

ACTS OF 2024 LEGISLATURE

Acts 445-549

ACT No. 445

HOUSE BILL NO. 688
BY REPRESENTATIVE LARVADAIN
AN ACT

To enact Part XVII of Chapter 2 of Title 33 of the Louisiana Revised Statutes of 1950, to be comprised of R.S. 33:1420.31, relative to certain local government officials; to provide relative to training authorized for such officials; to provide relative to resources and training offered by certain associations or groups; and to provide for related matters.

Be it enacted by the Legislature of Louisiana:

Section 1. Part XVII of Chapter 2 of Title 33 of the Louisiana Revised Statutes of 1950, comprised of R.S. 33:1420.31, is hereby enacted to read as follows:

PART XVII. TRAINING FOR CERTAIN LOCAL GOVERNMENT OFFICIALS §1420.31. Local government officials; training; certain municipalities

A. Notwithstanding any other provision of law to the contrary, all mayors and members of the governing authorities of municipalities with a population of fifteen thousand persons or less according to the latest federal decennial census may participate in workshops and other training courses offered by associations or groups that provide training to local government officials, which are intended to assist such officials in carrying out their duties by enhancing their knowledge of laws regulating their respective municipalities. Any such elected official may use any local government resource provided by such associations or groups to the officials and their respective municipalities.

B. Any association or group provided for in Subsection A of this Section may work jointly to provide workshops, training courses, and other resources to the elected officials and may offer incentives to the officials, such as continuing education credits or certificates for specialization in certain subject matters, to encourage their use of resources and attendance at workshops and training courses.

C. The provisions of this Part are applicable to any person who is appointed temporarily to fill a vacancy in an elective office of any municipality provided for in Subsection A of this Section.

Approved by the Governor, June 3, 2024.

A true copy:
Nancy Landry
Secretary of State

ACT No. 446

HOUSE BILL NO. 690
BY REPRESENTATIVE MARCELLE
AN ACT

To amend and reenact R.S. 33:9097.7(B), (C), and (F), relative to East Baton Rouge Parish; to provide relative to the Melrose East Crime Prevention District; to provide relative to the boundaries, purpose, and powers and duties of the district; to provide relative to the imposition of a parcel fee within the district; to provide relative to the expiration and renewal of the fee; 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 III, Section 13 of the Constitution of Louisiana.

Be it enacted by the Legislature of Louisiana:

Section 1. R.S. 33:9097.7(B), (C), and (F), are hereby amended and reenacted to read as follows:

§9097.7. Melrose East Crime Prevention District

* * *

B.(1) Boundaries. The district shall encompass the area included within the following perimeter: Renoir Avenue, North Ardenwood Drive, North Lobdell Boulevard, and Florida Boulevard.

(2) Notwithstanding the provisions of Paragraph (1) of this Subsection, the boundaries of the district shall also encompass the area included on both sides of the following streets: Renoir Avenue, North Ardenwood Drive, North Lobdell Boulevard, and Florida Boulevard if the question of expansion and imposition of the parcel fee is approved by a majority of the registered voters in the area included within the expanded boundaries voting on a proposition at an election held for that purpose in accordance with the Louisiana Election Code. No less than thirty days prior to any election held to approve such expansion and parcel fee, the board shall mail notification of the upcoming election to each registered voter of the expanded area and to each owner of a parcel in the expanded area who is not a registered voter of the expanded

area.

C.(1) Purpose. The purpose of the district shall be to aid in crime prevention and to add to the security of district residents by providing for an increase in the presence of law enforcement personnel in the district.

(2) In addition to the purposes provided for in Paragraph (1) of this Subsection, the district is also created for the purpose of adding to the overall betterment of the district by providing for beautification and other improvements within the district if the question of the additional purposes and the imposition of the parcel fee for such purposes is approved by a majority of the registered voters in the district voting on a proposition at an election held for that purpose in accordance with the Louisiana Election Code. No less than thirty days prior to any election held to approve such additional purposes and parcel fee, the board shall mail notification of the upcoming election to each registered voter of the district and to each owner of a parcel in the district who is not a registered voter of the expanded area.

* * *

F. Parcel fee. The governing authority of East Baton Rouge Parish governing authority of the district may impose and collect a parcel fee within the district subject to and in accordance with the provisions of this Subsection:

(1) The amount of the fee shall be as requested by duly adopted resolution of the board. The fee, however, shall not exceed two hundred dollars per parcel per year for lots zoned for residential use and two thousand dollars per parcel per year for lots zoned for commercial use.

(2)(a) The fee shall be imposed on each improved parcel located within the district.

(b) For purposes of this Section, "parcel" means a lot, a subdivided portion of ground, or an individual tract and does not mean a "condominium parcel" as defined in R.S. 9:1121.103. Thus, with respect to condominiums, the fee collector shall impose the parcel fee on each lot on which condominiums are situated and not on individual condominium units.

(c) The owner of the parcel shall be responsible for payment of the fee.

(3)(a) The fee shall be imposed only after the question of its imposition has been approved by a majority of the registered voters of the district voting on the proposition at an election held for that purpose in accordance with the Louisiana Election Code. At least thirty days prior to any election held to approve imposition of a parcel fee, the board shall mail notification of the upcoming election to each registered voter of the district and to each owner of a parcel in the district who is not a registered voter of the district. No other election shall be required except as provided by this Paragraph.

(b) The initial election on the question of the imposition of the fee shall be held at the same time as a regularly scheduled election in the parish of East Baton Rouge.

(c) The fee shall expire ten years from its initial levy at the end of the term provided for in the proposition authorizing the fee, not to exceed ten years, but may be renewed as provided in Subparagraph (a) of this Paragraph. If the fee is renewed, the term of the imposition of the fee shall be as provided in the proposition authorizing such renewal.

(4) The fee shall be collected at the same time and in the same manner as ad valorem taxes are collected by the parish.

(5) Any parcel fee which is unpaid shall be added to the tax rolls of the parish and shall be enforced with the same authority and subject to the same penalties and procedures as unpaid ad valorem taxes.

(6) The parish of East Baton Rouge shall remit to the district all amounts collected not more than sixty days after collection. However, the parish may retain one percent of the amount collected as a collection fee. The sheriff of East Baton Rouge Parish shall collect and remit to the district all amounts collected not more than sixty days after collection; however, the sheriff may enter into an agreement with the district to authorize the retention of an annual collection fee, not to exceed one percent of the amount collected.

* * *

Section 2. (A) The provisions of this Act shall not affect the parcel fee levied within the Melrose East Crime Prevention District on the effective date of this Act. The governing authority of East Baton Rouge Parish shall continue to levy the fee until such time as it expires, as provided in the proposition approved by a majority of the district's registered voters voting on the proposition at an election held on December 10, 2022.

(B) Notwithstanding the provisions of Subsection A of this Section, the board of commissioners of the Melrose East Crime Prevention District may call an election for the purpose of submitting the question of the imposition of the fee authorized in this Act to the voters prior to December 31, 2032. If the imposition of the fee is approved by a majority of the district's registered voters voting on the proposition at any such election, the governing authority of the district shall then begin to levy a parcel fee as provided in the proposition.

(C) At no time shall a property owner in the district be subject to an annual parcel fee, whether paid to the district or to the parish on behalf of the district or both, that exceeds the rate limits provided in R.S. 33:9097.4(F)(1) as amended by this Act.

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

Approved by the Governor, June 3, 2024.

A true copy:

ACT No. 447

HOUSE BILL NO. 740
BY REPRESENTATIVE MARCELLE
AN ACT

To amend and reenact R.S. 18:1505.4(A)(2)(a)(ii) and (iii) and to enact R.S. 18:1505.4(E), relative to campaign finance; to provide relative to the assessment of penalties; to provide for the computation of days; and to provide for related matters.

Be it enacted by the Legislature of Louisiana:

Section 1. R.S. 18:1505.4(A)(2)(a)(ii) and (iii) are hereby amended and reenacted and R.S. 18:1505.4(E) is hereby enacted to read as follows:

§1505.4. Civil penalties; failure to file; timely and accurate filing; forfeiture A.

* * *
* * *

(2)(a) The amount of such penalty may be:

(ii) Sixty dollars per day, not to exceed ~~two~~ one thousand dollars, for any candidate for district office and any treasurer or chairman of any political committee designated as a principal campaign committee or subsidiary committee of such a candidate.

(iii) Forty dollars per day, not to exceed ~~one thousand~~ five hundred dollars, for any candidate for all other offices and any treasurer or chairman of any political committee designated as a principal campaign committee or subsidiary committee of such a candidate.

* * *

E. The computation of days provided for in Subsections A and B of this Section shall not include Saturdays, Sundays, or other legal holidays.

Approved by the Governor, June 3, 2024.

A true copy:

Nancy Landry
Secretary of State

ACT No. 448

HOUSE BILL NO. 770
BY REPRESENTATIVES CARPENTER AND TAYLOR
AN ACT

To amend and reenact R.S. 9:315.1(B) and (C), 315.11(A)(2) and (C)(1), 315.13, and 315.22(C) and (D) and Code of Civil Procedure Article 10(A)(9), to enact R.S. 9:315.14 and 315.22.1, and to repeal R.S. 9:315.21(F) and 315.22(E), relative to child support guidelines; to provide relative to income used when calculating child support; to provide for deviations from the child support guidelines; to provide for support for adult disabled children; to provide for an effective date; and to provide for related matters.

Be it enacted by the Legislature of Louisiana:

Section 1. Code of Civil Procedure Article 10(A)(9) is hereby amended and reenacted to read as follows:

Art. 10. Jurisdiction over status

A. A court which is otherwise competent under the laws of this state has jurisdiction of the following actions or proceedings only under the following conditions:

* * *
* * *

(9) A proceeding for support of an adult child with a disability, as provided in R.S. ~~9:315.22(E)~~ 9:315.22.1, if he is domiciled in, or is in, this state.

Section 2. R.S. 9:315.1(B) and (C), 315.11(A)(2) and (C)(1), 315.13, and 315.22(C) and (D) are hereby amended and reenacted and R.S. 9:315.14 and 315.22.1 are hereby enacted to read as follows:

§315.1. Rebuttable presumption; deviation from guidelines by court; stipulations by parties

* * *

B. ~~(4)~~ The court may deviate from the guidelines set forth in this Part if their application would not be in the best interest of the child or would be inequitable to the parties. The court shall give specific oral or written reasons for the deviation, including a finding as to the amount of support that would have been required under a mechanical application of the guidelines and the particular facts and circumstances that warranted a deviation from the guidelines. The reasons shall be made part of the record of the proceedings.

~~(2) Notwithstanding the provisions of Paragraph (1), as a direct result of either Hurricane Katrina or Rita, the court may deviate from the guidelines set forth in this Part if the application of the guidelines would not be in the best interest of the child or would be unjust, inequitable, or cause undue hardship to the parties. In determining the amount of the child support, the court may also consider that the parties may have been prevented from timely access to the courts for the exercise of their legal rights. However, the amount of the deviation shall not exceed the consideration the court would have given if the party were able to timely access the court.~~

C. In determining whether to deviate from the guidelines, the court's considerations may include:

(1) ~~That the combined adjusted gross income of the parties is equal to or~~

~~less than nine hundred fifty dollars.~~

~~In such cases, the court shall determine an amount of child support based on earnings, income, and other evidence of ability to pay.~~

~~(2) That the combined adjusted gross income of the parties is not within the amounts shown on the schedule in R.S. 9:315.19. If the combined adjusted gross income of the parties exceeds the highest sum shown on the schedule, the court shall determine an amount of child support as provided in R.S. 9:315.13(B)(1) and may order the placement of a portion of the amount in a trust in accordance with R.S. 9:315.13.~~

~~(3) The legal obligation of a party to support dependents who are not the subject of the action before the court and who are in that party's household.~~

~~(4) (2) That in a case involving one or more families, consisting of children none of whom live in the household of the noncustodial or nondomiciliary parent but who have existing child support orders (multiple families), the court may use its discretion in setting the amount of the basic child support obligation.~~

~~(5) (3) The extraordinary medical expenses of a party, or extraordinary medical expenses for which a party may be responsible, not otherwise taken into consideration under the guidelines.~~

~~(6) (4) An extraordinary community debt of the parties.~~

~~(7) (5) The need for immediate and temporary support for a child when a full hearing on the issue of support is pending but cannot be timely held. In such cases, the court at the full hearing shall use the provisions of this Part and may redetermine support without the necessity of a change of circumstances being shown.~~

~~(8) (6) The permanent or temporary total disability of a spouse to the extent such disability diminishes his present and future earning capacity, his need to save adequately for uninsurable future medical costs, and other additional costs associated with such disability, such as transportation and mobility costs, medical expenses, and higher insurance premiums.~~

~~(9) (7) That support awarded for an adult child with a disability, as defined in R.S. 9:315.22(E) 9:315.22, may be a long-term and financially burdensome obligation that warrants the court's special consideration of the circumstances surrounding the manifestation of the disability and the financial burden imposed on the obligor.~~

~~(10) (8) Any other consideration which would make application of the guidelines not in the best interest of the child or children or inequitable to the parties.~~

* * *

§315.11. Voluntarily unemployed or underemployed party

A.

* * *

~~(2) Absent Upon an express finding by the court that evidence of a party's actual income or income earning potential is totally absent, there is a rebuttable presumption that the party can earn a weekly gross amount equal to thirty-two hours at a minimum wage, according to the laws of his state of domicile or federal law, whichever is higher.~~

* * *

C. A party shall not be deemed voluntarily unemployed or underemployed if either:

~~(1) He has been temporarily unable to find work or has been temporarily forced to take a lower-paying job as a direct result of Hurricane Katrina or Rita is responsible for the care of an unmarried child, of the party who is incapable of self-support and requires substantial care and personal supervision by that party because of an intellectual or physical disability that is manifested before the child attains the age of majority. The court shall consider the particular circumstances of the child's need for care, including the eligibility of the child for school or any public benefits and services.~~

* * *

§315.13. Amounts not set forth in or exceeding schedule

~~A. If the combined adjusted gross income of the parties falls below the lowest level specified in the schedule contained in R.S. 9:315.19, the court shall determine an award of child support based on all of the following:~~

~~(1) Actual earnings or income.~~

~~(2) The factors listed in R.S. 9:315.11.~~

~~(3) Any other evidence of a parent's ability to pay.~~

~~A. B. If the combined adjusted gross income of the parties falls between two amounts shown in the schedule contained in R.S. 9:315.19, the basic child support obligation shall be based on an extrapolation between the two amounts.~~

~~B. C. If the combined adjusted gross income of the parties exceeds the highest level specified in the schedule contained in R.S. 9:315.19, the court:~~

~~(1) Shall use its discretion in setting the amount of the basic child support obligation in accordance with the best interest of the child and the circumstances of each parent as provided in Civil Code Article 141, but in no event shall it be less than the highest amount set forth in the schedule; and~~

~~(2) May order that a portion of the amount awarded be placed in a spendthrift trust for the educational or medical needs of the child. The trust shall be administered, managed, and invested in accordance with the Louisiana Trust Code. The trust instrument shall name the child as sole beneficiary of the trust, shall name a trustee, shall impose maximum spendthrift restraints, and shall terminate when the child attains twenty-four years of age, unless the parties agree to a later date. The trustee shall furnish security unless the court, in written findings of fact, dispenses with security.~~

~~D. Under no circumstances shall the court determine an award of child support that is not in the best interest of the child or would be inequitable to~~

the parties.

§315.14. Disabled children, proof of disability, pleadings, orders, requirements

A.(1) A pleading to establish, modify or continue an award of child support for a minor child who has a developmental disability as defined in R.S. 28:451.2 shall allege facts showing that the child has such a developmental disability and that the obligor has an ongoing duty to provide support until the minor child attains the age of twenty-two, as long as the child is a full-time student in a secondary school.

(2) Any order or judgment granting or continuing an award of support for a child with a developmental disability shall state that the child in question has a developmental disability, as defined in R.S. 28:451.2, and is eligible for support from the obligor until he attains the age of twenty-two.

B.(1) A pleading to establish, modify, or continue an award of child support in accordance with R.S. 9:315.22.1 shall allege facts showing all of the following:

(a) The child in question is incapable of self-support and requires substantial care and personal supervision because of an intellectual or physical disability.

(b) The disability currently exists and manifested during the child's minority.

(c) The obligor has an indefinite duty to provide support because of the disability.

(2) Any order or judgment granting or continuing an award of support in accordance with R.S. 9:315.22.1 shall state that the child requires continuous care and personal supervision because of his disability, will not be capable of self-support, and that the child support payments for the child shall continue after his eighteenth birthday for an indefinite period.

C. Notwithstanding the identity of the plaintiff, the primary domiciliary parent or legal guardian shall bear the burden of proving that a disability exists by clear and convincing evidence. Such evidence shall include, at a minimum, certified medical records.

* * *

§315.22. Termination of child support upon majority or emancipation; exceptions

* * *

C. An award of child support continues automatically with respect to any unmarried child who attains the age of majority, or to a child who is emancipated relieving the child of the disabilities attached to minority, as long as the child is a full-time student in good standing in a secondary school or its equivalent, has not attained the age of nineteen, and is dependent upon either parent. Either the primary domiciliary parent or the major or emancipated child is the proper party to enforce an award of child support pursuant to this Subsection.

D.(1) Upon contradictory motion after notice and hearing, an award of child support shall be continued by the court for a minor child under the following circumstances:

D.(a) An award of child support continues shall be continued by the court with respect to any minor child who has a developmental disability, as defined in R.S. 28:451.2, until he attains the age of twenty-two, as long as the child is a full-time student in a secondary school. The primary domiciliary parent or legal guardian is the proper party to enforce an award of child support pursuant to this Subsection.

(b) An award of child support shall be continued by the court with respect to any minor disabled child in accordance with R.S. 9:315.22.1(A).

(2)(a) A contradictory motion filed under Paragraph (1) of this Subsection shall be filed before the minor child in question attains the age of majority or is emancipated relieving him of the disabilities attached to minority.

(b) A copy of the judgment continuing the support order shall be furnished to all counsel of record and to all unrepresented parties appearing in the suit record.

(3) Nothing in this Subsection shall limit a parent's ability to agree to provide continued support or the court's power to determine whether an agreement to provide additional support has been made.

~~E.(1) An award of child support continues or shall be set with respect to any unmarried child who, whether institutionalized or not, is incapable of self-support and requires substantial care and personal supervision because of an intellectual or physical disability that is manifested before the child attains the age of majority. A disability under this Subsection shall not include substance abuse or addiction.~~

~~(2) An action under this Subsection may be filed regardless of the age of the child.~~

~~(3) Either the major child or his tutor or curator is the proper party to file an action to establish, modify, or enforce an award of child support pursuant to this Subsection.~~

~~(4) Except as otherwise provided in this Subsection, the substantive and procedural rights and remedies in an action relating to the establishment, modification, or enforcement of child support orders for minor children apply to an action filed, and to an award of, child support rendered under this Subsection.~~

~~(5) The court shall consider the eligibility of the child for public benefits and services and may make orders necessary to promote the best interest of the child, including ordering the creation of a trust and placing the award in trust.~~

~~(6) When the Department of Children and Family Services is providing support enforcement services, those services will continue under this Subsection only if the major child or his tutor or curator obtains and submits~~

to the Department, before the child attains the age of majority, a judgment ordering the continuation of support for the child.

§315.22.1. Support for disabled children

A. In accordance with the child support guidelines contained in this Part, an award of child support continues or shall be set with respect to any unmarried child who, whether institutionalized or not, is incapable of self-support and requires substantial care and personal supervision because of an intellectual or physical disability that is manifested before the child attains the age of majority. A disability under this Section shall not include substance abuse or addiction.

B. An action under this Section to establish an initial award of child support may be filed regardless of the age of the child.

C.(1) An action to establish, modify, continue, or enforce an award of child support pursuant to this Section may be filed by the domiciliary parent or any other proper party as determined by the court or law.

(2) Nothing in this Section or any other provision of law shall be construed to require the Department of Children and Family Services to obtain an order of continuing tutorship or judgment of interdiction.

D. Except as otherwise provided in this Part, the substantive and procedural rights and remedies in an action relating to the establishment, modification, or enforcement of child support orders for minor children apply to an action filed, and to an award of, child support rendered under this Section.

E. The court shall consider the eligibility of the child for public benefits and services and may make orders necessary to promote the best interest of the child, including ordering the creation of a trust and placing the award in trust.

F. Nothing in this Section shall require the Department of Children and Family Services to provide support enforcement services to a family not otherwise qualified to receive them under Title IV-D of the Social Security Act and related portions of Title IV-A of such Act.

Section 3. R.S. 9:315.21(F) is hereby repealed in its entirety.

Section 4. This Act shall become effective January 1, 2025.

Approved by the Governor, June 3, 2024.

A true copy:

Nancy Landry
Secretary of State

ACT No. 449

HOUSE BILL NO. 795
BY REPRESENTATIVE ZERINGUE
AN ACT

To enact R.S. 56:3000.1, relative to recreational hunting and fishing licenses; to provide for revenue reductions from free and discounted recreational hunting and fishing licenses; to provide for reimbursement of revenue reductions as a result of free and discounted recreational hunting and fishing licenses; to provide relative to the authority of the legislative auditor; to provide for an effective date; and to provide for related matters. Be it enacted by the Legislature of Louisiana:

Section 1. R.S. 56:3000.1 is hereby enacted to read as follows:

§3000.1. Reimbursement of revenue reductions

A. This Section shall apply only to those free and discounted recreational hunting and fishing licenses that are issued on or after July 1, 2024.

B. The Department of Wildlife and Fisheries shall be reimbursed from the state general fund for any lost revenue resulting from the issuance of free and discounted recreational hunting and fishing licenses in an amount equal to the discounts issued.

C. The department shall maintain an accounting of lost revenue and shall include the amount of lost revenue in its annual budget request submitted pursuant to Subpart A of Part II of Chapter 1 of Subtitle I of Title 39 of the Louisiana Revised Statutes of 1950.

D. The accounting maintained pursuant to Subsection C of this Section shall be subject to inspection and audit by the legislative auditor.

Section 2. This Act shall become effective on July 1, 2024.

Approved by the Governor, June 3, 2024.

A true copy:

Nancy Landry
Secretary of State

ACT No. 450

HOUSE BILL NO. 808
BY REPRESENTATIVES MIKE JOHNSON AND KNOX
AN ACT

To enact R.S. 8:908, relative to cemeteries; to regulate abandoned cemeteries; to provide for the abatement of public health hazards and safety risks; to provide for effectiveness; and to provide for related matters.

Be it enacted by the Legislature of Louisiana:

Section 1. R.S. 8:908 is hereby enacted to read as follows:

§908. Abatement of public health or safety risks in abandoned cemeteries
A. A governing body of a municipal or parochial government may authorize the use of that government's labor and resources to abate a public health or safety risk of an abandoned cemetery when the cemetery is located within the jurisdiction of the municipal or parochial government. The abatement of such

risk shall take place at the sole and complete discretion of the governing body upon a majority vote finding that the conditions in the abandoned cemetery present a public health or safety risk and that such abatement constitutes a public purpose. For the purposes of this Section, "abandoned cemetery" has the meaning ascribed to it in R.S. 25:933.

