golf carts.

§127.6. Golf carts; Lake Arthur

A. Notwithstanding any law to the contrary, upon final approval of the Department of Transportation and Development, golf carts are authorized to cross Louisiana Highway 26 on marked or designated paths or crossings for such vehicles within the town limits of Lake Arthur between sunrise and sunset. The department shall consult with the governing authority of the town of Lake Arthur to determine which intersection or intersections of Louisiana Highway 26 within the town limits of Lake Arthur would provide the most convenient and safest location for golf cart crossings.

B. A valid driver’s license shall be a prerequisite for operating a golf cart when crossing Louisiana Highway 26 in the town of Lake Arthur.

C. Crossing signs may be posted by the Department of Transportation and Development at the request of the governing authority of the town of Lake Arthur.

D. The Department of Transportation and Development, with the consultation and advice of the governing authority of the town of Lake Arthur, shall formulate guidelines to determine where such crossing signs shall be placed in accordance with the provisions of this Section.

E. For the purposes of this Section, the provisions of R.S. 32:53(D), 235(C), 261, and Chapter 5 of this Title shall not apply, and golf carts shall not be

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

considered a vehicle for purposes of defining “equipment” as referenced in Part V of Chapter 1 of this Title.

Approved by the Governor, June 11, 2024.

A true copy:
Nancy Landry
Secretary of State

ACT No. 610

HOUSE BILL NO. 354
BY REPRESENTATIVE BRASS
AN ACT

To amend and reenact the heading of Chapter 7 of Title 48 of the Louisiana Revised Statutes of 1950 and R.S. 48:1306, 1307, and 1308, relative to road lighting districts; to authorize such districts to use funds for safety equipment; to provide relative to the designations assigned to such districts; and to provide for related matters.

Be it enacted by the Legislature of Louisiana:

Section 1. The heading of Chapter 7 of Title 48 of the Louisiana Revised Statutes of 1950 and R.S. 48:1306, 1307, and 1308 are hereby amended and reenacted to read as follows:

CHAPTER 7. ROAD LIGHTING DISTRICTS AND
SECURITY AND ROAD LIGHTING DISTRICTS

* * *

§1306. Power of parish governing authorities to create road lighting districts
A. Parish governing authorities may create road lighting districts, composed of territory wholly within a parish. A district so created shall be a political and legal subdivision of the state, with full power to sue and be sued in its corporate name. It may enter into contracts with any electric public utility to provide and maintain electric lights on the streets, roads, highways, alleys, and public places of the district.

B. A parish governing authority may also authorize any such district it creates or any consolidated district it creates pursuant to R.S. 48:1301 to use up to twenty-five percent of its funds to purchase, install, operate, and maintain electronic safety equipment. §1307. Road lighting districts; security and road lighting districts; designation

A. Each such district shall be designated Road Lighting District No. ____ of the parish of _____. The parish governing authority creating such district shall be the governing authority thereof, and the parish treasurer shall be the treasurer of the district.

B.(1) A parish governing authority may designate a district that is authorized to use funds in accordance with R.S. 48:1306(B) as a security and road lighting district in a form similar to that provided by Subsection A of this Section for road lighting districts.

(2) Unless context indicates otherwise, references to road lighting districts in this Chapter include any district designated by a parish governing authority as a security and road lighting district.

§1308. Road lighting districts; tax levy

For the purpose of providing and maintaining such electric light on the streets, roads, highways, alleys, and public places in such district purposes set forth in R.S. 48:1306, any road lighting district may levy taxes not to exceed in any year five mills on the dollar on all of the taxable property within the boundaries thereof, except railroad rights of way and tracks located thereon. However, the special tax herein authorized by this Section shall not run for a longer period than ten years, and the rate, purpose, and duration of any special tax first shall be submitted to the electors of the district in which the tax is to be levied at an election called and held for that purpose in the same manner as provided by law for elections for levying taxes for the purposes set out in Section 32 of Article VI of the constitution Constitution of Louisiana, and a majority of those voting shall have voted in favor thereof.

Section 2.(A) The Louisiana State Law Institute is hereby authorized and directed to renumber the Sections of Chapter 7 of Title 48 of the Louisiana Revised Statutes of 1950 as follows:

(1) Sections 1306, 1307, and 1308 shall be renumbered as 1301, 1302, and 1303 respectively.

(2) Sections 1308.1, 1308.2, 1308.3, and 1308.4 shall be renumbered as 1303.1, 1303.2, 1303.3, and 1303.4 respectively.

(3) Sections 1301, 1302, 1303, 1304, and 1305 shall be renumbered as 1304, 1305, 1306, 1307, and 1308 respectively.

(B) The Louisiana State Law Institute is hereby authorized and directed to correct statutory references within Chapter 7 of Title 48 of the Louisiana Revised Statutes of 1950 including such references in statutory provisions reenacted by this Act.

Approved by the Governor, June 11, 2024.

A true copy:
Nancy Landry
Secretary of State

ACT No. 611

HOUSE BILL NO. 375
BY REPRESENTATIVES MANDIE LANDRY AND CHASSION
AN ACT

To enact R.S. 22:881.1, relative to insurers; to require insurers to disclose

discounts with respect to homeowners’ and motor vehicle insurance policies; to require means of disclosure; to provide for an effective date; and to provide for related matters.

Be it enacted by the Legislature of Louisiana:

Section 1. R.S. 22:881.1 is hereby enacted to read as follows:

§881.1. Discounts; disclosure requirements; homeowners’ and motor vehicle policies

A. Every insurer that writes homeowners’ or private passenger motor vehicle insurance policies in this state shall, in writing that is not less than twelve-point font, disclose all discounts the insurer offers that may reduce the homeowners’ or motor vehicle insurance premium of a policyholder or prospective policyholder. Insurers shall ensure the disclosure is delivered by electronic means as defined in R.S. 22:2461 or submit the disclosure within the written materials of a new policy delivered to the policyholder and at each subsequent renewal. For purposes of this Section, “discounts” means premium credits advertised by an insurer to policyholders who meet certain criteria defined by the insurer. An insurer’s failure to comply with this Section does not create a cause of action.

B. This Section shall not apply to excess and surplus lines.

Section 2. This Act shall become effective on May 1, 2025.

Approved by the Governor, June 11, 2024.

A true copy:
Nancy Landry
Secretary of State

ACT No. 612

HOUSE BILL NO. 383
BY REPRESENTATIVES GALLE, AMEDEE, BAYHAM, BILLINGS, BOYER,
CARRIER, COX, CREWS, EGAN, EMERSON, FIRMENT, HORTON, ILLG,
MIKE JOHNSON, MCCORMICK, OWEN, AND WILDER
AN ACT

To enact R.S. 9:2792.10, relative to civil liability; to provide for a limitation of action; to provide relative to a pedestrian illegally blocking a roadway; to provide for use of force with a vehicle in order to retreat or escape; and to provide for related matters.

Be it enacted by the Legislature of Louisiana:

Section 1. R.S. 9: 2792.10 is hereby enacted to read as follows:

§2792.10. Limitation of action; pedestrian blocking roadway

No pedestrian illegally blocking a roadway in violation of R.S. 32:216, or any other applicable statute shall have a cause of action against the operator of a motor vehicle for any injury, death, loss, or damage resulting from any act or omission, except an intentional act or omission, by the operator of the motor vehicle if such injury, death, loss, or damage is caused by the operator’s use of force with his vehicle in order to retreat or escape from the pedestrian illegally blocking the roadway, and the operator reasonably believes that he or his passengers are in immediate danger of imminent death, serious bodily injury, or serious bodily harm from the pedestrian illegally blocking a roadway.

Approved by the Governor, June 11, 2024.

A true copy:
Nancy Landry
Secretary of State

ACT No. 613

HOUSE BILL NO. 398
BY REPRESENTATIVE HILFERTY
AN ACT

To amend and reenact Section 1 of Act No. 130 of the 1896 Regular Session of the Legislature, as amended by Act No. 395 of the 2006 Regular Session of the Legislature, and Sections 1 through 8 of Act No. 569 of the 1989 Regular Session of the Legislature, as amended by Act No. 13 of the 1998 First Extraordinary Session of the Legislature, and Act No. 395 of the 2006 Regular Session of the Legislature, and to enact R.S. 33:4558.1, relative to the New Orleans City Park Police; to provide for the authority, duties, commissioning, and training of the New Orleans City Park Police; to provide for the administration of the New Orleans City Park Police; to provide for approval of the board of commissioners of the New Orleans City Park Improvement Association; to provide for board membership; to provide for obligations of the board; and to provide for related matters.

Notice of intention to introduce this Act has been published as provided by Article III, Section 13 of the Constitution of Louisiana.

Be it enacted by the Legislature of Louisiana:

Section 1. R.S. 33:4558.1 is hereby enacted to read as follows:

§4558.1. Authority of New Orleans City Park Police

A.(1) Those persons who are employed as officers by New Orleans City Park shall first be approved by the board of commissioners of the New Orleans City Park Improvement Association, hereinafter referred to as “board”. The officers shall be designated as City Park police officers and shall be responsible for maintaining general order and exercising police power within the jurisdiction of New Orleans City Park.

(2) Each person employed to serve as a City Park police officer shall be commissioned as a City Park police officer by the Department of Public

Safety and Corrections or as provided in Subsection F of this Section. The commission shall remain in force and in effect until the person is no longer employed as a City Park police officer.

(3) Pursuant to R.S. 40:1379.1.3, the City Park police officers shall have the right to carry concealed weapons. The City Park police officers shall have the power of arrest when discharging their duties within the grounds and jurisdiction of New Orleans City Park and on all streets, roads, and rights-of-way to the extent they are within or contiguous to the perimeter of City Park. In the discharge of their duties on City Park grounds and while in pursuit on City Park grounds, each City Park police officer may exercise the power of arrest.

(4) Each City Park police officer shall execute a bond in the amount of ten thousand dollars in favor of the state for the faithful performance of his duties. The premium on the bond shall be paid by City Park.

B. Any person arrested by a City Park police officer, in the exercise of the power granted pursuant to Paragraph (A)(3) of this Section, shall be immediately transferred by the officer to the custody of the Orleans Parish Sheriff.

C. All fines and fees generated through the enforcement of New Orleans City Park rules shall be deemed self-generated revenues of the park and shall be used for park development, maintenance, and operation of City Park.

D. Any person commissioned as a City Park police officer shall meet all training requirements of a peace officer as defined in R.S. 40:2402.

E. Upon recommendation by the chief executive officer of New Orleans City Park and approval by the board, a City Park police officer shall have authority to discharge his duties off New Orleans City Park grounds as follows:

(1) When transporting an arrested person in furtherance of duties as set forth in this Section.

(2) When transporting money, securities, or other valuables on behalf of New Orleans City Park.

(3) When engaging in intelligence gathering related to performance of duties.

(4) When investigating a crime committed on City Park grounds.

(5) While providing security or protective services for visiting dignitaries, honored guests, or executives on or off City Park grounds.

F. Notwithstanding any of the provisions of this Section to the contrary, City Park police officers may also be commissioned by the city's police department, rather than the Department of Public Safety and Corrections, upon complying with the requirements and regulations as may be prescribed by the city's police department for the commissioning of special officers. Any commission issued by the city's police department shall confer upon such City Park police officers all rights and privileges enumerated in this Section with respect to officers commissioned through and by the Department of Public Safety and Corrections, provided that such officers shall not be entitled to supplemental pay for municipal police officers.

Section 2. Section 1 of Act No. 130 of the 1896 Regular Session of the Legislature, as amended by Act No. 395 of the 2006 Regular Session of the Legislature, is hereby amended and reenacted to read as follows:

Section 1. Be it enacted by the General Assembly of the State of Louisiana, That:

(A) The park in the City of New Orleans known as the "New Orleans City Park" be and is hereby placed under control and management of the "New Orleans City Park Improvement Association" incorporated under the laws of the State, by an act before Felix J. Dreyfous, Notary Public, on the 13th day of August, 1891.

(B) The secretary of the Department of Culture, Recreation and Tourism shall be a member of the board of commissioners of the New Orleans City Park Improvement Association.

(C) The president of the Senate, or his designee, shall be a member of the board of commissioners of the New Orleans City Park Improvement Association for a term concurrent with his elected term.

(D) The speaker of the House of Representatives, or his designee, shall be a member of the board of commissioners of the New Orleans City Park Improvement Association for a term concurrent with his elected term.

(E) The senator for the district in which New Orleans City Park lies shall be a member of the board of commissioners of the New Orleans City Park Improvement Association for a term concurrent with his elected term.

(F) The member of the House of Representatives for the district in which New Orleans City Park lies shall be a member of the board of commissioners of the New Orleans City Park Improvement Association for a term concurrent with his elected term.

(G) Members of the board of commissioners of the New Orleans City Park Improvement Association pursuant to Subsections (C), (D), (E), and (F) of this Section shall also serve as members of the governing authority of any nonprofit or not-for-profit firm, corporation, or entity that the New Orleans City Park Improvement Association contracts with for the operation, care, control, and management of the park and its facilities.

Section 3. Sections 1 through 8 of Act No. 569 of the 1989 Regular Session of the Legislature, as amended by Act No. 13 of the 1998 First Extraordinary Session of the Legislature and Act No. 395 of the 2006 Regular Session of the Legislature, are hereby amended and reenacted to read as follows:

Section 1. A.(1) The New Orleans City Park Improvement Association, through its board of commissioners, is hereby vested with authority to and may contract with any nonprofit or not-for-profit firm, corporation, or entity, as more specifically provided in Section 2 of this Act, for the operation, care, control, and management of the park and its facilities or to contract with any

such entity for any of such purposes for any or all of such facilities.

(2) The authority granted by this Section shall include but shall not be limited to the authority to contract for:

(a) The recruiting, hiring, and employing by the contractor of such kinds and numbers of non-managerial employees to be managed, supervised, directed, and/or scheduled by the board or its designee as the board or its designee may direct from time to time.

(b) The procurement by the contractor for the park or the board of such goods and/or services as the board or its designee may direct from time to time.

(3)(a) Any firm, corporation, or entity with which the board contracts as authorized by this Section shall be deemed to be a private entity and shall not be deemed to be an agent or agency of the state for purposes of provisions of law relative to procurement of goods and services, leases of facilities, or subcontracts to manage facilities or services, including but not limited to the Louisiana Procurement Code (R.S. 39:1551 et seq.); Chapter 16 of Title 39 of the Louisiana Revised Statutes of 1950, relative to procurement of professional, personal, consulting, and social services; Chapter 10 of Title 38 of the Louisiana Revised Statutes of 1950, relative to public contracts; and Chapter 10 of Title 41 of the Louisiana Revised Statutes of 1950, relative to leases of public lands. However, any procurement of goods and services, leases of facilities, or any subcontracts in an amount greater than two hundred fifty thousand dollars shall require board approval. Any such firm, corporation, or entity with which the board so contracts may be named as an additional insured on all general liability, property, automobile, employment practices liability, and workers' compensation insurance plans that insure the New Orleans City Park Improvement Association, including participation in the state risk management program.

(b) Notwithstanding any provision of this Section or of any other law to the contrary, no contract to manage services or facilities related to golf or tennis shall be entered into by the board or by any entity contracting with the board unless the contractor with whom the board or such entity contracts has been selected pursuant to a request for proposals designed to promote competition, and the proposals have been evaluated by a multimember selection committee.

B. The board is prohibited from entering into any contract under the provisions of this Act which is for a purpose not in conformity with the master plan for New Orleans City Park required by the provisions of Act No. 865 of the 1982 Regular Session of the Legislature or which is otherwise not in conformity with such master plan. Annual review and amendments to the master plan for the development of City Park shall be conducted by the board in accordance with Section 3 of Act No. 865 of the 1982 Regular Session.

C. Any agreement that the board may enter into in accordance with this Act may be a contract, lease, or combination contract and lease.

D. The board shall in its sole discretion determine the terms, conditions, and duration of any contract or lease entered into under the provisions of this Act. Any contract or lease entered into by the board under the provisions of this Act shall contain a provision in such contract or lease that the contract or lease may be terminated by the board, with or without just cause, upon written notification to all parties in the contract or lease, which notification shall be given not less than ninety days prior to the termination.

Section 2. Only a firm, corporation, or entity that is organized under the laws of the state of Louisiana shall be eligible to contract with the board under the provisions of this Act, and only a firm, corporation, or entity that is organized as a nonprofit or not-for-profit firm, corporation, or entity and which has as its primary purpose the betterment and improvement of New Orleans City Park shall be eligible to contract with the board under the provisions of this Act. The chief executive officer and president of any entity the board of commissioners may contract with for the operation, care, control, and management of the park shall be subject to approval by the board.

Section 3. This Act shall be construed to grant the board the authority to contract in a cooperative endeavor for the operation, care, control, and management of the park and its facilities, including any or all facilities located in the park on the effective date of this Act and any future facilities located in the park. This authority shall extend to all lands and property for which management and control has been vested in the New Orleans City Park Improvement Association.

Section 4. The board shall have the right to assign any existing contracts that it may have on the effective date of this Act to any contracting party under the provisions of this Act. Contracts regarding Tad Gormley Stadium, the Pan-American Stadium, or any other stadium constructed in the future, if assigned, shall be assigned under the same terms and conditions existing on June 1, 1989.

Section 5. The board shall have full authority to delegate to the nonprofit its ability or authority to collect any rents, charges, admissions, or fares it may be empowered to collect.

Section 6. Any contractor shall have the full authority to hire its own employees to provide services under a contract authorized by this Act, including but not limited to any services formerly provided by the employees of the New Orleans City Park Improvement Association or its board.

Section 7. Any contract entered into under the provisions of this Act shall be deemed to be a cooperative endeavor under the provisions of Article VII, Section 14(C) of the Constitution of Louisiana.

Section 8. Nothing in this Act No. 569 of the 1989 Regular Session of the Legislature, as amended by Act No. 13 of the 1998 First Extraordinary Session of the Legislature and Section 2 of the Act which originated as House

Bill No. 744 No. 395 of the 2006 Regular Session of the Legislature, shall be construed to affect or diminish, in any manner whatsoever, the rights, powers, and authority otherwise granted by law to the New Orleans City Park Improvement Association and its board of commissioners to manage and control New Orleans City Park, and the authority granted to the New Orleans City Park Improvement Association and its board by this Act shall be in addition to any rights, powers, and authority otherwise granted to the association or the board by law. The provisions of this Act shall be subject to the provisions of R.S. 36:802.21 R.S. 36:801.1 relative to the transfer of the New Orleans City Park Improvement Association and its board of commissioners to the Department of Culture, Recreation and Tourism.

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

ACT No. 614

HOUSE BILL NO. 399
BY REPRESENTATIVE HENRY
AN ACT

To amend and reenact R.S. 22:41.2 and 572.1(F), relative to the disclosure of contact information to the Department of Insurance; to provide relative to persons and risk-bearing entities licensed by the commissioner of insurance; to require such persons and entities to disclose certain consumer and financial information; to provide relative to insurers and health maintenance organizations; to provide relative to insurance anti-fraud plans; and to provide for related matters.

Be it enacted by the Legislature of Louisiana:
Section 1. R.S. 22:41.2 and 572.1(F) are hereby amended and enacted to read as follows:

- §41.2. Submission of contact information
A. ~~Each risk-bearing entity authorized~~ Every person licensed by the commissioner shall provide accurate contact information to the commissioner.
B. ~~A risk-bearing entity and~~ shall annually inform the commissioner by electronic means of the name, mailing address, phone number, and electronic mail address of each individual responsible for each of the following:
(1) Receipt of and response to consumer complaints.
(2) Receipt of rules, regulations, and other directives from the commissioner.
(3) ~~Receipt and filing of inquiries regarding the financial condition of the entity.~~
(4) ~~Receipt and filing of inquiries regarding tax payments.~~
(5) (3) Any other function information the commissioner deems necessary to the exercise of his authority.
B. In addition to the requirements of Subsection A of this Section, every authorized risk-bearing entity shall provide accurate contact information to the commissioner and shall annually inform the commissioner by electronic means of the name, mailing address, phone number, and electronic mail address of each individual responsible for each of the following:
(1) Receipt and filing of inquiries regarding the financial condition of the entity.
(2) Receipt and filing of inquiries regarding tax payments.
C. A Every person licensed by the commissioner and every authorized risk-bearing entity shall inform the commissioner within thirty days of any change in the information required to be submitted in Subsection B of pursuant to this Section.

* * *
§572.1. Insurance anti-fraud plan
* * *

- F.(1) The insurance anti-fraud plan and any summary report shall be filed with the commissioner on or before April first of each calendar year.
(2) Either on a calendar year basis or such other interval the commissioner deems appropriate, the commissioner may require that each authorized insurer and each health maintenance organization file a summary report of any material change to the insurance anti-fraud plan, including the total number of claims and the number of claims referred to the commissioner as suspicious, and all of the following information:
(a) The number of policies in effect.
(b) The amount of premiums written for policies.
(c) The number of claims received.
(d) The number of claims referred for investigation to the insurer's fraud investigators.
(e) The number of claims investigated or accepted by the insurer's fraud investigators.
(f) The number of insurance fraud matters investigated or accepted by the insurer's fraud investigators that were not claim related.
(g) The number of cases referred to the department.
(h) The estimated dollar amount of losses attributable to fraudulent insurance acts, organized by type of fraud, including claimant, employer, provider, agent, and other types.
(i) The estimated dollar amount of recoveries attributable to fraudulent insurance acts, organized by type of fraud, including claimant, employer, provider, agent, and other types.
(j) The dollar amount of claims denied or not paid based on fraud investigation organized by product line.

(k) Quantification of the resources committed to investigating insurance fraud, organized by line of business, for the prior year.
(3) the The commissioner may prescribe the format of the summary report provided for in this Subsection.

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

ACT No. 615

HOUSE BILL NO. 411
BY REPRESENTATIVE GADBERRY
AN ACT

To amend and reenact R.S. 9:154(A)(18) and R.S. 18:1491.7(B)(21) and 1495.5(B)(20) and to enact R.S. 9:154(A)(19) and R.S. 18:1505.2(I)(7), relative to the return of excess campaign contributions; to provide for the return of excess campaign contributions by check; to provide for excess contributions to be transferred as unclaimed property; to provide for the presumption of abandonment; to provide for reporting; and to provide for related matters.

Be it enacted by the Legislature of Louisiana:
Section 1. R.S. 9:154(A)(18) is hereby amended and reenacted and R.S. 9:154(A)(19) is hereby enacted to read as follows:

§154. Presumptions of abandonment
A. Property is presumed abandoned if it is unclaimed by the apparent owner during the time set forth below for the particular property for the following:

* * *
(18) Checks drawn on a campaign account pursuant to R.S. 18:1505.2 for the return of campaign contributions made in excess of contribution limits, six months from the date of the check if not negotiated.
(18) (19) All other property, five years after the obligation to pay or distribute the property arises.

* * *
Section 2. R.S. 18:1491.7(B)(21) and 1495.5(B)(20) are hereby amended and reenacted and R.S. 18:1505.2(I)(7) is hereby enacted to read as follows:
§1491.7. Reports; contents

* * *
B. Each report required to be in conformity with this Section shall contain the following information:

* * *
(21) All other disbursements, not expenditures, made during the reporting period, and the nature, recipient, and an explanation thereof, including any payments paid in accordance with the Uniform Unclaimed Property Act of 1997.