B.(1) Nothing in this Section shall be interpreted to authorize either of the following:

- (a) The disturbance of graves or the moving or removal of human remains.
- (b) The moving or removal of any grave markers, whether temporary, perishable, or otherwise.

(2) In the event that exposed human remains are found during abatement activities, the municipal or parochial government or a volunteer who is undertaking the abatement shall notify the appropriate state authorities in accordance with R.S. 8:680. A municipal or parochial government employee or volunteer shall notify the board during the course of an abatement if the employee or volunteer finds that burials are continuing to be made in an otherwise abandoned cemetery.

C. In the event of a declared disaster under R.S. 29:721 et seq., the parish president or the chief elected official of a municipality, as appropriate based upon a cemetery's location, may abate, pursuant and subject to R.S. 29:726.4, any public safety risk or public health hazard in a public or private cemetery caused by the declared disaster.

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 3, 2024.

A true copy:
Nancy Landry
Secretary of State

ACT No. 451

HOUSE BILL NO. 823
BY REPRESENTATIVE BACALA
AN ACT

To enact R.S. 14:95(A)(5), relative to unlawful carrying of firearms; to provide relative to the unlawful carrying of weapons; and to provide for related matters.

Be it enacted by the Legislature of Louisiana:
Section 1. R.S. 14:95(A)(5) is hereby enacted to read as follows:

- §95. Illegal carrying of weapons
A. Illegal carrying of weapons is any of the following:

(5)(a) The intentional possession or use of a dangerous weapon by any person in any of the following locations:

- (i) A law enforcement office, station, or building.
- (ii) A detention facility, prison, or jail.
- (iii) A courthouse or courtroom, provided that a judge may carry such a weapon in his own courtroom.
- (iv) The state capitol building.
- (b) The provisions of this Paragraph shall not apply to a peace officer as defined by R.S. 40:2402(3) in the performance of his official duties.

Approved by the Governor, June 3, 2024.

A true copy:
Nancy Landry
Secretary of State

ACT No. 452

HOUSE BILL NO. 835
BY REPRESENTATIVE MCFARLAND
AN ACT

To amend and reenact R.S. 45:1622(3)(b), relative to electric vehicle charging technology and equipment networks; to provide for legislative intent; to urge certain actions of the Public Service Commission; to provide for certain definition exclusions; and to provide for related matters.

Be it enacted by the Legislature of Louisiana:
Section 1. R.S. 45:1622(3)(b) is hereby amended and reenacted to read as follows:

§1622. Purpose; legislative intent

The Louisiana Legislature hereby finds it necessary and in the best interest of the state to promote rapid development of a statewide electric vehicle charging network by doing all of the following:

(3) Urging the Louisiana Public Service Commission to explore excluding persons or corporations from the definition of public utility when all of the following occur:

(b) Those persons or corporations furnish electricity exclusively to charge battery electric vehicles and plug-in hybrid electric vehicles to or for the

public for compensation, or those persons or corporations furnish electricity exclusively to charge marine vessels, vessel-mounted charging or power delivery power points, or on-shore charging or power delivery power points that are primarily for the use of marine vessels.

Approved by the Governor, June 3, 2024.

A true copy:
Nancy Landry
Secretary of State

ACT No. 453

HOUSE BILL NO. 839

BY REPRESENTATIVES HEBERT, ADAMS, BAGLEY, BAYHAM, BILLINGS, BRAUD, CARVER, CHASSION, COX, DOMANGUE, EDMONSTON, EGAN, FISHER, FREIBERG, GREEN, HENRY, HUGHES, ILLG, JACOB LANDRY, MELERINE, MENA, MYERS, NEWELL, STAGNI, THOMPSON, TURNER, AND WILDER

AN ACT

To amend and reenact R.S. 22:1053(A)(1) and (L) and to enact R.S. 22:1053(M), relative to step therapy or fail first protocols; to require coverage for prescribed ventilators when certain criteria apply; to provide for technical changes; and to provide for related matters.

Be it enacted by the Legislature of Louisiana:

Section 1. R.S. 22:1053(A)(1) and (L) are hereby amended and reenacted and R.S. 22:1053(M) is hereby enacted to read as follows:

§1053. Requirement for coverage of step therapy or fail first protocols; prohibitions; definitions

A.(1) Any health coverage plan specified in Subsection ~~E~~ M of this Section which includes prescription benefits as part of its policy or contract, which utilizes step therapy or fail first protocols, and which is issued for delivery, delivered, renewed, or otherwise contracted for in this state shall comply with the provisions of this Section.

L. Notwithstanding any provision of this Section to the contrary, a health coverage plan shall not subject a prescription or order for a ventilator to any step therapy or fail first protocol when either of the following applies:

(1) The ventilator requires frequent or substantial servicing as classified by the Centers for Medicare and Medicaid Services and described in R.S. 22:1821(G).

(2) There is clinical evidence or patient history that suggests the alternative treatments required under the protocol will be less effective or cause an adverse reaction to the patient.

M. As used in this Section, the following definitions shall apply:

(1) "Health coverage plan" means:
(a) An individual or group plan or program which is established by contract, certificate, law, plan, policy, subscriber agreement, or by any other method and which is entered into, issued, or offered for the purpose of arranging for, delivering, paying for, providing, or reimbursing any of the costs of health or medical care, including pharmacy services, drugs, or devices.

(b) Any hospital, health, or medical expense insurance policy, hospital or medical service contract, employee welfare benefit plan, contract or agreement with a health maintenance organization or a preferred provider organization, health and accident insurance policy, or any other insurance contract of this type, including a group insurance plan and the Office of Group Benefits programs.

(c) Any plan that is subject to the provisions of this Section which is administered by a pharmacy benefit manager.

(2) "Stage-four advanced, metastatic cancer" means cancer that has spread from the lymph nodes or other areas or parts of the body and "associated conditions" means the symptoms or side effects associated with stage-four advanced, metastatic cancer or its treatment.

Approved by the Governor, June 3, 2024.

A true copy:
Nancy Landry
Secretary of State

ACT No. 454

HOUSE BILL NO. 842
BY REPRESENTATIVE WILEY
AN ACT

To amend and reenact R.S. 9:2796.3(A), relative to civil liability; to provide relative to civil liability for local governments; to provide for loss related to bonfire presentations on the Mississippi River levee; and to provide for related matters.

Be it enacted by the Legislature of Louisiana:

Section 1. R.S. 9:2796.3(A) is hereby amended and reenacted to read as follows:

§2796.3. Liability for loss related to bonfire presentations on the Mississippi River levee

A.(1) Personal injury, wrongful death, and survivorship actions for damages Except as otherwise provided in this Section, no person shall have a cause of action against a sponsor of a bonfire presentation on the Mississippi River

levee in connection with any festival or ethnic or holiday celebration shall be available to the plaintiff.

(2) If the sponsor of the bonfire failed to obtain and comply with a permit for the bonfire presentation, failed to use only combustible materials approved by the local governing authority, negligently violated an order from the local governing authority, or committed a deliberate and wanton act or gross negligence, and such conduct of the sponsor was the cause in fact of the injury, death, or loss sustained by the plaintiff a person may bring an action against the sponsor.

* * *

Approved by the Governor, June 3, 2024.

A true copy:
Nancy Landry
Secretary of State

ACT No. 455

HOUSE BILL NO. 846
BY REPRESENTATIVES KNOX, ADAMS, BOYD, WILFORD CARTER,
CHASSION, DEWITT, FISHER, FREEMAN, FREIBERG, HUGHES,
JORDAN, LAFLEUR, MANDIE LANDRY, LARVADAIN, LYONS,
MARCELLE, MOORE, MYERS, NEWELL, SELDERS, TAYLOR, WILLARD,
AND ZERINGUE
AN ACT

To enact R.S. 39:82.3, relative to the reporting of federal and state funds allocated to providing mental health services; to provide relative to funds allocated to providing mental health services across state agencies and school systems; to require reporting by the division of administration; to require reporting by the state Department of Education; to provide for specific reports to the Joint Legislative Committee on the Budget; to provide relative to the authority of the Joint Legislative Committee on the Budget; to provide for an effective date; and to provide for related matters.

Be it enacted by the Legislature of Louisiana:

Section 1. R.S. 39:82.3 is hereby enacted to read as follows:

§82.3. Reporting on federal and state funds allocated to mental health services

A.(1) The division of administration, hereinafter referred to in this Section as the "division", shall submit a report in accordance with the provisions of this Subsection to the Joint Legislative Committee on the Budget, hereinafter referred to in this Subsection as "committee", regarding federal and state funding allocated to providing mental health services across all state agencies. The report shall provide information needed by policy makers to make informed decisions about mental health services provided across the state of Louisiana.

(2) The division shall create and update annually the Mental Health Funding Transparency Report. The division shall submit the report to the committee no later than the first meeting of the committee after January first of each year. The information shall be provided on a form as prescribed by the division and approved by the committee. The report shall provide the funds spent by each state agency for providing mental health services and shall include, at a minimum, the following:

- (a) Budget unit.
 - (b) Program description.
 - (c) Means of finance.
 - (d) Funding source or name of grant.
 - (e) Service provided.
 - (f) Population served.
 - (g) Area served.
 - (h) Demographic data, including the number of individuals with disabilities.
- (3) This Subsection shall not apply to the state Department of Education.

B.(1) The state Department of Education, hereinafter referred to in this Section as the "department", shall submit a report in accordance with the provisions of this Subsection to the Joint Legislative Committee on the Budget, hereinafter referred to in this Subsection as "committee", regarding federal and state funding allocated to providing mental health services within the department and schools across the state, including traditional public schools, charter schools, and any nonpublic school receiving such funding.

(2) The department shall create and update annually the Mental Health Funding Transparency in Elementary and Secondary Education Report. The department shall submit the report to the committee no later than the first meeting of the committee after January first of each year. The information shall be on a form as prescribed by the department and approved by the committee. The report shall provide the funds spent by the governing authority of each traditional public school, charter school, and nonpublic school, as applicable, for providing mental health services and shall include, at a minimum, the following:

- (a) Budget unit.
 - (b) School governing authority.
 - (c) Program description.
 - (d) Means of finance.
 - (e) Funding source or name of grant.
 - (f) Service provided.
 - (g) Demographic data, including the number of individuals with disabilities.
 - (h) Grade level served.
- (3) The department shall also submit a copy of the report to the House

Committee on Education and the Senate Committee on Education at the time the report is submitted to the Joint Legislative Committee on the Budget.

C. The Joint Legislative Committee on the Budget may make such studies and hold such hearings as it shall deem appropriate and necessary to review the allocation of funds as provided in the reports required pursuant to this Section.

Section 2. This Act shall become effective July 1, 2024.

Approved by the Governor, June 3, 2024.

A true copy:
Nancy Landry
Secretary of State

ACT No. 456

HOUSE BILL NO. 852
BY REPRESENTATIVE MANDIE LANDRY
AN ACT

To amend and reenact R.S. 14:134(C)(1), relative to the crime of malfeasance in office; to provide relative to the penalties for malfeasance in office; and to provide for related matters.

Be it enacted by the Legislature of Louisiana:

Section 1. R.S. 14:134(C)(1) is hereby amended and reenacted to read as follows:

§134. Malfeasance in office

* * *

C.(1) Whoever commits the crime of malfeasance in office shall be imprisoned for not more than ~~five~~ ten years, with or without hard labor, or ~~shall be fined~~ not more than five thousand dollars, or both.

* * *

Approved by the Governor, June 3, 2024.

A true copy:
Nancy Landry
Secretary of State

ACT No. 457

HOUSE BILL NO. 865
BY REPRESENTATIVES MYERS, BACALA, BAYHAM, BERAULT,
BILLINGS, BRASS, WILFORD CARTER, CARVER, CHASSION,
DOMANGUE, EGAN, FISHER, GREEN, JACKSON, MIKE JOHNSON,
JORDAN, KNOX, LAFLEUR, LYONS, PHELPS, SELDERS, TAYLOR,
THOMPSON, AND YOUNG
AN ACT

To amend and reenact R.S. 37:1103(13), 1107(A)(4), 1116(B)(1)(d)(ii) and (2), 2703(7) and (17) and 2707(B) and to enact R.S. 37:1103(14) and 2703(19) and (20), relative to the practice of social work and licensed professional counselors; to provide for definitions; to allow remote supervision via telesupervision; to allow virtual licensed professional counselor telesupervision; to require the Louisiana Licensed Professional Counselors Board of Examiners to establish rules and regulations for telesupervision; to include provisions for virtual social work supervision; to require the Louisiana State Board of Social Work Examiners to establish rules and regulations for telesupervision; and to provide for related matters.

Be it enacted by the Legislature of Louisiana:

Section 1. R.S. 37:1103(13), 1107(A)(4), 1116(B)(1)(d)(ii) and (2), 2703(7) and (17) and 2707(B) are hereby amended and reenacted and R.S. 37:1103(14) and R.S. 37:2703(19) and (20) are hereby enacted to read as follows:

§1103. Definitions

As used in this Part, the following terms have the meaning ascribed to them in this Section:

* * *

(13) "Qualified supervision" means the supervision, which shall include telesupervision, for a licensed marriage and family therapist of clinical services, in accordance with standards developed by the advisory committee, and approved by the board by an individual who has been recognized by the advisory committee as an approved supervisor.

(14) "Telesupervision" means clinical supervision conducted through the use of real time, face-to-face synchronous interactive conferencing between the supervisee and supervisor through electronic, visual, and audio means. Supervision of a licensed professional counselor may be conducted in-person or remotely through telesupervision. Telesupervision utilizes secure video conferencing platforms to adhere to the same standards and guidelines as in-person supervision, ensuring regular contact, case review, and ongoing professional development. The board shall establish rules and regulations regarding the specific requirements and parameters for telesupervision, including technology standards, documentation, and confidentiality measures.

* * *

§1107. Requirements for licensed professional counselor; provisional license; temporary license or temporary provisional license; renewal of license or temporary provisional license

A. The board shall issue a license to each applicant who files an application upon a form and in such manner as the board prescribes, accompanied by such fee as required by R.S. 37:1106, and who furnishes satisfactory evidence

to the board that he:

* * *

(4) Can document a minimum of three thousand hours of supervised experience during a minimum of two years of post-master's degree experience in professional mental health counseling under the supervision, or telesupervision, of a licensed professional counselor. Five hundred hours of supervised experience may be gained for each thirty graduate semester hours earned beyond the master's degree, provided that such hours are clearly related to the field of mental health counseling and are acceptable to the board, provided that in no case the applicant has less than two thousand hours of supervised experience.

* * *

§1116. Licensure application for marriage and family therapists; provisional license; temporary license or temporary provisional license

* * *

B. An applicant who meets the requirements of Subsection A of this Section shall be recommended by the advisory committee to the board for issuance of a license by the board upon providing satisfactory evidence to the advisory committee that such person meets the following requirements:

(1) Successful completion of one of the following educational requirements:

* * *

(d) A masters degree or a doctoral degree in marriage and family therapy from a regionally accredited institution of higher education whose program and curriculum was approved by the board through the advisory committee at any time prior to July 1, 2010, and the applicant for licensure has at least five hundred hours of client contact, and where the client contact shall include all of the following:

* * *

(ii) One hundred hours in which the applicant has been subjected to qualified supervision, or telesupervision, as is defined in R.S. 37:1103(4).

(2) Successful completion of two calendar years of work experience in marriage and family therapy under qualified supervision, or telesupervision, as defined in R.S. 37:1103(4) following receipt of a qualifying degree.

* * *

§2703. Definitions

As used in this Chapter, unless the context clearly requires otherwise, and except as otherwise expressly provided:

* * *

(7) "Clinical supervision" means an interactional professional relationship between a licensed clinical social worker and a licensed master's social worker that provides evaluation and direction over the supervisee's practice of clinical social work and promotes continued development of the licensed master's social worker's knowledge, skills, and abilities to engage in the practice of clinical social work in an ethical and competent manner. Supervision for meeting the requirements of licensure, as a licensed clinical social worker (LCSW), ~~must~~ shall be provided by a licensed clinical social worker who is also a board-approved clinical supervisor (BACS). Supervision between a licensed clinical social worker and a licensed master's social worker may be conducted in-person or remotely through telesupervision. Telesupervision utilizes secure video conferencing platforms to adhere to the same standards and guidelines as in-person supervision, ensuring regular contact, case review, and ongoing professional development. The board shall establish rules and regulations regarding the specific requirements and parameters for telesupervision, including technology standards, documentation, and confidentiality measures.

* * *

(17) "Supervision" means the professional relationship between a supervisor and a supervisee that provides guidance and evaluation of the services provided by the supervisee. Supervision between a licensed clinical social worker and a licensed master's social worker may be conducted in-person or remotely through telesupervision. Telesupervision utilizes secure video conferencing platforms to adhere to the same standards and guidelines as in-person supervision, ensuring regular contact, case review, and ongoing professional development. The board shall establish rules and regulations regarding the specific requirements and parameters for telesupervision, including technology standards, documentation, and confidentiality measures.

* * *

(19) "In-person supervision" means clinical supervision conducted through real time, face-to-face meetings of the supervisee and supervisor in the same physical location.

(20) "Telesupervision" means clinical supervision conducted through the use of real time, face-to-face synchronous interactive conferencing between the supervisee and supervisor through electronic, visual, and audio means.

* * *

§2707. Qualifications; licensed master's social worker

* * *

B. An individual licensed as a licensed master's social worker may engage in advanced social work practice based on the application of social work theory, knowledge, ethics, and methods to restore or enhance social, psychosocial, or biopsychosocial functioning of individuals, couples, families, groups, organizations, and communities. The licensed master's social worker's practice requires the application of specialized knowledge and advanced practice skills which include prevention or intervention, or both, service or treatment planning and evaluation, case management, information and referral, counseling, employee assistance services, addiction services, advocacy,

teaching, research, supervision, consultation, community organization, and the development, implementation, and administration of policies, programs, and activities. A social worker licensed at the licensed master's social worker level may practice clinical social work and psychotherapy within an agency under the supervision, in-person or virtually, of a licensed clinical social worker. A licensed master's social worker may work as an employee only in an agency setting. Notwithstanding the definition of "agency" as defined in R.S. 37:2703(1) or the requirement for employment in an agency setting provided in this Subsection, a licensed master's social worker shall be permitted to provide social work services on behalf of a federal, state, or local governmental agency on a contractual basis.

* * *

Approved by the Governor, June 3, 2024.

A true copy:

Nancy Landry
Secretary of State

ACT No. 458

HOUSE BILL NO. 885

BY REPRESENTATIVES ILLG, BAYHAM, BRAUD, CARRIER, COX, DAVIS, FISHER, FONTENOT, HILFERTY, KERNER, RISER, SCHLEGEL, ST. BLANC, STAGNI, THOMAS, THOMPSON, VILLIO, AND WILDER

AN ACT

To enact R.S. 47:463.230, relative to motor vehicle special prestige license plates; to provide for the establishment of the "Jefferson Parish Bicentennial" specialty license plate; to provide for the creation, issuance, design, fees, implementation, distribution, and rule promulgation applicable to such license plate; and to provide for related matters.

Be it enacted by the Legislature of Louisiana:

Section 1. R.S. 47:463.230 is hereby enacted to read as follows:

§463.230. Special prestige license plate: "Jefferson Parish Bicentennial"

A. The secretary of the Department of Public Safety and Corrections shall establish a special prestige motor vehicle license plate to be known as the "Jefferson Parish Bicentennial" plate, provided that there is a minimum of one thousand applicants for such plate. The plate shall be restricted to use on passenger cars, pickup trucks, recreational vehicles, motorcycles, and vans.

B. The secretary shall work in conjunction with the governing authority of Jefferson Parish, to select the color and design of the plate, provided it is in compliance with R.S. 47:463(A)(3). The design shall include the words "Jefferson Parish Bicentennial".

C. The special prestige license plate shall be issued, upon application, to any citizen of Louisiana in the same manner as any other motor vehicle license plate.

D. The department shall collect an annual royalty fee of twenty-five dollars that shall be disbursed in accordance with Subsection E of this Section. This royalty fee shall be in addition to the standard motor vehicle license tax imposed by Article VII, Section 5 of the Constitution of Louisiana, and a handling fee of three dollars and fifty cents for each plate to be retained by the department to offset a portion of administrative costs.

E. The annual royalty fee shall be collected by the department and forwarded to the Jefferson Community Foundation. The monies received from the royalty fees shall be used for public purposes, such as the planning and development of a series of cultural events and activities surrounding the Bicentennial of Jefferson Parish.

Section 2. The Department of Public Safety and Corrections, office of motor vehicles, is hereby directed to create the special prestige license plate when the applicable statutory provisions are met and its system is updated to accommodate the creation of new plates.

Approved by the Governor, June 3, 2024.

A true copy:

Nancy Landry
Secretary of State

ACT No. 459

HOUSE BILL NO. 887

BY REPRESENTATIVE BAYHAM

AN ACT

To designate the Bayou Bienvenue Bridge on Louisiana Highway 47 in Chalmette, Louisiana, as the "Senator Samuel B. Nunez, Jr. Crossing"; and provide for related matters.

Be it enacted by the Legislature of Louisiana:

Section 1. The Bayou Bienvenue Bridge on Louisiana Highway 47 in Chalmette, Louisiana, shall be known and is hereby designated as the "Senator Samuel B. Nunez, Jr. Crossing".

Section 2. The Department of Transportation and Development or its contractors are hereby directed to erect and maintain appropriate signage reflecting this designation provided local or private monies are received by the department equal to the department's actual cost for material, fabrication, mounting posts, and installations of each sign, not to exceed the sum of five hundred fifty dollars per sign.

Approved by the Governor, June 3, 2024.

A true copy:
Nancy Landry
Secretary of State

ACT No. 460

HOUSE BILL NO. 908
BY REPRESENTATIVE AMEDEE
AN ACT

To amend and reenact R.S. 17:170(E), relative to discrimination based on vaccination status; to prohibit teachers and school employees and administrators from discriminating between students based on such status; and to provide for related matters.

Be it enacted by the Legislature of Louisiana:

Section 1. R.S. 17:170(E) is hereby amended and reenacted to read as follows:

§170. Immunization of persons entering schools, kindergartens, colleges, proprietary or vocational schools, and day care centers for the first time; immunization of persons entering sixth grade; electronic transmission of immunization compliance reports

* * *

E.(1) No person seeking to enter any school or facility enumerated in Subsection A of this Section shall be required to comply with the provisions of this Section if the student or his parent or guardian submits either a written statement from a physician stating that the procedure is contraindicated for medical reasons, or a written dissent from the student or his parent or guardian is presented.

(2) No teacher or school employee or administrator shall distinguish between students based on whether a student has or has not received vaccines from the schedule provided for in this Section. Actions prohibited by this Paragraph include but are not limited to discrimination based on a student's vaccination status in any of the following acts:

- (a) Determination of eligibility for athletics or other extracurricular activity.
- (b) Allowing or denying participation inside and outside of the classroom.
- (c) Issuance of surveys to students relative to vaccination status.
- (d) Organizing seating arrangements.

Approved by the Governor, June 3, 2024.

A true copy:

Nancy Landry
Secretary of State

ACT No. 461

HOUSE BILL NO. 937
BY REPRESENTATIVE GEYMANN
AN ACT

To amend and reenact R.S. 30:1104(A)(10) and 1109(A)(3) and to enact R.S. 30:1103(14) and 1109.1, relative to landowner liability for carbon dioxide sequestration; to provide for definitions; to clarify the parties responsible for obligations established by law; to provide for landowner liability; to direct the Louisiana State Law Institute to make technical changes; and to provide for related matters.