* * *
§1495.5. Reports; contents
* * *

B. Each report required to be in conformity with this Section shall contain the following information:

* * *
(20) All other disbursements, not expenditures, made during the reporting period, and the nature, recipient, and an explanation thereof, including any payments paid in accordance with the Uniform Unclaimed Property Act of 1997.

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

I.
* * *

(7) Contributions made in excess of the limits provided in this Section shall be returned by the candidate, political committee, or other person required to file reports under this Chapter to the contributor by check drawn on the campaign account. If the check is not negotiated within six months of the date of the check, the excess amount shall be presumed abandoned and shall be paid, transferred, or caused to be paid or transferred in accordance with the Uniform Unclaimed Property Act of 1997 by the candidate, political committee, or other person required to file reports under this Chapter.
* * *

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

ACT No. 616

HOUSE BILL NO. 421
BY REPRESENTATIVES PHELPS, BOYD, CARPENTER, WILFORD
CARTER, DOMANGUE, FISHER, GREEN, HUGHES, JACKSON, JORDAN,
LARVADAIN, MENA, MOORE, NEWELL, SELDERS, TAYLOR, WALTERS,
AND WILLARD
AN ACT

To enact R.S. 17:436.5, relative to sickle cell records; to report a sickle cell

disease diagnosis in certain circumstances; to establish a sickle cell disease management and treatment plan; and to provide for related matters.

Be it enacted by the Legislature of Louisiana:

Section 1. R.S. 17:436.5 is hereby enacted to read as follows:

§436.5. Sickle cell disease

The parent or guardian of a student with sickle cell disease may submit to the administration of the student's school a sickle cell disease management and treatment plan developed by the student's parent and treating physician for review and use by school employees with whom the student has regular interaction. The plan shall include the following:

(1) The healthcare accommodations the student may require at school or while participating in a school activity, including but not limited to unrestricted access to the restroom and to adequate hydration and limitations on required physical activity.

(2) Signatures from the student's parent or guardian and from the treating physician.

Approved by the Governor, June 11, 2024.

A true copy:

Nancy Landry
Secretary of State

ACT No. 617

HOUSE BILL NO. 446

BY REPRESENTATIVES HILFERTY, FREEMAN, AND MANDIE LANDRY
AN ACT

To amend and reenact R.S. 42:19(A)(2)(b) and to enact R.S. 42:19(A)(2)(c) and R.S. 49:1305.1, relative to notifications of public meetings; to require public bodies to provide notice of meetings to any person; to require public bodies to give notice of meetings to the commissioner of administration; to provide for the duties of the commissioner of administration relative thereto; and to provide for related matters.

Be it enacted by the Legislature of Louisiana:

Section 1. R.S. 42:19(A)(2)(b) is hereby amended and reenacted and R.S. 42:19(A)(2)(c) is hereby enacted to read as follows:

§19. Notice of meetings

A.

* * *

(2) Written public notice given by all public bodies, except the legislature and its committees and subcommittees, shall include, but need not be limited to:

* * *

(b) ~~Mailing a copy of the~~ Giving notice to any member of the public or the news media who requests notice of such meetings; ~~any such member of the news media shall be given notice of all meetings by providing the notice to the requestor at the same time and in the same manner as it is given to members of the public body.~~

(c) Submitting a notice of each meeting to the commissioner of administration in the manner required by R.S. 49:1303 and 1305.1.

* * *

Section 2. R.S. 49:1305.1 is hereby enacted to read as follows:

§1305.1. Additional limited applicability of Chapter; notices of meetings only; duties of the commissioner

A. Each public body as defined in R.S. 42:13 not included in R.S. 49:1305 but which is required to give notice of its meetings in the manner required by R.S. 42:19(A), is subject to the provisions of this Section but not to other provisions of this Chapter.

B. Each public body subject to this Section shall submit each notice of a meeting to the commissioner of administration in a manner which allows the commissioner enough time to post the notice on the website established pursuant to R.S. 49:1301 prior to the deadline applicable to the public body for giving notice pursuant to R.S. 42:19(A).

C. All submissions of notice required by this Section shall be made in an electronic format designated by the commissioner of administration.

D. The commissioner of administration shall include each notice received pursuant to this Section on the website established pursuant to R.S. 49:1301 in an easily searchable format and shall provide for the capability for members of the public to request and receive electronic notifications of meetings.

E. The commissioner of administration shall establish a timeline and plan for the implementation of the technological functions of the website established pursuant to R.S. 49:1301 required by Subsection D of this Section.

Approved by the Governor, June 11, 2024.

A true copy:

Nancy Landry
Secretary of State

ACT No. 618

HOUSE BILL NO. 461

BY REPRESENTATIVE JACKSON
AN ACT

To enact R.S. 44:22.2, relative to public records; to provide an exception for certain documents related to economic development negotiations by local government; to require certain procedures and notices; to provide

a limitation on the amount of time certain information regarding the negotiations may remain confidential; and to provide for related matters.

Be it enacted by the Legislature of Louisiana:

Section 1. R.S. 44:22.2 is hereby enacted to read as follows:

§22.2. Local government economic development negotiations

A. Notwithstanding any other provision of this Chapter to the contrary, records that are in the custody of a local government that pertain to an active negotiation with a person for the purpose of a proposed project involving the retention, expansion, or attraction of further economic development within the local government's jurisdictional boundaries shall be confidential and shall not be subject to the provisions of R.S. 44:31, 32, or 33 if the person requests such confidentiality in writing at the outset of negotiations detailing the reasons such person requests confidentiality and asserting that the negotiation is conditioned in whole or in part on the maintenance of such confidentiality, and the chief executive officer of the local government determines that the disclosure of such records would have a detrimental effect on the negotiation. Each determination by the chief executive officer shall include reasons for the determination. The chief executive officer shall not enter into any agreement without an affirmative vote of the local governing authority consistent with the Open Meetings Law. The local government shall publish on its website and in its official journal a notice containing general information regarding each negotiation to which records are confidential pursuant to this Section no later than five days after the determination of confidentiality. Such notice shall include the date of the chief executive officer's determination. Records of expenses of the local government pertaining to the negotiation shall be public and subject to review, except that the chief executive officer may redact information that he determines would identify or lead to the identification of the person with whom the local government is negotiating and such information shall be confidential until negotiations are concluded. However, immediately on the conclusion of the negotiation, all such records shall be subject to the provisions of this Chapter.

B. No information made confidential pursuant to Subsection A of this Section shall remain confidential for more than twelve months from the date of the chief executive officer's determination of confidentiality; however, if the negotiation remains active and the chief executive officer makes a new determination that the disclosure of the information would be detrimental to the negotiations and gives notice as provided in Subsection A of this Section, such information shall remain confidential while the negotiation remains active, not to exceed an additional twelve months. Under no circumstances shall information made confidential pursuant to this Section remain confidential for more than twenty-four months from the date of the initial determination of the chief executive officer.

C. For the purposes of this Section:

(1) "Active negotiation" or "negotiation remains active" means a negotiation that has commenced concerning a project for the retention, expansion, or location of a business within the jurisdictional boundaries of the local government and which is not concluded when the local government receives a request for information or other similar document concerning the project. For the purposes of this Section, a negotiation is no longer active or is concluded when the local government decides to no longer actively pursue the proposed project with the person; when the person with whom the local government was negotiating decides not to pursue the proposed project; or when a proposal affecting the negotiation is submitted to a public body for consideration by the public body in a public meeting, whichever occurs earlier.

(2) "Chief executive officer" for a municipality means the mayor and for a parish, means the parish president or the official designated as the chief executive officer of the parish by law or home rule charter.

(3) "Local government" means a parish or municipality.

(4) "Economic development" means a project for which a company seeking incentives commits to either:

(a) Creating or retaining at least fifteen permanent jobs for manufacturing or distribution centers or at least twenty-five permanent jobs for digital media, headquarters, research and development or inbound call center operations.

(b) Having at least five million dollars in capital improvements.

D. The provisions of Subsection A of this Section shall not apply to any application for a license or permit or to any record of negotiations concerning any hazardous waste or waste site as "hazardous waste" and "waste" are defined in R.S. 30:2173.

E. The provisions of this Section shall have no effect unless the party whose information is being maintained as confidential also maintains as confidential any information provided to the party by the local government concerning the project which remains in active negotiation.

F. The provisions of this Section shall terminate on January 1, 2028.

Approved by the Governor, June 11, 2024.

A true copy:

Nancy Landry
Secretary of State

ACT No. 619

HOUSE BILL NO. 463

BY REPRESENTATIVE EGAN
AN ACT

To amend and reenact R.S. 49:191(3) and to repeal R.S. 49:191(12)(a), relative

to the Department of Justice, including provisions to provide for the re-creation of the Department of Justice and the statutory entities made a part of the department by law; to provide for the effective termination date for all statutory authority for the existence of such statutory entities; and to provide for related matters.

Be it enacted by the Legislature of Louisiana:

Section 1. Pursuant to R.S. 49:193, the Department of Justice and the statutory entities made a part of the department by law shall be re-created effective June 30, 2024, and all statutory authority therefor is continued in accordance with the provisions of Part XII of Chapter 1 of Title 49 of the Louisiana Revised Statutes of 1950.

Section 2. All statutory authority for the existence of the Department of Justice and the statutory entities made a part of the department as re-created by Section 1 of this Act shall cease as of July 1, 2031, pursuant to R.S. 49:191. However, the Department of Justice may be re-created prior to such date in accordance with the provisions of Part XII of Chapter 1 of Title 49 of the Louisiana Revised Statutes of 1950.

Section 3. The provisions of R.S. 49:193 are hereby superseded to the extent that those provisions are in conflict with the provisions of this Act.

Section 4. R.S. 49:191(3) is hereby amended and reenacted to read as follows:

§191. Termination of legislative authority for existence of statutory entities; phase-out period for statutory entities; table of dates

Notwithstanding any termination dates set by any previous Act of the legislature, the statutory entities set forth in this Section shall begin to terminate their operations on July first of each of the following years, and all legislative authority for the existence of any statutory entity, as defined in R.S. 49:190, shall cease as of July first of the following year, which shall be the termination date:

* * *

(3) July 1, ~~2010~~: 2030:

(a) The Department of Justice and all statutory entities made a part of the department by law.

* * *

Section 5. R.S. 49:191(12)(a) is hereby repealed in its entirety.

Section 6. This Act shall become effective on June 30, 2024; if vetoed by the governor and subsequently approved by the legislature, this Act shall become effective on June 30, 2024, or on the day following such approval by the legislature, whichever is later.

Approved by the Governor, June 11, 2024.

A true copy:

Nancy Landry
Secretary of State

ACT No. 620

**HOUSE BILL NO. 492
BY REPRESENTATIVE GEYMANN
AN ACT**

To amend and reenact R.S. 19:2(9) through (12) and R.S. 30:1103(12), 1104(C) (introductory paragraph), 1107, 1108(A)(2) and (B)(1) and to enact R.S. 30:1108(A)(3), relative to expropriation; to clarify the rights of owners of land as it relates to eminent domain; to provide for expropriation by certain legal entities; to provide for duties and powers of the commissioner; to provide for certificates of public convenience and necessity; to prohibit the expropriation of reservoir storage rights for geologic storage; to provide an effective date; and to provide for related matters.

Be it enacted by the Legislature of Louisiana:

Section 1. R.S. 19:2(9) through (12) are hereby amended and reenacted to read as follows:

§2. Expropriation by state or certain corporations, limited liability companies, or other legal entities.

Prior to filing an expropriation suit, an expropriating authority shall attempt in good faith to reach an agreement as to compensation with the owner of the property sought to be taken and comply with all of the requirements of R.S. 19:2.2. If unable to reach an agreement with the owner as to compensation, any of the following may expropriate needed property:

* * *

(9) Any domestic or foreign corporation, limited liability company, or other legal entity created for the purpose of, or engaged in, piping or marketing of coal or lignite in whatever form or mixture convenient for transportation within a pipeline as otherwise provided for in R.S. 30:721 through 723.

(10) Any domestic or foreign corporation, limited liability company, or other legal entity ~~composed of such corporations or wholly owned subsidiaries thereof created for the purpose of, or engaged in, the piping or marketing of carbon dioxide for use in connection with a secondary or tertiary recovery project for the enhanced recovery of liquid or gaseous hydrocarbons approved by the commissioner of conservation, or created for the purpose of, or engaged in the transportation of carbon dioxide by pipeline for underground storage, including but not limited to through connecting to an existing pipeline transporting carbon dioxide for underground storage, whether owned or operated by the same entity, and which has received a certificate of public convenience and necessity pursuant to the provisions of R.S. 30:1107(B).~~ Property located in Louisiana may be so expropriated for the transportation of carbon dioxide for underground injection in connection with such projects located in Louisiana or in other states or jurisdictions.

(11) ~~Any domestic or foreign corporation, limited liability company, or other legal entity engaged in any of the activities otherwise provided for in this Section.~~

(12) Any domestic or foreign corporation, limited liability company, or other legal entity ~~composed of such corporations or wholly owned subsidiaries thereof created for the purpose of, or engaged in, the injection of carbon dioxide for the underground storage of carbon dioxide and that has received a certificate of public convenience and necessity pursuant to the provisions of R.S. 30:1107(A) approved by the commissioner of conservation.~~ Property located in Louisiana may be so expropriated for the underground storage of carbon dioxide in connection with such storage facility projects located in Louisiana, including but not limited to surface and subsurface rights, mineral rights, and other property interests necessary or useful for the purpose of constructing, operating, or modifying a carbon dioxide storage facility ~~or transporting carbon dioxide by pipeline to such storage facility.~~ This Paragraph shall not allow for the expropriation of reservoir storage rights for geologic storage of carbon dioxide, except in connection with any project as to which R.S. 30:1108(B)(2) is applicable. This Paragraph shall have no effect on nor does it grant expropriation of the mineral rights or other property rights associated with the approvals required for injection of carbon dioxide into enhanced recovery projects approved by the commissioner under R.S. 30:4.

(12) Subject to any applicable limitations in this Section, any domestic or foreign corporation, limited liability company, or other legal entity created for the purpose of, or engaged in, any of the activities otherwise provided for in this Section.

Section 2. R.S. 30:1103(12), 1104(C)(introductory paragraph), 1107, 1108(A)(2) and (B)(1) are hereby amended and reenacted and R.S. 30:1108(A)(3) is hereby enacted to read as follows:

§1103. Definitions

Unless the context otherwise requires, the words defined in this Section have the following meaning when found in this Chapter:

* * *

(12) “Storage operator” means the person ~~authorized~~ recognized by the commissioner ~~to operate as the operator of a proposed or existing storage facility.~~ A storage operator can, but need not be, the owner of carbon dioxide injected into a storage facility. Ownership of carbon dioxide and use of geologic storage is a matter of private contract between the storage operator and owner, shipper, or generator of carbon dioxide, as applicable.

* * *

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

* * *

C. Prior to the use of any reservoir for the storage of carbon dioxide and prior to the exercise of eminent domain ~~pursuant to the provisions of R.S. 19:2(11) and R.S. 30:1108~~ by any person, firm, or corporation having such right under laws of the state of Louisiana, and as a condition precedent to such use or to the exercise of such rights of eminent domain pursuant to the provisions of R.S. 19:2(11) and R.S. 30:1108, the commissioner, after public hearing pursuant to the provisions of R.S. 30:6, held in the parish where the storage facility is to be located, shall have found at least one of the following:

* * *

§1107. Certificates of public convenience and necessity; certificate of completion of injection operations

A. The commissioner shall issue a certificate of public convenience and necessity or a certificate of completion of injection operations to each person applying therefor if, after a public hearing pursuant to the provisions of R.S. ~~30:6~~ 30:6, held in the parish where the storage facility is to be located, he determines that it is required by the present or future public convenience and necessity, and such decision is based upon the following criteria: (1) the proposed storage facility meets the requirements of R.S. 30:1104(C) and (2) the proposed storage facility meets the requirements of any rules adopted under this Chapter. However, if any person has previously been issued a certificate of public convenience and necessity or a certificate of completion of injection operations by the commissioner, that certificate continues to remain valid and in force.

B. The commissioner shall issue a certificate of public convenience and necessity to each transporter of carbon dioxide applying therefore, whether or not such transporter is also the storage operator for the laying, maintaining, and operating of a pipeline for the transportation of carbon dioxide to a storage facility, and such rights necessary and incidental thereto, if after a public hearing pursuant to the provisions of R.S. 30:6, he determines that it is or will be in the present or future public interest to do so.

B. ~~C.~~ The commissioner shall issue a certificate of completion of injection operations to the operator applying therefor, if after a public hearing pursuant to R.S. 30:6, it is determined that such operator has met all of the conditions required for such certificate, including the requirements of R.S. 30:1109.

~~C. D.~~ Notwithstanding any provision of this Chapter or any rule, regulation, or order issued by the commissioner under this Chapter to the contrary, accepting or acting pursuant to a certificate of public convenience and necessity or a certificate of completion of injection operations issued under this Chapter, compliance with the provisions of this Chapter or with rules, regulations, or orders issued by the commissioner under this Chapter or voluntarily performing any act which could be required by the commissioner pursuant to this Chapter or rules, regulations, or orders issued by the commissioner under this Chapter shall not have the following consequences:

(1) Cause any storage operator or transporter of carbon dioxide for storage to become or be classified as a common carrier or a public utility for any purpose whatsoever.

(2) Subject any storage operator or transporter of carbon dioxide for storage to any duties, obligations, or liabilities as a common carrier or public utility under the constitution and laws of this state.

(3) Increase the liability of any storage operator or transporter of carbon dioxide for storage for any taxes otherwise due to the state of Louisiana in the absence of any additions or amendments to any tax laws of this state.

* * *

§1108. Eminent domain; expropriation

A.

* * *

(2) The exercise of eminent domain or expropriation powers under this Section shall not allow for the expropriation of reservoir storage rights for geologic storage. This prohibition against the use of expropriation of reservoir storage rights for geologic storage shall not apply to the exercise of expropriation powers in connection with any parish as to which Paragraph (B)(2) of this Section is applicable.

(2)(3) In the exercise of the privilege herein conferred, owners or operators of such storage facilities and pipelines shall compensate the parish, municipality, or road district, respectively, for any damage done to a public road, in the construction of storage facilities, and the laying of pipelines, utility, telegraph, or telephone lines, along, under, over, or across the road. Nothing in this Chapter shall be construed to grant any transporter the right to use any public street or alley of any parish, incorporated city, town, or village, except by express permission from the parish, city, or other governing authority.

B.(1) Except as provided in Paragraph (2) of this Subsection, the exercise of the right of eminent domain granted in this Chapter shall not prevent persons having the right to do so from drilling through the storage facility in such manner as shall comply with the rules of the commissioner issued for the purpose of protecting the storage facility against pollution or invasion and against the escape or migration of carbon dioxide. Furthermore, the right of eminent domain set out in this Section shall not prejudice the rights of the owners of the lands or minerals as to all other uses not acquired for the storage facility and not reasonably necessary for the use of the acquired property.

* * *

Section 3. This Act shall take effect and become operative if and when the Act which originated as House Bill No. 966 of this 2024 Regular Session of the Legislature is enacted and becomes effective.

Approved by the Governor, June 11, 2024.

A true copy:

Nancy Landry
Secretary of State

ACT No. 621

HOUSE BILL NO. 508
BY REPRESENTATIVE BAGLEY
AN ACT

To enact R.S. 22:1077.3, relative to health insurance coverage; to require coverage for a patient's choice of medical and surgical treatments following a diagnosis of cancer; to provide for definitions; and to provide for related matters.

Be it enacted by the Legislature of Louisiana:

Section 1. R.S. 22:1077.3 is hereby enacted to read as follows:

§1077.3. Required coverage for a patient's choice of medical and surgical treatments following a diagnosis and treatment of cancer

A. The purpose of this Section is to stress that decisions regarding the treatment procedures to be performed following a diagnosis of cancer shall be made solely by the patient in consultation with attending physicians, and to clarify that all levels of medical and surgical treatment as provided for in this Section are medically necessary and shall not be excluded from coverage. Consulting physicians shall consider recognized, evidence-based standards such as the guidelines of the National Comprehensive Cancer Network in making treatment recommendations.

B.(1) Any health benefit plan offered by a health insurance issuer that provides medical and surgical benefits with respect to treatment for cancer shall provide coverage for the medical and surgical treatment corresponding to urinary and sexual dysfunction resulting from the treatments, chosen by a patient diagnosed with cancer in consultation with the attending physician.

(2) A health benefit plan offered by a health insurance issuer that provides medical and surgical benefits with respect to cancer treatment shall not deny coverage for those procedures correcting urinary and sexual dysfunction resulting from treatments, including penile injections, external pumps, and surgical implants, as chosen by a patient diagnosed with and treated for cancer in consultation with the attending physician.

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

(1) "Health benefit plan" means any hospital, health, or medical expense insurance policy, hospital or medical service contract, employee welfare benefit plan, contract, or other agreement with a health maintenance organization or a preferred provider organization, health and accident

THE ADVOCATE * As it appears in the enrolled bill
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insurance policy, or any other insurance contract of this type in this state, including a group insurance plan and the Office of Group Benefits programs. "Health benefit plan" does not include a plan providing coverage for excepted benefits as defined in R.S. 22:1061, limited benefit health insurance plans, and short-term policies that have a term of less than twelve months.

(2) "Health insurance issuer" means an entity subject to the insurance laws and regulations of this state, or subject to the jurisdiction of the commissioner, that contracts or offers to contract to provide, deliver, arrange for, pay for, or reimburse any of the costs of healthcare services, including through a health benefit plan as defined in this Section, and includes a sickness and accident insurance company, a health maintenance organization, a preferred provider organization, or any similar entity, or any other entity providing a plan of health insurance or health benefits.

Section 2. This Act shall apply to any new policy, contract, program, or health coverage plan issued on or after January 1, 2025. Any policy, contract, or health coverage plan in effect prior to January 1, 2025, shall convert to conform to this Act on or before the renewal date, but not later than January 1, 2026.

Approved by the Governor, June 11, 2024.

A true copy:

Nancy Landry
Secretary of State

ACT No. 622

HOUSE BILL NO. 560
BY REPRESENTATIVE HUGHES
AN ACT

To amend and reenact R.S. 33:4702(B)(2)(introductory paragraph), (b), (c), (d), (g), and (h) and to repeal R.S. 33:4702(B)(2)(i), relative to the New Orleans Regional Business Park; to provide relative to the board of commissioners; to provide for membership and the qualifications and terms of members; and to provide for related matters.

Notice of intention to introduce this Act has been published as provided by Article III, Section 13 of the Constitution of Louisiana.

Be it enacted by the Legislature of Louisiana:

Section 1. R.S. 33:4702(B)(2)(introductory paragraph), (b), (c), (d), (g), and (h) are hereby amended and reenacted to read as follows:

§4702. Board of commissioners; appointment and term; organization

B.

* * *

(2) The board shall be composed of ~~thirteen~~ twelve members who shall be appointed as follows:

* * *

(b) The state senator whose senatorial district is defined in R.S. 24:35(A)(4) from Senate District 4 shall appoint one member.

(c) The state senator whose senatorial district is defined in R.S. 24:35(A)(3) from Senate District 3 shall appoint one member.

(d) The state senator whose senatorial district is defined in R.S. 24:35(A)(1) from Senate District 1 shall appoint one member.

* * *

(g) The state representative whose representative district is defined in R.S. 24:35-2(99) from House District 99 shall appoint one member.