Be it enacted by the Legislature of Louisiana:

Section 1. R.S. 30:1104(A)(10) and 1109(A)(3) are hereby amended and reenacted and R.S. 30:1103(14) and 1109.1 are 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:

* * *

(14) "Landowner" means any person who owns the surface and subsurface of land or water bottoms used for geologic storage, injection, or transportation of carbon dioxide who is not the owner or operator of the storage facility or carbon dioxide transmission pipeline or the generator of the carbon dioxide being handled by either the facility or pipeline. The term "landowner" as used in this Chapter does not include the state.

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

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

* * *

(10) Promulgate rules and regulations requiring ~~interested persons~~ storage operators to place monitoring equipment of a type approved by the commissioner on all storage facilities, and ancillary equipment necessary and proper to monitor, verify carbon dioxide injections, and to prevent waste. It shall be a violation of this Chapter for any ~~person~~ operator to refuse to attach or install a monitor within a reasonable period of time when ordered to do so by the commissioner, or in any way to tamper with the monitors so as to produce a false or inaccurate reading.

* * *

§1109. Cessation of storage operations; limited liability release

A.

* * *

(3) Upon the issuance of the certificate of completion of injection operations,

the storage operator, all generators of any injected carbon dioxide, all owners of carbon dioxide stored in the storage facility, landowners, and all owners otherwise having any interest in the storage facility shall be released from any and all future duties or obligations under this Chapter and any and all liability associated with or related to that storage facility which arises after the issuance of the certificate of completion of injection operations. The release from duties or obligations under this Chapter shall not apply to a current or former owner or operator of a storage facility when the duties or obligations arise from that owner or operator's noncompliance with applicable underground injection control laws and regulations prior to issuance of the certificate of completion of injection operations.

* * *

§1109.1. Landowner liability limitation

A. A landowner shall not assume or have any liability associated with or related to carbon dioxide, at any time, by the mere fact of being a landowner or by the mere fact of entering a contract to allow his property to be used for geologic storage, injection, or transportation of carbon dioxide.

B. Nothing in this Section shall alter the terms of or supersede any contractual agreement between a landowner and an owner or operator of a storage facility, a carbon dioxide transmission pipeline, or a generator of the carbon dioxide.

Section 2. The Louisiana State Law Institute is hereby authorized and directed to alphabetize and renumber the definitions contained in R.S. 30:1103 and to correct any cross-references to the renumbered paragraphs if necessary, consistent with the provisions of this Act.

Approved by the Governor, June 3, 2024.

A true copy:

Nancy Landry
Secretary of State

ACT No. 462

HOUSE BILL NO. 963 (Substitute for House Bill No. 14 by Representative DeWitt)
BY REPRESENTATIVE DEWITT
AN ACT

To amend and reenact R.S. 11:2220(J)(1) and to repeal R.S. 11:2220(J)(4), relative to the Municipal Police Employees' Retirement System; to provide relative to reemployment of retirees in the system; to provide for the payment of retirement benefits during reemployment; 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. 11:2220(J)(1) is hereby amended and reenacted to read as follows:

§2220. Benefits; contribution limit

* * *

~~J.(1)(a) Except as provided in Paragraph (4) of this Subsection, the~~ The benefits of any retiree of this system who retires on or after July 1, 2021, and becomes employed by an employer but does not meet the definition of an employee within the ~~twelve-month ninety-day~~ twelve-month ninety-day period immediately following the effective date of his retirement shall be suspended for the duration of such employment or the lapse of ~~twelve months ninety days~~ twelve months ninety days from the effective date of retirement, whichever occurs first, even if such service is part-time, based on employment by contract, or in a nonqualifying position.

~~(b) Notwithstanding any provisions of this Subsection that authorize payment of retirement benefits to a retiree of this system who is reemployed under the conditions specified in Subparagraph (a) of this Paragraph, no such reemployed retiree shall receive a retirement benefit during the sixty-day period following the effective date of his retirement.~~

* * *

Section 2. R.S. 11:2220(J)(4) is hereby repealed in its entirety.

Approved by the Governor, June 3, 2024.

A true copy:

Nancy Landry
Secretary of State

ACT No. 463

HOUSE BILL NO. 969 (Substitute for House Bill No. 663 by Representative Green)
BY REPRESENTATIVE GREEN
AN ACT

To amend and reenact Code of Civil Procedure Article 195.1, relative to judicial proceedings conducted by remote technology; to provide for hearings; to provide for judge trials; to require the court to give written reasons declining the remote appearance for good cause; to provide for the consent of the parties; and to provide for related matters.

Be it enacted by the Legislature of Louisiana:

Section 1. Code of Civil Procedure Article 195.1 is hereby amended and reenacted to read as follows:

Art. 195.1. Judicial proceedings by ~~audio-visual means~~ remote technology

~~A. A hearing on any motion or exception may be conducted by any audio-~~

visual means at the discretion of the court. If witness testimony is necessary, a party may request that the hearing be conducted in person. In any civil proceeding that does not require witness testimony or the introduction of evidence, a party may provide written notice to the court at least ten days prior to the scheduled hearing date that he will appear remotely. Provided the court has the requisite technology, the court shall allow the party to appear by any audio-visual means, unless the court provides written reasons declining the remote appearance for good cause.

B.(1) When allowing a remote appearance pursuant to this Article, the court shall ensure the technology enables all parties, whether appearing remotely or in person, to fully participate.

(2) The court shall require that a remote appearance by a party abide by any necessary privacy and security requirements appropriate for the conference, hearing, proceeding, or trial as established by the court.

C. The court shall have a process for a party, court reporter, or other court personnel to alert of any technology or audibility issues arising during a remote proceeding.

B. D. A judge trial may be conducted by any audio-visual means with the consent of all parties and permission of the court.

Approved by the Governor, June 3, 2024.

A true copy:

Nancy Landry
Secretary of State

ACT No. 464

HOUSE BILL NO. 977

(Substitute for House Bill No. 680 by Representative Carlson)

BY REPRESENTATIVE CARLSON
AN ACT

To amend and reenact R.S. 43:81(A), 140(3)(introductory paragraph), 142, and 171(A)(2) and (3), to enact R.S. 43:81.1, 140.1, 140.2, 147.3, 171.1, 171.2, and 175, and to repeal R.S. 43:171(B), relative to public printing; to provide relative to the qualifications for a newspaper to be selected as an official journal of the state or a political subdivision; to provide exceptions to publication requirements in certain circumstances; to require publication of cost information; and to provide for related matters.

Be it enacted by the Legislature of Louisiana:

Section 1. R.S. 43:81(A), 140(3)(introductory paragraph), 142, and 171(A)(2) and (3) are hereby amended and reenacted and R.S. 43:81.1, 140.1, 140.2, 147.3, 171.1, 171.2, and 175 are hereby enacted to read as follows:

§81. Official journal of state

A. The printing of advertisements, public notices, proclamations, and all public notices and advertising to be done by the legislature, or the executive or other departments and institutions of the state government, shall be published in a daily newspaper to be known and designated as the "Official Journal of the State", which newspaper shall have and possess the following qualifications:

(1) It shall possess the periodicals class mailing privilege.

(2) It shall be published in the city of Baton Rouge, and have a general circulation in Louisiana.

(3) It shall have been so published for at least six days once per week for a period of not less than two years prior to the time that it is awarded the contract as the Official Journal of the State, as provided herein.

(4) It shall have an audited paid daily circulation of not less than ten thousand for at least one year prior to the time it is awarded the contract.

* * *

§81.1. Cost of publication

The Official Journal of the State shall include a statement of the cost charged to the state agency for publication with any notice, advertisement, proclamation, or other information it publishes for a state agency pursuant to a legal requirement that the information be published. The official journal shall not charge the agency for printing this statement of cost.

* * *

§140. Definitions

As used in this Chapter, the following terms shall have the meanings ascribed to them in this Section:

* * *

(3) "Newspaper" shall mean a publication that complies with the requirement of R.S. 43:141.1(A) and during each year of the five-year two-year period prior to the first publication of any legal or official notice therein:

* * *

§140.1. Exception due to certain publishing requirements

A newspaper that meets the requirements of this Part but would be precluded from selection as an official journal because specific notice publication requirements require a more frequent publishing schedule than the newspaper's established schedule may be selected as an official journal if the newspaper can publish the notice in a time period that is not more than five days longer than the period otherwise required by law. If such a newspaper is selected, any notice publication that could not be completed timely because of the newspaper's publishing schedule but that is completed within five days after the required period is deemed to be in compliance with the applicable publishing requirements.

§140.2. News deserts

A. Notwithstanding the provisions of R.S. 43:140(3) and 142, the provisions

of this Section are applicable to a parish or a political subdivision in a parish that meets all of the following criteria:

(1) There is not a newspaper that is eligible to be selected as an official journal.

(2) The population of the parish is fewer than two hundred thousand persons as determined by the most recent federal decennial census.

(3) If the population of the parish is greater than one hundred thousand persons, it is not adjacent to a parish with a population greater than two hundred thousand persons, all as determined by the most recent federal decennial census.

B.(1) In such a parish, "newspaper" shall mean a publication that complies with the requirement of R.S. 43:141.1(A) and during the year prior to the first publication of any legal or official notice therein:

(a) Has been published at regular intervals of not less than weekly.

(b) Has been originated and published for the dissemination of current news and intelligence of varied, broad, and general public interest, including regular news coverage of local public meetings and events, and is not devoted to the interests of, or published for the entertainment or instruction of, or has a circulation restricted to, any particular sect, denomination, labor or fraternal organization, or other special group or class of citizens.

(c) Has not been published primarily for advertising purposes and has not contained more than seventy-five percent advertising in more than one-half of its issues, excluding separate advertising supplements inserted into but separately identifiable from any regular issue or issues.

(d) Has maintained a general paid circulation to bona fide paying subscribers within the area the publication is required.

(2) In such a parish, to be selected as an official journal the newspaper:

(a) Shall have been published in an office physically located in the parish in which the body is located for one year preceding the selection.

(b) Shall not have missed during that period as many as three consecutive issues unless caused by fire, flood, strike, or natural disaster.

(c) Shall have maintained a general paid circulation in the parish in which the body is located for one year prior to the selection.

(d) Shall have been entered in a U.S. post office in the state of Louisiana under a periodical permit in the state for one year prior to the selection.

* * *

§142. Qualifications of newspaper

A. The newspaper:

(1) Shall have been published in an office physically located in the parish in which the body is located for a period of five two years preceding the selection.

(2) Shall not have missed during that period as many as three consecutive issues unless caused by fire, flood, strike, or natural disaster.

(3) Shall have maintained a general paid circulation in the parish in which the body is located for five two consecutive years prior to the selection.

(4) Shall have been entered in a U.S. post office in that parish the state of Louisiana under a periodical permit in that parish the state for a period of five two consecutive years prior to the selection.

B. The provisions of this Section relating to the five-year requirement shall not contravene any contract existing between any governing body and a newspaper on and prior to May 11, 1970; nor shall the five-year requirement herein be applied in assessing the qualifications of a newspaper which was in existence on May 11, 1970; nor shall any provision of this Chapter prohibit a publication from becoming an official journal in Jefferson Parish if the publication is qualified to publish judicial advertisements and legal notices in Jefferson or Orleans Parish or has actually published official proceedings within one year prior to June 1, 1986, of any municipal corporation, parish council, police jury, or school board within Jefferson Parish.

* * *

§147.3. Cost of publication

The official journal of a political subdivision shall include a statement of the cost charged to the political subdivision for publication with any proceeding, notice, or other information it publishes for the political subdivision pursuant to a legal requirement that the information be published. The official journal shall not charge the political subdivision for printing this statement of cost.

* * *

§171. Selection of newspaper

A.

* * *

(2) The newspaper:

(a) Shall have been published in an office physically located in the political subdivision for at least five two years prior to its selection.

(b) Shall not have missed during that period as many as three consecutive issues unless caused by fire, flood, strike, or natural disaster.

(c) Shall have maintained a general paid circulation in the district or political subdivision for five two consecutive years prior to the selection.

(d) Shall have been entered in a U.S. post office in that district the state of Louisiana or political subdivision under a periodical permit in that district or political subdivision the state for a period of five two consecutive years prior to selection.

(3) If there is no newspaper published in the district or political subdivision, a newspaper published in the parish in which the board is domiciled for five two consecutive years prior to selection shall be selected provided that it meets the other qualifications contained in this Section.

* * *

§171.1. Exception due to certain publishing requirements

A newspaper that meets the requirements of this Part but would be precluded from selection as an official journal because specific notice publication requirements require a more frequent publishing schedule than the newspaper's established schedule may be selected as an official journal if the newspaper can publish the notice in a time period that is not more than five days longer than the period otherwise required by law. If such a newspaper is selected, any notice publication that could not be completed timely because of the newspaper's publishing schedule but that is completed within five days after the required period is deemed to be in compliance with the applicable publishing requirements.

§171.2. News deserts

A. Notwithstanding the provisions of R.S. 43:171(A), the provisions of this Section are applicable to a political subdivision in a parish that meets the following criteria:

(1) There is not a newspaper that is eligible to be selected as an official journal.

(2) The population of the parish is fewer than two hundred thousand persons as determined by the most recent federal decennial census.

(3) If the population of the parish is greater than one hundred thousand persons, it is not adjacent to a parish with a population of greater than two hundred thousand persons, all as determined by the most recent federal decennial census.

B. In such a parish, to be selected as an official journal the newspaper:

(1) Shall have been published in an office physically located in the parish in which the body is located for one year preceding the selection.

(2) Shall not have missed during that period as many as three consecutive issues unless caused by fire, flood, strike, or natural disaster.

(3) Shall have maintained a general paid circulation in the parish in which the body is located for one year prior to the selection.

(4) Shall have been entered in a U.S. post office in the state of Louisiana under a periodical permit in the state for one year prior to the selection.

* * *

§175. Cost of publication

The official journal of a political subdivision shall include a statement of the cost charged to the political subdivision for publication with any proceeding, financial statement, notice, or other information it publishes for the political subdivision pursuant to a legal requirement that the information be published. The official journal shall not charge the political subdivision for printing this statement of cost.

Section 2. R.S. 43:171(B) is hereby repealed in its entirety.

Section 3. The provisions of R.S. 43:81.1, 147.3, and 175 as enacted by this Act are applicable to information published on or after January 1, 2025.

Approved by the Governor, June 3, 2024.

A true copy:

Nancy Landry
Secretary of State

ACT No. 465

HOUSE BILL NO. 51
BY REPRESENTATIVE DEWITT
AN ACT

To amend and reenact R.S. 13:2090, relative to the marshal of the city court of Alexandria; to authorize the city marshal to collect an appearance bond fee; to provide relative to the city marshal's general fund; to provide for effectiveness; and to provide for related matters.

Be it enacted by the Legislature of Louisiana:

Section 1. R.S. 13:2090 is hereby amended and reenacted to read as follows: §2090. Alexandria, deputy marshal Alexandria; marshal; fees in criminal matters; deputy marshal

A. The marshal of the city court of Alexandria shall collect a fee of thirty dollars for taking an appearance bond when required.

B. The sums of monies collected under the provisions of Subsection A of this Section shall be deposited in the marshal's general fund to supplement the operational expenses of the marshal's office. The expenditure of the funds shall be at the sole discretion of the marshal. All funds shall be subject to and included in the marshal's annual audit. A copy of the audit shall be filed with the legislative auditor who shall make it available for public inspection.

C. The assessment and disposition of any funds pursuant to this Section shall not affect responsibilities of the city and parish governing authorities provided by law for the financing of the marshal's office of the Alexandria City Court.

D. The marshal of the city court of Alexandria, with the approval of the judge of the city court of Alexandria, is authorized to employ a deputy marshal at an annual minimum salary of three thousand dollars, to be paid monthly on his own warrant in equal proportions by the city of Alexandria and the parish of Rapides.

Section 2. In accordance with the provisions of R.S. 13:62, the change in court costs or fees as provided by this Act shall become effective if and when the Judicial Council provides a recommendation that such court costs or fees meet the applicable guidelines in its report to the Louisiana Legislature. No fees shall be imposed or collected without Judicial Council approval.

A true copy:

Nancy Landry
Secretary of State

* As it appears in the enrolled bill

ACT No. 466

HOUSE BILL NO. 77
BY REPRESENTATIVE LACOMBE
AN ACT

To amend and reenact R.S. 39:467(B)(3)(introductory paragraph) and (c) and 468(E)(3), relative to sales of certain services and tangible personal property at certain facilities; to provide for the disposition of certain sales and use tax proceeds collected from the Angola State Penitentiary Prison Rodeo; 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. 39:467(B)(3)(introductory paragraph) and (c) and 468(E)(3) are hereby amended and reenacted to read as follows:

§467. Sales of services and tangible personal property at a publicly owned domed stadium facility or baseball facility; sales and use tax; exemptions

* * *

B. State-owned facility.

* * *

(3) Disposition of local tax proceeds from event sales at a state-owned state-owned domed facility.

* * *

(c) After satisfaction of the requirements of Subparagraph (a) of this Paragraph, of the total remaining local sales and use tax proceeds derived from event sales at the Angola State Penitentiary Prison Rodeo, an amount equal to ~~sixty-six~~ twenty percent shall be allocated to the West Feliciana Parish School Board, and an amount equal to ~~thirty-four~~ eighty percent shall be allocated to the West Feliciana Council on Aging.

* * *

§468. Sales of services and tangible personal property at certain public facilities; sales and use tax; exemptions

* * *

E. Disposition of local tax proceeds.

* * *

(3) After satisfaction of the requirements of Paragraph (1) of this Subsection, of the total remaining local sales and use tax proceeds derived from event sales at the Angola State Penitentiary Prison Rodeo, an amount equal to ~~sixty-six~~ twenty percent shall be allocated to the West Feliciana Parish School Board, and an amount equal to ~~thirty-four~~ eighty percent shall be allocated to the West Feliciana Council on Aging.

* * *

A true copy:

Nancy Landry
Secretary of State

ACT No. 467

HOUSE BILL NO. 82
BY REPRESENTATIVE STAGNI
AN ACT

To amend and reenact R.S. 37:2809(A), relative to the Louisiana Board of Chiropractic Examiners; to provide for fees collected by the board; and to provide for related matters.

Be it enacted by the Legislature of Louisiana:

Section 1. R.S. 37:2809(A) is hereby amended and reenacted to read as follows:

§2809. Fees

A. The board shall fix and collect uniform fees that shall not exceed the following amounts for each type of fee and shall not be refundable:

(1) Application fee for license to practice chiropractic	\$200.00 \$350.00
(2) Certificate of internship	\$100.00
(3) For issuing duplicate of any certificate or license	\$ 20.00 \$ 50.00
(4) Certificate for annual renewal of license	\$200.00 \$350.00
(5) License to practice chiropractic	\$150.00
(6) License by reciprocity	\$200.00 \$350.00
(7) Inactive license renewal	\$ 50.00 \$ 75.00
(8) Certificate of chiropractic assistant to perform chiropractic X-rays	\$ 75.00 \$100.00
(9) Delinquent fee, in addition to the renewal fee, if not renewed by December 31 of the applicable license period	\$250.00 \$350.00
(10) Application fee for examination retake	\$ 75.00 \$100.00
(11) Annual X-ray certificate registration	\$ 25.00 \$ 50.00

* * *

A true copy:

Nancy Landry
Secretary of State

ACT No. 468

HOUSE BILL NO. 246

BY REPRESENTATIVE ADAMS
AN ACT

To amend and reenact Section 3(B) of Act No. 557 of the 1974 Regular Session of the Legislature, relative to the city of Zachary; to provide relative to the municipal civil service system; to provide relative to the governing board for the system; to provide relative to the qualifications of board 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. Section 3(B) of Act No. 557 of the 1974 Regular Session of the Legislature is hereby amended and reenacted to read as follows:

ZACHARY MUNICIPAL EMPLOYEES CIVIL SERVICE SYSTEM

* * *

§3. Municipal Employees Civil Service Board

* * *

B.(1) To be eligible for appointment to or for service as a member of the board a person shall be a citizen of the United States of America, a resident of the city of Zachary for at least five years next preceding such appointment and shall be, at the time of his appointment, a qualified registered voter of the municipality. No member of the board shall have been, during a period of four years immediately preceding his appointment, nor shall he be, during his tenure, a member of any local, state or national committee of a political party, or an officer or member of a committee in any factional or political club or organization, or actively interested or participating therein. No member of the board shall be a candidate for nomination or election to any public office or hold any other public office or position of public employment, except that of notary public, military officer or member of the faculty of any educational institution.

(2) Notwithstanding the provisions of Paragraph (1) of this Subsection, in the city of Zachary, to be eligible to serve as an employee member of the board pursuant to Subsection C of this Section, an employee is not required to be a resident of the city of Zachary preceding his election. Any such employee shall be a qualified registered voter of the municipality in which he resides at the time of his election.

* * *

A true copy:
Nancy Landry
Secretary of State

ACT No. 469

HOUSE BILL NO. 309
BY REPRESENTATIVE COX
AN ACT

To amend and reenact R.S. 4:715(A)(2)(b), relative to charitable gaming; to provide for an increase in compensation for charitable gaming workers; and to provide for related matters.

Be it enacted by the Legislature of Louisiana:

Section 1. R.S. 4:715(A)(2)(b) is hereby amended and reenacted to read as follows:

§715. Personnel to hold games; commissions or salaries; equipment and supplies; expenses

A. * * *

(2)(a) * * *

(b) Any person, association, or corporation licensed to hold, operate, or conduct any games of chance under any license issued pursuant to this Chapter may compensate, for services rendered, any fifteen employees, including a bingo caller, who assist in the holding, operating, or conducting of such games. The rate of compensation shall be no more than ~~fifteen~~ twenty dollars per hour and in any event shall not exceed ~~ninety one hundred~~ dollars per session for any employee. Each employee or volunteer worker may also be provided meals and beverages to be eaten on the premises not to exceed a total value of fifteen dollars per person. Expenditures made under the provisions of this Subsection shall be subject to the reporting provisions of R.S. 4:716. Compensation provided for in this Paragraph shall not constitute a violation of the prohibition against the payment or giving of a commission, salary, compensation, reward, or recompense to any person holding, operating, or conducting any such game.

* * *

A true copy:
Nancy Landry
Secretary of State

ACT No. 470

HOUSE BILL NO. 319
BY REPRESENTATIVES NEWELL AND CHASSION
AN ACT

To amend and reenact R.S. 18:536(A)(introductory paragraph) and (C), relative to notice of change in polling place; to provide for including the reason for the change when giving notice of a change in polling place; to provide for an

effective date; and to provide for related matters.