(h) The state representative whose representative district is defined in R.S. 24:35-2(100) from House District 100 shall appoint one member.

* * *

Section 2. R.S. 33:4702(B)(2)(i) is hereby repealed in its entirety.

Approved by the Governor, June 11, 2024.

A true copy:

Nancy Landry
Secretary of State

ACT No. 623

HOUSE BILL NO. 588
BY REPRESENTATIVE CREWS
AN ACT

To amend and reenact R.S. 23:2043(A)(10), (11)(a), and (13), and 2046, to enact R.S. 23:2043(A)(9), and to repeal R.S. 23:2043(A)(11)(b) and (14), relative to workforce development; to add and remove members from the Workforce Investment Council; and to provide for related matters.

Be it enacted by the Legislature of Louisiana:

Section 1. R.S. 23:2043(A)(10), (11)(a), and (13), and 2046 are hereby amended and reenacted and R.S. 23:2043(A)(9) is hereby enacted to read as follows:

§2043. Members

A. The council shall consist of ~~fifty-three~~ members as follows:

* * *

(9) The speaker of the House of Representatives or his designee.

(10) One member appointed by the governor who is a chief executive officer of a community-based organization. The president of the Senate or his designee.

(11)(a) Twenty-seven members representing business and industry appointed by the governor, at least one of whom shall represent a woman-owned business and at least two of whom shall represent minority-owned

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

~~businesses. Members representing business shall be individuals who are owners, chief executive officers, chief operating officers, or other individuals with optimum policymaking or hiring authority and may be members of local boards. Members appointed by the governor, who shall be comprised of the following:~~

~~(i) Not less than fifty-one percent of the members shall be comprised of representatives of businesses in the state, who are any of the following:~~

~~(aa) Business owners, chief executive or operating officers of businesses, or other business executives or employers with optimum policymaking or hiring authority, and who, in addition, may be members of a local board.~~

~~(bb) Representatives of businesses in general, including small businesses, or organizations representing businesses that provide employment opportunities that, at a minimum, include high-quality, work relevant training and development in high-demand industry sectors or occupations in this state, with at least one member being appointed as a representative of a small business as defined by the United States Small Business Administration.~~

~~(cc) Representatives who are appointed from among individuals nominated by state business organizations and business trade associations.~~

~~(ii) Not less than twenty percent of the members shall be comprised of representatives of the workforce within this state, who are any of the following:~~

~~(aa) At least two representatives of labor organizations who have been nominated by state labor federations.~~

~~(bb) At least one representative who is a member of a labor organization or a training director from a registered apprenticeship program in the state.~~

~~(cc) Representatives of community-based organizations who have demonstrated experience and expertise in addressing the employment, training, or education needs of individuals with barriers to employment, including organizations that serve veterans or that provide or support competitive, integrated employment for individuals with disabilities.~~

~~(dd) Representatives of organizations who have demonstrated experience and expertise in addressing the employment, training, or education needs of eligible youth, including representatives of organizations that serve out-of-school youth.~~

~~(ee) Representatives of local workforce development area boards who have served or are currently serving in the capacity as board directors.~~

~~(iii) The balance of the membership may include other representatives or officials as the governor may designate, including but not limited to:~~

~~(aa) State agency officials from agencies that are one-stop partners.~~

~~(bb) State agency officials responsible for economic development or juvenile justice programs in this state.~~

~~(cc) State agency officials responsible for education programs in this state, including chief executive officers of community colleges and other institutions of higher education.~~

~~* * *~~

~~(13)(a) Eleven members representing organized labor appointed by the governor from among nominees submitted by the Louisiana AFL-CIO including representatives of labor organizations and at least one member of a labor organization or a training director from a joint labor management registered apprenticeship program within the state. Following the initial eleven appointments pursuant to this Paragraph, any vacancies that occur for these eleven positions shall be filled from a list of nine nominees submitted by the Louisiana AFL-CIO.~~

~~(b) One of the four organized labor members shall be a certified training director for an apprenticeship program. At least one member who is a representative of the Vocational Rehabilitation Program under the Louisiana Rehabilitation Services.~~

~~* * *~~

~~§2046. Terms~~

~~A. Of the initial forty-one members appointed pursuant to R.S. 10:23:2043(A) (5), (6), and (11), fourteen members shall serve a term of two years, 11 fourteen members shall serve a term of three years, and thirteen members shall serve 12 a term of four years, with all terms ending on June thirtieth of the respective year. Of the initial members appointed pursuant to R.S. 23:2043(A)(5), (6), and (11), not more than thirty-four percent of the members shall serve a term of two years, not more than thirty-three percent of the members shall serve a term of three years, and not more than thirty-three percent of the members shall serve a term of four years, with all terms ending on June thirtieth of the respective year. The terms of the initial members appointed pursuant to each Paragraph shall be designated by the governor so as to be apportioned among the optional initial terms. Thereafter, such appointed members shall serve six-year terms. No person shall serve for more than two terms whether consecutive or not.~~

~~B. The term of a member serving on the council pursuant to R.S. 23:2043(A) (1), (2), (3), (4), (5), (6), (7), and (8); and (14) shall be concurrent with his service in such official capacity.~~

~~Section 2. R.S. 23:2043(A)(11)(b) and (14) are hereby repealed in their entirety.~~

~~Approved by the Governor, June 11, 2024.~~

~~A true copy:~~

~~Nancy Landry
Secretary of State~~

~~-----~~

~~ACT No. 624~~

~~---~~

~~HOUSE BILL NO. 592
BY REPRESENTATIVE MILLER~~

AN ACT

To amend and reenact R.S. 40:2199.12(3), relative to healthcare workplace violence prevention; to require certain healthcare providers to implement workplace violence mitigation initiatives; and to provide for related matters. Be it enacted by the Legislature of Louisiana:

Section 1. 40:2199.12(3) is hereby amended and reenacted to read as follows: §2199.12. Definitions

As used in this Subpart, the following terms have the meaning ascribed to them in this Section:

* * *

(3) “Regulated entity” means any healthcare entity such as a licensed healthcare facility listed in R.S. 40:2006(A)(2), a federally qualified health center as defined in ~~R.S. 40:1185.3~~ R.S. 40:1183.3, a pharmacy permitted in accordance with Part IV of Chapter 14 of Title 37 of the Louisiana Revised Statutes of 1950, and any office of a healthcare provider ~~at which five or more healthcare professionals, as defined in R.S. 14:34.8(B), treat that treats~~ patients and such office is not otherwise licensed by the state but provides healthcare services delivered by a licensee of a healthcare professional licensing board created in Title 37 of the Louisiana Revised Statutes of 1950. A healthcare entity shall not be considered a regulated entity if it employs five or fewer licensed medical providers, such as a physician, pharmacist, advanced practice registered nurse, physician assistant, or dentist.

* * *

Approved by the Governor, June 11, 2024.

A true copy:

Nancy Landry
Secretary of State

ACT No. 625

HOUSE BILL NO. 609
BY REPRESENTATIVE FIRMENT
AN ACT

To amend and reenact R.S. 22:821(B)(34)(introductory paragraph),1311(F)(2), Part XI of Chapter 5 of Title 22 of the Louisiana Revised Statutes of 1950, to be comprised of R.S. 22:1807.1 through 1807.27, and 1892(G), relative to the insurance claim appraisal process; to authorize the commissioner of insurance to collect fees for appraisers and umpires; to modify relative to appraisal clauses within residential property and fire insurance policies; to provide for registration policies and procedures for appraisers and umpires; to provide for penalties; to authorize the commissioner of insurance to impose a penalty upon or sanction violators; to provide for definitions; to provide for an appraisal process; to provide for a selection process for appraisers or umpires; to provide for qualifications for appraisers and umpires; to prohibit conflicts of interest; to provide for job descriptions, responsibilities, and obligations; to prohibit certain communication; to provide for costs; to provide for the payment of appraisal rewards; to provide for an effective date; and to provide for related matters.

Be it enacted by the Legislature of Louisiana:

Section 1. R.S. 22:821(B)(34)(introductory paragraph),1311(F)(2), Part XI of Chapter 5 of Title 22 of the Louisiana Revised Statutes of 1950, comprised of R.S. 22:1807.1 through 1807.27, and 1892(G) are hereby amended and reenacted to read as follows:

§821. Fees

* * *

B. The commissioner shall collect the following fees in advance:

* * *

(34) For appraisers and umpires (one fee for either or both):

First time applicant	\$55.00
Renewal fee (every twelve months)	\$50.00

* * *

§1311. Fire insurance contract; standard provisions; variations

* * *

F. The form of the standard fire insurance policy of the state of Louisiana (with permission to substitute for the word “company” a more accurate descriptive term for the type of insurer) shall be as follows:

* * *

(2) SECOND PAGE OF STANDARD FIRE POLICY

Concealment, fraud-This entire policy shall be void if, whether before or after a loss, the insured has willfully concealed or misrepresented any material fact or circumstance concerning this insurance or the subject thereof, or the interest of the insured therein, or in case of any fraud or false swearing by the insured relating thereto.

Uninsurable and excepted property-This policy shall not cover accounts, bills, currency, deeds, evidence of debt, money, or securities; nor, unless specifically named hereon in writing, bullion, or manuscripts.

Perils not included-This company shall not be liable for loss by fire or other perils insured against in this policy caused, directly or indirectly, by:

(a) enemy attack by armed forces, including action taken by military, naval, or air forces in resisting an actual or an immediately impending enemy attack; (b) invasion; (c) insurrection; (d) rebellion; (e) revolution; (f) civil war; (g) usurped power; (h) order of any civil authority except acts of destruction at the time of and for the purpose of preventing the spread of fire, provided that such fire did not originate from any of the perils excluded by this policy; (i) neglect of the insured to use all reasonable means to save and preserve

the property at and after a loss, or when the property is endangered by fire in neighboring premises; (j) nor shall this Company be liable for loss by theft.

Other insurance-Other insurance may be prohibited or the amount of insurance may be limited by endorsement attached hereto.

Conditions suspending or restricting insurance-Unless otherwise provided in writing added hereto, this Company shall not be liable for loss occurring:

(a) While the hazard is increased by any means within the control or knowledge of the insured; or

(b) While a described building, whether intended for occupancy by owner or tenant, is vacant, or unoccupied beyond a period of sixty consecutive days; or

(c) As a result of explosion or riot, unless fire ensues, and in that event for loss by fire only.

Other perils or subjects-Any other peril to be insured against or subject of insurance to be covered in this policy shall be by endorsement in writing hereon or added hereto.

Added provisions-The extent of the application of insurance under this policy and of the contribution to be made by this Company in case of loss, and any other provision or agreement not inconsistent with the provisions of this policy, may be provided for in writing added hereto, but no provisions may be waived except such as by the terms of this policy is subject to change.

Waiver provisions-No permission affecting this insurance shall exist, or waiver of any provision be valid unless granted herein or expressed in writing added hereto. No provision, stipulation, or forfeiture shall be held to be waived by any requirement or proceeding on the part of this Company relating to appraisal or to any examination provided for herein.

Cancellation of policy-This policy shall be canceled at any time at the request of the insured, in which case this Company shall, upon demand and surrender of this policy, refund the excess of paid premium above the customary short rates for the expired time. This policy may be canceled at any time by this Company by giving to the insured a thirty-day written notice of cancellation, or ten-day written notice when cancellation is for nonpayment of premium, with or without tender of the excess paid premium above the pro rata premium for the expired time which excess, if not tendered, shall be refunded on demand. Notice of cancellation shall state that said excess premium, if not tendered, will be refunded on demand. Upon the written request of the named insured, the insurer shall provide to the insured in writing the reasons for cancellation of the policy. There shall be no liability on the part of and no cause of action of any nature shall arise against any insurer or its agents, employees, or representatives for any action taken by them to provide the reasons for cancellation as required by this Paragraph.

Mortgagee interest and obligations-If loss hereunder is made payable in whole or in part, to a designated mortgagee not named herein as the insured, such interest in this policy may be canceled by delivering or mailing to such mortgagee a thirty-day written notice of cancellation, or a ten-day written notice of cancellation if cancellation is for nonpayment of premium.

If the insured fails to render proof of loss such mortgagee, upon notice, shall render proof of loss in form herein specified within sixty (60) days thereafter and shall be subject to the provisions hereof relating to appraisal and time of payment and of bringing suit. If this Company shall claim that no liability existed as to the mortgagor or owner, it shall, to the extent of payment of loss to the mortgagee, be subrogated to all the mortgagee's rights of recovery, but without impairing mortgagee's rights to sue; or it may pay off the mortgage debt and require an assignment thereof and of the mortgage. Other provisions relating to the interests and obligations of such mortgagee may be added hereto by agreement in writing.

Pro rata liability-This Company shall not be liable for a greater proportion of any loss than the amount hereby insured shall bear to the whole insurance covering the property against the peril involved, whether collectible or not.

Requirements in case loss occurs-The insured shall give immediate written notice to this Company of any loss, protect the property from further damage, forthwith separate the damaged and undamaged personal property, put it in the best possible order, furnish a complete inventory of the destroyed, damaged, and undamaged property, showing in detail quantities, costs, actual cash value, and amount of loss claimed; and within sixty days after loss, unless such time is extended in writing by this Company, the insured shall render to this Company a proof of loss, signed and sworn to by the insured, stating the knowledge and belief of the insured as to the following: the time and origin of the loss, the interest of the insured and of all others in the property, the actual cash value of each item thereof and the amount of loss thereto, all encumbrances thereon, all other contracts of insurance, whether valid or not, covering any of said property, any changes in the title, use, occupation, location, possession, or exposures of said property since the issuing of this policy, by whom and for what purpose any building herein described and the several parts thereof were occupied at the time of loss and whether or not it then stood on leased ground, and shall furnish a copy of all the descriptions and schedules in all policies and, if required, verified plans and specifications of any building, fixtures, or machinery destroyed or damaged. The insured, as often as may be reasonably required shall exhibit to any person designated by this Company all that remains of any property herein described, and submit to examinations under oath by any person named by this Company, and subscribe the same; and, as often as may be reasonably required, shall produce for examination all books of account, bills, invoices and other vouchers, or certified copies thereof if originals be lost, at such reasonable time and place as may be designated by this Company or its representatives, and shall permit extracts and copies thereof to be

made.

Appraisal-In case the insured and this Company shall fail to agree as to the actual cash value or the amount of loss, then, on the written demand of either, each shall select a competent and disinterested appraiser and notify the other of the appraiser selected within twenty days of such demand. The appraisers shall first select a competent and disinterested umpire; and failing for fifteen days to agree upon such umpire, then on request of the insured or this Company such umpire shall be selected by a judge of a court of record in the state in which the property covered is located, in the manner provided by law. The appraisers shall then appraise the loss, stating separately actual cash value and loss to each item, and failing to agree, shall submit their differences, only, to the umpire. An award in writing, so itemized, of any two when filed with this Company shall determine the amount of actual cash value and loss. Each appraiser shall be paid by the party selecting him and the expenses of appraisal and umpire shall be paid by the parties equally.

Company's options-It shall be optional with this Company to take all, or any part, of the property at the agreed or appraised value, and also to repair, rebuild, or replace the property destroyed or damaged with other of like kind and quality within a reasonable time, on giving notice of its intention to do so within thirty days after the receipt of the proof of loss herein required.

Abandonment-There can be no abandonment to this Company of any property.

When loss payable-The amount of loss for which this Company may be liable shall be payable thirty days after proof of loss, as herein provided, is received by this Company and ascertainment of the loss is made either by agreement between the insured and this Company expressed in writing or by filing with this Company of an award as herein provided.

Suit-No suit or action on this policy for the recovery of any first-party claim shall be sustainable in any court of law or equity unless all the requirements of this policy shall have been complied with, and unless commenced within twenty-four months next after the inception of the loss.

Subrogation-This Company may require from the insured an assignment of all right of recovery against any party for loss to the extent that payment therefor is made by this Company.

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PART XI. ~~REGISTRATION OF APPRAISERS FOR FIRE~~
AND EXTENDED COVERAGE
SUBPART A. REGISTRATION

§1807.1. Registration required

~~A. No person shall~~ A person shall not act as, or hold himself out to be, an appraiser in accordance with the provisions of ~~R.S. 22:1311(F)(2)~~ R.S. 22:1311, 1892, or any policy of property insurance covering immovables unless such person is registered with the commissioner ~~of insurance~~ as an appraiser, an umpire, or both.

B. Each person shall register with the commissioner on a form ~~to be~~ prescribed by the commissioner and shall pay the fee required by R.S. 22:821(B)(34).

C. Each registration submitted pursuant to this ~~Part shall expire~~ Subpart expires each year on the anniversary date and may be renewed by filing a request for renewal on a form ~~to be~~ prescribed by the commissioner and by paying the renewal fee required by R.S. 22:821(B)(34).

§1807.2. Rules and regulations

~~The commissioner of insurance is hereby authorized to may~~ adopt such regulations, in accordance with the Administrative Procedure Act, ~~as are necessary to effectuate the requirements of this Part to regulate registration of appraisers for fire and extended coverage.~~

§1807.3. Enforcement

~~A. The commissioner is hereby authorized to may take whichever any~~ actions are necessary or appropriate to enforce the provisions of this Part and the commissioner's regulations. The commissioner may order a person to cease and desist from committing violations of this Part or the commissioner's regulations, or may issue an order prohibiting a person from acting as an appraiser or umpire, and may rescind the registration of any person, if the person has violated who violates this Part or the commissioner's regulations or orders.

B. A person aggrieved by a decision, act, or order of the commissioner pursuant to the provisions of this Part may demand a hearing in accordance with Chapter 12 of this Title, R.S. 22:2191 et seq.

SUBPART B. APPRAISAL PROCESS

§1807.11. Definitions

The following definitions apply to this Subpart:

(1) "Appraiser" means a person who is qualified to be an appraiser pursuant to the provisions of R.S. 22:1807.14 and selected by an insurer or a claimant to participate in the appraisal process.

(2) "Claimant" means a person who makes a first-party claim under a policy of property insurance.

(3) "Good cause" means any of the following:

(a) Any conflict of interest provided for in R.S. 22:1807.14 or 1807.17.

(b) A lack of independence or inability to competently or promptly carry out the duties required by this Part.

(c) Any other reasons that would reasonably be expected to impair an appraisal.

(4) "Immediate family" as the term relates to an appraiser or umpire means his spouse, the parents of his spouse, his parents, his children and their spouses, and his siblings and their spouses.

(5) "Party" means an insurer or a claimant. "Party" includes employees,

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

contractors, and other representatives of a party.

(6) “Umpire” means a person who is qualified to be an appraisal umpire pursuant to the provisions of R.S. 22:1807.17 and selected by the appraisers or a judge to participate in the appraisal process.

(7) “Umpire selection panel” means a list of potential umpires prepared by the commissioner for selection of an umpire pursuant to R.S. 22:1807.19.

§1807.12. Applicability

A. The provisions of this Subpart provide for the appraisal process if all of the following apply:

(1) An insurer has accepted coverage for a claim, in full or in part.

(2) The claimant and insurer have a dispute as to the amount of loss the insurer will pay for the accepted portion of the claim under the policy.

(3) The policy is issued, issued for delivery, or renewed in this state.

(4) The property that is the subject of the claim is located in this state or the dispute is subject to jurisdiction in this state.

(5) The claimant or insurer demands an appraisal pursuant to the policy.

B. Nothing in this Part shall be construed to authorize the commissioner to regulate the practice of law.

C. An umpire appointed by a court pursuant to this Subpart is subject to the supervision of the appointing court for the performance of his duties.

§1807.13. Appraisal process

A. Upon a demand for appraisal, the insurer and the claimant shall each select an appraiser who is independent and qualified pursuant to R.S. 22:1807.14.

B.(1) If the appraisers are unable to agree on the amount of loss, they shall select an umpire who is independent and qualified pursuant to R.S. 22:1807.17.

(2) If the appraisers are unable to agree on an umpire, either appraiser may submit a request to the judge to select an umpire, which shall include all of the following:

(a) The type of policy.

(b) A description of the claim and, if known, the claimed value of the loss.

(c) The insurer’s itemized estimate and a statement of payments made to date.

(d) Any other information that the judge requests.

C. The selected umpire shall participate in the resolution of the dispute if the appraisers fail to reach agreement and instruct the umpire in writing to begin work, or if the period for the appraisers to complete their work provided under applicable law has expired, then either appraiser may instruct the umpire to begin work.

D. An itemized decision agreed to by both appraisers or by one appraiser and the umpire shall set the amount of loss the insurer will pay for the claim subject to applicable policy terms, limits, deductibles, and conditions. The umpire may enter into an itemized decision with either or both appraisers on a compromise basis. The umpire may issue an itemized decision if there is agreement on the amount of the loss, even if there is disagreement as to some of the individual items.

§1807.14. Appraiser qualifications; conflicts of interest

A. To qualify as an appraiser, a person shall meet all of the following criteria:

(1) Have at least three years of experience in the profession in which he is licensed.

(2) Have experience or training in estimating property damage.

(3) Be any one of the following with an active license:

(a) A professional engineer licensed pursuant to R.S. 37:681 et seq. or the laws of another state.

(b) An architect licensed pursuant to R.S. 37:141 et seq.

(c) An adjuster licensed pursuant to R.S. 22:1661 et seq.

(d) A public adjuster licensed pursuant to R.S. 22:1691 et seq.

(e) A general contractor licensed pursuant to R.S. 37:2150 et seq.

B. A potential conflict of interest exists if any of the following apply to an appraiser:

(1) The appraiser is a party to a lawsuit against the insurer.

(2) The appraiser has any other direct or indirect interest, financial or otherwise, of any nature that substantially conflicts with the appraiser’s duties.

C. A disqualifying conflict of interest for an appraiser exists if any of the following apply:

(1) The appraiser or a member of his immediate family is any of the following:

(a) A party to the claim.

(b) A current employee or contractor of a party.

(c) A current employee of the adjuster or public adjuster, including business entity licensees, who adjusted the loss.

(2) The appraiser is a party to a lawsuit against the insurer that is a party to the appraisal.

§1807.15. Appraiser registration; revocation

A. An appraiser shall meet the qualifications in R.S. 22:1807.14 and register by filing with the commissioner all of the following information:

(1) Contact information.

(2) Training and experience in the profession in which he is licensed.

(3) Training and experience related to estimating property damage claims.

(4) Whether the professional experience and training are in residential or commercial property.

(5) Any relevant licenses or certifications.

(6) A general description of the approximate number, types of policies, and value and complexity of property damage claims on which the applicant

worked over the previous five years.

(7) The parishes in which the appraiser is willing to work.

(8) The types of policies and value and complexity of claims on which the appraiser is willing to work.

(9) Any professional disciplinary actions or criminal convictions he has had.

(10) A current biography, resume, or curriculum vitae.

B. The commissioner shall publish a list of appraisers registered pursuant to this Part on the department’s website. Published information shall include an appraiser’s name, contact information, preferred types of claims, and preferred geographic areas.

C. The commissioner may revoke the registration of an appraiser for any of the following reasons:

(1) Dishonest, incompetent, fraudulent, or unethical behavior.

(2) A disciplinary action by any other agency or disciplinary authority against the appraiser, regardless of whether the agency or disciplinary authority’s regulation relates to the appraisal.

(3) Conviction of, or accepting deferred adjudication for, a crime pursuant to state or federal law.

(4) Failure to comply with any requirement of this Subpart.

(5) Other factors relevant to the appraiser’s qualifications, conflicts of interest, or performance.

§1807.16. Appraiser obligations

A. An appraiser shall disclose to the parties any potential conflicts of interest, provided for in R.S. 22:1807.14, no later than five days after hiring by a party and before beginning work on an appraisal.

B. After accepting responsibility for an appraisal, the appraiser shall not withdraw or abandon the appraisal unless compelled to do so by unforeseen circumstances that would render it impossible or impracticable to continue.

C. An appraiser shall postpone an appraisal for a reasonable amount of time if a party shows reasonable cause for a postponement.

D. An appraiser has a duty to do all of the following:

(1) Consider all information provided by the parties and any other reasonably available evidence material to the claim.

(2) Carefully decide all issues submitted for determination regarding the amount of loss.

(3) Give the parties and the other appraiser an itemized written appraisal.

(4) Conduct the appraisal process to advance the fair and efficient resolution of the matters submitted for decision.

E. An appraiser shall not do any of the following:

(1) Permit outside pressure to affect an appraisal.

(2) Delegate the duty to decide to any other person.

(3) Communicate with an umpire without including the other party or the other party’s appraiser, except as permitted in R.S. 22:1807.22.

(4) Charge the parties on a contingent fee basis, percentage of the decision, barter arrangement, gift, favor, or in-kind exchange.

(5) Charge a fee for services if the appraiser withdraws or abandons the appraisal.

§1807.17. Umpire qualifications; conflicts of interest

A. To qualify as an umpire, a person shall meet all of the following requirements:

(1) Be either of the following:

(a) An appraiser qualified pursuant to R.S. 22:1807.14.

(b) An attorney licensed in this state with experience in first-party property damage litigation.

(2) Have no disqualifying conflicts of interest listed in Subsection B of this Section, unless, after full disclosure, the parties agree in writing to waive an otherwise disqualifying conflict of interest.

B. A disqualifying conflict of interest for an umpire exists if any of the following apply:

(1) The umpire or a member of his immediate family is any of the following:

(a) A party to the claim.

(b) A current employee or contractor of a party.

(c) A current employee of the adjuster or public adjuster, including business entity licensees, who adjusted the loss.

(2) The umpire currently has an open claim or acts as a representative or public adjuster on an open claim with the insurer that is a party to the appraisal.

(3) The umpire is a party or a member or employee of a law firm that represents a party to a current lawsuit with the insurer that is a party to the appraisal.

(4) The umpire has any other direct or indirect interest, financial or otherwise, of any nature that substantially conflicts with the umpire’s duties.

§1807.18. Umpire registration; revocation

A. An umpire shall meet the qualifications in R.S. 22:1807.17 and any potential umpire electing to be included in the commissioner’s umpire list pursuant to Subsection B of this Section shall register by filing with the commissioner all of the following information:

(1) Contact information.

(2) Training and experience in the profession in which he is licensed.

(3) Training and experience related to estimating property damage claims.

(4) Whether the professional experience and training are in residential or commercial property.

(5) Any relevant licenses or certifications.

(6) A general description of the approximate number, type of policies, and value and complexity of property damage claims on which the applicant

worked over the previous five years.

(7) The parishes in which the umpire is willing to work.

(8) The types of policies and value and complexity of claims on which the umpire is willing to work.

(9) Any professional disciplinary actions or criminal convictions he has had.

(10) A current biography, resume, or curriculum vitae.

B. The commissioner shall publish a list of umpires registered pursuant to this Part on the department's website. Published information shall include an umpire's name, contact information, preferred types of claims, and preferred geographic areas.

C. The commissioner may revoke the registration of an umpire for any of the following reasons:

(1) Dishonest, incompetent, fraudulent, or unethical behavior.

(2) A disciplinary action by any other agency or disciplinary authority against the umpire, regardless of whether the agency or disciplinary authority's regulation relates to the appraisal.

(3) Conviction of, or accepting deferred adjudication for, a crime pursuant to state or federal law.

(4) Failure to comply with any requirement of this Subpart.

(5) Other factors relevant to the umpire's qualifications, conflicts of interest, or performance.

§1807.19. Umpire selection

A.(1) The provisions of this Section apply if the appraisers are unable to agree on an umpire and a party requests a judge to select an umpire.

(2) A judge selecting an umpire shall select an umpire qualified pursuant to R.S. 22:1807.17.

B. The provisions of Subsections C through H of this Section shall apply when the appraisers agree to request the commissioner to submit an umpire selection panel.

C. In creating an umpire selection panel, the commissioner may consider the following:

(1) The umpire's preferred geographic locations and preferred types of claims.

(2) The proximity of the claimant's property and the umpire.

(3) The umpire's areas of training and expertise.

(4) The extent of the umpire's experience with appraisal and property damage claims.

(5) The subject of the dispute.

(6) The type of policy.

(7) The value and complexity of the claim.

(8) Any conflicts of interest.

(9) Other factors relevant to the dispute.

D.(1) Using a random selection method, the commissioner shall notify at least five umpires of possible inclusion on an umpire selection panel.

(2) Each umpire notified shall respond to the commissioner no later than five days after receiving the notice, stating whether the umpire will accept or reject selection as umpire for an appraisal.

(3) Each umpire accepting selection shall respond by providing all of the following information:

(a) A current resume, curriculum vitae, or brief biographical sketch of the umpire.

(b) A statement as to whether the umpire is insured by the insurer.

(c) Any prior knowledge the umpire has regarding the dispute.

(d) Any disqualifying conflict of interest provided for in R.S. 22:1807.17.

E. The commissioner shall do both of the following:

(1) Create the umpire selection panel.

(2) Send the information provided pursuant to this Section and the umpire selection panel list to the parties and appraisers.

F. If the appraisers select an umpire from the umpire selection panel, the appraisers shall inform the commissioner no later than three days after the agreement.

G. If the appraisers do not agree to an umpire from the umpire selection panel, each appraiser may object pursuant to R.S. 22:1807.26, and the appraisers may agree, in writing, to the commissioner selecting an umpire from the umpire selection panel using a random selection method. If the appraisers do not both agree in writing to that selection, then a judge shall make the appointment pursuant to applicable law.

H. If the appraisers elect to use the random selection method, the commissioner shall notify the umpire selected pursuant to Subsection G of this Section and give the umpire the claim information provided for in R.S. 22:1807.13.

§1807.20. Umpire obligations

A.(1) The umpire shall disclose any disqualifying conflicts of interest provided for in R.S. 22:1807.17 to both parties within five days after hiring by a party and before beginning any work.

(2) The umpire shall recuse himself from an appraisal for which there exists a disqualifying conflict of interest unless the parties agree in writing to waive any conflict of interest.

B. The umpire shall not do either of the following:

(1) Begin work until the appraisers direct the umpire in writing to begin, upon their failure to reach an agreement.

(2) Visit the claimant's property without consent from both appraisers.

C. The umpire shall do all of the following:

(1) Address only items about which the appraisers disagree.

(2) Review the differences and seek agreement with either or both of the

appraisers regarding the disputed items.

(3) Allow each appraiser a fair opportunity to present evidence and arguments.

(4) Review all information submitted by the appraisers and parties, which is related to the dispute, including the itemized appraisals or estimates, supporting documents, photographs, and diagrams.

(5) Prepare an itemized written decision and promptly provide it to the parties and the appraisers.

D. The umpire may do any of the following:

(1) Ask questions and request documents or other evidence, including expert reports.

(2) Consider any conflicts of interest or objections to appraisers upon request of a party.

(3) Accept either appraiser's scope, quantity, value, or cost regarding an item in dispute or develop an independent decision on an item in dispute.

E. Upon accepting an appointment to be the umpire for an appraisal, the umpire shall adhere to the following duties:

(1) The umpire shall decide all matters fairly, exercising independent judgment and integrity.

(2) The umpire shall not do any of the following:

(a) Withdraw or abandon the appraisal, unless compelled by unforeseen circumstances that would render it impossible or impracticable to continue.

(b) Be present for or participate in settlement discussions, unless requested by both parties.

(c) Permit outside influence to affect the appraisal.

(d) Delegate the umpire's decision to any other person.

F.(1) The umpire shall disclose all fees. The umpire may specify different charges for types or values of claims. The provisions of this Paragraph do not apply to umpires selected pursuant to R.S. 22:1807.19.

(2) The umpire shall not charge the parties on a contingent fee basis, percentage of the decision, barter arrangement, gift, favor, or in-kind exchange.

§1807.21. Additional obligations for commissioner-selected umpires

All of the following obligations apply to an umpire selected by the commissioner:

(1) No later than seven days after receiving notice of selection for an appraisal, the umpire shall send a written notice to the parties and the appraisers, containing the following:

(a) The identity of the umpire.

(b) Whether the umpire is insured by the insurer.

(c) A statement informing each party of his respective right to object to the umpire and the method through which the parties may object pursuant to R.S. 22:1807.26.

(2) Before the umpire begins work, the parties shall present the umpire with an appraisal contract that requires the parties and the umpire to comply with the provisions of this Subpart and provides that each party shall pay the appraisal costs provided for in R.S. 22:1807.23.

(3) The umpire shall notify the commissioner upon completion of the appraisal process and upon reaching an appraisal decision.

(4) The umpire shall charge an hourly rate set by the commissioner and may charge a minimum two-hour fee.

(5) The umpire may charge for reasonably incurred travel costs, including mileage, meals, and lodging. If the umpire charges for reasonably incurred travel costs, he shall provide an estimate of the travel costs as an addendum to the contract provided for in Paragraph (2) of this Section.

§1807.22. Prohibited communications

A. All of the following provisions apply after an umpire's selection and before the appraisal process ends:

(1) The umpire shall not communicate separately with either party or either party's appraiser regarding the pending appraisal unless the umpire notifies the other party and gives the other party the opportunity to participate.

(2) The parties and respective appraisers shall not communicate with the umpire regarding the appraisal without including the other party or appraiser, except that:

(a) An appraiser may identify the parties' counsel or experts.

(b) An appraiser may discuss logistical matters, such as setting the time and place of meetings or making other arrangements for the conduct of the proceedings. The appraiser initiating this contact with the umpire shall promptly inform the other appraiser.

(c) If an appraiser fails to attend a meeting or conference call after receiving notice, or if both parties agree in writing, the opposing appraiser may discuss the claim with the umpire who is present.

B. After receiving notice of a possible inclusion on an umpire selection panel, the umpire shall not at any time communicate information about the appraisal with any individual besides the parties' designated representatives, the insurer, the appraisers, and the commissioner. However, the umpire may communicate information about the appraisal with the written consent of both parties.

§1807.23. Costs

A. Each party is responsible for and shall pay the following:

(1) His own appraiser fees and expenses.

(2) Half of the reasonable and necessary costs incurred for an umpire's fee and expenses.

(3) Half of any reasonable and necessary costs incurred to conduct the appraisal.

B. If the parties settle before the umpire begins work, the umpire shall not

charge a fee.

C. The parties shall not pay an appraiser or umpire on a contingent fee basis, percentage of the decision, barter arrangement, gift, favor, or in-kind exchange.

D. The commissioner is not responsible for any appraisal fees, expenses, or costs.

§1807.24. Extensions of deadlines

A. The commissioner may extend any deadline provided in this Subpart for reasonable cause, except the deadline for the umpire to notify the parties that the umpire is insured by the insurer.

B. To request the commissioner to extend a deadline, a party, appraiser, or umpire shall, pursuant to the provisions of R.S. 22:1807.25, send the request in writing to the commissioner explaining the reasonable cause for the extension. Reasonable cause includes military deployment of the claimant.

C. The commissioner shall not approve deadline extensions that exceed an aggregate of one hundred twenty days. This limit does not apply to extensions of the deadline to file an objection because of an umpire being insured by the insurer.

D. If a suit has been filed, extension of deadlines related to a particular case shall only be made by the court of record in which the property is located.

E. Notwithstanding any provision of this Section, appraisers may jointly agree to extend deadlines.

§1807.25. Requests and submissions to the commissioner

A. A party, appraiser, or umpire submitting notices, requests, or other items to the commissioner pursuant to this Subpart shall hand deliver, mail, or send in a manner that is otherwise acceptable to the commissioner.

B. For the purposes of the deadlines imposed by this Subpart, the date applicable to an item is the date the commissioner receives the item.

C. If a party submits a request to the commissioner pursuant to this Section, the party shall provide a copy of the request to the other party on the same day and in the same manner.

§1807.26. Objections

A.(1) A party or appraiser may object to an umpire for good cause no later than ten days after the party or appraiser receives the selection panel.

(2) A party or appraiser may object to an umpire for good cause, no later than thirty days after the appraisal is complete, based on information not provided with the selection panel and discovered after the selection of the umpire.

(3) A party or appraiser may object to an umpire because the umpire is insured by the insurer no later than the earlier of either of the following:

(a) Seven days after receiving the umpire selection panel and the information provided therewith.

(b) Seven days before the umpire begins work.

B. Parties and appraisers shall send all objections to the commissioner pursuant to the provisions of R.S. 22:1807.25, or to the judge if a lawsuit has been filed, and include all of the following information:

(1) The names of the parties involved in the dispute.

(2) The name of the person submitting the objection.

(3) The insurer's claim number.

(4) The name of the umpire that the party or appraiser objects to.

(5) An explanation of the good cause for objecting to the umpire.

(6) An explanation of any direct financial or personal interest that the umpire has in the outcome of the dispute.

C. If the judge determines that good cause exists to replace an umpire who was selected for a dispute, the judge shall select a replacement umpire.

§1807.27. Payment of an appraisal award

A. If an appraisal award made pursuant to the provisions of this Subpart is not paid by the insurer within thirty days of the award amount being submitted to the insurer in a signed writing, the award amount may be considered as evidence but shall not be binding, except as agreed to by the parties, provided that the insurer's period to pay the award shall be extended to any longer period for payment of the amount due as provided by law. Any award payment obligation is subject to the limits of coverage, other terms and conditions of the policy, and reductions for deductibles and prior payments.

B. An insurer's motion to vacate the appraisal award for good cause shall be filed in the court of record in which the property is located within thirty days from the date the insurer receives the appraisal award amount.

* * *

§1892. Payment and adjustment of claims, policies other than life and health and accident; vehicle damage claims; extension of time to respond to claims during emergency or disaster; penalties; arson-related claims suspension

* * *

G. Residential property insurance policies shall contain the following provision, with permission to substitute the words “this company” with a more accurate descriptive term for the insurer:

“Appraisal. If you and this Company fail to agree as to the amount of loss, either party may demand that the amount of the loss be set by appraisal. If either party makes a written demand for appraisal, each party shall select a competent appraiser and notify the other party of their appraiser's identity within twenty days of receipt of the written demand for appraisal. The appraisers shall select a competent and impartial umpire. If after fifteen days the appraisers have not agreed upon who will serve as umpire, the umpire shall be appointed by a judge of the court of record in which the property is located. The appraisers shall appraise the loss pursuant to law. If the appraisers submit written notice of an agreement as to the amount of the loss to this Company, the amount agreed upon shall set the amount of the

loss. If the appraisers fail to agree within thirty days, the appraisers shall submit their differences along with any supporting documentation to the umpire, who shall appraise the loss. The appraisers may extend the time to sixty days for which they shall agree upon the amount of loss or submit their differences and supporting documents to the umpire, if the extension is agreed to by the appraisers from both parties. A written agreement signed by the umpire and either party's appraiser shall set the amount of the loss, pursuant to the appraisal process, but shall not preclude either party from exercising its rights under the policy or the law. Each appraiser shall be paid by the party selecting that appraiser. Other expenses of the appraisal and the expenses of the umpire shall be divided and paid in equal shares by you and this Company. If there is an appraisal award, all applicable policy terms, limits, deductibles, and conditions shall apply. If you file a lawsuit relative to this policy against this Company prior to a demand for appraisal, the lawsuit will be held in abatement during the period between a timely demand for appraisal and the deadline for execution of an appraisal award, pursuant to this clause. The court of record in which the property is located may enforce the deadlines of this clause, set a reasonable deadline for timely demanding appraisal after all parties have filed pleadings in a lawsuit, and require compliance with discovery and disclosure obligations relative to aspects of the lawsuit unrelated to the appraisal.”

* * *

Section 2. The provisions of this Act shall apply to the policies of property insurance issued, delivered, or renewed on or after January 1, 2025.

Approved by the Governor, June 11, 2024.

A true copy:
Nancy Landry
Secretary of State

ACT No. 626

HOUSE BILL NO. 642
BY REPRESENTATIVE ORGERON
AN ACT

To amend and reenact the heading of Chapter 1 of Title 50 of the Revised Statutes of 1950 and R.S. 50:1 through 10 and 173.1, to enact R.S. 29:726(B) (17), and to repeal R.S. 50:11, relative to surveying and mapping standards and coordinate systems; to provide for the Governor's Office of Homeland Security and Emergency Preparedness' operations plan; to provide for the restoration of service to Continually Operating Reference Stations; to provide definitions; to establish the state plane coordinate system and official geodetic datums; to define zones for use with the official coordinate system; to update terminology and references to standards for surveying and mapping; to provide for deprecated state coordinate systems; to provide for the use of coordinate system terminology; to provide for the authority of the Department of Transportation and Development; and to provide for related matters.

Be it enacted by the Legislature of Louisiana:

Section 1. R.S. 29:726(B)(17) is hereby enacted to read as follows:

§726. Governor's Office of Homeland Security and Emergency Preparedness; authority and responsibilities

* * *

B. The office shall prepare and maintain a homeland security and state emergency operations plan and keep it current. The plan shall include the following:

* * *

(17) Coordination with the Louisiana State University Center for GeoInformatics, or any successor entity, designated by the National Geodetic Survey as the Louisiana Spatial Reference Center, to prioritize the restoration of service to Continuously Operating Reference Stations (CORS) within the state.

* * *

Section 2. The heading of Chapter 1 of Title 50 of the Revised Statutes of 1950 and R.S. 50:1 through 10 and 173.1 are hereby amended and reenacted to read as follows:

CHAPTER 1. LOUISIANA COORDINATE SYSTEM SYSTEMS

§1. Definitions Adoption; parishes comprising north and south zones

The terms defined in this Section have the following meaning when found in this Chapter:

(1) “Deprecation” means a decision to discontinue the use of a specific unit or method of measurement.

(2) “Geodetic coordinate” means angular coordinates defined relative to a particular geodetic datum, including, but not limited to, latitude, longitude, ellipsoid height, orthometric height, or dynamic height

(3) “Geodetic datum” means the geometric models representing the earth's size and shape that provide abstract coordinate systems with a reference surface or origin and orientation that serves to provide known locations to begin surveys and create maps; also referred to as a terrestrial reference frame or reference frame.

(4) “International Foot” means the length adopted in 1959 to define the unit of measurement equal to 3,048/10,000 meter.

(5) “Meter” means the length traveled by light in a vacuum during a time interval of exactly 1/299,792,458 seconds.

(6) “National Spatial Reference System” means the consistent coordinate system maintained by the National Geodetic Survey that defines latitude,

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

longitude, height, scale, gravity, and orientation throughout the United States, including an accurate national shoreline; a set of models that describes geophysical processes that affect spatial measurements; and networks of permanently marked points and continuously operating reference stations (CORS) to support three-dimensional positioning activities.

(7) “NATRF2022” means the North American Terrestrial Reference Frame of 2022.

(8) “State plane coordinate system” means the system of conformal map projections created by the National Geodetic Survey to support surveying, engineering, and mapping activities throughout the United States.

(9) “U.S. survey foot” means the length adopted by the United States government in 1893 to define the unit of measurement equal to 1,200/3,937 meter.

(10) “Zone” means a geographic region on the surface of the earth with a uniquely defined projected coordinate reference system, with extents usually based on a specified maximum linear distortion magnitude.

A. The systems of plane coordinates which have been established by the National Ocean Service/National Geodetic Service, formerly the United States Coast and Geodetic Survey, or its successors for defining and stating the geographic positions or locations of points on the surface of the earth within the state of Louisiana are hereafter to be known and designated as the Louisiana Coordinate System of 1927 and the Louisiana Coordinate System of 1983.

B. For the purpose of the use of these systems, the state is divided into a North Zone, South Zone, and an Offshore Zone.

C. The area now included in the following parishes shall constitute the North Zone: Avoyelles, Bienville, Bossier, Caddo, Caldwell, Catahoula, Claiborne, Concordia, DeSoto, East Carroll, Franklin, Grant, Jackson, LaSalle, Lincoln, Madison, Morehouse, Natchitoches, Ouachita, Rapides, Red River, Richland, Sabine, Tensas, Union, Vernon, Webster, West Carroll, and Winn.

D. The area now included in the following parishes shall constitute the South Zone: Acadia, Allen, Ascension, Assumption, Beauregard, Calcasieu, Cameron, East Baton Rouge, East Feliciana, Evangeline, Iberia, Iberville, Jefferson, Jefferson Davis, Lafayette, Lafourche, Livingston, Orleans, Plaquemine, Pointe Coupee, St. Bernard, St. Charles, St. Helena, St. James, St. John the Baptist, St. Landry, St. Martin, St. Mary, St. Tammany, Tangipahoa, Terrebonne, Vermilion, Washington, West Baton Rouge, and West Feliciana.

E. The area now included in that area of the Gulf of Mexico defined as being within 200 miles of the state of Louisiana shall constitute the Offshore Zone.

§2. State plane coordinate system; zones Designation for use in North, South, and Offshore Zones

A. The official geodetic datums for geodetic coordinates referenced within the state shall be as defined by the National Spatial Reference System established by the National Geodetic Survey of the National Oceanic and Atmospheric Administration, or its successors. As established for use in the North Zone, the Louisiana Coordinate System of 1927 or the Louisiana Coordinate System of 1983 shall be named; and in any land description in which it is used, it shall be designated the “Louisiana Coordinate System of 1927 North Zone” or “Louisiana Coordinate System of 1983 North Zone”.

B. The official state plane coordinate system for defining and stating the positions or locations of points on the surface of the earth within the state is the most recent version of the state plane coordinate system for Louisiana based on the National Spatial Reference System established by the National Geodetic Survey and shall be known as the Louisiana Plane Coordinate System. As established for use in the South Zone, the Louisiana Coordinate System of 1927 or the Louisiana Coordinate System of 1983 shall be named; and in any land description in which it is used, it shall be designated the “Louisiana Coordinate System of 1927 South Zone” or “Louisiana Coordinate System of 1983 South Zone”.

(1) For the purpose of using the Louisiana Plane Coordinate System, the state is divided into three projection zone layers designated as the North Zone, the South Zone, and the Statewide Zone, the areas of which are as follows:

(a) The area now included in the following parishes shall constitute the North Zone: Avoyelles, Bienville, Bossier, Caddo, Caldwell, Catahoula, Claiborne, Concordia, DeSoto, East Carroll, Franklin, Grant, Jackson, LaSalle, Lincoln, Madison, Morehouse, Natchitoches, Ouachita, Rapides, Red River, Richland, Sabine, Tensas, Union, Vernon, Webster, West Carroll, and Winn.

(b) The area now included in the following parishes extending to the coastal boundary of Louisiana shall constitute the South Zone: Acadia, Allen, Ascension, Assumption, Beauregard, Calcasieu, Cameron, East Baton Rouge, East Feliciana, Evangeline, Iberia, Iberville, Jefferson, Jefferson Davis, Lafayette, Lafourche, Livingston, Orleans, Plaquemine, Pointe Coupee, St. Bernard, St. Charles, St. Helena, St. James, St. John the Baptist, St. Landry, St. Martin, St. Mary, St. Tammany, Tangipahoa, Terrebonne, Vermilion, Washington, West Baton Rouge, and West Feliciana.