Be it enacted by the Legislature of Louisiana:

Section 1. R.S. 18:536(A)(introductory paragraph) and (C) are hereby amended and reenacted to read as follows:

§536. Notice of change of location of polling place

A. When a parish governing authority or parish president, in accordance with the provisions of R.S. 18:534, changes the location of a polling place during the period commencing on the date the qualifying period opens and ending on the date of the general election or during the period commencing on the forty-sixth day prior to an election and ending on the day of the election for an election date exclusively for bond, tax, or other propositions or questions, the governing authority shall give adequate notice of the change of the location and the reason for the change to each voter registered to vote at that polling place and to each candidate to be voted on at that polling place, if applicable, in the following manner:

* * *

C. The governing authority shall inform the secretary of state of all polling place location changes and the reason for each change. The secretary of state shall list polling place location changes and the reason for each change as provided by the governing authority on his website in a sortable format ~~and the parish election officials, including the registrar of voters and clerk of court, may publish polling place location changes on their website. A parish registrar of voters or clerk of court that maintains a website may publish a list of polling place location changes within the parish and the reason for each change on his website and provide a clearly visible link to the list on the secretary of state's website.~~ Each website shall also include instructions on how a voter may subscribe to receive electronic notifications of polling place location changes.

Section 2. This Act shall become effective on July 1, 2025.

A true copy:

Nancy Landry
Secretary of State

ACT No. 471

HOUSE BILL NO. 323
BY REPRESENTATIVE FREIBERG
AN ACT

To amend and reenact R.S. 33:1233(B), relative to East Baton Rouge Parish; to provide relative to the members of the parish governing authority; to provide relative to a travel allowance authorized for such members; to provide for an increase in the maximum amount of the travel allowance; 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 III, Section 13 of the Constitution of Louisiana.

Be it enacted by the Legislature of Louisiana:

Section 1. R.S. 33:1233(B) is hereby amended and reenacted to read as follows:

§1233. Compensation * * *

B. In lieu of the provisions of Subsection A of this Section, each member of the governing authority of East Baton Rouge Parish may be empowered to receive a travel allowance for in-parish travel which includes payment for a combination of travel and car allowance of a maximum of ~~eight hundred dollars~~ one thousand five hundred dollars per month for each member. Such allowance shall be provided upon approval of a majority of the members of the local governing body after public hearing.

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.

A true copy:

Nancy Landry
Secretary of State

ACT No. 472

HOUSE BILL NO. 390
BY REPRESENTATIVE CARRIER
AN ACT

To enact R.S. 25:214.6, relative to the Allen Parish Libraries Board of Control; to provide relative to compensation for members 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. 25:214.6 is hereby enacted to read as follows:

§214.6. Allen Parish Libraries Board of Control; per diem

A. The members of the Allen Parish Library Board of Control may receive a per diem paid from funds of the Allen Parish Library for their attendance at regular or special meetings of the board.

B. Members of the board may receive a per diem in an amount not to exceed one hundred dollars and the president of the board may receive a per diem in an amount not to exceed one hundred fifty dollars.

A true copy:
Nancy Landry
Secretary of State

ACT No. 473

HOUSE BILL NO. 474
BY REPRESENTATIVE COATES
AN ACT

To enact R.S. 30:2074(F), relative to waste water discharge into natural wetlands; to provide for the duties of the Department of Environmental Quality; to require the posting of warning signs for wetlands assimilation projects; and to provide for related matters.

Be it enacted by the Legislature of Louisiana:

Section 1. R.S. 30:2074(F) is hereby enacted to read as follows:

§2074. Water quality control; secretary of environmental quality; powers and duties

* * *

F. The secretary shall require all wetland assimilation project permit holders to post and maintain warning signs to notify the public of the presence of wastewater effluent discharge at reasonable intervals along the entire perimeter of any wetlands impacted by the discharge of wastewater, including all areas between the receiving effluent and the designated out-site locations, and at the entrances to any wildlife management areas in which there are impacted wetlands. The signage shall state "Warning: Treated Wastewater Discharge".

A true copy:
Nancy Landry
Secretary of State

ACT No. 474

HOUSE BILL NO. 544
BY REPRESENTATIVE BOYD
AN ACT

To amend and reenact R.S. 48:1655(A)(1)(introductory paragraph) and (c) and (2) and 1656(8) and (23) and to enact R.S. 48:1656(24) through (26) and 1656.1, relative to the Regional Transit Authority Board of commissioners requirements; to provide for certain powers, authority, and membership of the board; to provide relative to the composition of the Regional Transit Authority Advisory Board; to authorize the audit of the Regional Transit Authority; to provide an effective date; to provide for the creation of an advisory board to advise and make recommendations to the authority; to provide for penalties; and to provide for related matters.

Be it enacted by the Legislature of Louisiana:

Section 1. R.S. 48:1655(A)(1)(introductory paragraph) and (c) and (2) and 1656(8) and (23) are hereby amended and reenacted and R.S. 48:1656(24) through (26) and 1656.1 are hereby enacted to read as follows:

§1655. Board of commissioners; membership; terms

A.(1) The board of commissioners of the authority shall be composed of three members from each participating parish appointed by the chief executive officer of that parish, subject to the approval of its governing authority, one member appointed by the New Orleans City Council, one member appointed from House District 102 by the state representative representing the district beginning on September 1, 2024, and this appointment shall rotate every four years thereafter between the member appointed from the house district and a member appointed from Senate District 7 by the state senator representing the district, and two members appointed by the chief executive officer of the parish with the greatest percentage of public transit revenue operating miles from recommendations of the legislative delegation of that parish as follows:

* * *

(c)(i) In the event the senators or representatives of that parish's legislative delegation fail to submit a list of names to the chief executive officer of that parish within thirty days of the date on which notice to submit such list of names is sent to the senators or representatives of that parish's legislative delegation, then the chief executive officer of that parish shall appoint such member as would have been authorized for the senators or representatives of that parish's legislative delegation.

(ii) If any participating parish opts out of the Regional Transit Authority after August 1, 2024, the mayor or governing authority shall have the power to appoint two new members to the board.

(2) Each member appointed by the chief executive officer of a parish shall be domiciled within the parish. Further, each member appointed to the authority by the parish legislator shall possess the minimum transit expertise standards and required training and previous union experience. The transit minimum standards shall be established by the board of commissioners by January 1, 2025, and shall then apply to all newly appointed commissioners.

* * *

§1656. General powers

The authority shall have all powers necessary or convenient to accomplish the aforesaid purposes, including but not limited to the following:

* * *

(8) The power to make and execute all contracts and other instruments necessary or convenient to the exercise of the powers of the authority,

THE ADVOCATE
PAGE 11

* As it appears in the enrolled bill

including the power to contract for managerial and operating services, provided that management and labor attempt to resolve all contracts bilaterally before involving a mediator.

* * *

(23) The power to require quarterly reporting of the Regional Transit Authority funds and functioning.

(24) The power to establish and address situations where the Regional Transit Authority violates state and city laws and establish penalties.

(25) The power to establish an investigative committee for the following: probe waste, bid rigging, abuse of employees, and labor law violations.

(26) Notwithstanding the provisions of any other law to the contrary, including the provisions of R.S. 45:161 et seq., the authority created herein and any entity contracted to manage or operate the authority shall not be deemed a "person" as defined in R.S. 45:162 or a "common carrier" as defined in R.S. 45:162 nor shall the authority or any entity contracted to manage or operate the authority be construed or interpreted to be such. Additionally, the authority and any entity contracted to manage or operate the authority shall not be deemed to be a common carrier, or interpreted to be such by any court of this state in a suit for personal injury or property damage.

§1656.1. The Regional Transit Authority Advisory Board; creation; composition; powers

A. The Regional Transit Authority Advisory Board, hereinafter referred to as the "advisory board", is hereby created to assist the Regional Transit Authority and shall have the purpose, composition, duties, and functions provided in this Section.

B.(1) The purpose of the advisory board is to advise and make recommendations to the Regional Transit Authority in making informed decisions regarding the functions outlined in R.S. 48:1654(B).

(2) To ensure the advisory board can function effectively, the following powers and functions shall be vested in the board:

(a) Full and unrestricted access to all written information, documents, data which are before the Regional Transit Authority board of commissioners and its committees. However, this Subparagraph does not include items that are covered by the executive session proceedings.

(b) The power to request written briefings, presentation reports, and any other information as needed from the staff of the Regional Transit Authority in making informed decisions regarding the functions outlined in R.S. 48:1654(B).

(c) The power to adopt formal recommendations regarding any such matter which shall be presented on the record at commission meetings prior to a vote. However, the advisory board shall not have the power to vote.

(3) The advisory board shall be required to meet quarterly with the board of commissioners.

C. The advisory board shall be composed of eleven persons as follows:

(1) An employee of the Regional Transit Authority appointed by the chief executive officer.

(2) A local member of the Amalgamated Transit Union who works for the Regional Transit Authority appointed by the president and business agent.

(3) A member from Ride New Orleans appointed by the executive officer.

(4) The president of each of the following universities: Loyola University, Tulane University, Xavier University, Dillard University, Southern University at New Orleans, the University of New Orleans, and the University of Holy Cross.

(5) Two members appointed by the president of the Louisiana American Federation of Labor and Congress of Louisiana Industrial Organizations.

D. All appointed members of the board shall receive at least two hours of transit-specific training in the duties, responsibilities, ethics and substance of the positions held and two hours of training on labor and union relations best practices, either before taking office or no later than one year after the office is assumed. All training shall be formally approved by the board and ratified by each participating parish or city legislative body.

E. Any city or parish with appointments and representation on the Regional Transit Authority board of commissioners shall have the authority to audit the Regional Transit Authority or hire a third party to perform the audit. All records and information requested in the audit shall be provided in an expedited manner by the Regional Transit Authority. A city or parish council may levy fines on the Regional Transit Authority.

Section 2. The provisions of this Act shall become effective on August 1, 2024.

A true copy:
Nancy Landry
Secretary of State

ACT No. 475

HOUSE BILL NO. 620
BY REPRESENTATIVE RISER
AN ACT

To amend and reenact R.S. 37:711.13(A), (B), and (D) and 711.20(A), to enact R.S. 37:711.13(E) and (F), and to repeal R.S. 37:711.20(C), relative to geoscientist license fees; to provide for applications for licensure; to provide for fees for professional geoscientists; to provide for fees for geoscientists-in-training; to provide for the expiration and renewal of licensure; and to provide for related matters.

Be it enacted by the Legislature of Louisiana:

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

Section 1. R.S. 37:711.13(A), (B), and (D) and 711.20(A) are hereby amended and reenacted and R.S. 37:711.13(E) and (F) are hereby enacted to read as follows:

§711.13. Application for licensure or certification; fees

A. Application for licensure as a professional geoscientist shall be on forms prescribed and furnished by the board, shall show the applicant's education and a detailed summary of his technical work, and shall contain such references prescribed by the board. Forms provided by the board for application shall contain the explanation for fees listed in Subsections E and F of this Section.

B. Application for certification as a geoscientist-in-training shall be on forms prescribed and furnished by the board, shall show the applicant's education and a detailed summary of his technical work, if any, and shall contain such references prescribed by the board. Forms provided by the board for application shall contain the explanation for fees listed in Subsections E and F of this Section.

* * *

~~D.(1) An application fee for professional geoscientists or geoscientists-in-training shall be established at the discretion of the board but shall not exceed two hundred dollars and shall not be increased by the board by more than thirty dollars in any three-year period.~~

(2) The application fee shall accompany the application. If the board denies the issuance of a license or certification to any applicant, the application fee shall be retained by the board. An unsuccessful applicant shall pay the prescribed fee for each subsequent application.

E. The fees for professional geoscientists are as follows:

(1) Application/initial licensing fee	<u>\$250</u>
(2) Annual license renewal	<u>\$200</u>
(3) Annual license renewal for licensees sixty years or older	<u>\$125</u>
(4) Late renewal penalty	<u>\$100</u>
(5) Temporary license (ninety days)	<u>\$250</u>
(6) Duplicate wall license certificate	<u>\$35</u>
(7) Affidavit of licensure	<u>\$25</u>
(8) Verification of licensure	<u>\$25</u>
(9) Insufficient funds fee	<u>\$35</u>

F. The fees for geoscientists-in-training are as follows:

(1) Application/first year certification fee	<u>\$125</u>
(2) Annual renewal fee	<u>\$100</u>

* * *

§711.20. Expiration and renewals; fees

A. Licensure and certification shall expire at a time specified by the board and shall become invalid after that date unless renewed. It shall be the duty of the executive secretary of the board to notify by letter to his last known address each licensee and certificate holder of the date of the expiration of the license or certificate and the requirements for its renewal. The notice shall be mailed at least one month in advance of the expiration of such license or certificate. Renewal of licensure as a professional geoscientist or geoscientist-in-training may be effected at any time during the two months prior to expiration by the payment of a fee, ~~not to exceed one hundred fifty dollars per year at the discretion of the board. The board shall not increase the renewal fee by more than twenty dollars in any one-year period.~~

* * *

Section 2. R.S. 37:711.20(C) is hereby repealed in its entirety.

A true copy:

Nancy Landry
Secretary of State

ACT No. 476

HOUSE BILL NO. 824

BY REPRESENTATIVES MARCELLE, ADAMS, BACALA, BOYD, BOYER, WILFORD CARTER, COX, FISHER, HORTON, JACKSON, KNOX, LAFLEUR, LARVADAIN, LYONS, MOORE, NEWELL, SELDERS, VENTRELLA, VILLIO, AND WILEY AND SENATORS BARROW, BOUDREAUX, CARTER, CLOUD, DUPLESSIS, FIELDS, JACKSON-ANDREWS, AND PRICE

AN ACT

To amend and reenact R.S. 14:40.6(C), relative to the unlawful disruption of the operation of a school; to provide for penalties; to provide for participation in conflict resolution classes; and to provide for related matters.

Be it enacted by the Legislature of Louisiana:

Section 1. R.S. 14:40.6(C) is hereby amended and reenacted to read as follows:

§40.6. Unlawful disruption of the operation of a school; penalties

* * *

C.(1) Whoever commits the offense of unlawful disruption of the operation of a school shall be fined not more than one thousand dollars or imprisoned with or without hard labor for not less than one year nor more than five years for not more than six months, or both.

(2) For a second or subsequent offense, the offender shall be fined not more than one thousand dollars or imprisoned with or without hard labor for not less than one year nor more than five years, or both.

(3) In addition to any other penalty provided in this Section, whoever violates the provisions of this Section shall be required to participate in conflict resolution classes as provided in R.S. 17:416.15.

* * *

A true copy:

Nancy Landry
Secretary of State

ACT No. 477

HOUSE BILL NO. 927

BY REPRESENTATIVES SELDERS, BRYANT, DESHOTEL, FISHER, JACOB LANDRY, TAYLOR, AND WALTERS

AN ACT

To amend and reenact R.S. 33:4886, relative to parishes and municipalities; to provide relative to permits required by parishes and municipalities; to prohibit any parish or municipality from requiring a permit for certain services provided by an authorized utility provider; and to provide for related matters.

Be it enacted by the Legislature of Louisiana:

Section 1. R.S. 33:4886 is hereby amended and reenacted to read as follows: §4886. Permits; certain utility services; parishes and municipalities

Notwithstanding any other provision of law to the contrary, ~~no parish governing authority or municipal governing authority shall require any person who holds an account with an authorized utility provider and whose account is being charged by the provider for electric services provided to a dwelling located in the state of Louisiana to acquire a permit from the respective parish or municipal governing authority in which the dwelling is located for the purpose of changing the name of the person listed as the account holder if a person who holds an account with an authorized utility provider that is being charged by the provider for electric services provided to a dwelling located in the state of Louisiana transfers the account to another person, the parish or municipal governing authority shall not require the new account holder to acquire a permit from the respective parish or municipal governing authority to continue the electric services being provided by the authorized utility provider to any such dwelling.~~ Nothing in this Section shall prohibit regulatory inspection or enforcement regarding on-site sewerage disposal systems, nor shall it prohibit a parish or municipal governing authority from collecting past due utility debt.

A true copy:

Nancy Landry
Secretary of State

ACT No. 478

SENATE BILL NO. 86

BY SENATOR EDMONDS

AN ACT

To amend and reenact R.S. 37:3516(A)(1) and (2), relative to the Louisiana State Board of Private Investigator Examiners; to increase certain licensing fees; to provide for terms and conditions; and to provide for related matters.

Be it enacted by the Legislature of Louisiana:

Section 1. R.S. 37:3516(A)(1) and (2) are hereby amended and reenacted to read as follows:

§3516. Fees

A. The board shall assess the following schedule of fees which shall not be refundable:

- (1) Private investigator agency:
 - (a) Application fee - \$50.00.
 - (b) Examination fee - ~~\$50.00~~ **\$100.00**.
 - (c) Reexamination fee - ~~\$25.00~~ **\$50.00**.
 - (d) Initial license fee - ~~\$250.00~~ **\$300.00**.
 - (e) Annual renewal license fee - ~~\$250.00~~ **\$300.00**.
 - (f) Replacement fee for a lost, destroyed, or mutilated license - \$25.00.
- (2) Private investigator or apprentice investigator:
 - (a) Application fee - \$50.00.
 - (b) Examination fee - ~~\$50.00~~ **\$100.00**.
 - (c) Reexamination fee - ~~\$25.00~~ **\$50.00**.
 - (d) Initial license fee per investigator **individual** or apprentice - ~~\$100.00~~ **\$150.00**.
 - (e) Annual renewal license fee - ~~\$100.00~~ **\$150.00**.

* * *

A true copy:

Nancy Landry
Secretary of State

ACT No. 479

SENATE BILL NO. 159

BY SENATOR CATHEY

AN ACT

To enact R.S. 29:296, relative to services for veterans; to provide for restrictions on services provided to veterans for compensation; to provide

for definitions; to provide for disclosures; to provide relative to violations; to provide for an effective date; and to provide for related matters.
Be it enacted by the Legislature of Louisiana:

Section 1. R.S. 29:296 is hereby enacted to read as follows:

§296. Preserving lawful utilization of services for veterans

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

(1) "Compensation" means any money, thing of value, or economic benefit conferred on, or received by, any person in return for services rendered, or to be rendered, by a person.

(2) "Person" means any natural person, corporation, trust, partnership, incorporated or unincorporated association, or any other legal entity.

(3) "Veterans' benefits matter" means the preparation, presentation, or prosecution of any claim affecting any person who has filed or expressed an intent to file a claim for any benefit, program, service, commodity, function, status, or entitlement to which is determined to pertain to veterans, their dependents, their survivors, or any other individual eligible for such benefits under the laws and regulations administered by the United States Department of Veterans Affairs or the Louisiana Department of Veterans Affairs.

B.(1) No person shall receive compensation for referring any individual to another person to advise or assist the individual with any veterans' benefits matter.

(2) No person shall receive any compensation for any services rendered in connection with any claim filed within the one-year presumptive period of active-duty release.

(3) No person shall receive any compensation for any services rendered in connection with any claim for pension benefits.

C.(1) A person seeking to receive compensation for advising, assisting, or consulting with any individual in connection with any veterans' benefits matter shall, before rendering any services, memorialize the specific terms under which the amount to be paid will be determined in a written agreement signed by both parties. Compensation must be purely contingent upon an increase in benefits awarded, and if successful, compensation shall not exceed five times the amount of the monthly increase in benefits awarded based on the claim. Compensation shall not exceed twelve thousand five hundred dollars or an amount established by federal law, whichever is less. No initial or nonrefundable fee shall be charged by a person advising, assisting, or consulting an individual on a veterans' benefit matter. No interest shall be charged on any payment plans agreed to by the parties.

(2) A person seeking to receive compensation for advising, assisting, or consulting with any individual with any veterans' benefits matter shall not utilize a medical professional with whom it has an employment or business relationship for a secondary medical exam.

(3) In the event that a veteran claimant dies prior to a claim being processed, any expected compensation shall be waived and no charge, fee, or debt shall be collected. Any payment plan for services rendered shall be terminated immediately.

D. No person shall guarantee, either directly or by implication, a successful outcome or that any individual is certain to receive specific veterans' benefits or that any individual is certain to receive a specific level, percentage, or amount of veterans' benefits.

E.(1) No person shall advise, assist, or consult for compensation with any individual concerning any veterans' benefits matter without clearly providing at the outset of the business relationship the following disclosure both orally and in writing:

"This business is not sponsored by, or affiliated with, the United States Department of Veterans Affairs or the Louisiana Department of Veterans Affairs, or any other federally chartered veterans' service organization. Other organizations including but not limited to the Louisiana Department of Veterans Affairs, a local veterans' service organization, and other federally chartered veterans' service organizations may be able to provide you with this service free of charge. Products or services offered by this business are not necessarily endorsed by any of these organizations. You may qualify for other veterans' benefits beyond the benefits for which you are receiving services here."

(2) The written disclosure shall appear in at least twelve-point font and shall appear in a readily noticeable and identifiable place in the person's agreement with the individual seeking services. The disclosure shall direct the individual seeking services to the nearest Veterans Service Office, with the appropriate address and contact information for that office. The individual shall verbally acknowledge understanding of the oral disclosure and sign the document in which the written disclosure appears to represent understanding of these provisions. The person offering services shall retain a copy of the written disclosure while providing veterans' benefits services for compensation to the individual and for at least one year after the date on which the service relations terminate.

F. Businesses engaging in the preparation of an initial claim or appeal of a disability rating for a fee shall not do any of the following:

(1) Utilize international call center or data centers for processing veterans personal information.

(2) Gain direct access to any personal medical, financial, or government benefits log-in, username, or password information.

G. A violation of the provisions of this Section shall constitute an unfair, false, misleading, or deceptive act or practice in the conduct of trade or commerce under the Unfair Trade Practices and Consumer Protection Law, R.S. 51:1401 et seq.

H. An entity assisting veterans with their initial disability claims as

prescribed within this Section shall, within one hundred twenty days of the request, provide on an annualized basis of all of the following data to the Department of Veterans Affairs:

(1) Aggregate number of serviced in the state.

(2) Number of claims approved, denied, pending.

(3) Average claim return time.

(4) Number of clients who received a successful increase who have a previously assigned "agent of record".

(5) Data provided shall exclude any items of personal financial, medical, or other data deemed confidential, business privileged, or HIPAA protected information.

Section 2. This Act shall be known and may be cited as "The Preserving Lawful Utilization of Services for Veterans Act".

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

A true copy:

Nancy Landry
Secretary of State

ACT No. 480

SENATE BILL NO. 240
BY SENATOR COUSSAN
AN ACT

To amend and reenact R.S. 51:911.24(J)(2) and to enact R.S. 51:911.24(J)(3) and 912.27(A)(4), relative to manufactured housing; to provide relative to licensure requirements, qualifications, and applications; to provide relative to retailers, developers, transporters, and installers; to provide with respect to requiring a surety bond; and to provide for related matters.
Be it enacted by the Legislature of Louisiana:

Section 1. R.S. 51:911.24(J)(2) is hereby amended and reenacted and R.S. 51:911.24(J)(3) and 912.27(A)(4) are hereby enacted to read as follows:

§911.24. License required; qualifications; application; issuance; transfer; criminal history record information; **bond**

* * *

J.

* * *

(2) All retailers and developers shall provide annually along with the license application, a surety bond in the amount of fifty thousand dollars or post a fifty thousand dollar irrevocable letter of credit with the commission.

(3) Any person applying for an original retailer's license or an original developer's license after January 1, 2004, shall submit a financial statement prepared by an independent third-party accounting firm evidencing a minimum net worth of ~~two hundred~~ fifty thousand dollars or post a ~~two hundred~~ fifty thousand dollar surety bond, **annually until the required net worth is achieved, with the commission. Further, each of these persons shall take a class and pass an accompanying test prior to receiving his original license. The commission shall develop the class and test. The fee for the retailer and developer class and test shall be set by rule and shall not exceed one hundred dollars.**

* * *

§912.27. Licensure of installers and transporters; adoption of rules; compliance with installation instructions; disposition of fees; **continuing education; bond**

A.

* * *

(4) All installers and transporters shall provide annually along with the license application, a surety bond in the amount of twenty-five thousand dollars or post a twenty-five thousand dollar irrevocable letter of credit with the commission.

* * *

A true copy:

Nancy Landry
Secretary of State

ACT No. 481

SENATE BILL NO. 246
BY SENATORS LUNEAU, BARROW, BASS, BOUDREAUX, BOUIE,
CONNICK, DUPLESSIS, EDMONDS, FIELDS, HARRIS, HENRY,
JACKSON-ANDREWS, JENKINS, KLEINPETER, MIZELL,
MORRIS, OWEN, PRICE, SEABAUGH, STINE AND WOMACK AND
REPRESENTATIVES ADAMS, BACALA, BAYHAM, BERAULT, BOYD,
BOYER, BRYANT, WILFORD CARTER, CHASSION, COATES, COX,
DEVILLIER, DEWITT, FISHER, FREIBERG, GLORIOSO, GREEN,
HORTON, HUGHES, JACKSON, TRAVIS JOHNSON, JORDAN, KNOX,
LAFLEUR, LARVADAIN, LYONS, MARCELLE, MCMAHEN, MENA,
NEWELL, PHELPS, SCHLEGEL, TAYLOR, VENTRELLA, WALTERS,
WILDER, WILLARD AND WYBLE

AN ACT

To amend and reenact Section 2 of Act No. 386 of the 2022 Regular Session

of the Legislature, relative to prescription; to provide relative to the prescriptive period for certain civil actions against a person for certain acts committed against a minor; to provide relative to implementation; to provide for an effective date; and to provide for related matters.

Be it enacted by the Legislature of Louisiana:

Section 1. Section 2 of Act No. 386 of the 2022 Regular Session of the Legislature is hereby amended and reenacted to read as follows:

* * *

Section 2. Any person whose cause of action related to sexual abuse of a minor was barred by liberative prescription shall be permitted to file an action under R.S. 9:2800.9 on or before June 14, 2024 2027. It is the express intent of the legislature to revive until June 14, 2024 2027, any cause of action related to sexual abuse of a minor that previously prescribed under any Louisiana prescriptive period.

A true copy:

Nancy Landry
Secretary of State

ACT No. 482

SENATE BILL NO. 343
BY SENATOR BARROW
AN ACT

To amend and reenact R.S. 17:3399.13.1 (A), (C), (E), and (F) and to enact R.S. 17:3399.13.1 (G), relative to the prevention of power-based violence in public postsecondary education institutions; to provide with respect to written reports; provides with respect to the dates of the reports; provides with respect to required annual training; to provide an effective date; and to provide for related matters.

Be it enacted by the Legislature of Louisiana:

Section 2. R.S. 17:3399.13.1 (A), (C), (E), and (F) hereby amended and reenacted and R.S. 17:3399.13.1 (G) is hereby enacted to read as follows:

§3399.13.1. Administrative reporting requirements

A. Not later than October tenth and April tenth of each year, the Title IX coordinator of an institution shall submit to the chancellor of the institution a written **incident** report on the reports received under R.S. 17:3399.13, including information regarding:

- (1) The investigation of those reports.
- (2) The disposition, if any, of any disciplinary processes arising from those reports.
- (3) The reports for which the institution determined not to initiate a disciplinary process, if any.
- (4) Any complaints of retaliation and the status of the investigation of the complaints.

* * *

C. The chancellor of each institution shall submit a report to the institution's management board within fourteen days of receiving the report pursuant to Subsection A of this Section from the Title IX coordinator. The report shall include ~~the number of employees and confidential advisors for the institution, the number and percentage of those who have completed required annual training,~~ the number of complaints of power-based violence received by the institution, the number of complaints which resulted in a finding that power-based violations occurred, the number of complaints in which the finding of power-based violations resulted in discipline or corrective action, the type of discipline or corrective action taken, the amount of time it took to resolve each complaint, the number of reports of retaliation, and the findings of any investigations of reports of retaliation. The report shall be posted on the institution's website.

* * *

E. The management board shall send an annual system-wide summary **incident** report to the Board of Regents by December thirty-first. The Board of Regents shall post the report on its website.

F. **In addition, each management board shall send an annual training report to the Board of Regents by January thirtieth. The report shall include the number of employees and confidential advisors for each institution, and the number and percentage of those who have completed the required annual training. The training report shall be published on the website of each system.**

G. The Board of Regents, in consultation with the Louisiana Power-Based Violence Review Panel, shall annually submit a report to the governor, the president of the Senate, the speaker of the House of Representatives, and the Senate and House committees on education and select committees on women and children by ~~January fifteenth~~ **February twenty-eighth** which shall include system-wide and statewide information. The report shall also include any recommendations for legislation. The report shall be published on the website of the Board of Regents.

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 become effective on the day following such approval.

A true copy:

Nancy Landry
Secretary of State

ACT No. 483

SENATE BILL NO. 398
BY SENATORS JENKINS, BASS AND SEABAUGH AND
REPRESENTATIVES BAMBURG, BAYHAM, FISHER, JACKSON,
THOMPSON, WALTERS AND YOUNG
AN ACT

To amend and reenact R.S. 33:4574.1.1(A)(24)(b), relative to the Shreveport-Bossier Convention and Tourist Bureau; to provide relative to the hotel occupancy tax levied by the Shreveport-Bossier Convention and Tourist Bureau; to provide for continuation of the hotel occupancy tax; to provide for an effective date; and to provide for related matters.

Notice of intention to introduce this Act has been published.

Be it enacted by the Legislature of Louisiana:

Section 1. R.S. 33:4574.1.1(A)(24)(b) is hereby amended and reenacted to read as follows:

§4574.1.1. Occupancy taxes levied by the commissions

A. For the purposes set forth in this Subsection or Paragraph (F)(3) of this Section, a commission created pursuant to R.S. 33:4574(B) is authorized to levy and collect a tax upon the occupancy of hotel rooms, motel rooms, and overnight camping facilities within the jurisdiction of the commission. Such tax shall not exceed the following percentages of the rent or fee charged for such occupancy:

* * *

(24)(a)

* * *

(b) Notwithstanding the provisions of Subparagraph (a) of this Paragraph, the maximum rate shall be four and one-half percent until twenty-five years after June 30, 1999 2024.

* * *

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.

A true copy:

Nancy Landry
Secretary of State

ACT No. 484

SENATE BILL NO. 438
BY SENATOR MILLER
AN ACT

To amend and reenact R.S. 38:304(A), relative to levee commissioners; to provide for requirements for levee commissioners; to provide relative to education requirements for levee commissioners; and to provide for related matters.

Be it enacted by the Legislature of Louisiana:

Section 1. R.S. 38:304(A) is hereby amended and reenacted to read as follows: §304. Appointment of members; residency **and education** requirements; filling of vacancies

A. Any person appointed **as** a levee commissioner or levee and drainage commissioner ~~must have~~ **shall meet all of the following requirements:**

- (1) ~~resided~~ **Reside** in this state for the preceding two years;
- (2) ~~resided~~ **Reside** in the levee district for the preceding year;
- (3) ~~be~~ **Is** a qualified voter of one of the parishes included in the district;
- (4) **Have or possess the equivalent of a high school diploma. The requirement contained in this Paragraph shall only have prospective application and shall only apply to new appointments. Further, such requirement shall not apply to reappointments of existing members.**
- (5) ~~and reside~~ **Resides** in the district while serving as a member of the board.

* * *

A true copy:

Nancy Landry
Secretary of State

ACT No. 485

SENATE BILL NO. 441
BY SENATOR HARRIS AND REPRESENTATIVES CHASSION, DEWITT,
MACK, ORGERON AND ZERINGUE
AN ACT

To amend and reenact Section 2 and Section 3 of Act No. 57 of the 2021 Regular Session of the Legislature; to provide for the transfer of certain state property; to provide for the authority to transfer certain state property in Orleans Parish; to provide an effective date; and to provide for related matters.

Be it enacted by the Legislature of Louisiana:

Section 1. Section 2 and Section 3 of Act No. 57 of the 2021 Regular Session of the Legislature are hereby amended and reenacted to read as follows:

Section 2. The president of the University of Louisiana System, as

authorized by the Board of Supervisors for the University of Louisiana System, and the commissioner of administration are hereby authorized to enter into such agreements, covenants, conditions, and stipulations and to execute such documents as necessary to properly effectuate any conveyance, transfer, assignment, or delivery of title, **including any agreement allowing for the conveyance, transfer, assignment, or delivery of title as an installment purchase over multiple years**, excluding mineral rights, to the property described in Section 1 of this Act, and as more specifically described in any such agreements entered into and documents executed by and between the president of the University of Louisiana System, the commissioner, and The Ogden Museum of Southern Art, Inc., in exchange for appropriate consideration sufficient to satisfy the provisions of Article VII, Section 14(A) of the Constitution of Louisiana. **For purposes of determining appropriate consideration for this transaction, The Ogden Museum of Southern Art, Inc., shall be credited for any maintenance, upkeep, repairs, capital contributions, or any other expenditures made that benefit the property described in Section 1 of this Act.**

Section 3. **(a) Notwithstanding any other provision of law to the contrary, any and all proceeds from the sale of the property described in Section 1 of this Act shall be credited to the University of New Orleans to be used at its sole discretion.**

(b) The authorities granted by this Act shall terminate on June 30, 2024 2028.

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.

A true copy:

Nancy Landry
Secretary of State

ACT No. 486

HOUSE BILL NO. 655
BY REPRESENTATIVE MILLER
AN ACT

To enact R.S. 46:446.2 (E) and (F), relative to third-party liability for prior authorizations and state claim inquiries; to provide for third-party prior authorizations; to provide for third-party claim processing; to provide for an effective date; and to provide for related matters.

Be it enacted by the Legislature of Louisiana:

Section 1. R.S. 46: 446.2 (E) and (F) are hereby enacted to read as follows:
§446.2. Third-party liability; acquisition of rights

* * *

E. A third party that requires prior authorization for an item or service furnished to an individual eligible to receive medical assistance in accordance with this Title shall accept authorization provided by the department that the item or service is covered under the State Plan, or waiver of such plan, for such individual as if the authorization were a prior authorization made by the third party for the item or service.

F. A third party shall:

(1) Respond not later than sixty days after receiving any inquiry by the department regarding a claim for payment for any healthcare item or service that is submitted not later than three years after the date of the provision of the healthcare item or service.

(2) Not deny a claim submitted by the department solely on the basis of the date of submission of the claim, the type or format of the claim form, or a failure to present proper documentation at the point-of-sale that is the basis of the claim.

(3) Not deny a claim on the basis of failure to obtain a prior authorization for the item or service for which the claim is being submitted if the claim is submitted by the department within the three-year period beginning on the date on which the item or service was furnished and any action by the department to enforce its rights with respect to the claim is commenced within six years from the date the department submitted the claim.

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, May 23, 2024.

A true copy:

Nancy Landry
Secretary of State

ACT No. 487

HOUSE BILL NO. 658
BY REPRESENTATIVES HENRY AND ROMERO
AN ACT

To amend and reenact R.S. 49:977.3(C), relative to the administrative revocation, suspension, annulment, or withdrawal of a license; to provide

for notice through electronic means; and to provide for related matters.
Be it enacted by the Legislature of Louisiana:

Section 1. R.S. 49:977.3(C) is hereby amended and reenacted to read as follows:

§977.3. Licenses

* * *

C. No revocation, suspension, annulment, or withdrawal of any license is lawful unless, prior to the institution of agency proceedings, the agency gives notice by mail or through electronic means as prescribed by the agency to the licensee of facts or conduct which warrant the intended action, and the licensee is given an opportunity to show compliance with all lawful requirements for the retention of the license. If the agency finds that public health, safety, or welfare imperatively requires emergency action, and incorporates a finding to that effect in its order, summary suspension of a license may be ordered pending proceedings for revocation or other action. These proceedings shall be promptly instituted and determined.

Approved by the Governor, May 23, 2024.

A true copy:

Nancy Landry
Secretary of State

ACT No. 488

HOUSE BILL NO. 672
BY REPRESENTATIVE JORDAN
AN ACT

To amend and reenact R.S. 22:1623, 1625(A), and 1626 and to enact R.S. 22:1628 and 1629, relative to managing general agents; to provide for duties; to provide relative to financial examinations; to provide for account reports; to require notices to the Department of Insurance and insurers; and to provide for related matters.

Be it enacted by the Legislature of Louisiana:

Section 1. R.S. 22:1623, 1625(A), and 1626 are hereby amended and reenacted and R.S. 22:1628 and 1629 are hereby enacted to read as follows:

§1623. Licensure; registration

A. ~~No~~ A person shall not act in the capacity of an MGA with respect to risks located in this state for an insurer licensed in this state unless such person is a licensed producer in this state.

B. ~~No~~ A person shall not act in the capacity of an MGA representing an insurer domiciled in this state with respect to risks located outside this state unless such person is licensed as a resident or nonresident producer in this state pursuant to the provisions of this Part.

C. The commissioner may require a bond in an amount of ten percent of the MGA annual writings or two hundred fifty thousand dollars, whichever is less, for the protection of the insurer.

D. ~~No~~ A person shall not act in the capacity of an MGA in this state unless such person has registered his name, current residential address, current mailing address, and current business address with the commissioner, on forms prescribed by the commissioner, together with a fee in the amount set forth in R.S. 22:821.

E.(1) A person shall not act in the capacity of an MGA in this state if the person served as an officer, director, or person with direct or indirect control over the selection or appointment of an officer or director through contract, trust, or by operation of law of an insurer doing business in this state and served in that capacity within the two-year period before the date the insurer became insolvent, unless the person demonstrates that his personal actions and omissions were not a significant contributing cause to the insolvency, as determined by the commissioner.

(2) Notwithstanding Paragraph (1) of this Subsection, the commissioner may approve a former officer, director, or person with direct or indirect control over the selection or appointment of an officer or director of an insurer who became insolvent, if at least five years have passed since the date the insurer became insolvent.

E. F. Each year prior to May first, every MGA shall notify the commissioner of his desire to continue his registration as an MGA on forms prescribed by the commissioner together with a fee in the amount set forth in R.S. 22:821.

F. G. If a person fails to provide any of the information required pursuant to this Section, the commissioner may, after notification by the commissioner to the person by certified mail of such failure, impose a fine not to exceed fifty dollars.

G. H. The commissioner may require the MGA to maintain an errors and omissions insurance policy.

* * *

§1625. Duties of insurers

A. If an insurer has an MGA who writes more than five percent of its policyholder surplus, ~~then~~ the insurer shall provide to the commissioner, upon his request, financial data by an independent examiner concerning that insurer's book of business which is in question and is handled by that MGA ~~upon request~~, and the insurer shall have on file an independent ~~financial~~ financial examination, ~~in a form acceptable to the commissioner~~, audited financial report of each MGA with which it has done business. The audited financial report shall include the opinion of an independent certified public accountant, report the financial position of the MGA as of the most recent year-end and the results of its operations and cash flows, and include appropriate notes to financial statements. The insurer shall submit the report to the commissioner

upon his request.

* * *

§1626. Examination authority; account reports; financial examinations; required notices to department

A. The acts of the MGA are considered to be the acts of the insurer on whose behalf it is acting. An MGA may be examined as if it were the insurer.

B. As the commissioner considers necessary, an MGA shall submit to an examination by the commissioner of the MGA's financial condition.

C. The MGA shall pay the examination expenses in an amount the commissioner certifies as just and reasonable.

* * *

§1628. Duties of managing general agents

A. At least once each calendar quarter, an MGA shall submit an account report to each insurer with whom the MGA has a contract, and include in the report, as applicable, a statement of all of the following:

- (1) Written, earned, and unearned premiums.
- (2) Losses and loss expenses paid and outstanding.
- (3) Losses incurred but not reported.
- (4) Management fees.

(5) An outline of expenses, on a form prescribed by the commissioner, incurred by the MGA in the performance of duties under its contract with the insurer.

B. An MGA shall notify the department within thirty days of the date any of the following occurs:

(1) Balances due to an insurer for more than ninety days exceed either of the following:

- (a) One million dollars.
- (b) Ten percent of the insurer's policyholder surplus, as reported in the annual statement filed with the department.

(2) Balances due for more than sixty days from a property and casualty agent or MGA appointed by or reporting to the MGA exceed five hundred thousand dollars.

(3) Authority to settle claims for an insurer is withdrawn.

(4) Money held for an insurer for losses is greater than an amount that is one hundred thousand dollars more than the amount necessary to pay the losses and loss adjustment expenses expected to be paid on the insurer's behalf within the next sixty-day period.

(5) The contract required pursuant to R.S. 22:1624 is cancelled or terminated.

C. Notwithstanding the notification period imposed by Subsection B of this Section, an MGA's requirement to notify as prescribed in Paragraphs (B) (1), (2), and (4) of this Section may be met with a single annual report, if the MGA routinely operates above the limits established by those Paragraphs and the department verifies that fact in conformity with rules adopted by the commissioner.

§1629. Rules and regulations

The commissioner may promulgate and adopt rules and regulations, in accordance with the Administrative Procedure Act, that are necessary to effectuate the provisions of this Part.

Approved by the Governor, May 23, 2024.

A true copy:
Nancy Landry
Secretary of State

ACT No. 489

HOUSE BILL NO. 277
BY REPRESENTATIVES KERNER, KNOX, AND TAYLOR
AN ACT

To amend and reenact R.S. 32:300.4(A), relative to the prohibition for smoking in motor vehicles; to provide for the unlawfulness of smoking in a motor vehicle with a child twelve and under present in the vehicle; and to provide for related matters.

Be it enacted by the Legislature of Louisiana:

Section 1. R.S. 32:300.4(A) is hereby amended and reenacted to read as follows:

§300.4. Smoking in motor vehicles prohibited; penalties

A. It shall be unlawful for the operator or any passenger in a motor vehicle to smoke cigarettes, pipes, cigars, or any vaping devices in a motor vehicle, passenger van, or pick-up truck, when a child who is required to be restrained in a rear-facing child safety seat, a forward-facing child safety seat, a booster seat, or a motor vehicle's safety belt, as required in R.S. 32:295, younger than thirteen is also present in such vehicle, regardless of whether windows of the motor vehicle are down. For purposes of this Section, the term "smoke" shall mean inhaling, exhaling, burning, or carrying to inhale, to exhale, to burn, or to carry any activated aerosol or vapor or any lighted cigarette, cigar, pipe, weed, plant, or other combustible substance in any manner or in any form.

* * *

Approved by the Governor, June 3, 2024.

A true copy:
Nancy Landry
Secretary of State

ACT No. 490

HOUSE BILL NO. 785
BY REPRESENTATIVE SCHAMERHORN
AN ACT

To enact R.S. 9:2791.1, relative to liability for commercial motor vehicles; to provide for definitions; to provide for a limitation of liability for commercial motor vehicles and motor vehicle rental agencies; to provide for an exception; and to provide for related matters.

Be it enacted by the Legislature of Louisiana:

Section 1. R.S. 9:2791.1 is hereby enacted to read as follows:

§2791.1. Limitation of liability for commercial motor vehicles

A. For purposes of this Section:

(1) "Commercial motor vehicle" means a motor vehicle used in commerce to transport passengers or property. This definition shall also include a motor vehicle rental agency as provided by 49 U.S.C. 30106.

(2) "Optional equipment" means equipment or a component part of a commercial motor vehicle that:

(a) Was not required to be installed or equipped on the commercial motor vehicle under the Federal Motor Vehicle Safety Standards as provided by 49 C.F.R. 571 at the time the commercial motor vehicle was manufactured or sold, whichever occurred last.

(b) Was not required by law to be installed on the commercial motor vehicle issued after the vehicle was manufactured or first sold.

B. No individual shall have a cause of action against an owner, a lessor, or an operator of a commercial motor vehicle, or a person renting or leasing the commercial motor vehicle for failure to install optional equipment on a commercial motor vehicle.

C. The provisions of this Section do not apply to a vehicle involved in an accident after failure to comply with a law requiring a mandatory recall.

D. The owner of a commercial motor vehicle shall have no duty to install optional equipment. Additionally, the absence of optional equipment shall not be admissible to establish the owner's negligence.

Approved by the Governor, June 3, 2024.

A true copy:
Nancy Landry
Secretary of State

ACT No. 491

SENATE BILL NO. 462
BY SENATOR HODGES
AN ACT

To amend and reenact R.S. 42:4, relative to gubernatorial appointments; to provide for the appointment of the chairman or the presiding member from among the members of certain boards and commissions; to provide for certain terms; and to provide for related matters.

Be it enacted by the Legislature of Louisiana:

Section 1. R.S. 42:4 is hereby amended and reenacted to read as follows:

§4. Public officers appointed by the Governor

A. (1) ~~In all other cases~~ **Except as otherwise provided by law**, all public officers who are appointed by the Governor shall serve at the pleasure of the Governor.

(2) ~~This Section Paragraph (1) of this Subsection~~ shall not apply to officers appointed by the Governor upon recommendation or from lists submitted by others where the law requires appointments to be so made, nor to those whose terms of office are fixed by the constitution and those who are required by the constitution to be appointed with the advice and consent of the Senate.

B. ~~This Section shall not apply to the Louisiana State Board of Public Welfare, the Louisiana Merit System Council, the Board of Review, and the State Advisory Council of the office of employment security of the Louisiana Workforce Commission.~~

(B.1) Notwithstanding any other provision of law to the contrary, the governor may appoint the chairman or the presiding member of each board and commission so long as both of the following criteria apply:

(a) The majority of the members of the board or commission are members of the board or commission by virtue of gubernatorial appointment.

(b) The appointment of the chairman or the presiding member is not otherwise prohibited by the Constitution of Louisiana.

(2) If the governor appoints the chairman or the presiding member of a board or commission, then the appointment shall be from among the membership of that board or commission.

(3) The governor shall submit the name of persons appointed pursuant to this Subsection to the Senate for confirmation.

(4) A chairman or presiding member of a board or commission appointed by the governor pursuant to this Subsection and confirmed by the Senate serves in that position at the pleasure of the governor.

(5) Until the governor appoints a chairman or presiding member of a board or commission pursuant to this Subsection, a board or commission may select its chairman or presiding member in the manner otherwise provided by law or in its rules, regulations, or bylaws.

C. The provisions of Subsection B of this Section shall not apply to any board or commission that as of May 1, 2024, is chaired by a statewide elected official.

Section 2. For terms of office beginning January 8, 2024, any election or appointment made pursuant to the provisions of this Act shall occur not later than August 1, 2024.

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 5, 2024.