(c) The area now included in the areas of the North Zone and South Zone shall constitute the Statewide Zone.

(2) For purposes of defining more precisely the Louisiana Plane Coordinate System, the following definitions are adopted:

(a) The “Louisiana Plane Coordinate System North Zone” is a Lambert conformal conic projection of the National Spatial Reference System NATRF2022 or its successors, having a central parallel at north latitude 31 degrees 54 minutes 00 seconds, along which parallel the scale shall be 0.999 93 (exact). The origin of the North Zone is at the intersection of the meridian 92 degrees 30 minutes west longitude and the parallel 31 degrees 54 minutes

00 seconds north latitude. This origin is given the coordinates: x (east) = 495,300 meters and y (north) = 190,500 meters.

(b) The “Louisiana Plane Coordinate System South Zone” is a Lambert conformal conic projection of the National Spatial Reference System NATRF2022 or its successors, having a standard parallel at north latitude 30 degrees 00 minutes 00 seconds, along which parallel the scale shall be 0.999 93 (exact). The origin of the South Zone is at the intersection of the meridian 91 degrees 30 minutes 00 seconds west longitude and the parallel 30 degrees 00 minutes 00 seconds north latitude. This origin is given the coordinates: x (east) = 609,600 meters and y (north) = 190,500 meters.

(c) The “Louisiana Plane Coordinate System Statewide Zone” has statewide coverage. It is a Hotine Oblique Mercator projection of the National Spatial Reference System NATRF2022 or its successors, having a north latitude of 31 degrees 00 minutes 00 seconds and a west longitude of 91 degrees 30 minutes, 00 seconds and a skew azimuth of -68 degrees 00 minutes 00 seconds at that point, and the skew axis scale shall be 0.999 8 (exact). This origin is given the coordinates: x (east) = 914,400 meters and y (north) = 381,000 meters.

C. The provisions of this Section shall not be construed to prohibit the appropriate use of other datums or geodetic reference networks when required and appropriate. As established for use in that area of the Gulf of Mexico defined as being within 200 miles of the state of Louisiana, it shall constitute the Offshore Zone.

§3. Linear units defined Plane coordinates

A. The plane coordinates used to express the position or location of a point on the earth's surface within an appropriate plane coordinate system zone shall consist of two distances which shall be expressed in meters and decimals of a meter or in feet and decimals of a foot. One of these distances, to be known as the East or X-coordinate, shall give the distance east of the Y-axis; the other distance, to be known as the North or Y-coordinate, shall give the distance north of the X-axis. The Y-axis of any zone shall be parallel with the central meridian of that zone. The X-axis of any zone shall be at right angles to the central meridian of that zone.

B. When the values are expressed in feet, the U.S. survey foot shall be used as the standard foot for the Louisiana Plane Coordinate System.

The plane coordinate values for a point on the earth's surface, used to express the geographic position or location of such point in the appropriate zone of this system, shall consist of two distances expressed in U.S. Survey feet and decimals of a foot when using the Louisiana Coordinate System of 1927 and expressed in meters and decimals of a meter, or the equivalent distance in feet and decimals of a foot, (conversion factor is 3937 divided by 1200), when using the Louisiana Coordinate System of 1983. One of these distances to be known as the “x-coordinate”, shall give the position in an east and west direction; the other, to be known as the “y-coordinate”, shall give the position in a north and south direction. These coordinates shall be made to depend upon and conform to plane rectangular coordinate values for the monumented points of the North American Horizontal Geodetic Control Network as published by the National Ocean Service/National Geodetic Survey, or its successors, and whose plane coordinates have been computed on the systems defined in this Chapter. Any such station may be used for establishing a survey connection to either Louisiana Coordinate System.

§4. Describing of location

For purposes of describing the location of any point in the state of Louisiana, it shall be considered a complete, legal, and satisfactory description of such location to give the position of a said survey station or land boundary corner on the system of plane coordinates defined in this Chapter.

§5. Purchaser or mortgagee reliance on description not required to rely on description depending solely on system

Nothing contained in this Chapter shall require a purchaser or mortgagee to rely on a description; which depends exclusively upon a particular state plane coordinate system either Louisiana Coordinate System.

§6. Land in different zones

When any tract of land to be defined by a single description extends from one zone into another the other of the above coordinate zones, the positions of all points on its boundaries may be referred to either of the two zones, but the zone which is used shall be being specifically named in the description.

§7. Superseded state coordinate systems; definitions retained Louisiana Coordinate System defined

A. The Louisiana Coordinate System of 1927 was deprecated beginning December 31, 1995, and the Louisiana Coordinate System of 1983 will be deprecated upon the National Geodetic Survey's release of the National Spatial Reference System of 2022. The previously adopted definitions for these deprecated systems are retained.

B. Zones. For these deprecated systems, the state was divided into a North Zone, a South Zone, and an Offshore Zone as follows:

(1) The area now included in the following parishes shall constitute the North Zone: Avoyelles, Bienville, Bossier, Caddo, Caldwell, Catahoula, Claiborne, Concordia, DeSoto, East Carroll, Franklin, Grant, Jackson, LaSalle, Lincoln, Madison, Morehouse, Natchitoches, Ouachita, Rapides, Red River, Richland, Sabine, Tensas, Union, Vernon, Webster, West Carroll, and Winn.

(2) The area now included in the following parishes shall constitute the South Zone: Acadia, Allen, Ascension, Assumption, Beauregard, Calcasieu, Cameron, East Baton Rouge, East Feliciana, Evangeline, Iberia, Iberville, Jefferson, Jefferson Davis, Lafayette, Lafourche, Livingston, Orleans, Plaquemine, Pointe Coupee, St. Bernard, St. Charles, St. Helena, St. James, St. John the Baptist, St. Landry, St. Martin, St. Mary, St. Tammany, Tangipahoa, Terrebonne, Vermilion, Washington, West Baton Rouge, and West Feliciana.

(3) The area now included in that area of the Gulf of Mexico defined as being within two hundred miles of the state of Louisiana shall constitute the Offshore Zone.

C. Definition of zones.

(1) For purposes of more precisely defining the Louisiana Coordinate System of 1927, the following definition by the United States Coast and Geodetic Survey, now National Ocean Service/National Geodetic Service, was previously is adopted:

(4)(a) The “Louisiana Coordinate System of 1927 North Zone” is a Lambert conformal conic projection of the Clarke spheroid of 1866, having standard parallels at north latitudes 31 degrees 10 minutes and 32 degrees 40 minutes, along which parallels the scale shall be exact. The origin of coordinate is at the intersection of the meridian 92 degrees 30 minutes west of Greenwich and the parallel 30 degrees 40 minutes north latitude. This origin is given the coordinates: x = 2,000,000’ and y = 0’, as now defined.

(2)(b) The “Louisiana Coordinate System of 1927 South Zone” is a Lambert conformal conic projection of the Clarke spheroid of 1866, having standard parallels at north latitudes 29 degrees 18 minutes and 30 degrees 42 minutes, along which parallels the scale shall be exact. The origin of coordinates is at the intersection of the meridian 91 degrees 20 minutes west of Greenwich and the parallel 28 degrees 40 minutes north latitude. This origin is given the coordinates: x = 2,000,000’ and y= 0’, as now defined.

B. (2) For purposes of more precisely defining the Louisiana Coordinate System of 1983, the following definition by the National Ocean Service/ National Geodetic Service was previously is adopted:

(4)(a) The “Louisiana Coordinate System of 1983 North Zone” is a Lambert conformal conic projection of the North American Datum of 1983, having standard parallels at north latitudes 31 degrees 10 minutes and 32 degrees 40 minutes, along which parallels the scale shall be exact. The origin of coordinates is at the intersection of the meridian 92 degrees 30 minutes west of Greenwich and the parallel 30 degrees 30 minutes north latitude. This origin is given the coordinates: x = 1,000,000 meters and y = 0 meters.

(2)(b) The “Louisiana Coordinate System of 1983 South Zone” is a Lambert conformal conic projection of the North American Datum of 1983, having standard parallels at north latitudes 29 degrees 18 minutes and 30 degrees 42 minutes along which parallels the scale shall be exact. The origin of coordinates is at the intersection of the meridian 91 degrees 20 minutes west of Greenwich and the parallel 28 degrees 30 minutes north latitude. This origin is given the coordinates: x = 1,000,000 meters and y = 0 meters.

(3)(c) The “Louisiana Coordinate System of 1983 Offshore Zone” is a Lambert conformal conic projection of the North American Datum 1983, having standard parallels at north latitudes 26 degrees 10 minutes and 27 degrees 50 minutes, along which parallels the scale shall be exact. The origin of coordinates is at the intersection of the meridian 91 degrees 20 minutes west of Greenwich and the parallel 25 degrees 30 minutes north latitude. This origin is given the coordinates: x = 1,000,000 meters and y = 0 meters.

§8. Accuracy requirements Distance of boundary points from station
A. Accuracy requirements for surveys and maps purporting to define the position of a point shall be those expressed in the Standards of Practice for Boundary Surveys promulgated by the Louisiana Professional Engineering and Land Surveying Board or its successor. No survey or map purporting to define the position of a point shall be presented for recordation in any public land records or deed records unless they comply with these accuracy requirements.

B. Accuracy requirements for mapping shall be those expressed in the United States National Map Accuracy Standards or its successor unless the project specifically calls for the use of another standard, in which case, the alternative standard shall be clearly stated on the map or document.

~~No coordinate based on either Louisiana Coordinate System, purporting to define the position of a point, shall be presented to be recorded in any public land records or deed records unless such point is within five kilometers of a monumented horizontal control station established in conformity with the standards of accuracy and specification for first or second order geodetic surveying as prepared and published by the Federal Geodetic Control Committee (FGCC) of the United States Department of Commerce. Standards and Specifications of the FGCC or its successors in force on date of said survey shall apply. The publishing of the existing control stations, or the acceptance with intent to publish the newly established control stations, by the National Ocean Service/National Geodetic Service will constitute evidence of adherence to the FGCC Specification. Above limitations may be modified by a duly authorized state agency, the Department of Transportation and Development, to meet local conditions.~~

§9. Duly authorized state agency
The state Department of Transportation and Development is designated as the authorized state agency, ~~as referred to in R.S. 50:8~~, to administer the provisions of this Chapter, to collect and distribute information, ~~to authorize such modifications as are referred to in R.S. 50:8~~, and generally to advise with and assist appropriate state and federal agencies and individuals interested in the development of the provisions of this Chapter.

§10. Use of Louisiana coordinate system names term “Louisiana Coordinate System” in document

Use of the terms “Louisiana Coordinate System of 1927”, “Louisiana Coordinate System of 1983”, and “Louisiana Plane Coordinate System” on any map, report of a survey, or other document shall be limited to coordinates based on the coordinate systems defined in this Chapter.

~~The use of the term “Louisiana Coordinate System of 1927 ‘North’, ‘South’~~

~~Zones” or “Louisiana Coordinate System of 1983 ‘North’, ‘South’, or ‘Offshore’ Zones” on any map, report of survey, or other document shall be limited to coordinates based on the Louisiana Coordinate System as defined in this Chapter.~~

* * *

§173.1. Geodetic Vertical control standards
~~Controls Vertical controls~~ for all surveys shall be determined in the National Spatial Reference System or its successors North American Vertical Datum of 1988 (NAVD88). All measurements shall be referenced to local control stations of the National Spatial Reference System or its successors, specifically the public domain Louisiana State University Continuously Operating Reference Stations network or other reference stations currently approved by the National Oceanographic and Atmospheric Administration National Geodetic Survey approved reference stations, such as benchmarks, monuments, or continually operating reference stations.

Section 2. R.S. 50:11 is hereby repealed in its entirety.

Approved by the Governor, June 11, 2024.

A true copy:
Nancy Landry
Secretary of State

ACT No. 627

HOUSE BILL NO. 659
BY REPRESENTATIVE PHELPS
AN ACT

To amend and reenact R.S. 47:2158.1(B) and 2231.1(B), relative to tax sale property; to provide for the rights of owners of certain tax sale property; to provide for penalties for certain violations; to increase the penalties for certain violations; and to provide for related matters.

Be it enacted by the Legislature of Louisiana:

Section 1. R.S. 47:2158.1(B) and 2231.1(B) are hereby amended and reenacted to read as follows:

§2158.1. Prohibition of certain actions; exceptions

* * *

B.(1) The acquiring person shall not be entitled to or charge any rental or lease payments to the owner or occupants and shall not place any constructions on or make any improvements to the tax sale property during the redemptive period. An acquiring person who violates the provisions of this Section shall be subject to a penalty of five percent of the price paid by the acquiring person for tax title and five percent of any amounts paid by the tax debtor who is the owner of and who is residing in the tax sale property for rental or lease payments. The penalty shall accrue from the time the acquiring person took possession of the property until the time the property is redeemed. Furthermore, nothing in this Section shall be construed to limit the rights of a tax debtor who is the owner of and who is residing in the tax sale property to recover rental or lease payments paid to an acquiring person in violation of the provisions of this Section.

(2) In addition to the penalties provided for in Paragraph (1) of this Subsection, an acquiring person who violates the provisions of this Section shall forfeit any right to claim any statutory imposition associated with the property other than the delinquent amount of unpaid ad valorem taxes if the property is redeemed in accordance with law.

* * *

§2231.1. Prohibition of certain actions; exceptions

* * *

B.(1) The acquiring person shall not be entitled to or charge any rental or lease payments to the owner or occupants and shall not place any constructions on or make any improvements to the tax sale property during the redemptive period. An acquiring person who violates the provisions of this Section shall be subject to a penalty of five percent of the price paid by the acquiring person for tax title and five percent of any amounts paid by the tax debtor who is the owner of and who is residing in the tax sale property for rental or lease payments. The penalty shall accrue from the time the acquiring person took possession of the property until the time the property is redeemed. Furthermore, nothing in this Section shall be construed to limit the rights of a tax debtor who is the owner of and who is residing in the tax sale property to recover rental or lease payments paid to an acquiring person in violation of the provisions of this Section.

(2) In addition to the penalties provided for in Paragraph (1) of this Subsection, an acquiring person who violates the provisions of this Section shall forfeit any right to claim any statutory imposition associated with the property other than the delinquent amount of unpaid ad valorem taxes if the property is redeemed in accordance with law.

* * *

Approved by the Governor, June 11, 2024.

A true copy:
Nancy Landry
Secretary of State

ACT No. 628

HOUSE BILL NO. 669
BY REPRESENTATIVE BOYD

AN ACT

To enact R.S. 44:11.2, relative to public records; to provide for definitions; to provide relative to the judicial administrator of the supreme court; to provide for limited access to personal information for protected individuals; to provide for mandamus, injunctive or declaratory relief, and attorney fees or damages; and to provide for related matters.

Be it enacted by the Legislature of Louisiana:

Section 1. R.S. 44:11.2 is hereby enacted to read as follows:

§11.2. Limited access to personal information for protected individuals

A. As used in this Section, the term “protected individual” shall mean:

(1) A current or retired justice of the Louisiana Supreme Court or a current or retired judge of an appellate, district, family, juvenile, parish, city, or municipal court established under the Constitution of Louisiana.

(2) A current or retired justice or judge of a federal court, including a United States Bankruptcy Court, domiciled in the state.

(3) A current or retired magistrate appointed by a court of the state.

(4) A current or retired United States magistrate judge domiciled in the state.

(5) A current or retired commissioner or hearing officer of any district court in the state.

B. As used in this Section, the term “personal information” shall mean:

(1) Home address.

(2) Home telephone number.

(3) Mobile telephone number.

(4) Personal email address.

(5) Social Security number.

(6) Driver's license number.

(7) Federal tax identification number.

(8) Bank account number, including checking and savings accounts.

(9) Credit or debit card number.

(10) License plate number or unique identifier of a vehicle.

(11) Marital record.

(12) Date of birth.

(13) School or daycare of a child.

(14) Place of worship.

(15) Employment location of a spouse, child, or dependent.

C. As used in this Section, the term “publish” shall mean to publicly post or publicly display on the internet, personal information of a protected individual who submits a request pursuant to Subsection E of this Section.

D. As used in this Section, the term “public body” refers to a “public body” as defined in R.S. 44:1(A)(1).

E. A protected individual, or the judicial administrator's office on behalf of a protected individual, may request that a public body or third party:

(1) Not publish the protected individual's personal information.

(2) Remove the protected individual's personal information from any existing publication.

(3) A request made under this Section shall:

(a) Be in writing and contain the document type, description of the location on the public body's website, date of filing, registry or docket number, and an electronic mail address for correspondence.

(b) Be sent by certified mail or by electronic mail address.

(c) Provide sufficient information to confirm that the requester is a protected individual, and that a request made by the judicial administrator's office certifies that a requester is a protected individual, and no further information may be required to confirm that the requester is a protected individual.

(d) Identify the document, posting, or other publication containing the personal information.

(4) A request made under this Section may include the personal information of a person who resides in the same household of the protected individual who is the spouse, child, or dependent of the protected individual.

(5) The protected individual shall be responsible for confirming receipt of the request.

F.(1) Not later than ten days after receiving a request as provided by Subsection D of this Section, a public body shall acknowledge receipt of the request in writing by certified mail or by email and take steps reasonably necessary to ensure that the personal information is not published.

(2) If the personal information is already published, provide for the removal of the personal information within fifteen days after acknowledgment of receipt of the request or provide a reason in writing why the request has not been fulfilled.

G. On receipt of a request under Subsection D of this Section, a third party to whom a request is made shall:

(1) Provide for the removal of the personal information within seventy-two hours after receipt of the request.

(2) Notify the protected individual or the judicial administrator's office by certified mail or by email of the removal.

H. A protected individual or the judicial administrator's office may bring an action for mandamus due to a violation of this Section against a public body or third party for:

(1) Declaratory relief.

(2) Injunctive relief.

(3)(a) Reasonable attorney fees.

(b) For a third party, an action for a violation of this Section may also be brought for damages incurred as a result of a violation of this Section.

I. A person who violates this Section is guilty of a misdemeanor and on conviction is subject to imprisonment not exceeding ninety days or a fine

not exceeding one thousand dollars, or both. Neither this provision nor any other penalty provision shall apply to a public body.

Section 2. The provisions 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. 629

HOUSE BILL NO. 683

BY REPRESENTATIVES OWEN, AMEDEE, BAYHAM, BILLINGS, BOURRIAQUE, BOYER, BRAUD, BRYANT, CARLSON, CARRIER, WILFORD CARTER, CHASSION, COX, CREWS, DEWITT, DICKERSON, EGAN, FARNUM, FISHER, FONTENOT, GREEN, HORTON, JORDAN, KNOX, LAFLEUR, MANDIE LANDRY, LARVADAIN, LYONS, MCCORMICK, MCMAHEN, MELERINE, MOORE, RISER, ROMERO, SCHAMERHORN, SELDERS, TARVER, TAYLOR, TURNER, WALTERS, WILEY, AND WYBLE AND SENATORS ABRAHAM, ALLAIN, BARROW, BOUDREAUX, CARTER, CLOUD, DUPLESSIS, HARRIS, JACKSON-ANDREWS, MCMATH, AND PRICE

AN ACT

To amend and reenact R.S. 32:8(A)(2) and (3) and (B) and 429.4(B) and (E) through (H) and to enact R.S. 32:8(D), 429.4(A)(5) and (I), and 863.1.2, relative to motor vehicle reinstatements; to remove the mandate for the office of motor vehicles to refer final delinquent debt to the office of debt recovery; to provide for definitions; to authorize the office of motor vehicles to settle debt to avoid litigation and collection expenses; to require debtors to provide an electronic mail address to the office of motor vehicles for receipt of notices and updates; to remove equal monthly installments amounts that are tied to specific amounts a debtor owes; to provide for the assessment of a late fee for the failure to make an installment payment and request reinstatement; to create a reinstatement relief program to be governed by the commissioner of the office of motor vehicles; to require the office of motor vehicles to provide reinstatements at all of its field locations; and to provide for related matters.

Be it enacted by the Legislature of Louisiana:

Section 1. R.S. 32:8(A)(2) and (3) and (B) and 429.4(B) and (E) through (H) are hereby amended and reenacted and R.S. 32:8(D), 429.4(A)(5) and (I), and 863.1.2 are hereby enacted to read as follows:

§8. Final delinquent debt; office of motor vehicles

A. For purposes of this Section, the following words shall have the following meanings unless the context clearly indicates otherwise:

* * *

(2) “Delinquent debt” means a debt that is ~~sixty~~ one hundred eighty days or more past due.

(3) “Final debt” means ~~the amount due is no longer negotiable and that the debtor has no further right of administrative and judicial review regarding the amount.~~

* * *

B. The office of motor vehicles ~~shall~~ may refer a final delinquent debt for which a debtor has not entered into an installment agreement for payment to the office of debt recovery as provided in R.S. 47:1676. Final delinquent debt referrals shall include data and information in the required format necessary to institute collection procedures. All delinquent debts shall be authenticated by the office of motor vehicles prior to being referred to the office of debt recovery. Once the delinquent debt becomes final; and prior to referral to the office of debt recovery, the office of motor vehicles shall notify the debtor in writing that failure to pay the debt in full within sixty days shall subject the debt to the ~~maximum~~ amount owed, as specified in R.S. 32:57.1(B), 863(A)(3)(a), and 863.1, together with the additional fee collected by the office of debt recovery provided for in R.S. 47:1676. Such notice shall also inform the debtor that he may qualify to pay sums due by installment agreement, if eligible, and shall include instructions on how to inquire with the office of motor vehicles to determine eligibility and terms.

* * *

D. The office of motor vehicles, through the commissioner, may compromise and settle all debt, whether such debt is delinquent debt, final debt, or a debt that has been referred to the office of debt recovery as a final delinquent debt to avoid litigation and further collection expenses of the state upon satisfactory showing of substantial compliance with the law and determination that no fee or lesser fee is due.

* * *

§429.4. Installment agreement; outstanding penalties, fines, and fees owed to the office of motor vehicles

A.

* * *

(5) A debtor shall provide a valid electronic mail address to the office of motor vehicles to receive all notices and updates. It shall be the debtor's obligation to maintain a valid electronic mail address during the entire term of any installment agreement conferred pursuant to this Section. The debtor shall promptly update the installment agreement system with any new or changed electronic mail address.

B.(1) Installment agreement payment schedule. Any installment agreement

shall require a debtor to provide fixed and equal monthly payments in the following amounts, with the first payment due upon the execution of the agreement:.

~~(1) If the debtor owes two hundred fifty dollars, the debtor shall pay six equal monthly installments.~~

~~(2) If the debtor owes from two hundred fifty-one dollars to seven hundred fifty dollars, the debtor shall pay twelve equal monthly installments.~~

~~(3) If the debtor owes from seven hundred fifty-one dollars to one thousand five hundred dollars, the debtor shall pay twenty-four equal monthly installments.~~

~~(4) If the debtor owes from one thousand five hundred one dollars to two thousand five hundred dollars, the debtor shall pay thirty-six equal monthly installments.~~

~~(5) If the debtor owes from two thousand five hundred one dollars to four thousand nine hundred ninety-nine dollars, the debtor shall pay forty-eight equal monthly installments.~~

~~(6) If the debtor owes five thousand or more, the debtor shall pay up to sixty monthly installment payments. However, the commissioner of the office of motor vehicles may grant longer payment terms for amounts of five thousand dollars or more owed based on proof of income indicating a debtor's financial limitations to pay within sixty months.~~

(2) The commissioner of the office of motor vehicles may take into account factors such as the debtor's income, financial obligations, as well as any other factors that affect the debtor's ability to pay the outstanding debt when the commissioner is determining the number of payments and the amount of each payment in the debtor's installment agreement.

* * *

E. The failure to make a scheduled payment in accordance with the terms of the installment agreement shall result in the assessment of a late fee in the amount of twenty-five dollars which shall be added to the total amount due. Upon the failure to receive a payment, the office of motor vehicle shall send an electronic mail notification to the debtor to update the debtor's payment information and pay the missed payment. If, after receiving the electronic mail notice, the debtor updates the payment information, pays the late fee, and submits the missed payment, the installment agreement shall remain in place and no further action will be taken. In such case, the missed payment and late fee shall be received by the office of motor vehicles prior to the next scheduled payment date.

E. (F) Termination of installment agreement upon failure to make payment.

(1) If any installment payment is not paid on or before the date fixed for its payment, and the debtor fails to make up the missed payment as provided in Subsection E of this Section, the entire amount unpaid pursuant to the installment agreement shall be paid by the debtor within a sixty-day period from the date of notice and demand from the commissioner of the office of motor vehicles. The notice shall further advise the debtor that his driver's license shall be suspended upon the expiration of the sixty-day period if the payments due pursuant to the installment agreement are not made current within that sixty-day period or the agreement is not reinstated by the commissioner of the office of motor vehicles within that sixty-day period. This notice shall be known as "Notice of Installment Agreement Termination and Demand".

(2) The Notice of Installment Agreement Termination and Demand shall satisfy all notice requirements contained in R.S. 32:8 and R.S. 47:1676. In the event an installment agreement includes payment of delinquent or final debt as defined by R.S. 32:8, such notice shall include all information required by R.S. 32:8. In the event that an installment agreement includes payment of delinquent or final debt as defined by R.S. 47:1676, such notice shall include all information required by R.S. 47:1676. The notice required by this Paragraph shall satisfy the notice requirements of R.S. 32:8 and R.S. 47:1676.

(3) Upon request of the debtor within the sixty-day period from the date of the notice and demand required in Paragraph (1) of this Subsection and approval of the commissioner of the office of motor vehicles, the office of motor vehicles may reinstate the installment agreement after payment of all the missed installments and associated late fees installment.

(4) If a request for reinstatement of an installment agreement is not made within sixty days of the notice and demand required by Paragraph (1) of this Subsection, or if the commissioner of the office of motor vehicles rejects a request to reinstate an installment agreement, the installment agreement shall be terminated and any remaining sums due under the installment agreement shall be delinquent and final debt as defined by R.S. 32:8 or R.S. 47:1676 for which the following shall apply:

(a) For sums due which are not considered debt as defined by R.S. 32:8, the office of motor vehicles may refer any unpaid balance due under the installment agreement for collection by the appropriate office pursuant to R.S. 47:1676 and this Section.

(b) For sums due which are debt as defined by R.S. 32:8, the office of motor vehicles may shall refer any unpaid balance due under the installment agreement to the Department of Revenue, office of debt recovery, for collection as provided in R.S. 32:8 and R.S. 47:1676.

G. F. Driving privileges and vehicle registration. (4) A debtor's Class "E" driving privileges and motor vehicle or truck registration privileges shall be reinstated when an installment agreement is executed by the debtor and the office of motor vehicles. All blocks on the debtor's license record shall be removed at that time. The office of motor vehicles may include the applicable fee for reinstatement of driving privileges in the total to be owed pursuant to an installment agreement entered into pursuant to this Section.

~~(2) If a debtor fails to timely make an installment payment and no request for reinstatement of the installment agreement is made following the commissioner's sending the Notice of Installment Agreement Termination and Demand, or the commissioner of the office of motor vehicles rejects a request to reinstate an installment agreement, the debtor's driving privileges and motor vehicle or truck registration privileges shall be suspended. The provisions of R.S. 32:414 shall apply with regard to judicial review of the suspension and reinstatement of the suspension.~~

H. G. Administration of installment agreements. (1) The Department of Public Safety and Corrections, public safety services, may authorize a third party, including but not limited to the Department of Revenue, office of debt recovery, to administer installment agreements executed pursuant to this Section. Such authorized third party may collect payments due pursuant to installment agreements executed pursuant to this Section. Any such authorized third party shall be an authorized agent of the Department of Public Safety and Corrections, public safety services, and may collect the following fees for each transaction completed pursuant to this Section:

(a) A fee not to exceed three dollars for each payment made pursuant to an installment agreement.

(b) Fees authorized by R.S. 40:1322.

(c) Fees authorized pursuant to R.S. 49:316.1.

(2) The provisions of R.S. 47:1576.2 shall not apply to services provided by the Department of Revenue, office of debt recovery, pursuant to this Subsection.

(3) For purposes of this Section, the office of motor vehicles and the office of debt recovery shall not be considered a collection agency as defined in R.S. 9:3534.1.

I. H. Rules. The office of motor vehicles and the Department of Revenue, office of debt recovery, may adopt rules and regulations in accordance with the Administrative Procedure Act to implement the provisions of this Section.

* * *

§863.1.2. Reinstatement Relief Program

A. The commissioner of the office of motor vehicles is authorized to implement a Reinstatement Relief Program for persons who owe reinstatement fees imposed pursuant to R.S. 32:863 for having a lapse in insurance coverage.

B. The commissioner shall determine the amount of reinstatement fees the person owes. The person shall promptly pay the amount determined to be owed no later than ten calendar days from the date the commissioner sets the amount that is owed. If the person needs to make payment arrangements, the person shall execute an installment agreement with the office of motor vehicles. Such an installment agreement shall only be for the amount determined to be owed by the commissioner together with all fees associated with the installment agreement as provided in R.S. 32:429.4. If a person executes an installment contract; that person shall maintain eligibility to remain in the Reinstatement Relief Program only if they make all payments required in the installment agreement. If a person fails to make a timely payment; and fails to pay the missed payment with the associated late fee before the next scheduled payment, the person shall be removed from the Reinstatement Relief Program and shall not be eligible to reenter the Reinstatement Relief Program.

C. The commissioner may request such documentation and information from the person as is necessary to determine the amount of any payment and the number of any payment including but not limited to income tax returns and prior bankruptcy filings.

D. If the person successfully completes the Reinstatement Relief Program, the office of motor vehicles shall issue documentation to the person indicating the amount of debt that was paid and the amount of debt that was forgiven.

Section 2. The provisions of this Act shall retroactively apply to all persons who have outstanding debt on the effective date of this Act, even if the debt has already been referred to the office of debt recovery. However, any debt referred to the office of debt recovery on or before the effective date of this Act, shall be considered delinquent debt if the debt was sixty days or more past due, as provided in Act No. 414 of the 2015 Regular Session.

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 11, 2024.

A true copy:

Nancy Landry
Secretary of State

ACT No. 630

HOUSE BILL NO. 694

**BY REPRESENTATIVES BOYD, BAYHAM, BILLINGS, CARVER, COX,
KNOX, MOORE, NEWELL, STAGNI, AND WILLARD
AN ACT**

To enact Chapter 4-A of Title 25 of the Louisiana Revised Statutes of 1950, to be comprised of R.S. 25:315 through 317, and R.S. 36:209(A)(11) relative to the Louisiana Music Commission; to establish the commission within the Department of Culture, Recreation and Tourism, to provide relative to operating funds and appropriations by the legislature; to provide relative to

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

donations to the commission; and to provide for related matters.
Be it enacted by the Legislature of Louisiana:

Section 1. Chapter 4-A of Title 25 of the Louisiana Revised Statutes of 1950, comprised of R.S. 25:315 through 317, is hereby enacted to read as follows:

CHAPTER 4-A. LOUISIANA MUSIC COMMISSION

§315. Louisiana Music Commission; creation; membership
A.(1) The Louisiana Music Commission, referred to in this Chapter as the “commission” is established in the office of cultural development within the Department of Culture, Recreation and Tourism, referred to in this Chapter as the “department”, and shall be domiciled in the greater Baton Rouge area. The commission shall be composed of fifteen persons.

(2)Thirteen members of the commission shall be appointed by the lieutenant governor, at least one of whom shall be a member of a minority, for a term concurrent with that of the lieutenant governor making the appointment. Each appointment by the lieutenant governor shall be submitted to the Senate for confirmation.

(3) Two members of the commission shall be appointed by the secretary of state, at least one of whom shall be a member of a minority, for a term concurrent with that of the secretary of state making the appointment. Each appointment by the secretary of state shall be submitted to the Senate for confirmation.

(4) The lieutenant governor shall designate one of the members to serve as chairman. The members shall elect other officers as they deem necessary for the efficient operation of the business of the commission. A majority of the commission shall constitute a quorum for the transaction of business of the commission.

B. A vacancy in the membership of the commission shall be filled by an appointment made by either the lieutenant governor or the secretary of state, whichever made the original appointment that is now vacant.

C. Members shall receive no compensation for their services.
D. Meetings shall be held upon call of the chairman at such time and place within the state of Louisiana as he designates in the notice, which he shall give to the full membership. The commission shall hold not less than two meetings nor more than fourteen meetings during each calendar year and other special meetings as necessary. Meetings shall be called by the chairman when requested by three members of the commission.

E. With the consent of the secretary of the department, the commission may appoint a director to administer the functions of the commission. The director is subject to the direct supervision of the secretary of the department.

§316. Operating funds; appropriations by the legislature
A. The department shall include in its annual budget request, required by R.S. 39:32, a request for funds necessary for support of the commission. The governor shall include in the executive budget submitted to the legislature sufficient funding for the support of the operations of the commission.

B. Funds appropriated by the legislature to the department for the operation of the commission shall be used solely for that purpose. No administrative costs of any kind shall be charged by the department for any services associated with placement of the commission within the jurisdiction of the department.

§317. Donations
The commission may solicit funds from any source, public or private, for expenditure by the department to accomplish the purposes of the commission.

Section 2. R.S. 36:209(A)(11) is hereby enacted to read as follows:
§209. Transfer of boards, commissions, departments, and agencies to Department of Culture, Recreation and Tourism

A. The following agencies are transferred to and hereafter shall be within the Department of Culture, Recreation and Tourism in accordance with the provisions of R.S. 36:901 et seq. except as otherwise provided by this Subsection:

* * *
(11) The Louisiana Music Commission (R.S. 25:315 et seq.).
* * *

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

ACT No. 631

HOUSE BILL NO. 695
BY REPRESENTATIVE FONTENOT
AN ACT

To enact R.S. 32:387.21, 387.22, and 387.23, relative to trucks transporting materials; to authorize the issuance of per project special permits for trucks transporting materials; to establish a fee for the special permit; to provide for a weight limitation; to establish certain requirements for permit holders; to provide for a penalty; to provide for rule promulgation; and to provide for related matters.

Be it enacted by the Legislature of Louisiana:
Section 1. R.S. 32:387.21, 387.22, and 387.23 are hereby enacted to read as follows:

§387.21. Special permit; trucks transporting earthen materials for government funded levee projects

A. Notwithstanding any other provision of law to the contrary, the secretary shall issue a per project special overweight permit for each truck transporting

earthen materials for government funded levee projects. Each per project permit shall be valid for one year from the date of issuance.

B. The permit shall be issued in accordance with the following provisions:
(1) Upon application for a special permit, the applicant shall designate the specific routes to be utilized for transporting the materials and identify the project for which they are transporting materials.

(2) The fee for the permit shall be one thousand dollars per project. However, if the project exceeds the one-year validity of the permit, a new permit shall be required.

(3) The permit shall authorize the operation of the vehicle or straight truck at a gross weight not to exceed seventy thousand pounds for which twenty-two thousand pounds for steering axle and forty-eight thousand pounds for tridum group while operating on any state-maintained highway except on the Interstate system. Nothing contained in this Section shall preempt municipal or parish ordinances from regulating weight limits on municipal or parish streets or roads.

C. The secretary shall impose a penalty for each violation of the weight limit pursuant to R.S. 32:388.

D. As used in this Section, “earthen materials” includes minerals, rocks, and soil.

E. The secretary may promulgate rules and regulations in accordance with the Administrative Procedure Act as are necessary to enforce the provisions of this Section.

§387.22. Special permit; ten percent weight variance for trucks, trucks and trailers hauling raw input materials for concrete and finished concrete products

Notwithstanding any provision of law to the contrary, relating only to the hauling of raw input materials for concrete and finished concrete products, the secretary shall issue annual special permits for a fee of four hundred dollars per unit that prohibit both gross weight and axle weight penalties for the operation of trucks or truck-and-trailers on roads of the state when the total excess weight is ten percent or less of the truck or truck and trailer’s maximum permissible gross weight as provided by law. The permit shall not authorize any truck or truck-trailer combination described in this Part to exceed load posted weight limits on any bridge.

§387.23. Special permit; twelve percent weight variance for single unit dump trucks.

Notwithstanding any provision of law to the contrary, relating only to single unit dump-trucks and with no limitation as to the material being hauled, the secretary shall issue annual special permits for a fee of eight hundred dollars per truck that prohibit both gross weight and axle weight penalties for the operation of dump trucks on state-maintained highways when the total excess weight is twelve percent or less of the truck’s maximum permissible gross weight as provided by law. The permit shall not authorize any truck described in this Part to exceed load posted weight limits on any bridge.

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

ACT No. 632

HOUSE BILL NO. 700
BY REPRESENTATIVES DESHOTEL, BRYANT, CARRIER, FISHER,
HEBERT, TRAVIS JOHNSON, KNOX, LACOMBE, LAFLEUR,
LARVADAIN, MARCELLE, MENA, OWEN, SELTERS, ST. BLANC,
TAYLOR, AND THOMPSON
AN ACT

To amend and reenact R.S. 51:1363.1(E) and 2370.32 and to enact R.S. 51:1363.1(F), 2370.17, 2370.18, 2370.33(E), 2370.34, and 2370.35, Subpart C of Part VI-C of Chapter 39 of Title 51 of the Louisiana Revised Statutes of 1950, to be comprised of R.S. 51:2370.41, and Subpart D of Part VI-C of Chapter 39 of Title 51 of the Louisiana Revised Statutes of 1950, to be comprised of R.S. 51:2370.51, relative to broadband; to provide for a grant program by the office of broadband to prevent utility damage; to provide for a public records exemption; to provide for liability; to provide for obligations; to provide for reporting requirements; to provide for coordination with parishes and municipalities; to allow a local government to establish a fee; to provide for reimbursement for grantees; to provide for failure to perform protocols; to provide for the “Granting Unserved Municipalities Broadband Opportunities 3.0” program; to provide for the “Granting Unserved Municipalities Broadband Opportunities 4.0” program; and to provide for related matters.

Be it enacted by the Legislature of Louisiana:
Section 1. R.S. 51:1363.1(E) and 2370.32 are hereby amended and reenacted and R.S. 51:1363.1(F), 2370.17, 2370.18, 2370.33(E), 2370.34, and 2370.35, Subpart C of Part VI-C of Chapter 39 of Title 51 of the Louisiana Revised Statutes of 1950, comprised of R.S. 51:2370.41, and Subpart D of Part VI-C of Chapter 39 of Title 51 of the Louisiana Revised Statutes of 1950, comprised of R.S. 51:2370.51, are hereby enacted to read as follows:
§1363.1. Mapping areas for broadband service

* * *

E.(1) The office may create a grant program and promulgate rules to prevent damage to existing utilities and ensure proper documentation of utilities associated with the grant program. After review by the House Committee on

Commerce and the Senate Committee on Commerce, Consumer Protection and International Affairs, the Joint Legislative Committee on the Budget shall review and approve the rules and regulations before implementation.

(2) Data collected or provided in accordance with this Subsection on infrastructure owned, operated, leased, or otherwise used by an internet service provider or telecommunications provider, or its affiliates or subsidiaries, shall be confidential and exempt from the Public Records Law, R.S. 44:4.1 et seq., and exempt from disclosure under any other provision of law.

(3) No GUMBO 2.0 applicant or grantee shall be liable for damages or required to pay any penalty to any person or governmental entity for an act or omission of a local government, utility system, or the office related to or arising from the collection of data pursuant to this Subsection.

(4) Nothing in this Subsection shall be construed to relieve any person or operator of a public or private underground facility or utility of its obligations under the Louisiana Underground Utilities and Facilities Damage Prevention Law, R.S. 40:1749.11 et seq.

F. The office shall not hire more than one additional full-time employee to carry out the provisions of the Section.

* * *

§2370.17. Reporting requirements

A. Beginning August 1, 2024, any GUMBO 1.0 grantee shall report all instances of known damage to existing underground utilities that occur during the construction or installation of broadband infrastructure funded by GUMBO 1.0.

B. Reports shall be submitted to the office in a monthly report, once construction has begun.

C. The report shall include all of the following:

(1) The date and location of the incident.

(2) A description of the damage caused.

(3) Steps taken to address the damage.

D. Failure to report such incidents may result in the suspension of GUMBO 1.0 funding.

§2370.18. Coordination with parishes and municipalities

Beginning August 1, 2024, broadband providers receiving funding through the GUMBO 1.0 program shall provide a thirty-day advanced written notice prior to the commencement of GUMBO 1.0 construction activities to the relevant parish or municipality. Nothing in this Section relieves the GUMBO 1.0 grantee of its obligations to comply with local regulations and ordinances.

* * *

§2370.32. Reimbursement for grantees

Reimbursements of eligible costs shall be made by percentage of total project costs expended: ten percent, thirty-five percent, sixty percent, eighty-five percent, and the final fifteen percent payment shall not be paid without an approved completion report. Invoice for final payment shall be submitted within ninety days of a completion date. All invoices are subject to audit for three years from the completion date.

A. GUMBO 2.0 awards shall be made on a fixed-amount subaward basis, consistent with NTIA's Tailoring the Application of the Uniform Guidance Policy Notice, and an initial ten percent disbursement shall be made available immediately upon entering into a subgrantee agreement.

B. Except as provided in Subsection C of this Section, the next ten percent of the subgrant award shall be provided based on provider certification and the office's verification that ten percent of the eligible locations have been reached. The remaining disbursements shall be given at the thresholds of completion of thirty-five percent, sixty percent, eighty-five percent, and one hundred percent. The final disbursement for one hundred percent completion shall be given only after verification of one hundred percent deployment to eligible locations, within the mandatory forty-eight months maximum deadline, which may be extended up to a year by the office or another shorter timeline certified by the applicant. The office shall disburse funds only for completed deployments that comply with the terms included in the successful application and shall withhold funds for failure to do so.

C. Notwithstanding any other provision of law to the contrary, the office may disburse on any basis that may be necessary to effectuate option 2.4, Subgrantee Option for Alternative Initial LOC or Performance Bond Percentage made available in the BEAD Letter of Credit Waiver issued by NTIA on November 1, 2023, and the office may give full effect to that option as a means of enabling a subgrantee to satisfy the GUMBO 2.0 letter of credit requirement.

§2370.33. Failure to perform

* * *

E.(1) Any GUMBO 2.0 subgrantee also subject to deployment obligations elsewhere in this state, including from programs such as the Rural Digital Opportunity Fund, the Enhanced Alternative Connect America Model, the Rural Development Broadband ReConnect Program, or any other similar program included in the BEAD deduplication process, shall make an enforceable commitment as part of its GUMBO 2.0 subgrant agreement not to default or otherwise fail to fulfill any such deployment obligation in this state. The penalty for breach of this commitment shall be, as reimbursement for funding that could have been awarded but for other federal program funding, payment to the state in the amount equal to the total investment cost of all defaulted locations, as measured by the Eligible Entity tool provided to the state by NTIA.

(2)(a) For the purposes of Paragraph (1) of this Subsection, the office shall determine if a broadband provider has defaulted or otherwise failed to fulfill

a deployment obligation.

(b) The office shall not approve any default that covers more than five percent of the unserved or underserved locations subject to the deployment obligation.

§2370.34. Reporting requirements

A. Any GUMBO 2.0 grantee shall report all instances of known damage to existing underground utilities that occur during the construction or installation of broadband infrastructure funded by GUMBO 2.0.

B. Reports shall be submitted to the office in a monthly report, once construction has begun.

C. The report shall include all of the following:

(1) The date and location of the incident.

(2) A description of the damage caused.

(3) Steps taken to address the damage.

D. Failure to report such incidents may result in the suspension of GUMBO 2.0 funding.

§2370.35. Coordination with parishes and municipalities

A. Broadband providers receiving funding through the GUMBO 2.0 program shall provide a thirty-day advanced written notice prior to the commencement of GUMBO 2.0 construction activities to the relevant parish or municipality. Nothing in this Section relieves the GUMBO 2.0 grantee of its obligations to comply with local regulations and ordinances.

B. The relevant local governmental subdivision may do either of the following:

(1) Require a one-time GUMBO 2.0 grant assessment for construction and installation of GUMBO 2.0 grant-funded broadband facilities and may charge a corresponding one-time GUMBO 2.0 grant assessment fee not to exceed one thousand dollars.

(2) Require a permit for construction and installation of GUMBO 2.0 grant-funded broadband facilities, and may charge a corresponding one-time permit fee not to exceed one thousand dollars.

C. The office shall not award GUMBO 2.0 funding to an eligible applicant's project covering any areas in which the city or parish with authority over the public right of way imposes any form of franchise fee on broadband services, or which violates Subsection B of this Section.

SUBPART C. GRANTING UNSERVED MUNICIPALITIES BROADBAND OPPORTUNITIES 3.0

§2370.41. GUMBO 3.0

In the event there are remaining GUMBO 2.0 funds after the obligation of infrastructure funds, the office shall run a grant program, nondeployment, that will allow eligible parties including but not limited to state agencies, nonprofits, for-profits, academic institutions, and planning commissions to utilize these funds to help address challenges in economic development, workforce development, healthcare, cybersecurity, agriculture, and other sectors and industries of importance to the state of Louisiana, as determined by approval of Volume 2 of Initial Proposal from the office and the Infrastructure Investment and Jobs Act, or IIJA, the Broadband Equity, Access, and Deployment, or BEAD, Program, and the Notice of Funding Opportunity, or NOFO, with an obligation deadline of these funds to be completed no later than December 12, 2024. This program will be designated as "Granting Unserved Municipalities Broadband Opportunities 3.0" and the office shall have the authority to create appropriate rules and scoring criteria.

SUBPART D. GRANTING UNSERVED MUNICIPALITIES BROADBAND OPPORTUNITIES 4.0

§2370.51. GUMBO 4.0

The office shall have the authority to develop the rules, scoring criteria, and eligibility in the execution of the State's First Digital Opportunity Plan, pending approval from the National Telecommunications and Information Administration, a Sub-Agency of the United States Department of Commerce. Eligible parties shall include but not be limited to state agencies, nonprofits, for-profits, academic institutions, and planning commissions. This program will be designated as "Granting Unserved Municipalities Broadband Opportunities 4.0".

Section 2. The funds for GUMBO 2.0 outlined in Subsection E of R.S. 51:2370.33 as enacted by Section 1 of this Act are to be obligated by and spent within the maximum timelines allowed by NTIA.

Section 3. The funds for GUMBO 3.0 outlined in R.S. 51:2370.41 as enacted by Section 1 of this Act are to be obligated by December 12, 2024 and to be spent by December 31, 2028.