A true copy:
Nancy Landry
Secretary of State

ACT No. 492

HOUSE BILL NO. 426

BY REPRESENTATIVES MELERINE, BUTLER, CHASSION, GEYMAN, AND WILDER AND SENATOR ABRAHAM
AN ACT

To enact R.S. 42:1111(C)(6) and 1123(41), relative to ethics; to provide an exception to allow the continued employment of a governing authority member by a person with or seeking business or financial relationships with the member's governmental entity under specified circumstances; to provide an exception to allow certain educational professionals to tutor certain students, including the use of school facilities 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. 42:1111(C)(6) and 1123(41) are hereby enacted to read as follows:

§1111. Payment from nonpublic sources

* * *

C. Payments for nonpublic service.

* * *

(6) Notwithstanding the provisions of Subparagraph (2)(d) of this Subsection, a member of a school board or parish or municipal governing authority may continue employment with a person who has or is seeking a contractual or other business or financial relationship with his governmental entity or an agency under the jurisdiction or supervision of his governmental entity provided all of the following conditions are met:

(a) The member is a salaried or wage-earning employee of his employer.

(b) The compensation of the member is substantially unaffected by his employer's contractual or other business or financial relationship with his governmental entity or other agency under the jurisdiction or supervision of his governmental entity.

(c) The member is not an officer, director, trustee, or partner of his employer.

(d) The member does not own an interest which exceeds one percent of the legal entity which employs him.

(e) The member does not participate in any transaction with his governmental entity or agency under the jurisdiction or supervision of his governmental entity, including recusing himself from any vote, involving his employer.

(f) The member complies with the disclosure requirements in R.S. 42:1114.

* * *

§1123. Exceptions

This Part shall not preclude:

* * *

(41) A teacher, coach, or other educational professional from providing academic tutoring or athletic training services for compensation to students who attend the school at which the teacher, coach, or other educational professional is assigned or the waiver of any usage fees associated with use of school facilities for these purposes.

* * *

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 5, 2024.

A true copy:
Nancy Landry
Secretary of State

ACT No. 493

HOUSE BILL NO. 768

BY REPRESENTATIVE FARNUM
AN ACT

To amend and reenact R.S. 44:35(E), relative to the Public Records Law; to provide relative to enforcement proceedings; to limit personal liability for failure to comply; and to provide for related matters.

Be it enacted by the Legislature of Louisiana:

Section 1. R.S. 44:35(E) is hereby amended and reenacted to read as follows:

§35. Enforcement

* * *

E.(1) If the court finds that the custodian arbitrarily or capriciously withheld the requested record or unreasonably or arbitrarily failed to respond to the request as required by R.S. 44:32, it may award the requestor any actual damages proven by him to have resulted from the actions of the custodian except as hereinafter provided. In addition, if the court finds that the custodian unreasonably or arbitrarily failed to respond to the request as required by R.S. 44:32 it may award the requestor civil penalties not to exceed one hundred dollars per day, exclusive of Saturdays, Sundays, and legal public holidays for each such day of such failure to give notification.

~~(2) The custodian shall be personally liable for the payment of damages pursuant to Paragraph (1) of this Subsection and shall be liable in solido with the public body for the payment of the requestor's attorney fees and other costs of litigation, except where the custodian has withheld or denied production of the requested record or records on advice of the legal counsel representing the public body in which the office of such custodian is located, and in the event the custodian retains private legal counsel for his defense or for bringing suit against the requestor in connection with the request for records, the court may award attorney fees to the custodian. No person shall be personally liable for any penalty provided in this Chapter, including damages, civil penalties, attorney fees, and other costs of litigation assessed for failure to comply with this Section. In all instances in which a penalty is assessed, the public body shall be responsible for such penalties.~~

* * *

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 5, 2024.

A true copy:
Nancy Landry
Secretary of State

ACT No. 494

SENATE BILL NO. 432
BY SENATOR EDMONDS
AN ACT

To amend and reenact R.S. 38:3073(3) and R.S. 38:3074(A)(2) and (3), to enact R.S. 38:3076(F), and to repeal R.S. 38:3076(A)(22), relative to the capital area groundwater conservation district; to provide for definitions; to provide for appointment of commissioners; to provide for powers of the board; and to provide for related matters.

Notice of intention to introduce this Act has been published.

Be it enacted by the Legislature of Louisiana:

Section 1. R.S. 38:3073(3) and R.S. 38:3074(A)(2) and (3) are hereby amended and reenacted, and R.S. 38:3076(F) is hereby enacted to read as follows:

§3073. Definitions

Unless the context otherwise requires, the following terms shall have the following meanings for purposes of this Part:

* * *

(3) "Commissioner" means a commissioner of the district who has been appointed or elected in accordance with this part.

* * *

§3074. Board of commissioners; appointments; tenure; replacement; compensation

A. Members of the board of commissioners shall be appointed by the governor. Each appointment by the governor shall be submitted to the Senate for confirmation. The members shall be appointed as follows:

* * *

(2) Three members shall be appointed from nominations by the industrial users in the district ~~Louisiana State University Center for Energy Studies, the College of Engineering at Southern University and Agricultural and Mechanical College, the Greater Baton Rouge Industrial Alliance, the Louisiana Association of Business and Industry, the Louisiana Chemical Association, the Louisiana Mid-Continent Oil & Gas Association, and the Louisiana Oil & Gas Association.~~

(3) Three members shall be appointed from nominations by privately or publicly owned entities that furnish water for rural or municipal use within the district. One of the three members shall be from nominations by privately owned users furnishing a municipal water supply **to no fewer than two hundred fifty-thousand persons.**

* * *

§3076. Powers of the board

* * *

E.(1) The board shall not require users to undertake the installation of additional metering devices or prescribe new requirements thereof if the user's installation of metering devices meets all the following criteria:

(a) Demonstrates compliance with the user's obligation to meter.

(b) Measures flow data at least hourly for each well, for each stratum from which the well draws, and reports the data to the board monthly.

(c) Ensures proper operation of the metering device through installation, calibration, validation, and maintenance practices that are consistent with the accepted capability of that type of metering device. Calibration of each

metering device shall be performed at least once a year by a qualified source, which is a person or entity that has received formal training or has practical field experience in the calibration of that type of metering device.

(d) Adheres to accepted scientific practices to safeguard the accuracy and reliability of measurements of the volume of monitored withdrawals.

(e) Measures flows with a maximum deviation of less than five percent from true withdrawal rates throughout the range of expected withdrawal volumes.

(2) The board shall have authority to audit the performance of flow measurement devices installed and maintained by users. Audits of the flow measurement devices of all users other than nuclear electric generating stations may include temporary installation of a flow measurement device and other necessary equipment by the board, at the board's expense, in order to verify performance of a user-installed flow measurement device. Each user-installed flow measurement device may be audited once per calendar year.

Section 2. R.S. 38:3076(A)(22) is hereby repealed.

Approved by the Governor, June 10, 2024.

A true copy:

Nancy Landry
Secretary of State

ACT No. 495

HOUSE BILL NO. 268
BY REPRESENTATIVE MIKE JOHNSON

AN ACT

To amend and reenact R.S. 44:5(B)(4) and 11, relative to the confidentiality of certain records; to provide for the confidential nature of certain personal information in a personnel record; to remove certain exceptions relative thereto; to provide for the confidentiality of certain records containing security details pertaining to schedule of the governor or his spouse or child; and to provide for related matters.

Be it enacted by the Legislature of Louisiana:

Section 1. R.S. 44:5(B)(4) and 11 are hereby amended and reenacted to read as follows:

§5. Records of the office of the governor

* * *

B.

* * *

(4) Notwithstanding Paragraphs (1) and (2) of this Subsection, any record of the office of the governor pertaining to the schedule of the governor, his spouse, or his child that contains security details that if made public may impair the safety of the governor, his spouse, or his child may be held confidential for a period not to exceed seven days following the scheduled event. However, nothing in this Paragraph shall be interpreted or construed in a manner to make confidential all records concerning a meeting or event that the governor attends and transportation related thereto. The governor may keep a record concerning a meeting or event that the governor attends and transportation thereto privileged for a period not to exceed seven days after the occurrence of the meeting or event.

* * *

§11. Confidential nature of certain personnel records; exceptions

A. Notwithstanding anything contained in this Chapter or any other law to the contrary, the following items in the personnel records of a public employee of any public body shall be confidential:

~~(1) The home telephone number of the public employee where such employee has chosen to have a private or unlisted home telephone number because of the nature of his occupation with such body.~~

~~(2) The home and personal wireless telephone number of the public employee where such employee has requested that the number be confidential.~~

~~(3)(2) The home address of the public employee where such employee has requested that the address be confidential.~~

~~(3) The personal email address of the public employee.~~

(4) The name and account number of any financial institution to which the public employee's wages or salary are directly deposited by an electronic direct deposit payroll system or other direct deposit payroll system.

B. ~~The provisions of R.S. 44:11(A)(3) shall not apply to the personnel records of a city or parish school board to the extent that the home address of any employee of a city or parish school board shall be made available to recognized educational groups.~~

C. Notwithstanding any other provision of this Chapter, the social security number and financial institution direct deposit information as contained in the personnel records of a public employee of any public body shall be confidential. However, when the employee's social security number or financial institution direct deposit information is required to be disclosed pursuant to any other provision of law, including such purposes as child support enforcement, health insurance, and retirement reporting, the social security number or financial institution direct deposit information of the employee shall be disclosed pursuant to such provision of law.

D. C. Notwithstanding anything contained in this Chapter or any other law to the contrary, all medical records, claim forms, insurance applications, requests for the payment of benefits, and all other health records of public employees, public officials, and their dependents in the personnel records of any public body shall be confidential. However, nothing in this Chapter shall be intended to limit access to employee records under the Code of Civil Procedure or Code of Evidence.

E. The provisions of Paragraph (A)(3) of this Section shall not apply to the home address of a member of the Firefighters' Retirement System if that information is requested by a member of the Louisiana Legislature, an agency or employer reporting information to the system, or a recognized association of system members.

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 4, 2024.

A true copy:

Nancy Landry
Secretary of State

ACT No. 496

HOUSE BILL NO. 358
BY REPRESENTATIVES BACALA, AMEDEE, BRASS, BROWN, ROBBY
CARTER, COATES, DICKERSON, EDMONSTON, MACK, MUSCARELLO,
WILDER, AND WILEY

AN ACT

To amend and reenact R.S. 13:621.21(A) and 621.23, relative to the Twenty-First Judicial District Court and the Twenty-Third Judicial District Court; to create an additional judgeship for the Twenty-First Judicial District Court and the Twenty-Third Judicial District Court; to provide for compensation of the additional judge; to provide for the election and term of office of the additional judgeship and those of the successors in office; to provide for effectiveness; and to provide for related matters.

Be it enacted by the Legislature of Louisiana:

Section 1. R.S. 13:621.21(A) and 621.23 are hereby amended and reenacted to read as follows:

§621.21. Twenty-First Judicial District

A. The Twenty-First Judicial District Court shall have ~~nine~~ ten judges.

* * *

§621.23. ~~Twenty-third~~ Twenty-Third Judicial District

The ~~Twenty-third~~ Twenty-Third Judicial District Court shall have ~~five~~ six judges. One judge shall be elected from election section one, and ~~four~~ five judges shall be elected from election section two.

Section 2.(A) There is hereby created an additional district judgeship for the Twenty-First Judicial District for the parishes of Livingston, St. Helena, and Tangipahoa. The additional judge herein provided for and his successors shall preside over Division L, which is hereby created for purposes of nomination and election only. The additional judge and his successors shall be elected at large and shall have jurisdiction throughout the district and shall receive the same compensation and expense allowances, payable from the same sources and in the same manner, as are now or may hereafter be provided for other judges of the district.

(B) The individual to be elected to the additional judgeship created by this Act for the Twenty-First Judicial District shall be elected as provided by Article V, Section 22 of the Constitution of Louisiana, and shall serve a term which shall begin on the first January first immediately following the effective date of this Act and which shall expire at the same time as is provided by law for the other judges of the court. Thereafter, the successors to the judge provided for in this Act for the Twenty-First Judicial District shall be elected at the same time and in the same manner and shall serve the same term as is now or may be provided hereafter for other judges of the court.

Section 3.(A) There is hereby created an additional district judgeship for the Twenty-Third Judicial District for the parishes of Ascension, Assumption, and St. James. The additional judge herein provided for and his successors shall preside over Division F, which is hereby created for purposes of nomination and election only. The additional judge and his successors shall be elected at large and shall have jurisdiction throughout the district and shall receive the same compensation and expense allowances, payable from the same sources and in the same manner, as are now or may hereafter be provided for other judges of the district.

(B) The individual to be elected to the additional judgeship created by this Act for the Twenty-Third Judicial District shall be elected as provided by Article V, Section 22 of the Constitution of Louisiana, and shall serve a term which shall begin on the first January first immediately following the effective date of this Act and which shall expire at the same time as is provided by law for the other judges of the court. Thereafter, the successors to the judge provided for in this Act for the Twenty-Third Judicial District shall be elected at the same time and in the same manner and shall serve the same term as is now or may be provided hereafter for other judges of the court.

Section 4. The provisions of this Section 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, the provisions of this Section shall become effective on the day following such approval.

Approved by the Governor, June 11, 2024.

A true copy:

Nancy Landry

ACT No. 497

SENATE BILL NO. 64

BY SENATOR REESE AND REPRESENTATIVES ADAMS, BAYHAM,
BOYER, BROWN, BRYANT, LACOMBE, STAGNI, THOMPSON AND
ZERINGUE
AN ACT

To amend and reenact R.S. 39:100.52(A) and (C) and 100.56(D)(1) and (G), to enact R.S. 39:100.52(E) and (F) and 100.56(K)(2)(c) and (O), relative to the Water Sector Program; to provide relative to the Water Sector Fund; to remove an outdated reference to a previous transfer of funds; to create a Phase II Subfund and provide for the deposit, distribution, and administration of new grants within the program; to create the Emergency Subfund and provide for the deposit, distribution, and administration of emergency grants; to provide relative to Water Sector Program guidance requirements; to provide relative to the authority of the Water Sector Commission and the division of administration; to require rate studies for grant recipients; to provide relative to adjustments of grant awards; and to provide for related matters.

Be it enacted by the Legislature of Louisiana:

Section 1. R.S. 39:100.52(A) and (C) and 100.56(D)(1) and (G) are hereby amended and reenacted and R.S. 39:100.52(E) and (F) and 100.56(K)(2)(c) and (O) are hereby enacted to read as follows:

§100.52. Water Sector Fund

A. There is hereby created in the state treasury, as a special fund, the Water Sector Fund, hereinafter referred to in this Section as the "fund". ~~The treasurer is hereby authorized and directed to transfer three hundred million dollars from the Louisiana Rescue Plan Fund into the Water Sector Fund.~~

* * *

C. Monies in the fund shall be used to provide grant funding for repairs, improvements, and consolidation of water systems and sewer systems pursuant to the Water Sector Program as provided in R.S. 39:100.56 or any other purpose as provided for in this Section. Except as provided in Subsections D and F of this Section and R.S. 100.56(K)(2), expenditure of monies in the fund shall require prior approval of the Water Sector Commission and the Joint Legislative Committee on the Budget.

* * *

E. The Phase II Subfund is hereby created in the state treasury as a subfund in the Water Sector Fund. Monies appropriated or transferred to the Phase II Subfund shall be deposited by the state treasurer after compliance with the provisions of Article VII, Section 9(B) of the Constitution of Louisiana. Monies in the Phase II Subfund shall be invested in the same manner as monies in the Water Sector Fund, and any interest earned on the investment of Phase II Subfund monies shall be credited to the Phase II Subfund. All unexpended and unencumbered monies in the Phase II Subfund at the end of the fiscal year shall remain in the Phase II Subfund. Any monies deposited into the Phase II Subfund shall be used only to provide grant funding for repairs, improvements, consolidation, and related expenses of community water and sewer systems as provided in R.S. 39:100.56(O).

F. The Emergency Subfund is hereby created in the state treasury as a subfund in the Water Sector Fund. Monies appropriated or transferred to the Emergency Subfund shall be deposited by the state treasurer after compliance with the provisions of Article VII, Section 9(B) of the Constitution of Louisiana. Monies in the Emergency Subfund shall be invested in the same manner as monies in the Water Sector Fund, and any interest earned on the investment of Emergency Subfund monies shall be credited to the Emergency Subfund. All unexpended and unencumbered monies in the Emergency Subfund at the end of the fiscal year shall remain in the Emergency Subfund. Monies in the Emergency Subfund shall be used only to provide emergency grant funding to address or mitigate an emergency related to a community water system or community sewer system as provided in R.S. 39:100.56(O). No monies shall be expended from the Emergency Subfund without prior approval of the Water Sector Commission. Joint Legislative Committee on the Budget approval is required for approval of emergency grant funding requests in excess of two hundred thousand dollars.

* * *

§100.56. Water Sector Program

* * *

D.(1) The division shall promulgate guidance for the administration of the program. The guidance shall include application requirements, application period dates and deadlines for submissions and approval, criteria for ratings, grant requirements, rate study requirements, procedures for the consideration of extension requests and adjustments to grant awards, and a process for ensuring funding for small water and sewer systems and prioritizing critical infrastructure needs. The Administrative Procedure Act, R.S. 49:950 et seq., shall not apply to guidance promulgated pursuant to this Section. 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.

* * *

G.(1) Each grant recipient shall be required to provide matching funds, as provided for in the guidance, unless the commission recommends waiving the

match requirement.

(2) A rate study shall be completed on each grant recipient as provided for in the guidance.

* * *

K.(1)

* * *

(2)(a)

* * *

(c) The commission shall not consider a request to adjust a grant award due to an increase in project costs until the grantee has submitted a value engineering review of the project to the division.

* * *

O.(1)(a) Any monies deposited into the Phase II Subfund on or after July 1, 2024, shall be used only to provide grant funding for repairs, improvements, and consolidation of community water and sewer systems awarded pursuant to the provisions of this Subsection.

(b)(i) Any monies deposited into the Emergency Subfund shall be used only to provide emergency grant funding to address or mitigate an emergency related to a community water system as defined in R.S. 40:5.8 or community sewer system as defined in the state Sanitary Code, if such system is under a court appointed receivership in accordance with R.S. 30:2075.3, R.S. 33:42, or R.S. 40:5.9, or under the appointment of a fiscal administrator in accordance with R.S. 39:1351 et seq.

(ii) Notwithstanding any provision of this Section to the contrary, any award of emergency grant funding shall be made in accordance with the procedures and requirements for requests and approvals of funding for emergencies and receivership expenses as provided in the guidance promulgated pursuant to this Subsection.

(2) The commission shall hold a meeting no later than September 1, 2024, to submit priorities to the division to utilize in the development of guidance for emergency grants and any new grants awarded pursuant to the Water Sector Program on or after July 1, 2024.

(3) Upon receipt, the division shall promulgate guidance for the award and administration of emergency grants and any new grants awarded after July 1, 2024. The guidance shall include application requirements, deadlines for application submissions and approval, criteria for ratings, a process for prioritizing critical infrastructure needs, and procedures for requests and approvals of funding for emergencies and receivership expenses. The Administrative Procedure Act, R.S. 49:950 et seq., shall not apply to guidance promulgated pursuant to this Subsection. No later than October 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.

(4)(a) In addition to the guidance provided for in this Subsection, the division shall submit a proposal outlining administrative costs for program awards made pursuant to the provisions of this Subsection. The proposal shall be submitted to the commission for review and approval at the same time the guidance is submitted to the commission. 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 Joint Legislative Committee on the Budget shall review the recommendations submitted by the commission and approve administrative costs for program awards made pursuant to the provisions of this Subsection.

(b) 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 and shall require approval of the Joint Legislative Committee on the Budget.

(5)(a) Each grant recipient shall be required to provide matching funds, as provided for in the guidance, unless the commission recommends reducing or waiving the match requirement.

(b) A rate study shall be completed on each grant recipient as provided for in the guidance.

(6) The division shall begin accepting applications for available funds, including those appropriated by the legislature, no later than thirty days after approval by the commission of the guidance. The applications shall include the following, at a minimum:

(a) The amount of grant funding requested.

(b) The amount and proposed source of funding for the proposed match.

(c) The applicant's proposal for use of grant monies for repairs, improvements, or consolidation with neighboring systems.

(d) An assurance that the applicant will comply with the rate determination of the rate study completed by a third party chosen by the division prior to release of funds for construction and permission to bid.

(7) Within forty-five days of the end of the application period, the division shall submit ratings of the proposed projects by the working panel established in Subsection C of this Section and recommendations for funding for the projects to the commission.

(8) The commission shall review the ratings and recommendations submitted by the working panel. The commission shall submit its recommendations for grant awards to the Joint Legislative Committee on the Budget. The recommendations shall include:

(a) The amount of proposed matching funds for each project or a recommendation for a waiver or a decreased match for any project based on the commission's determination that the local governing authority or water system

is unable to provide the full, required match.

(b) Funding for small water and sewer systems as provided for in the guidance.

(9) The Joint Legislative Committee on the Budget shall review the recommendations submitted by the commission and have final approval of funding for projects. No monies shall be expended from the Phase II Subfund without approval of the Joint Legislative Committee on the Budget.

(10) 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.

(11) Each grant recipient that receives funding pursuant to this Subsection shall comply with the provisions of R.S. 24:513.

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. 498

SENATE BILL NO. 70

BY SENATOR MIZELL AND REPRESENTATIVES CHASSION AND KNOX
AN ACT

To enact Part I-B of Chapter 11 of Title 40 of the Louisiana Revised Statutes of 1950, to be comprised of R.S. 40:2025.1 through 2025.6, and to enact R.S. 44:4(64), relative to local overdose fatality review panels; to authorize parishes to establish an overdose fatality review panel; to provide for membership of a review panel; to provide for functions and duties of a review panel; to provide relative to access to information and confidentiality; to provide for reporting requirements; to provide an exemption to the Public Records Law; and to provide for related matters.

Be it enacted by the Legislature of Louisiana:

Section 1. Part I-B of Chapter 11 of Title 40 of the Louisiana Revised Statutes of 1950, comprised of R.S. 40:2025.1 through 2025.6, is hereby enacted to read as follows:

PART I-B. LOCAL OVERDOSE FATALITY REVIEW PANELS

§2025.1. Legislative findings

A. The legislature hereby finds and declares the following:

(1) Substance use disorder and drug overdose are major health problems that affect the lives of many people, multiple services systems, and lead to profound consequences, including permanent injury and death.

(2) Overdoses caused by heroin, fentanyl, other opioids, stimulants, controlled substance analogs, novel psychoactive substances, and other legal and illegal drugs are a public health crisis that stress and strain the financial, public health, healthcare, and public safety resources in Louisiana.

(3) Overdose fatality reviews, which are designed to uncover the who, what, when, where, why, and how a fatal overdose occurs, allow jurisdictions to examine and understand the circumstances leading to a fatal drug overdose.

(4) Through a comprehensive and multidisciplinary review, overdose fatality review panels can better understand the individual and population factors and characteristics of potential overdose victims.

§2025.2. Definitions

For purposes of this Part, the following terms shall have the following meanings:

(1) "Next of kin" means the person or persons most closely related to a decedent by blood or affinity.

(2) "Overdose fatality review" means a process in which a multidisciplinary panel performs a series of individual overdose fatality reviews to effectively identify system gaps and innovative community-specific overdose prevention and intervention strategies.

§2025.3. Local overdose fatality review panels; membership

A.(1) Each parish within Louisiana may establish a local overdose fatality review panel. Any review panel that is created shall operate in accordance with the provisions of this Part.

(2) Two or more parishes may agree to jointly establish a multiparish overdose fatality review panel. Multiparish review panel members shall execute a memorandum of understanding between the parishes regarding membership, staffing, and operations.