Section 4. The funds for GUMBO 4.0 outlined in R.S. 51:2370.51 as enacted by Section 1 of this Act are to be spent by March 1, 2029.

Approved by the Governor, June 11, 2024.

A true copy:

Nancy Landry
Secretary of State

ACT No. 633

HOUSE BILL NO. 728
BY REPRESENTATIVES DAVIS, BRASS, CARPENTER, CARVER,
EDMONSTON, FREIBERG, OWEN, ST. BLANC, TAYLOR, LACOMBE,
CHASSION, AND KNOX
AN ACT
To amend and reenact R.S. 17:3047.2(A)(1), relative to the M.J. Foster Promise

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

Program; to provide relative to eligibility requirements; to lower the minimum age required for initial qualification for a program award; to provide for the phasing in of the lowered age requirement over time; to provide for effectiveness; and to provide for related matters.

Be it enacted by the Legislature of Louisiana:

Section 1. R.S. 17:3047.2(A)(1) is hereby amended and reenacted to read as follows:

§3047.2. Initial eligibility

A. To be eligible for the award, an applicant shall meet the following requirements:

(1) ~~Be at least twenty-one years old. Meet the following minimum age requirements:~~

(a) ~~Be at least twenty years old in the 2024-2025 award year.~~

(b) ~~Be at least nineteen years old in the 2025-2026 award year.~~

(c) ~~Be at least eighteen years old in the 2026-2027 award year.~~

(d) ~~Be at least seventeen years old in the 2027-2028 award year and thereafter.~~

* * *

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 11, 2024.

A true copy:

Nancy Landry
Secretary of State

ACT No. 634

HOUSE BILL NO. 744
BY REPRESENTATIVE GLORIOSO
AN ACT

To amend and reenact R.S. 11:1762(A), relative to the Municipal Employees' Retirement System; to provide relative to the retirement benefit of retirees who return to part-time employment in a position covered by the system; 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 Article X, Section 29(C) of the Constitution of Louisiana.

Be it enacted by the Legislature of Louisiana:

Section 1. R.S. 11:1762(A) is hereby amended and reenacted to read as follows:

§1762. Part-time reemployment of retirees

A.(1) Whenever a retiree receiving normal retirement benefits becomes reemployed by an employer but he does not meet the definition of an employee and either his monthly earnings are equal to or less than the difference between his monthly average final compensation and his monthly retirement benefit ~~or he has more than thirty years of creditable service and is at least age sixty~~, his retirement benefits shall continue without any reduction and he shall not be a member of the system.

(2) Whenever a retiree who has thirty years or less of creditable service and who is receiving normal retirement benefits becomes reemployed by an employer but he does not meet the definition of an employee and his monthly earnings exceed the difference between his monthly average final compensation and his monthly retirement benefit, his retirement benefits shall be reduced by the amount his monthly earnings exceed the difference between his monthly average final compensation and his monthly retirement benefit for every month of such employment and he shall not be a member of the system. The calculation of monthly earnings shall not include income attributable to service as a part-time elected official listed in R.S. 11:164.

* * *

Section 2. The provisions of this Subsection shall terminate on June 30, 2028.

Approved by the Governor, June 11, 2024.

A true copy:

Nancy Landry
Secretary of State

ACT No. 635

HOUSE BILL NO. 762
BY REPRESENTATIVES BAMBURG, AMEDEE, BAYHAM, BERAULT,
BILLINGS, BRASS, CARVER, CHASSION, HORTON, LAFLEUR, JACOB
LANDRY, LYONS, MARCELLE, MYERS, OWEN, TAYLOR, WILDER, AND
WYBLE
AN ACT

To amend and reenact R.S. 17:183.3(B)(3) and to enact R.S. 17:24.4(F)(1)(g), relative to student assessments; to remove the requirement that students pursuing a career diploma take the ACT; to authorize such students to take the Armed Services Vocational Aptitude Battery; to authorize students pursuing a diploma other than a career diploma to take the WorkKeys test and the Armed Services Vocational Aptitude Battery under certain circumstances; to require the State Board of Elementary and Secondary Education to develop a system of equivalent scores for such tests for school and district accountability purposes; to provide for implementation; and to

provide for related matters.

Be it enacted by the Legislature of Louisiana:

Section 1. R.S. 17:183.3(B)(3) is hereby amended and reenacted and R.S. 17:24.4(F)(1)(g) is hereby enacted to read as follows:

§24.4. Louisiana Competency-Based Education Program; statewide standards for required subjects; Louisiana Educational Assessment Program; parish or city school board comprehensive pupil progression plans; waivers

* * *

F.(1)

* * *

(g) If state board policy requires a student pursuing a diploma other than a career diploma to take the ACT, the student may also take the WorkKeys test and the Armed Services Vocational Aptitude Battery, and the State Board of Elementary and Secondary Education shall develop a system of equivalent scores for the ACT, the WorkKeys test, and the Armed Services Vocational Aptitude Battery and use a student's highest score achieved on such test or tests for purposes of the school and district accountability system required by R.S. 17:10.1.

* * *

§183.3. Career major; description; curriculum and graduation requirements

* * *

B.

* * *

(3) A student pursuing a career diploma shall take the American College Test ACT, and may choose to take the WorkKeys test, or the Armed Services Vocational Aptitude Battery. The State Board of Elementary and Secondary Education shall develop a system of equivalent scores for the American College Test ACT, and the WorkKeys test, and the Armed Services Vocational Aptitude Battery and shall use a student's highest score achieved on such test or tests for purposes of the school and district accountability system required by R.S. 17:10.1.

* * *

Section 2. The provisions of R.S. 17:24.4(F)(1)(g) as enacted by this Act and the provisions of R.S. 17:183.3(B)(3) as amended and reenacted by this Act shall be implemented beginning with the 2025-2026 school year.

Approved by the Governor, June 11, 2024.

A true copy:

Nancy Landry
Secretary of State

ACT No. 636

HOUSE BILL NO. 763 (Substitute for House Bill No. 90 by
Representative Beaulieu)
BY REPRESENTATIVE BEAULLIEU
AN ACT

To enact R.S. 18:425.2, relative to elections; to provide relative to directives, guidance, and funding from the federal government regarding elections; to require certain notifications regarding such directives, guidance, and funding; to prohibit implementation of directives and guidance and acceptance of federal funds under certain circumstances; to provide for an effective date; and to provide for related matters.

Be it enacted by the Legislature of Louisiana:

Section 1. R.S. 18:425.2 is hereby enacted to read as follows:

§425.2. Election officials; requirements and prohibitions

A. An election official who receives a federal directive or guidance pertaining to elections that is not published on the secretary of state's website or is offered new federal funding for the purpose of funding elections and wishes to implement the directive or guidance or accept the funding shall notify the secretary of state of such funding, directive, or guidance within five business days after receipt.

B.(1) Except as provided in Subsection C of this Section, no election official shall implement any federal directive or guidance pertaining to elections or be authorized to accept or disburse new federal funding for the purpose of funding elections without either an explicit state or federal legal requirement to do so or prior approval of the House Committee on House and Governmental Affairs and the Senate Committee on Senate and Governmental Affairs as provided by this Subsection.

(2) If the secretary of state wishes to seek approval of such implementation or authorization by the House Committee on House and Governmental Affairs and the Senate Committee on Senate and Governmental Affairs, the secretary shall submit such request to the chairman of each committee within five business days of the receipt of the notification by the secretary of state pursuant to Subsection A of this Section. Each election official shall implement or refrain from implementing the directive or guidance or accept or disburse or refrain from accepting or disbursing new federal funding as follows:

(a) If after consulting with the secretary of state or his designee both committees vote to approve implementation or authorize acceptance and disbursement, the official shall implement the directive or guidance or accept or disburse the federal funding.

(b) If neither committee votes, within thirty days after receipt of the request from the secretary of state, to prohibit implementation or acceptance and disbursement, the official shall implement the directive or guidance or accept or disburse the federal funding.

(c) If after consulting with the secretary of state or his designee either committee votes, within thirty days after receipt of the request from the secretary of state, to prohibit the implementation or acceptance and disbursal, the official shall not implement the directive or guidance or accept or disburse the federal funding.

C. Within ninety days of the initial declaration of a state of emergency, the secretary of state may implement any federal directive or guidance pertaining to elections or authorize the acceptance or disbursal of new federal funding for the purpose of funding elections without either an explicit state or federal legal requirement to do so by publishing the directive or authorization on his website and giving immediate notification of the directive or authorization to the House Committee on House and Governmental Affairs and the Senate Committee on Senate and Governmental Affairs. The secretary of state's authorization shall expire thirty days after publication unless the House Committee on House and Governmental Affairs and the Senate Committee on Senate and Governmental Affairs approve the directive or guidance or authorize the acceptance and disbursal of funds as provided in Paragraph (B) (2) of this Section.

D. If an election official accepts and disburses federal election funds in violation of this Section, the attorney general shall pursue any available legal means to enjoin the official from doing so and to recover expended funds.

E. This Section shall not apply to funds provided pursuant to the Help America Vote Act or any other funding subject to state or federal law regarding its acceptance and disbursal.

F. Not later than March first of each year, the secretary of state shall report to the House Committee on House and Governmental Affairs and the Senate Committee on Senate and Governmental Affairs the following information for the prior calendar year:

(1) Notifications received by the secretary of state from local election officials pursuant to Subsection A of this Section.

(2) The source and amount of any federal funding, including grant awards, received within the prior calendar year by the department or local election officials for the purpose of conducting elections.

G. For purposes of this Section, "election official" has the same meaning as provided in R.S. 18:1466.

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 in 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. 637

HOUSE BILL NO. 766

BY REPRESENTATIVES KNOX, ADAMS, AMEDEE, BACALA, BERAULT,
BUTLER, CARPENTER, CARRIER, ROBBY CARTER, WILFORD
CARTER, CHASSION, COATES, CREWS, DEWITT, FISHER, FREIBERG,
GREEN, HORTON, ILLG, JORDAN, KERNER, LAFLEUR, MARCELLE,
MOORE, NEWELL, OWEN, PHELPS, SELTERS, TAYLOR, THOMPSON,
AND ZERINGUE

AN ACT

To amend and reenact R.S. 29:289, relative to educational benefits for beneficiaries of qualified veterans; to provide relative to educational benefits for children and spouses of qualified veterans; to provide relative to limitations on educational benefits; and to provide for related matters.

Be it enacted by the Legislature of Louisiana:

Section 1. R.S. 29:289 is hereby amended and reenacted to read as follows:
§289. Limitations on educational benefits

~~The department of veterans affairs~~ Department of Veterans Affairs may expend from any funds available for that purpose whatever sums are necessary for the subsistence, maintenance, or other necessary expenses of beneficiaries under R.S. 29:288 during the period of their college or university training. The expenditures shall not exceed ~~five hundred one thousand~~ dollars per year for each beneficiary nor shall they be available to him for any period of more than four years to be completed in not more than five years.

Approved by the Governor, June 11, 2024.

A true copy:
Nancy Landry
Secretary of State

ACT No. 638

HOUSE BILL NO. 767

BY REPRESENTATIVE EMERSON

AN ACT

To amend and reenact R.S. 44:31.1 and to enact R.S. 44:5.1, relative to the public records law; to provide for the qualifications of those eligible to request records of the office of the governor; to provide for proof of identity,

age, and residency; to provide for the confidentiality of certain records of the office of a statewide elected official; to provide for records related to the official's schedule, meetings, events, and transportation; and to provide for related matters.

Be it enacted by the Legislature of Louisiana:

Section 1. R.S. 44:31.1 is hereby amended and reenacted and R.S. 44:5.1 is hereby enacted to read as follows:

§5.1. Records of the office of a statewide elected official

A. Any record of the office of a statewide elected official that pertains to the schedule of the official or of an employee of the office and that contains security details that if made public may impair the safety of the official may be held confidential for a period of seven days following a scheduled event. However, nothing in this Section shall be interpreted or construed in a manner to make confidential all records concerning the schedule of the official or of an employee of the office nor alter any legal deadlines contained in this Chapter.

B. For purposes of this Section, "statewide elected official" means the lieutenant governor, secretary of state, attorney general, treasurer, commissioner of agriculture, and commissioner of insurance.

* * *

§31.1. Exceptions; authority of the custodian

A.(1) For the purposes of this Chapter, person does not include an individual in custody after sentence following a felony conviction who has exhausted his appellate remedies when the request for public records is not limited to grounds upon which the individual could file for post-conviction relief under Code of Criminal Procedure Article 930.3.

(2) Notwithstanding the provisions contained in R.S. 44:32, the custodian may make an inquiry of any individual who applies for a public record to determine if such the individual is in custody after sentence following a felony conviction who has exhausted his appellate remedies and the custodian may determine if the request of any such individual in custody for a felony conviction is limited to grounds upon which such the individual may file for post-conviction relief under Code of Criminal Procedure Article 930.3.

B.(1) For the purposes of this Chapter, as it relates to requests for records of the office of the governor, only a person who resides in the state of Louisiana and who otherwise meets the qualifications required by this Chapter may inspect, copy, reproduce, or obtain a copy or reproduction of a public record or seek to enforce the provisions of this Chapter pursuant to R.S. 44:35. For purposes of this Subsection, "office of the governor" shall have the same meaning as provided in R.S. 44:5.

(2) Notwithstanding the provisions of R.S. 44:32, a custodian of a record of the office of the governor may require a person to provide sufficient information to establish the person's identity, age, and residency within the state of Louisiana. For purposes of this Subsection, "sufficient information" may include any government-issued document showing the person's name, age, or residential address. A custodian may deny the request of a person who does not meet the requirements of this Subsection.

(3) Any document submitted to a custodian to establish a person's identity, age, or residency pursuant to this Subsection shall not be a public record pursuant to this Chapter and shall be destroyed within one year of the final disposition of the public record request.

Approved by the Governor, June 11, 2024.

A true copy:
Nancy Landry
Secretary of State

ACT No. 639

HOUSE BILL NO. 840

BY REPRESENTATIVES BOYER AND CHASSION

AN ACT

To amend and reenact R.S. 4:144(B)(2) and (C), relative to the members of the Louisiana State Racing Commission; to provide for the ownership of racehorses; to provide for membership of the commission; to provide for the per diem rates for commission members; and to provide for related matters.

Be it enacted by the Legislature of Louisiana:

Section 1. R.S. 4:144(B)(2) and (C) are hereby amended and reenacted to read as follows:

§144. Louisiana State Racing Commission; creation; membership; tenure; powers and duties; quorum; qualification of members; per diem; expenses and disbursements; bond; prohibited interest

* * *

B.

* * *

(2)(a) No member shall be an official, member of any board of directors, or person financially interested in any race track or race meeting licensed by the commission. Except as provided in Subparagraph (b) of this Paragraph, no member may directly or indirectly own racehorses which participate in any race meeting licensed by the commission.

(b) ~~Three members shall be owners~~ Any member may be an owner of racehorses which that participate in any race meeting licensed by the commission.

(c) ~~Two members may be licensed practicing veterinarians of licensees of the commission.~~

* * *

C. Members shall serve without salary, but shall receive a per diem at the rate of ~~forty one hundred~~ fifty one hundred dollars per day while attending official meetings, regular or special, of the commission called by the chairman, or in his absence, one of the vice chairmen, not to exceed ~~two four~~ two thousand dollars per annum. The commission shall reimburse its members and employees for all travel expenses and disbursements incurred by them in the discharge of their official duties. They shall give a bond to the governor in the amount of ten thousand dollars, conditioned that they will faithfully and honestly perform the duties of their office. The premium for the bond shall be paid by the commission.

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

ACT No. 640

HOUSE BILL NO. 873
BY REPRESENTATIVE EMERSON
AN ACT

To amend and reenact R.S. 18:44(A) and (B)(5)(b), 58(B)(2), 192(A)(1)(a), 402, 410.6, 410.7(A) and (C), 410.10, 453(A), 467, 1285(B)(1)(a), 1309(M)(1)(a), 1401(B), 1406(B), 1407, 1409(B)(1) and (2), 1432(A)(1), 1483(8), 1491.6(B)(1), (2), and (4) and (C)(introductory paragraph), 1495.4(B)(1), (2), and (4) and (C)(introductory paragraph), 1501.1(C)(introductory paragraph), 1505.2(H)(3)(a), and Section 2 of Act No. 1 of the 2024 First Extraordinary Session of the Legislature, to enact R.S. 18:1483(3)(a)(iii), (21), and (22), and to repeal R.S. 18:467.1, relative to elections; to provide for dates for elections and qualifying; to change the timing of the annual canvass of voters; to provide for notice of the days of early voting at additional locations; to provide for election contests and related procedures; to provide relative to prohibited dual candidacy; to provide relative to the death of candidates; to provide relative to qualifying; to provide for the duties of the Louisiana State Law Institute relative thereto; to provide for definitions; to provide relative to campaign finance contributions limitations and reporting requirements; to change the effective date of Act No. 1 of the 2024 First Extraordinary Session of the Legislature; to provide for effectiveness; and to provide for related matters. Be it enacted by the Legislature of Louisiana:

Section 1. R.S. 18:44(A) and (B)(5)(b), 58(B)(2), 192(A)(1)(a), 402, 410.6, 410.7(A) and (C), 410.10, 453(A), 467, 1285(B)(1)(a), 1309(M)(1)(a), 1401(B), 1406(B), 1407, 1409(B)(1) and (2), 1432(A)(1), 1483(8), 1491.6(B)(1), (2), and (4) and (C)(introductory paragraph), 1495.4(B)(1), (2), and (4) and (C)(introductory paragraph), 1501.1(C)(introductory paragraph), 1505.2(H)(3)(a) are hereby amended and reenacted and R.S. 18:1483(3)(a)(iii), (21), and (22) are hereby enacted to read as follows:

§44. Contesting election; referral for prosecution
A. Whenever the board determines as a result of an investigation that violations of law, irregularities, error, or fraud have occurred in the conduct of an election which in the judgment of the board has resulted in the apparent qualification for the second party primary or the general election or the apparent election of a candidate not entitled to be so qualified or elected, the board, upon the favorable vote of three members, may institute suit to contest the election in order to protect the interest and rights of the state in fair and honest elections. In addition, for the same cause and upon the same vote, the board may intervene in any suit instituted by any other party to contest an election.

B. In any suit instituted by the board to contest an election, the provisions of Chapter 9 of this Title shall apply, except that:

- (5) The petition shall contain, but shall not be limited to, the following:
- (b) The allegation that except for substantial irregularities or error, fraud, or other unlawful activities in the conduct of the election, a different candidate would have qualified for the second party primary or a general election or would have been elected.

§58. Powers and duties of registrars

B.

(2) The registrar shall assign voters in the state voter registration computer system according to each voting district in the parish from which an election is to be conducted. For a primary election, the assignment of voters shall be completed on or before the fifth business day prior to the opening of qualifying for the primary election. For a general election, the assignment of voters shall be completed on or before the ~~fifty-first~~ fifty-eighth day prior to the general election.

§192. Annual canvass; costs
A.(1)(a) No later than ~~June thirtieth~~ July thirty-first in each parish, the registrar of voters shall annually canvass the names of the registrants in all precincts in the parish. Failure of the registrar to conduct an annual canvass as provided in this Paragraph shall constitute willful misconduct relating to his official duty for the purposes of R.S. 18:53. The Department of State shall use the United States Postal Service or its licensee to verify the names and addresses of the registrants in all precincts in the state. A verification by the

United States Postal Service or its licensee shall constitute a valid canvass of the registered voter.

* * *
§402. Dates of primary and general elections; prohibited election days
A. ~~Gubernatorial elections. Elections for governor and officers elected at the same time as the governor shall be held every four years, beginning in 1983.~~
(1) ~~Gubernatorial primary elections shall be held on the third to last Saturday in October of an election year.~~
(2) ~~Gubernatorial general elections shall be held on the fifth Saturday after the third to last Saturday in October of an election year.~~
B. ~~Congressional elections. Elections for members of congress and officers elected at the same time as members of congress shall be held every two years, beginning in 1982.~~
(1) ~~Primary elections for members of congress and officers elected at the same time as members of congress shall be held on the first Tuesday after the first Monday in November of an election year.~~
(2) ~~General elections for members of congress and officers elected at the same time as members of congress shall be held on the fifth Saturday after the first Tuesday after the first Monday in November of an election year.~~
C. ~~Municipal and ward elections. In all municipalities with a population of less than three hundred thousand, elections for municipal and ward officers who are not elected at the same time as the governor or members of congress shall be held every four years.~~
(1) ~~Primary elections for municipal and ward officers who are not elected at the same time as the governor or members of congress shall be held on the last Saturday in March of an election year.~~
(2) ~~General elections for municipal and ward officers who are not elected at the same time as the governor or members of congress shall be held on the fifth Saturday after the last Saturday in March of an election year.~~
D. ~~Parochial and municipal elections in a parish containing a municipality with a population of three hundred thousand or more. Elections for parochial and municipal officers in a parish containing a municipality with a population of three hundred thousand or more shall be held every four years, beginning in 2017, as follows:~~
(1) ~~Primary elections for parochial and municipal officers shall be held on the second Saturday in October of an election year.~~
(2) ~~General elections for parochial and municipal officers shall be held on the fifth Saturday after the second Saturday in October of an election year.~~
E. ~~Special elections to fill newly created office or vacancy in office. An election to fill a newly created office or vacancy in an existing office, except the office of representative in congress, shall be held on the dates fixed by the appropriate authority in the proclamation ordering a special election as follows:~~
(1) ~~A special primary election shall be held on the first of the following days that is after the date on which the proclamation calling the special primary election was issued, provided that the proclamation was issued at least four weeks prior to the opening of the qualifying period for the special primary election:~~
(a) ~~The third to last Saturday in October, when the special general election is held on the fifth Saturday after the third to last Saturday in October.~~
(b) ~~The first Tuesday after the first Monday in November, when the special general election is held on the fifth Saturday after the first Tuesday after the first Monday in November.~~
(c) ~~The last Saturday in March, when the special general election is held on the fifth Saturday after the last Saturday in March.~~
(d) ~~The second Saturday in October, when the special general election is held on the fifth Saturday after the second Saturday in October of 1985 and every fourth year thereafter.~~
(e) ~~The second Saturday in October of an election year for parish and municipal officers in a parish containing a municipality with a population of three hundred thousand or more.~~
(2) ~~A special general election shall be held on one of the following days:~~
(a) ~~The fifth Saturday after the third to last Saturday in October of 1983 and every fourth year thereafter.~~
(b) ~~The fifth Saturday after the first Tuesday after the first Monday in November of even-numbered years.~~
(c) ~~The fifth Saturday after the last Saturday in March of any year.~~
(d) ~~The fifth Saturday after the second Saturday in October of 1985 and every fourth year thereafter.~~
(e) ~~The fifth Saturday after the second Saturday in October in a parish containing a municipality with a population of three hundred thousand or more, when the special primary election in such parish and municipality is held on the second Saturday in October of an election year for parish and municipal officers.~~
(3) ~~The secretary of state shall not include the name of any candidate on any ballot for a special election to fill a vacancy in any office to which this Subsection is applicable unless such special election has been called in accordance with the provisions of this Subsection and scheduled on one of the dates provided herein. Any elector who is eligible to vote in any such special election may apply for injunctive relief to prohibit the placing of the name of any candidate in an improperly called election on the ballot. Venue for such application shall be in any parish in which the election is called, and the secretary of state shall be the proper party defendant.~~
F. ~~Bond, tax, or other elections. Every bond, tax, or other election at which a proposition or question is to be submitted to the voters shall be held only~~

on one of the following dates:

(1) The third to last Saturday in October or the fifth Saturday after the third to last Saturday in October of 1983 and every fourth year thereafter.