B. The local overdose review panel shall be comprised of the following members. However, any of the following persons who declines, in writing, to participate shall not be counted toward the total membership of the panel nor toward calculating a quorum. The members provided in Paragraphs 8 through 13 of this Subsection shall be appointed by the chief executive of the parish governing authority.

(1) The coroner or his designee.

(2) The director of the regional human services district in which the parish is located or his designee.

(3) The regional director of the Department of Children and Family Services, child welfare division for the region in which the parish is located or his designee.

(4) The regional medical director for the office of public health, Louisiana

Department of Health for the region in which the parish is located or his designee.

(5) The parish district attorney or his designee.

(6) The sheriff or his designee.

(7) The chief of police or his designee.

(8) A representative of a local jail or detention center.

(9) A healthcare provider who specializes in the prevention, diagnosis, and treatment of substance use disorders.

(10) A mental health provider who specializes in substance use disorders.

(11) A representative of an emergency medical services provider in the parish.

(12) A representative from parole, probation, and community corrections.

(13) A representative of the judicial district court or drug court if the parish has a drug court.

(14) The director of the local health department if the parish has a local health department or his designee.

C. Any review panel established pursuant to this Part shall submit notice of formation to the secretary of the Louisiana Department of Health through the human services district member represented on the panel. The department shall maintain a registry of active overdose fatality review panels in the state.

D. The members of the review panel shall elect a chairman. The chairman may appoint additional persons to the review panel who are determined to have relevant knowledge regarding overdose fatalities and would aid the panel in fulfilling its duties.

E. Panel members shall not receive compensation or a per diem for their services or attendance at panel meetings, except for those travel-related expenses already provided for by their agency.

F. Meetings of a review panel shall be exempt from the provisions of R.S. 42:11 et seq.

§2025.4. Functions; duties of the review panel

A. Each overdose fatality review panel shall:

(1) Promote cooperation and coordination among agencies involved in the investigation of drug overdose fatalities.

(2) Develop an understanding of the causes and incidence of drug overdose fatalities in the jurisdiction where the review panel operates.

(3) Plan for and recommend changes within the agencies represented on the panel to prevent drug overdose fatalities.

(4) Advise local, regional, and state policymakers about potential changes to law, policy, funding, or practice to prevent drug overdoses.

(5) Establish and implement protocols and procedures.

(6) Conduct a multidisciplinary review of information received pursuant to this Part regarding a decedent, which shall include but not be limited to:

(a) Consideration of the decedent's points of contact with healthcare systems, social services, educational institutions, child and family services, the criminal justice system, including law enforcement, and any other systems with which the decedent had contact prior to his death.

(b) Identification of the specific factors and social determinants of health that put the decedent at risk for an overdose.

(7) Recommend prevention and intervention strategies to improve coordination of services and investigations among member agencies to reduce overdose deaths.

(8) Collect, analyze, interpret, and maintain local data on overdose deaths.

B. In addition to the duties specified in this Section, a review panel may investigate nonfatal overdose cases that occur within the panel's jurisdiction.

§2025.5. Access to information; confidentiality

A. Notwithstanding any other provision of law to the contrary, on written request of the chair of an overdose fatality review panel and as necessary to carry out the purpose and duties of the review panel, the panel shall be authorized to have access to the following information:

(1) Information and records regarding the physical health, mental health, and treatment for substance use disorder, maintained by a healthcare provider, substance use disorder treatment provider, hospital, or health system for an individual whose death or near death is being reviewed by the review panel.

(2) Information and records maintained by a state or local government agency or entity, including but not limited to death investigative information, medical examiner investigative information, law enforcement investigative information, emergency medical services reports, fire department records, prosecutorial records, parole and probation information and records, court records, school records, and information and records of the Department of Children and Family Services if the agency or entity provided services to:

(a) An individual whose death or near death is being reviewed by the review panel.

(b) The family of the decedent being investigated.

B. A person or entity subject to a records request by a review panel pursuant to this Section may charge the review panel a reasonable fee for the service of duplicating any records requested by the panel.

C. The chair of the review panel, or the chair's designee, may request the individual whose overdose is under review or, if deceased, the individual's next of kin, to sign a consent form for the release of confidential information.

D. An individual, entity, or local or state agency that in good faith provides information or records to the local panel shall not be subject to civil or criminal liability or any professional disciplinary action as a result of providing the information or record.

E. A member of a review panel may contact, interview, or obtain information by request from a family member or friend of an individual whose death is being reviewed by the panel.

F. Information and records obtained by the review panel in accordance with

the provisions of this Section and the results of any overdose fatality review report shall be confidential and shall not be available for subpoena nor shall the information be disclosed, discoverable, or compelled to be produced in any civil, criminal, administrative, or other proceeding, nor shall the records be deemed admissible as evidence in any civil, criminal, administrative, or other tribunal or court of any reason. Information and records presented to the review panel shall not be immune from subpoena, discovery, or prohibited from being introduced into evidence solely because they were presented to or reviewed by the review panel if the information and records have been obtained from other sources.

G. Any person, agency, or entity furnishing information, documents, and reports in accordance with this Section shall not be liable for the disclosure and shall not be considered in violation of any privileged or confidential relationship, if the person, agency, or entity has acted in good faith in the reporting pursuant to this Section.

H. A member of the review panel shall not disclose any information that is confidential under this Section. A person who appears before, participates in, or provides information to the review panel shall sign a confidentiality notice to acknowledge that any information he provides to the review panel shall be confidential. Information identifying an overdose victim whose case is being reviewed, or that victim's family members, or regarding the involvement of any agency with the victim or victim's family members, shall not be disclosed in any report that is available to the public. Nothing in this Section shall prohibit the publishing by the review panel of statistical compilations relating to overdose fatalities which do not identify a person's case or a person's healthcare provider, law enforcement agency, or organization who provides services to victims.

I. When the review panel concludes a review of an overdose fatality or other review, it shall return all information and records that concern a victim or the victim's family members to the person, agency, or entity that furnished the information.

§2025.6. Reporting requirements

A. Each overdose fatality review panel shall submit no later than November first of each year an annual report to the human services district for the parish or parishes served by the review panel. The annual report shall include but not be limited to the following information:

(1) The total number of fatal overdoses that occurred within the jurisdiction of the overdose fatality review panel.

(2) The number of fatal overdose cases investigated by the overdose fatality review panel.

(3) Any recommendations for state and local agencies or the state legislature to assist in preventing fatal and nonfatal overdoses in the state.

(4) Assessable results of any recommendations made by the overdose fatality review panel, including but not limited to changes in local or state law, policy, or funding made as a result of the panel's recommendations.

B. Each human services district shall compile the reports submitted to it from the review panels and submit the compiled report to the Louisiana Department of Health no later than December thirty-first of each year. The compiled report shall also include any additional recommendations from the human services district based on the data received for the region.

C. The Louisiana Department of Health shall analyze each annual report and shall create a single report containing an aggregate of the data received pursuant to this Section and shall submit the report to the governor and legislature no later than March fifteenth of each year.

D. Reports submitted pursuant to this Section are not confidential and are subject to the Public Records Law.

Section 2. R.S. 44:4(64) is hereby enacted to read as follows:

§4. Applicability

This Chapter shall not apply:

* * *

(64) To any information, documents, or records received by an overdose fatality review panel defined as confidential under the provisions of R.S. 40:2025.5.

Approved by the Governor, June 10, 2024.

A true copy:

Nancy Landry

Secretary of State

ACT No. 499

SENATE BILL NO. 72

BY SENATOR PRESSLY AND REPRESENTATIVES BAYHAM,
EDMONSTON, FREEMAN, FREIBERG, LAFLEUR, MARCELLE,
SCHLEGEL, STAGNI, TAYLOR AND YOUNG

AN ACT

To amend and reenact R.S. 17:24.10(G) and to enact R.S. 17:24.10(H), relative to students with dyslexia; to exempt students with dyslexia from certain literacy screeners; to require schools administer a nationally norm-referenced test that meets certain requirement to such students; and to provide for related matters.

Be it enacted by the Legislature of Louisiana:

Section 1. R.S. 17:24.10(G) is hereby amended and reenacted and R.S. 17:24.10(H) is hereby enacted to read as follows:

§24.10. Early literacy instruction and screening; parental notification; reporting

* * *

G.(1) A student with dyslexia as defined in R.S. 17:392.11 shall not be required

to take the literacy screeners as provided in Paragraph (A)(2) of this Section.

(2) Schools shall administer to such students at least once per year a nationally norm-referenced test that assesses phonological skills and oral reading fluency.

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

Section 2. The state Department of Education shall, within thirty days of the effective date of this Act, request authorization from the U.S. Department of Education to implement the provisions of this Act. Within thirty days after receipt of such authorization, including any necessary waiver of federal regulations, the state Department of Education shall notify each public school governing authority of such authorization, and each public school governing authority shall begin implementing this Act immediately after receipt of the notification.

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 10, 2024.

A true copy:

Nancy Landry

Secretary of State

ACT No. 500

SENATE BILL NO. 436

BY SENATORS FESI, BASS, CLOUD, EDMONDS, HENRY, HODGES,
MIGUEZ, MORRIS, SEABAUGH, STINE AND TALBOT

AN ACT

To amend and reenact R.S. 18:104(D) and to enact R.S. 18:102(A)(3), relative to voter registration; to provide relative to ineligible persons; to require proof of United States citizenship with an application for registration; to provide for an effective date; and to provide for related matters.

Be it enacted by the Legislature of Louisiana:

Section 1. R.S. 18:104(D) is hereby amended and reenacted and R.S. 18:102(A)(3) is hereby enacted to read as follows:

§102. Ineligible persons

A. No person shall be permitted to register or vote who is:

* * *

(3) Not a citizen of the United States of America.

* * *

§104. Application for registration; form

* * *

D.(1) The form shall include the questions "Are you a citizen of the United States of America?" and "Will you be 18 years of age on or before election day?" and the statement "If you checked 'no' in response to either of these questions, do not complete the form."

(2) Each applicant shall include with his application proof of United States citizenship.

* * *

Section 2. This Act shall become effective on January 1, 2025.

Approved by the Governor, June 11, 2024.

A true copy:

Nancy Landry

Secretary of State

ACT No. 501

SENATE BILL NO. 75

BY SENATOR MORRIS

(On Recommendation of the Louisiana State Law Institute)

AN ACT

To amend and reenact Code of Civil Procedure Articles 253 and 2853, Code of Criminal Procedure Article 14.1, and R.S. 44:116(D) and the introductory paragraph of R.S. 44:116(E)(1) and R.S. 44:116(E)(2), to enact Section 4 of Chapter 3 of Title I of Book VI of the Code of Civil Procedure, to be comprised of Code of Civil Procedure Article 2911, Code of Criminal Procedure Article 14.2, R.S. 9:2761 and 2762, and R.S. 44:117, and to redesignate Code of Civil Procedure Article 258 and R.S. 44:117, relative to electronic filing and record retention; to provide for the filing of pleadings, documents, and exhibits in civil proceedings; to provide for the filing, retention, and recordation of testaments; to provide for electronic and facsimile filings in criminal proceedings; to provide for the effectiveness of electronic records; to provide for the reproduction, maintenance, and destruction or return of original records; to provide for the preservation of filings in the conveyance records; to provide for redesignations; and to provide for related matters.

Be it enacted by the Legislature of Louisiana:

Section 1. Code of Civil Procedure Articles 253 and 2853 are hereby amended and reenacted and Section 4 of Chapter 3 of Title I of Book VI of the Code of Civil Procedure, to be comprised of Code of Civil Procedure Article 2911, is hereby enacted to read as follows:

Art. 253. Pleadings, documents, and exhibits to be filed with clerk

A. All pleadings or documents to be filed in an action or proceeding instituted or pending in a court, and all exhibits introduced in evidence, shall be delivered **or transmitted** to the clerk of the court for ~~such~~ **that** purpose. The clerk **of court** shall endorse thereon the fact and date of filing; and shall retain possession thereof for inclusion in the record, or in the files of ~~his~~ **the clerk's** office, as required by law. The endorsement of the fact and date of filing shall be made upon receipt of the pleadings or documents by the clerk **of court** and shall be made without regard to whether there are orders in connection therewith to be signed by the court.

B. The filings as provided in Paragraph A of this Article and all other provisions of this Chapter may be transmitted electronically in accordance with a system established by ~~a~~ **the** clerk of court, ~~or by Louisiana Clerks' Remote Access Authority. When such a system is established, the~~ **The** clerk of court shall adopt and implement ~~procedures~~ **a system** for the electronic filing and storage of any pleading, document, or exhibit, ~~and the official record shall be the electronic record~~ **filed with a pleading**. A pleading or document filed electronically is deemed filed on the date and time stated on the confirmation of electronic filing sent from the system, if the clerk of court accepts the electronic filing. Public access to electronically filed pleadings and documents shall be in accordance with the rules governing access to paper filings. ~~The clerk of court may convert into an electronic record any pleading, document, or exhibit as set forth in R.S. 44:116. The originals of conveyances shall be preserved by the clerk of court.~~

~~C. The clerk of court may convert into an electronic record any pleading, document, or exhibit that is filed in paper form. If requested by the filing party, the clerk of court shall return to the filing party the original of any document or exhibit that has been converted into an electronic record.~~

~~D. The official record shall be the electronic record. The original of any filed document or exhibit shall be maintained by the filing party during the pendency of the proceeding and until the judgment becomes final and definitive, unless otherwise provided by law or order of the court. Upon request and reasonable notice, the original document or exhibit shall be produced to the court. Upon reasonable notice, the original document or exhibit shall be made available to the opposing party for inspection.~~

~~E. Unless otherwise directed by the court, the original of all documents and exhibits introduced or proffered into evidence, submitted with a petition for executory process, or filed in a summary judgment proceeding shall be retained by the clerk of court until the order or judgment becomes final and definitive.~~

~~F. A judge or justice presiding over a court in this state may sign a court order, notice, official court document, and other writings required to be executed in connection with court proceedings by use of an electronic signature as defined by R.S. 9:2602.~~

~~D. Any pleading or document in a traffic or criminal action may be filed with the court by facsimile transmission in compliance with the provision of the Code of Criminal Procedure Article 14.1.~~

~~E. The clerk shall not refuse to accept for filing any pleading or other document signed by electronic signature, as defined by R.S. 9:2602, and executed in connection with court proceedings, or which complies with the procedures for electronic filing implemented pursuant to this Article, if any applicable fees for filing and transmission are paid, solely on the ground that it was signed by electronic signature.~~

~~F. G. If the filing party fails to comply with any requirement of the requirements of Paragraph A or B of this Article, the electronic filing shall have no force or effect. The district courts **A court** may provide by court rule for other matters related to filings by electronic transmission.~~

~~G. H. The clerk of court may procure equipment, services, and supplies necessary to accommodate electronic filings out of the clerk's salary fund.~~

~~H. I. All electronic filings shall include an electronic signature. For the purpose of this Article, "electronic signature" means an electronic symbol or process attached to or logically associated with a record and executed or adopted by a person with the intent to sign the record.~~

~~J. The clerk of court shall not refuse to accept for filing any pleading or other document that is signed by electronic signature and executed in connection with court proceedings, or that complies with the procedures for electronic filing implemented pursuant to this Article, solely on the ground that the pleading or document was signed by electronic signature.~~

Comments - 2024

(a) The amendment to Paragraph B of this Article does not change the rule that the clerk of court has the authority to convert any pleading, document, or exhibit into an electronic record. Nevertheless, unless the court directs otherwise, any original document that has legal efficacy, such as a will, codicil, trust, promissory note, authentic act, affidavit, or exhibit that may necessitate a physical examination by the trier of fact to determine an issue, must be retained by the parties until a final and definitive judgment is rendered. The judgment of a trial court becomes final and definitive when no post-trial motions or appeals are taken from the judgment. The judgment of a court of appeal becomes final and definitive if neither an application to the court of appeal for rehearing nor an application to the supreme court for a writ of certiorari is timely filed. See Article 2166(A). If a writ of certiorari is granted by the supreme court, the judgment of the supreme court becomes final and definitive when the delay for application for rehearing has expired or the application is denied. See Article 2167(B) and (C).

(b) The amendment to Paragraph C of this Article clarifies that the clerk of court may convert into an electronic record any pleading, document, or exhibit that is filed in paper form. Even though the original document is converted into an electronic record, the original document may still be

needed for examination at a hearing or trial.

(c) The amendment to Paragraph E of this Article is new and requires that the original of all documents and exhibits introduced or proffered into evidence, submitted with a petition for executory process, or filed in a summary judgment proceeding be retained by the clerk of court until the order or judgment becomes final and definitive, unless the court otherwise directs. This does not change the law pertaining to the destruction of documents after filing. See, e.g., R.S. 13:917, 1221, 1904, and 2562.26 relative to the destruction of useless records.

* * *

~~Art. 2853. Purported testament must be filed, though possessor doubts validity~~ **Filing of purported testament**

~~A. If a person has possession of a document purporting to be the testament of a deceased person, even though he~~ **the person** believes that the document is not the valid testament of the deceased; or has doubts concerning the validity thereof, ~~he~~ **of the testament, the person** shall present it **the document** to the court with ~~his~~ **a** petition praying that the document be filed in the record of the succession proceeding.

~~B. A person so presenting a purported testament to the court shall not be deemed to vouch for its authenticity or validity, nor~~ **be** precluded from asserting its invalidity.

* * *

SECTION 4. RETENTION OF TESTAMENTS

Art. 2911. Retention of testaments

~~The clerk of court shall retain in perpetuity the original of a testament that is probated or ordered to be filed and executed. Until the order probating the testament or ordering the testament to be filed and executed becomes final and definitive, the clerk of court shall also retain the originals of all other testaments filed in accordance with Article 2853.~~

Comments - 2024

In accordance with Article 2974, an appeal may be taken from orders and judgments rendered in succession proceedings.

Section 2. Code of Criminal Procedure Article 14.1 is hereby amended and reenacted, and Code of Criminal Procedure Article 14.2 is hereby enacted, to read as follows:

~~Art. 14.1. Filing of pleadings and documents by facsimile or electronic transmission~~ **Electronic filings**

~~Any document in a traffic or criminal action may be transmitted electronically in accordance with a system established by the clerk of court. The clerk of court shall adopt a system for the electronic filing and storage of any pleading, document, or exhibit other than those documents or exhibits introduced and filed at a hearing or trial. Furthermore, in a court that accepts electronic filings in accordance with this Article, the official record shall be the electronic record. A pleading or document filed electronically is deemed filed on the date and time stated on the confirmation of electronic filing sent from the system, if the clerk of court accepts the electronic filing. Public access to electronically filed pleadings and documents shall be in accordance with the rules governing access to written filings.~~

Art. 14.2. Facsimile filings

A. Any document in a traffic or criminal action may be filed with the clerk of court by facsimile transmission if ~~permitted by~~ **pursuant to** the policy of the clerk of court. Filing shall be deemed complete at the time the facsimile transmission is received by the clerk of court. No later than on the first business day after receiving a facsimile filing, the clerk of court shall transmit to the filing party via facsimile a confirmation of receipt and include a statement of the fees for the facsimile filing and filing of the original document. The facsimile filing fee and transmission fee are incurred upon receipt of the facsimile filing by the clerk of court and payable as provided in Paragraph B of this Article. The facsimile filing shall have the same force and effect as filing the original document, if the party complies with Paragraph B of this Article.

B. Within seven days, exclusive of legal holidays, after the clerk of court receives the facsimile filing, all of the following shall be delivered to the clerk of court:

(1) The original document identical to the facsimile filing in number of pages and in content of each page, including any attachments, exhibits, and orders. A document **that is** not identical to the facsimile filing ~~or which that~~ includes pages not included in the facsimile filing shall not be considered the original document.

(2) The fees for the facsimile filing and filing of the original document stated on the confirmation of receipt, if any.

(3) A transmission fee of five dollars, if the defendant ~~had~~ **has** not been declared indigent by the court.

C. If the filing party fails to comply with any of the requirements of Paragraph B of this Article, the facsimile filing shall have no force or effect.

~~D. Any~~ **A** court ~~district~~ may provide by court rule for any additional requirement or provisions for filings by facsimile transmission.

E. In keeping with the clerk's policy, each clerk of court shall make available the necessary equipment and supplies to accommodate facsimile filing in criminal actions. Purchases for equipment and supplies necessary to accommodate facsimile filings may be funded from any expense fund of the office of the clerk of court as the clerks deem appropriate.

~~F. The filings as provided in this article and all other provisions of this code may be transmitted electronically in accordance with a system established by a clerk of court or by the Louisiana clerks' remote access authority. When such a system is established, the clerk of court shall adopt and implement~~

procedures for the electronic filing and storage of any pleading, document, or exhibit. Furthermore, in a parish that accepts electronic filings covered under this paragraph, the official record shall be the electronic record. A pleading or document filed electronically is deemed filed on the date and time stated on the confirmation of electronic filing sent from the system, if the clerk of court accepts the electronic filing. Public access to electronically filed pleadings and documents shall be in accordance with the rules governing access to written filings.

Section 3. R.S. 9:2761 and 2762 are hereby enacted to read as follows:

§2761. Effectiveness of electronic record

An electronic record filed in accordance with R.S. 44:119 shall have effect as to third persons in the same manner as if an original written instrument had been filed.

§2762. Recordation of testaments; indexing; effectiveness

If a testament is recorded in the conveyance records, the clerk of court shall index the testament only in the name of the testator. The recordation of the testament shall not itself have any effect on the rights of the heirs, legatees, and creditors of the succession and shall not make the provisions of the testament effective against third persons.

Section 4. R.S. 44:116(D) and the introductory paragraph of R.S. 44:116(E)(1) and R.S. 44:116(E)(2) are hereby amended and reenacted, and R.S. 44:117 is hereby enacted, to read as follows:

§116. Photostatic, photographic, microfilm, or other photographic or electronic copies of records; indexes of conveyance and mortgage records; disposition; evidentiary status; preservation

* * *

D. Notwithstanding the provisions of Subsection B of this Section or any other provision of law to the contrary, for any record filed on or after January 1, 2005, with the exception of records of a graphic nature, including but not limited to plats, maps, and photographs as related to the work of a Professional Land Surveyor engaged in the "Practice of Land Surveying", as defined in R.S. 37:682, a clerk of court may reproduce the record as provided in this Section and may thereafter ~~shall~~ return the original record to the person presenting it. **indicated person and to the address shown on the first page of the record, or if no such person and address is indicated, to any vendee or other transferee whose name and address are stated in the instrument. The clerk of court shall verify that the copy of the record is complete and legible prior to the return or disposal of the original record.**

E.(1) Notwithstanding the provisions of Subsection B of this Section or any other provision of law to the contrary, **with the exception of instruments filed in the conveyance records**, a clerk of court shall not be required to maintain an original record filed on or prior to December 31, 2004, provided that:

* * *

(2) **A With the exception of instruments filed in the conveyance records on or prior to December 31, 2004, a clerk of court may destroy any record provided for in this Subsection or return it to the person who presented it for recordation after the clerk receives certification from the state archivist that the records are not subject to R.S. 44:406 or R.S. 44:427 and after the clerk has preserved the record as provided for in this Section: is indicated and to the address shown on the first page of the record, or if no such person and address is indicated, to the person who presented the record after the clerk of court has done all of the following:**

(a) Received certification from the state archivist that the records are not subject to R.S. 44:406 or 411.