~~(2)(a) The first Tuesday after the first Monday in November or the fifth Saturday after the first Tuesday after the first Monday in November of even-numbered years.~~

~~(b) Notwithstanding the provisions of Subparagraph (a) of this Paragraph, the fifth Saturday after the first Tuesday after the first Monday in November shall not be applicable in a parish containing a municipality with a population of three hundred thousand or more for an election relative to a parcel fee imposed within a security or neighborhood improvement district. For purposes of this Subparagraph, “security or neighborhood improvement district” means a special district one of the primary purposes of which is aiding in crime prevention and adding to the security of district residents by providing for an increased presence of law enforcement personnel in the district or otherwise promoting and encouraging security in the district.~~

~~(3) The last Saturday in March or the fifth Saturday after the last Saturday in March of any year.~~

~~(4) The second Saturday in October or the fifth Saturday after the second Saturday in October of 1985 and every fourth year thereafter.~~

~~(6) For a parish containing a municipality with a population of three hundred thousand or more, the second Saturday in October or the fifth Saturday after the second Saturday in October in 2017 and every fourth year thereafter.~~

G. Prohibited days. (1)

A. Prohibited election days. (1) No election of any kind shall be held in this state on any of the days of Rosh Hashana Hashanah, Yom Kippur, Sukkot, Shemini Atzeret, Simchat Torah, the first two days and the last two days of Passover, Shavuot, Tish’a B’Av, the two days preceding Labor Day or the three days preceding Easter. If the date of any fall election falls on any of the above-named days, the election shall be held on the same weekday of the preceding week. If the date of any spring election falls on any of the above-named days, the election shall be held on the same weekday of the following week.

~~(2)(a)(i) If the date for the fall primary election is advanced in accordance with the provisions of Paragraph (1) of this Subsection, the general election shall be advanced the same number of weeks as the primary election.~~

~~(3) If the date for the spring primary election is postponed in accordance with the provisions of Paragraph (1) of this Subsection, the spring general election, and if applicable, the second party primary election held at the same time, shall be postponed the same number of weeks as the primary election.~~

~~(b)(4) If the date for the fall general election is advanced in accordance with the provisions of Paragraph (1) of this Subsection, the fall primary election and, if applicable, the general election for party primary office held at the same time shall be advanced the same number of weeks as the fall general election.~~

B. Election dates in gubernatorial election years.

(1) Spring elections. (a) There shall be a spring primary election held on the third Saturday in April for municipal and ward officers elected in the spring of a gubernatorial election year and for candidates in a party primary election for a party primary office to be elected at the gubernatorial election.

(b) There shall be a spring election held on the sixth Saturday after the third Saturday in April which shall be a general election for municipal and ward officers elected in the spring of a gubernatorial election year and if necessary, a second party primary for candidates in a party primary election for a party primary office to be elected at the gubernatorial election.

(2) Fall elections. (a) There shall be a fall primary election held on the third to last Saturday in October of a gubernatorial election year for governor and officers elected at the same time as the governor. This election date shall also serve as the general election date for party primary office to be elected at the gubernatorial election.

(b) There shall be a fall general election held on the sixth Saturday after the third to last Saturday in October of a gubernatorial election year.

C. Election dates in congressional election years.

(1) Spring elections. (a) There shall be a spring primary election held on the third Saturday in April for municipal and ward officers elected in the spring of a non-presidential congressional election year and for candidates in a party primary election for a party primary office to be elected in that year.

(b) In the spring of a nonpresidential congressional election year, there shall be an election held on the sixth Saturday after the third Saturday in April which shall be a general election for municipal and ward officers and if necessary, a second party primary for candidates in a party primary election for a party primary office to be elected that year.

(c) In the spring of a presidential and congressional election year there shall be a spring primary election held on the last Saturday in March for municipal and ward officers and for candidates in a party primary election for a party primary office to be elected in that year.

(d) In the spring of a presidential and congressional election year, there shall be an election held on the sixth Saturday after the last Saturday in March for municipal and ward officers elected and for candidates in a party primary election for a party primary office to be elected in that year.

(2) Fall elections. (a) There shall be a fall primary election held on the first Tuesday after the first Monday in November for officers elected at the same time as members of congress in that year. This election date shall also serve as the general election date for a party primary office to be elected in a congressional election year.

(b) There shall be a fall general election held on the sixth Saturday after the

first Tuesday after the first Monday in November of a congressional election year.

D. Odd-numbered year election dates in a nongubernatorial election year.

(1) Spring elections. (a) There shall be a spring primary election held on the third Saturday in April for municipal and ward officers elected in the spring of a nongubernatorial election year.

(b) There shall be a spring election held on the sixth Saturday after the third Saturday in April which shall be a general election for municipal and ward officers elected in the spring of a nongubernatorial election year.

(2) Fall elections. (a) There shall be a fall primary election held on the second Saturday in October for parochial and municipal officers in a parish containing a municipality with a population of three hundred thousand or more.

(b) There shall be a fall general election held on the sixth Saturday after the second Saturday in October of an election year.

E.(1) Special elections to fill newly created offices or vacancies in office shall be held on dates fixed by the appropriate authority in the proclamation issued in accordance with law. For an election to fill a vacancy, the dates fixed in the proclamation shall be limited to the dates for primary elections and general elections established in Subsections B, C, and D of this Section. Except as otherwise provided by law, a special primary election shall be held on the first of the election dates established in this Section that is after the date on which the proclamation calling the special primary election is issued, provided that the proclamation is issued at least four weeks prior to the opening of the qualifying period for the special primary election. The authority issuing the proclamation shall consult with the secretary of state in the establishment of a qualifying period and election dates for special elections.

(2) Except for the office of representative in congress, the secretary of state shall not include the name of any candidate on any ballot for a special election to fill a vacancy in any office to which this Subsection is applicable unless such special election has been called in accordance with the provisions of this Subsection and scheduled on one of the dates provided herein. Any elector who is eligible to vote in any such special election may apply for injunctive relief to prohibit the placing of the name of any candidate in an improperly called election on the ballot. Venue for such application shall be in any parish in which the election is called, and the secretary of state shall be the proper party defendant.

F. Every bond, tax, or other election at which a proposition or question is to be submitted to the voters shall be held only on an election date established in Subsections B, C, and D of this Section. However, the sixth Saturday after the first Tuesday after the first Monday in November of any congressional election year shall not be applicable in a parish containing a municipality with a population of three hundred thousand or more for an election relative to a parcel fee imposed within a security or neighborhood improvement district. For purposes of this Subsection, “security or neighborhood improvement district” means a special district one of the primary purposes of which is aiding in crime prevention and adding to the security of district residents by providing for an increased presence of law enforcement personnel in the district or otherwise promoting and encouraging security in the district.

G.(1) For purposes of Article XIII, Section 1 of the Constitution of Louisiana, the fall election dates established in Subsections B and C of this Section shall be the regularly scheduled statewide elections.

(2) The fall election dates established in Subsection B of this Section shall be the gubernatorial election dates.

(3) The fall election dates established in Subsection C of this Section shall be the congressional election dates.

* * *

§410.6. Death of a candidate; procedure; selection of party nominee

A. When a person who qualified as a candidate in a party primary election ~~for the office of to be the party nominee for a party primary office~~ dies after the close of the qualifying period and before the time for closing the polls on the day of that party primary election, the name of the deceased candidate shall not be printed on the party primary election ballot. If the party primary election ballot was printed with the deceased candidate's name on it, any votes received by the deceased candidate shall be void and shall not be counted for any purpose whatsoever.

B.(1) If as the result of the death of a candidate in a party primary election a recognized political party has no party nominee qualified for the general election, the recognized political party shall select, in the manner provided in its bylaws, the party nominee who shall meet all of the qualifications for the party primary office.

(2) The chairman of the state central committee of the recognized political party shall transmit an attestation to the secretary of state containing the name of the party nominee, the signature of the chairman of the state central committee, the signature of the party nominee, and any other information required by the form of the attestation prescribed by the secretary of state. The attestation shall be filed as soon as possible after the death of the party's candidate, but no later than noon on the seventh day prior to the general election day. If the attestation is received no later than 4:30 p.m. on the seventh day after the close of the qualifying period for nonparty primary offices for the fall primary election, the secretary of state shall print the name of the selected party nominee on the ballot. If the attestation is filed in accordance with this Paragraph, but the name of the selected party nominee is not placed on the ballot, there shall be a notice regarding the selected party nominee posted at each polling place and on the website of the secretary of state. If

the selected party nominee's name is not placed on the ballot, all votes cast for the party's deceased candidate shall be attributed to the party nominee.

(3) If the party nominee dies after noon on the seventh day prior to general election day, there shall be no selected party nominee and no attestation shall be filed with or accepted by the secretary of state. All votes cast for the deceased party nominee shall be counted and if the deceased party nominee obtains the most votes cast for the party primary office in the general election, a vacancy in the party primary office shall be declared.

§410.7. Party candidates who qualify for a general election
A. The candidate who receives the majority of votes in the party primary qualifies for the general election as the party's nominee for the office. All candidate nominations for a party primary office by recognized political parties for the general election shall be made in this manner, except as otherwise provided in R.S. 18:410.6(B).

C. There shall be no third party primary. In the case of a tie vote in the second party primary of a recognized political party, none of the candidates qualify as the party nominee for the general election and the party nominee shall be selected by a public drawing of lots conducted by the State Board of Election Supervisors from among the candidates who received the highest number of votes in the second party primary election. The public drawing of lots shall be conducted at the state capitol on a day and at a time fixed by the board within one week after the results of the election become official. The candidates involved shall be given at least three days' written notice of the time and place of the public drawing of lots. For any situation not specifically provided for in this Section, the state central committee of the recognized political party involved shall provide for the selection of a nominee from the candidates and shall provide notice of the selection of a nominee to the secretary of state no later than five business days after the second party primary election.

§410.10. Party primary elections
Party primary elections shall be held in March of an election year on the spring election dates established in R.S. 18:402.

§453. Dual candidacy
A. General prohibitions.(1) A person shall not become a candidate in a primary or general election for more than one office unless one of the offices is membership on a political party committee, nor shall a person be a candidate at the same time for two or more different offices to be filled at separate elections.

(2) A person shall not become a candidate for more than one office if the general election date for the office sought is to be held on the same date as the other office's primary election date unless one of the offices is membership on a political party committee.

§467. Opening of qualifying period
A. Except as otherwise provided in Part I-A of this Chapter, the qualifying period for candidates in a primary election shall open:

(1) For candidates in a gubernatorial fall primary election in a gubernatorial election year and those in any special primary election to be held at the same time, on the first Tuesday after the first Monday in August of the year of the election.

(2) For candidates in a congressional fall primary election in a congressional election year and those in any special primary election to be held at the same time, on the third last Wednesday in July of the year of the election.

(3) For candidates in a spring primary election for municipal and ward officers who are not elected at the same time as the governor or members of congress in municipalities with a population of less than three hundred thousand in a gubernatorial election year, for all candidates for a party primary office to be elected that year, and those in any special primary election to be held at the same time, on the last second Wednesday in January of the year of the election, unless the primary election is held in a presidential election year; in such case, the qualifying period for candidates in the primary election shall open on the third Wednesday in December of the year prior to the election.

(4) For candidates in a nongubernatorial, odd-numbered year fall primary election for parochial and municipal officers in a parish containing a municipality with a population of three hundred thousand or more and in which the municipal and parochial elections are those in any special primary election to be held at the same time, on the second Wednesday in July in the year of the election.

(5) For candidates in a spring primary election in a presidential election year and for candidates in a presidential primary election, for all candidates for a party primary office to be elected that year, and those in any special primary election to be held at the same time, the qualifying period shall open on the third Wednesday in December.

(6) For candidates in a spring primary election held on the second Saturday in October of 1981 and every fourth year thereafter, on the second Wednesday in July of the year of the election in a nonpresidential congressional election year, for all candidates for a party primary office to be elected that year, and those in any special primary election to be held at the same time, on the second Wednesday in January of the year of the election.

(7) For candidates in a spring primary election held in a nongubernatorial, odd-numbered election year, for all candidates for a party primary office to be elected that year, and those in any special primary election to be held at the

same time, on the second Wednesday in January of the year of the election.

B. The qualifying period for candidates qualifying for the general election for a party primary office in the manner provided in R.S. 18:410.8 shall be the qualifying period for candidates qualifying for a party primary office as provided Subsection A of this Section.

§1285. Notice of election

B.(1)(a) Written notice of the election and the certificate required by Subparagraph (b) of this Paragraph shall be transmitted to the secretary of state and each clerk of court and registrar of voters in the area affected by the election. If the election is to be held on a primary election date, then such notice and certificate shall be received by the secretary of state at least four weeks prior to the opening of the qualifying period for the primary election. If the election is not to be held on a primary election date, then the notice and certificate shall be received by the secretary of state on or before the ~~forty-fourth~~ sixty-first day prior to the election. The secretary of state shall not accept any revisions to propositions, including but not limited to changes in title, text, or numerical designations, after the last day for submission of the notice and certificate to the secretary of state, unless prior to the printing of the ballots the revision will correct a typographical error and the revision has been approved by the governing authority that called the proposition election.

§1309. Early voting; verification

M.(1)(a) In a parish where early voting is conducted at an additional location pursuant to R.S. 18:1309.2, the registrar may fix the days during which early voting shall be conducted at the additional location during the early voting period, with the approval of the secretary of state, at least thirty days prior to a primary election and ~~twenty-one~~ thirty days prior to a general election.

§1401. Objections to candidacy, contests of elections, contests of certification of recall petition; parties authorized to institute actions

B. A candidate who alleges that, except for substantial irregularities or error, or except for fraud or other unlawful activities in the conduct of the election, he would have qualified for a second party primary or general election or would have been elected may bring an action contesting the election.

§1406. Petition; answer; notification

B. The petition shall set forth in specific detail the facts upon which the objection or contest is based. If the action contests an election involving election to office, the petition shall allege that except for substantial irregularities or error, fraud, or other unlawful activities in the conduct of the election, the petitioner would have qualified for a second party primary or general election or would have been elected. If the action contests an election involving the recall of a public officer, the petition shall allege that except for substantial irregularities or error, fraud, or other unlawful activities in the conduct of the election, the petitioner would not have been recalled. The trial judge may allow the filing of amended pleadings for good cause shown and in the interest of justice.

§1407. Appointment of agent for service of process
By filing notice of candidacy a candidate appoints the clerk of court for each parish in which he is to be voted on as his agent for service of process in any action objecting to his candidacy, contesting his qualification as a candidate in a second party primary or general election, or contesting his election to office.

§1409. Trial; decision; appeal

B.(1) If the action involves the contest of a primary election for a major office, the trial judge, for good cause shown, may postpone the date of the second party primary or general election for the office as to which the contest was filed for a period not to exceed five weeks.

(2) Whenever the trial of an action contesting a primary election for a major office, extends past 5:00 p.m. on the fourteenth day after the day of the election, the trial judge shall order the second party primary or general election for the affected office postponed to a Saturday specified by him which is at least thirty days after the date on which the trial court renders judgment.

§1432. Remedies
A.(1) If the trial judge in an action contesting an election determines that: it is impossible to determine the result of election, or the number of qualified voters who were denied the right to vote by the election officials was sufficient to change the result in the election, if they had been allowed to vote, or the number of unqualified voters who were allowed to vote by the election officials was sufficient to change the result of the election if they had not been allowed to vote, or a combination of these factors would have been sufficient to change the result had they not occurred, the judge may render a final judgment declaring the election void and ordering a new party primary, primary, or general election for all the candidates, or, if the judge determines that the appropriate remedy is the calling of a restricted election, the judge

may render a final judgment ordering a restricted election, specifying the date of the election, the appropriate candidates for the election, the office or other position for which the election shall be held, and indicating which voters will be eligible to vote.

* * *

§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:

* * *

(3)(a) “Candidate” means a person who seeks nomination or election to public office, except the office of president or vice president of the United States, presidential elector, delegate to a political party convention, United States senator, United States congressman, or political party office. An individual shall be deemed to seek nomination or election to such office if he has:

* * *

(iii) Been selected as a party nominee in accordance with R.S. 18:410.6.

* * *

(8) “Election” means any party primary, primary, general, or special election or other election held, pursuant to the laws of this state or a parish or municipal charter or ordinance or a court order, to choose a public officer or nominee. ~~For purposes of this Chapter, a primary election and a general election for a particular office shall constitute one election.~~ For purposes of the reporting requirements for the support or opposition of a proposition or question submitted to the voters, “election” shall also mean any primary, general, or special election, except local option elections held pursuant to the provisions of Chapter 3 of Title 26 of the Louisiana Revised Statutes of 1950, at which a proposition or question is submitted to the voters in accordance with Chapters 6-A, 6-B, and 6-C of this Code.

* * *

(21) “Primary election” means any type of primary election, including a party primary election and a second party primary election.

(22) “Nonparty primary candidate” means a candidate for a party primary office who qualified for the general election for a party primary office in the manner provided by R.S. 18:410.8.

* * *

§1491.6. Reports required; reporting times and periods

* * *

B. A report shall be filed for a political committee for each regularly scheduled election in which the committee participates according to the following schedule:

(1) Each committee which is participating in the election of a candidate for major office, ~~excluding a candidate for party primary office,~~ shall file a report no later than the one hundred eightieth day prior to the primary election, which shall be complete through the one hundred ninetieth day prior to the primary election.

(2) Each committee which is participating in the election of a candidate for major office, ~~excluding a candidate for party primary office,~~ shall file a report no later than the ninetieth day prior to the primary election, which shall be complete through the one hundredth day prior to the primary election.

* * *

(4)(a) Each committee shall file a report no later than the tenth day prior to the primary election which shall be complete through the twentieth day prior to the primary election.

(b) If a second party primary is held, each committee participating in the second party primary election shall file a report no later than the tenth day prior to the second party primary election which shall be complete through the twentieth day prior to the second party primary election.

(c) Each committee participating in an election for a party primary office shall file a report no later than the ninetieth day prior to the general election for a party primary office, which shall be complete through the one hundredth day prior to the general election. This shall be the final report for the election for any committee which does not participate in the general election for party primary office, unless supplemental reports are required as provided in Subsection D of this Section.

(d) Each committee participating in the general election for a party primary election shall file a report no later than the thirtieth day before the general election for a party primary election, which shall be complete through the fortieth day prior to the general election for a party primary office.

* * *

C. During the period beginning at midnight of the twentieth day prior to a primary election and extending through midnight of primary election day, ~~during the period beginning at midnight of the twentieth day prior to a second party primary election and extending through midnight of a second party primary election day, if applicable,~~ and during the period beginning at midnight of the twentieth day prior to a general election and extending through midnight of general election day, each committee shall file a report with the supervisory committee of:

* * *

§1495.4. Reports required; reporting times and periods; extension

* * *

B. A report shall be filed for a candidate for each regularly scheduled election in which the candidate participates according to the following schedule:

(1) Each candidate for major office, ~~excluding a candidate for party primary office,~~ shall file a report no later than the one hundred eightieth day prior

to the primary election, which shall be complete through the one hundred ninetieth day prior to the primary election.

(2) Each candidate for major office, ~~excluding a candidate for party primary office,~~ shall file a report no later than the ninetieth day prior to the primary election, which shall be complete through the one hundredth day prior to the primary election.

* * *

(4)(a) Each candidate shall file a report no later than the tenth day prior to the primary election which shall be complete through the twentieth day prior to the primary election.

(b) If a second party primary election is held, each candidate shall file a report no later than the tenth day prior to the second party primary election which shall be complete through the twentieth day prior to the second party primary election.

(c) Each candidate for a party primary office shall file a report no later than the ninetieth day prior to the general election for a party primary office, which shall be complete through the one hundredth day prior to the general election for a party primary office. This shall be the final report for the election for any candidate which does not participate in the general election for party primary office, unless supplemental reports are required as provided in Subsection D of this Section.

(d) Each candidate participating in the general election for a party primary office shall file a report no later than the thirtieth day before the general election for a party primary office, which shall be complete through the fortieth day before the general election for a party primary office.

* * *

C. During the period beginning at midnight of the twentieth day prior to a primary election and extending through midnight of primary election day, ~~during the period beginning at midnight of the twentieth day prior to a second party primary election and extending through midnight of the second party primary election day, if applicable,~~ and during the period beginning at midnight of the twentieth day prior to a general election and extending through midnight of general election day, each candidate shall file a report with the supervisory committee of:

* * *

§1501.1. Reports by persons not candidates or committees

* * *

C. In addition to the reports filed in accordance with Subsection B of this Section, during the period beginning at midnight of the twentieth day prior to a primary election and extending through midnight of primary election day, ~~during the period beginning at midnight of the twentieth day prior to a second party primary election and extending through midnight of the second party primary election day, if applicable,~~ and during the period beginning at midnight of the twentieth day prior to a general election and extending through midnight of general election day, any person, other than a candidate or a political committee, who makes any expenditure or who accepts a contribution, other than to or from a candidate or to or from a political committee, shall file a report with the supervisory committee of:

* * *

§1505.2. Contributions; expenditures; certain prohibitions and limitations

* * *

H.

* * *

(3)(a) For purposes of this Subsection, a primary election and a general election shall constitute two separate elections, ~~except that for a party primary office, a primary, a second party primary, and a general election shall constitute three separate elections. For purposes of this Subsection, for candidates for a party primary office and committees that participate in a second party primary, the reporting period for the second party primary election shall be deemed to begin the day following the primary election.~~ 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 at which the candidate qualified for the general election, except that for a nonparty primary candidate, the reporting period for the general election shall be deemed to begin the day the candidate became a candidate for a party primary office.

* * *

Section 2. Section 2 of Act No. 1 of the 2024 First Extraordinary Session of the Legislature is hereby amended and reenacted to read as follows:

“Section 2. This (A) Solely for the purposes of qualifying for elections in 2026 and for other activities and requirements related to the conduct of elections in 2026, the provisions of Section 1 of this Act shall become effective on August 1, 2025.

(B) For all other purposes, the provisions of this Act shall become effective on January 1, 2026.”

Section 3. R.S. 18:467.1 is hereby repealed in its entirety.

Section 4. The Louisiana State Law Institute is hereby authorized and directed to change the references to “R.S. 18:467, 467.1, and 468” as those references appear in R.S. 18:591, 601(A)(1)602(B)(2)(a), and 604(B)(2)(a) to “R.S. 18:467 and 468”. The Louisiana State Law Institute is hereby authorized and directed to change the reference from “R.S. 18:410.6 and 469” to “R.S. 18:469” in R.S. 18:154(F)(8) as enacted by House Bill No. 677 of this 2024 Regular Session of the Legislature if the Act which originated as House Bill No. 677 of this 2024 Regular Session of the Legislature is enacted and becomes effective.

Section 5.(A) Solely for the purposes of qualifying for elections in 2026 and for other activities and requirements related to the conduct of elections in

2026, the provisions of this Act shall become effective on August 1, 2025.
(B) For all other purposes, the provisions of this Act shall become effective on January 1, 2026.
Approved by the Governor, June 11, 2024.
A true copy:
Nancy Landry
Secretary of State