(b) Preserved the record as provided in this Section.

(c) Verified that the copy of the record is complete and legible. No cause of action for any claim shall exist against a clerk of court for any damage or loss resulting from the return or destruction of an original record **in accordance with this Paragraph** after receipt of the certification and proper preservation of the record.

* * *

§117. Preservation of filings in the conveyance records

A. The clerk of court shall preserve in perpetuity the original or, when permitted by R.S. 44:116, a complete and legible copy of each instrument filed in the conveyance records.

B. For purposes of this Part, the conveyance records include all records, however denominated, that are required by law to be indexed in the index of conveyances maintained by the clerk of court.

Section 5. The Louisiana State Law Institute is hereby directed to redesignate existing R.S. 44:117, entitled "Electronic copies of records; Lafayette Parish", as R.S. 44:118 and to redesignate Code of Civil Procedure Article 258 as R.S. 44:119.

Section 6. Nothing in this Act shall be construed to create a cause of action against a clerk of court for destruction or disposition of records prior to the effective date of this Act in accordance with the law in effect at the time of the destruction or disposition.

Approved by the Governor, June 10, 2024.

A true copy:
Nancy Landry
Secretary of State

ACT No. 502

SENATE BILL NO. 84
BY SENATOR SEABAUGH

AN ACT

To amend and reenact Code of Civil Procedure Art. 970(A) and (C), relative to motions for judgment on offer of judgment; to provide for costs and attorney fees; to provide relative to parties; to provide for certain terms, conditions, and procedures; and to provide for related matters.

Be it enacted by the Legislature of Louisiana:

Section 1. Code of Civil Procedure Art. 970(A) and (C), are hereby amended and reenacted to read as follows:

Art. 970. Motion for judgment on offer of judgment

~~A. At any time more than~~ **After an opportunity for adequate discovery, but not less than** twenty days before the time specified for the trial of the matter, without any admission of liability, any party may serve upon an adverse party an offer of judgment for the purpose of settling all of the claims between them. The offer of judgment shall be in writing and state that it is made under this Article; specify the total amount of money of the settlement offer; and specify whether that amount is inclusive or exclusive of costs, interest, attorney fees, and any other amount which may be awarded pursuant to statute or rule. Unless accepted, an offer of judgment shall remain confidential between the offeror and offeree. If the adverse party, within ten days after service, serves written notice that the offer is accepted, either party may move for judgment on the offer. The court shall grant such judgment on the motion of either party.

* * *

C. If the final judgment obtained by the plaintiff-offeree is at least twenty-five percent less than the amount of the offer of judgment made by the defendant-offerer or if the final judgment obtained against the defendant-offeree is at least twenty-five percent greater than the amount of the offer of judgment made by the plaintiff-offerer, **or if the final judgment is in favor of the defendant-offerer**, the offeree must pay the offeror's costs, exclusive of attorney fees, incurred after the offer was made, as fixed by the court.

* * *

Approved by the Governor, June 10, 2024.

A true copy:
Nancy Landry
Secretary of State

ACT No. 503

SENATE BILL NO. 94

BY SENATOR COUSSAN AND REPRESENTATIVE CHASSION
AN ACT

To enact R.S. 33:113.1(D), relative to Lafayette Parish; to provide relative to administrative procedures for approving or certifying plats; to provide with respect to qualifying for administrative approval in certain circumstances; to provide relative to certain plat modifications of existing parcels of land; to provide for exceptions in Lafayette Parish relative to certain plat modifications; to provide for an effective date; and to provide for related matters.

Notice of intention to introduce this Act has been published.

Be it enacted by the Legislature of Louisiana:

Section 1. R.S. 33:113.1(D) is hereby enacted to read as follows:

§113.1. Administrative procedure

* * *

D. Notwithstanding the provisions of Paragraph (A)(1) of this Section, any application in Lafayette Parish for realignment or shifting of lot boundary lines, including removal, addition, alignment, or shifting of interior lot boundary lines, or the redesignation of lot numbers, shall not be subject to any restriction based on acreage.

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. 504

SENATE BILL NO. 106

BY SENATORS BARROW, DUPLESSIS, EDMONDS AND TALBOT
AN ACT

To enact R.S. 22:1047, relative to obesity treatment; to require coverage for severe obesity treatments; to provide for requirements for coverage; to provide for definitions; to provide for applicability; to require an evaluation from the Louisiana Department of Health; and to provide for related matters.

Be it enacted by the Legislature of Louisiana:

Section 1. R.S. 22:1047 is hereby enacted to read as follows:

§1047. Required coverage for severe obesity treatment

A. A health insurance issuer offering health coverage plans in this state that provides hospital, medical, or surgical benefits for individuals covered under a respective plan shall provide coverage for medically necessary expenses for

diseases and conditions caused by severe obesity and treatment in accordance with this Section.

B.(1) Subsections C, D, E, and F of this Section shall apply only to a health insurance issuer offering health coverage plans in this state to the extent services are covered by the Essential Health Benefits Benchmark Plan selected by the state in accordance with applicable federal regulations.

(2) The Louisiana Department of Health shall evaluate bariatric surgery, pre-operative psychological screening and counseling, behavior modification, nutritional counseling, and post-operative follow-up, overview, and counseling of dietary exercise, and lifestyle changes for coverage by the Essential Health Benefits Benchmark Plan during its next review of the Essential Health Benefits Benchmark Plan.

C. Treatment shall include but not be limited to bariatric surgery, recognized by the American Society for Metabolic and Bariatric Surgery. Treatment shall also include pre-operative psychological screening and counseling, behavior modification, nutritional counseling, and post-operative follow-up, overview, and counseling of dietary, exercise, and lifestyle changes.

D. The insured shall be at least eighteen years of age to be eligible for bariatric surgery coverage. Prior to the treatment required to be covered by this Section, a health insurance issuer may require a covered person to successfully complete a pre-operative period which may include counseling, nutritional education, and other covered services to assist in preparation and evaluation for successful treatment.

E.(1) The prescribing physician shall issue a written order stating that treatment is medically necessary and in accordance with the patient qualifications and treatment standards set forth by the American Society for Metabolic and Bariatric Surgery or the American College of Surgeons.

(2) A health insurance issuer may restrict covered services pursuant to this Section to those provided in facilities holding accreditation by the American College of Surgeons and the American Society for Metabolic and Bariatric Surgery's Metabolic and Bariatric Surgery Accreditation.

F.(1) A health insurance issuer may require that all covered services pursuant to this Section receive prior authorization from the issuer.

(2) Nothing in this Section shall be interpreted to require a health insurance issuer to provide coverage for injectable drugs used to lower glucose levels or any other drugs prescribed for weight loss. A health insurance issuer may limit benefits provided in this Section to no more than one surgical procedure per lifetime.

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

(1) "Body mass index" means a practical marker used to assess the degree of obesity, calculated by dividing the weight in kilograms by the height in meters squared.

(2) "Health coverage 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 insurance policy, or any other insurance contract of this type in this state, including a group insurance plan, and a self-insurance plan. "Health coverage plan" does not include a plan providing coverage for excepted benefits defined in R.S. 22:1061, limited benefit health insurance plans, and short-term policies that have a term of less than twelve months or the Office of Group Benefits programs.

(3) "Severe obesity" means either of the following:

(a) A body mass index equal to or greater than forty kilograms per meter squared.

(b) A body mass index equal to or greater than thirty-five kilograms per meter squared along with an associated comorbidity including but not limited to hypertension, cardiopulmonary conditions, sleep apnea, or diabetes.

Section 2. This Act shall apply to any new policy, contract, program, or health coverage plan issued on and after January 1, 2025. Any policy, contract, or health coverage plan in effect prior to January 1, 2025, shall convert to conform this Act on or before the renewal date, but no later than January 1, 2026.

Approved by the Governor, June 10, 2024.

A true copy:
Nancy Landry
Secretary of State

ACT No. 505

SENATE BILL NO. 107

BY SENATORS MIZELL, ABRAHAM, BARROW, HODGES, KLEINPETER, MIGUEZ AND MORRIS AND REPRESENTATIVES ADAMS, BERAULT, BILLINGS, CHENEVERT, COATES, COX, DICKERSON, DOMANGUE, EDMONSTON, FONTENOT, HORTON, KERNER, KNOX, LAFLEUR, MACK, OWEN, SCHLEGEL, THOMPSON, VILLIO, WALTERS, WILEY AND WYBLE
AN ACT

To enact R.S. 14:81.6, relative to offenses affecting the public morals; to create the crime of possessing, trafficking, or importing a child sex doll; to provide definitions; to provide penalties; to provide relative to reporting; and to provide for related matters.

Be it enacted by the Legislature of Louisiana:

Section 1. R.S. 14:81.6 is hereby enacted to read as follows:

§81.6. Possessing, trafficking, or importing a child sex doll; reporting

A.(1) A person commits the crime of possessing a child sex doll by intentionally or knowingly possessing a child sex doll.

(2) A person commits the crime of trafficking a child sex doll by knowingly manufacturing, distributing, selling, transferring, offering to sell, advertising, providing, shipping, delivering for shipment, offering to deliver for shipment, or possessing with the intent to manufacture, distribute, sell, ship, or transfer a child sex doll.

(3) A person commits the crime of importing a child sex doll by knowingly transporting, or causing to be transported, a child sex doll into this state by any means with the intent to distribute, sell, or transfer the child sex doll to another, whether or not the person has taken actual possession of the child sex doll.

B. For purposes of this Section, "child sex doll" means an anatomically correct doll, mannequin, or robot that both:

(1) Has the features of or features that resemble those of an infant or a child under eighteen years of age.

(2) Is intended to be used for sexual stimulation or gratification.

C. In a prosecution for a violation of Paragraph (A)(2) of this Section, the possession of two or more child sex dolls creates a rebuttable presumption that a person intends to commit trafficking of a child sex doll.

D. This Section shall not apply to a common carrier transporting a container with a child sex doll if the common carrier does not have actual knowledge of the container's contents.

E.(1) Whoever violates the provisions of Paragraph (A)(1) of this Section upon conviction shall be imprisoned at hard labor for not more than one year, fined not more than five thousand dollars, or both.

(2) Whoever violates the provisions of Paragraph (A)(2) of this Section upon conviction shall be imprisoned at hard labor for not less than six months nor more than one year, fined not more than ten thousand dollars, or both.

(3) Whoever violates the provisions of Paragraph (A)(3) of this Section upon conviction shall be imprisoned at hard labor for not less than one year nor more than two years, fined not more than twenty thousand dollars, or both.

F. No later than December 31, 2024, and no later than the thirty-first of December of each year thereafter, the court of conviction shall report each conviction pursuant to this Section to the judicial administrator's office of the Louisiana Supreme Court, which shall no later than January 31, 2025, and no later than the thirty-first of January of each year thereafter, submit a report to the governor, the president of the Senate, and the speaker of the House of Representatives that lists, by parish, the total number of persons who have been convicted of a violation of this Section in the preceding year.

Approved by the Governor, June 10, 2024.

A true copy:
Nancy Landry
Secretary of State

ACT No. 506

SENATE BILL NO. 136
BY SENATOR TALBOT
AN ACT

To amend and reenact R.S. 33:4710.12(B), relative to the board of commissioners for the Ernest N. Morial-New Orleans Exhibition Authority; to provide with respect to residency requirements of the members; and to provide for related matters.

Notice of intention to introduce this Act has been published.

Be it enacted by the Legislature of Louisiana:

Section 1. R.S. 33:4710.12(B) is hereby amended and reenacted to read as follows:

§4710.12. Board of commissioners
* * *

B. Each person appointed to the board shall be a resident of or have his principal place of business in the parish of Orleans, **with the exception of two members who shall be a resident of or have their principal place of business in the state of Louisiana.**

* * *

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. 507

SENATE BILL NO. 145

BY SENATORS BARROW, BOUDREAUX, BOUIE, CARTER, CATHEY, DUPLESSIS, FIELDS, HARRIS, HENRY, JACKSON-ANDREWS, LUNEAU, MILLER, MIZELL AND TALBOT AND REPRESENTATIVES BERAULT, BILLINGS, WILFORD CARTER, CARVER, CHASSION, DICKERSON, FIRMENT, FREIBERG, HILFERTY, HUGHES, KNOX,

LAFLEUR, MARCELLE, NEWELL AND WYBLE
AN ACT

To amend and reenact R.S. 24:525(C)(2), (5) through (8), and (11), R.S. 44:4(6), and Children's Code Arts. 412(O), 616.1.1(B), and the introductory paragraph of 616.1.1(C) and to enact R.S. 17:407.29(J), 3914(O), R.S. 24:525(F) and (G), R.S. 46:56(N), and Children's Code Art. 616.1.1(D), relative to the state child ombudsman; to provide for access to records and data; to provide for powers and duties of the state child ombudsman; to provide for exemptions to the Public Records Law; to provide for child abuse reporting and investigation; and to provide for related matters.

Be it enacted by the Legislature of Louisiana:

Section 1. R.S. 17:407.29(J) and 3914(O) are hereby enacted to read as follows:
§407.29. Confidentiality of applications and client case records for child care assistance clients; waiver; penalty

* * *

J. Notwithstanding any provision of law to the contrary, including this Section, the state child ombudsman shall receive, upon written request, records of the Department of Education concerning applications for assistance and information contained in the case records of child care assistance clients of the department.

* * *

§3914. Student information; privacy; legislative intent; definitions; prohibitions; parental access; penalties

* * *

O. Notwithstanding any law to the contrary, including this Section, the state child ombudsman shall receive, upon written request, any student record for the purposes of carrying out the ombudsman's duties from any public elementary or secondary school, any city, parish, or other local public school system, or the Louisiana Department of Education.

Section 2. R.S. 24:525(C)(2), (5) through (8), and (11) are hereby amended and reenacted and R.S. 24:525(F) and (G) are hereby enacted to read as follows:

§525. State child ombudsman; duties

* * *

C. The state child ombudsman shall have all of the following duties and responsibilities:

* * *

(2) Periodically review the procedures established by any state agency providing services to children, with a view toward the rights, needs, welfare, and safety of the children, and recommend revisions to the procedures.

* * *

(5) Periodically review the facilities and procedures of any institution or residences, public or private, where a child has been placed by any state agency or department.

(a) For purposes of this Section, the term "residences" means congregate care facilities and does not include foster homes.

(b) For purposes of this Section, the term "access" means policies and availability of services.

(6) Recommend changes in state policies concerning children, including changes in the system of providing juvenile justice, child care assistance, foster care, and access to physical and mental health treatment.

(7) Conduct programs of public education, undertake legislative advocacy, and make proposals for systemic reform in order to ensure the rights and needs of children who reside in this state.

(8) Periodically review and recommend changes in the policies and procedures for the placement of special needs children. **For purposes of this Section, "special needs" means the individualized care that children with a disability, whether physical, mental, behavioral, emotional, or learning difficulties, require to ensure their safety, access to public amenities, or ability to succeed in certain contexts.**

* * *

(11) Prepare a biennial, in-depth report on conditions of confinement regarding children twenty-one years of age or younger who are held in secure detention in any facility operated by a state agency **or those that receive state funding.**

* * *

E. Notwithstanding any other provision of law to the contrary and to the extent allowed by federal law, the state child ombudsman shall, upon request, have permission to view and use documents and records relevant to the ombudsman's statutory duties. To the extent allowed by federal law, such documents and records shall include but not be limited to the applications and case files of the Louisiana Department of Health and the Department of Children and Family Services except for the name and any identifying information of the reporter of child abuse or neglect and restrictions provided in Title IV-D of the Social Security Act and the Internal Revenue Code, juvenile court judgements and court minute entries, records and reports of children in the custody of or under the supervision of the office of juvenile justice, student records in the possession of the Louisiana Department of Education, any parish or city school board, and any elementary or secondary education school, including charter schools. The state child ombudsman shall comply with any and all restrictions imposed by law on documents, data, or information considered confidential or privileged and furnished to the state child ombudsman.

G. Notwithstanding any other provision of law to the contrary, the state child ombudsman shall not be compelled to be a witness or be deposed in any case where the state child ombudsman is not personally a defendant.

Section 3. R.S. 44:4(6) is hereby amended and reenacted to read as follows:

§4. Applicability

This Chapter shall not apply:

* * *

(6)(a) To any records, writings, accounts, letters, letter books, photographs, or copies or memoranda thereof in the custody or control of the legislative auditor, ~~or to~~ **unless otherwise provided.**

(b) To any records, writings, accounts, letters, letter books, photographs, or copies or memoranda thereof in the custody or control of the state child ombudsman, unless otherwise provided.

(c) To the actual working papers of the internal auditor of a municipality until the audit is complete, unless otherwise provided.

* * *

Section 4. R.S. 46:56(N) is hereby enacted to read as follows:

§56. Applications and client case records; definitions; confidentiality; waiver; penalty

* * *

N. Notwithstanding any provisions of this Section or any other law to the contrary and to the extent allowed by federal law, the department shall, upon request, provide copies of applications and case files to the state child ombudsman for the purposes of carrying out the ombudsman's statutory duties. Any such documents provided to the state child ombudsman shall remain confidential and otherwise subject to the provisions of this Section concerning any subsequent disclosures.

Section 5. Children's Code Arts. 412(O) and 616.1.1(B) and the introductory paragraph of 616.1.1(C) are hereby amended and reenacted and Children's Code Art. 616.1.1(D) is hereby enacted to read as follows:

Art. 412. Confidentiality of records; disclosure exceptions; sanctions

* * *

O.(1) Notwithstanding any other law to the contrary, the state child ombudsman shall have access to judgements and court minute entries concerning matters or proceedings before the juvenile court as needed in furtherance of the ombudsman's statutory duties. Any judgements and court minute entries provided to the state child ombudsman shall remain confidential and shall not be subject to any further disclosure, absent an order of the juvenile court for that purpose.

(2) The office of juvenile justice shall provide to the state child ombudsman, upon written request of the state child ombudsman, any record or report concerning a child in the custody of or under the supervision of the office of juvenile justice needed in furtherance of the ombudsman's statutory duties, including but not limited to records related to condition, housing, supervision, treatment, rehabilitation program, education, health, discipline, transition planning, risk assessments, and status reports.

* * *

Art. 616.1.1. Appeal and review; correction of central registry entries; procedure

* * *

B. When a report alleging abuse or neglect is determined to be inconclusive by the department, there shall be an internal second level approval of any inconclusive finding.

C. The department shall provide a written notice to the individual who is or was the subject of the determination in clear, concise, and understandable language that is easy to read, containing all of the following:

* * *

D. The department shall promulgate, in accordance with the Administrative Procedure Act, all rules and regulations necessary to implement the provisions of this Article.

Approved by the Governor, June 10, 2024.

A true copy:

Nancy Landry
Secretary of State

ACT No. 508

SENATE BILL NO. 149
BY SENATOR FIELDS
AN ACT

To amend and reenact the introductory paragraph of R.S. 44:401, R.S. 44:402, 405, 406, 408(A), 410, 411, 415, 419, and 422 and to repeal R.S. 44:407, 412, 413, 414, 416, and 423, relative to the powers, duties, and functions of the Louisiana State Archives; to provide for definitions; to provide for procedures; to provide for retention of records; to provide for management of records; to provide for the authority of the secretary of state; to provide for imaging and preservation services; to provide for safeguards against the destruction of records; and to provide for related matters.

Be it enacted by the Legislature of Louisiana:

Section 1. The introductory paragraph of R.S. 44:401, R.S. 44:402, 405, 406, 408(A), 410, 411, 415, 419, and 422 are hereby amended and reenacted to read as follows:

§401. Division of archives, records management, and history

The division of archives, records management, and history is hereby created and established as a division of the Department of State, to perform all duties, functions, and responsibilities and to exercise all authority or authorities heretofore assigned to the Louisiana State Archives and Records Service by providing for a statewide system of managing and preserving government records which will meet informational requirements and serve the rights and interests of government and its citizens, and specifically to:

* * *

§402. Definitions

For the purpose of this Chapter:

(1) "Secretary" means the secretary of state who oversees the Department of State.

(2) "State archivist" means the state archivist and director of the division of archives, records management, and history, appointed by the secretary to serve as director of that division and as state archivist.

(3) "Division" means the division of archives, records management, and history.

(4) "Records" means all documents, papers, letters, books, drawings, maps, plats, photographs, magnetic or optical media, microfilm, microphotograph, motion picture film, or other document or any other material, regardless of physical form or characteristic, generated or received under law or in connection with the transaction of official business, or preserved by an agency or political subdivision because of other informational or legal value. This term shall not be construed to include library and museum material developed or acquired and preserved solely for reference or exhibition purposes, extra copies maintained for convenience in reference or stocks of standard publications, or processed documents.

(5) "Agency" means any state, parish and municipal office, department, division, board, bureau, commission, authority, or other separate unit of state, parish, or municipal government created or established by the constitution, law, resolution, proclamation, or ordinance.

(6) "~~State archives~~ Louisiana State Archives" means an establishment maintained by the division secretary to administer a program to provide for the preservation of ~~those records, and other papers, and artifacts~~ that have been determined by the state archivist to have sufficient historical, fiscal, or legal value to warrant their continued preservation by the state, ~~whether they have been deposited with the state archives or are to be maintained in agency custody.~~

(7) "Records management" means the systematic application of management techniques to the creation, utilization, maintenance, retention, preservation, and disposal of records for the purpose of reducing costs and improving efficiency of records keeping. "~~Records management~~" This term includes management of filing and microfilming equipment and supplies; the conversion of records from one format to another, filing and information retrieval systems; files, correspondence, reports, and forms management; historical documentation; micrographics; retention programming; and vital records protection.

(8) "Records center" means an establishment maintained by the division secretary primarily for the economical storage, processing, servicing, and security of inactive public records that must be retained for varying periods of time but which need not be held in agency offices for the entire periods.

(9) "~~Retention and disposal schedule~~" means a set of disposition instructions prescribing how long, in what location, under what conditions, and in what form records series shall be kept.

(10) "Vital records" means any record essential to either or both the resumption or continuation of operations, to verification or re-creation of the legal and financial status of government in the state, or to the protection and fulfillment of obligations to citizens of the state.

(11) "~~Destruction~~" means to destroy by shredding, burning, or other suitable means of obliteration.

(12)(11) "Disposal" means destruction in any manner approved by the environmental authority and state archivist; or, transferral into the custody of the repository designated by the state archivist as most appropriate for continued maintenance.

* * *

§405. Powers and duties

A. The secretary shall enforce the provisions of this Chapter and pursuant thereto may promulgate, ~~or authorize the state archivist to promulgate,~~ policies not inconsistent with law and in accordance with the Administrative Procedure Act, establishing:

(1) Procedures for the ~~compiling and submitting~~ creation and submission of retention schedules to the division heretofore created, of lists and schedules of records proposed for disposal.

(2) Procedures for the disposal of records authorized for disposal, whether in agency custody or in the possession of the division.

(3) Procedures for the reproduction of public records by photographic, microphotographic, or other appropriate process when necessary to assure the preservation thereof. conversion of records by microphotographic or electronic digitizing processes.

(4) Procedures for preservation, repair, treatment, and restoration of old, discolored, worn, fragile, faded, or torn documents, or records which are declared by the state archivist to have historical or archival value, whether stored in the state archives, the records center, or held in the custody of the repository agency the collection of records from agencies that are declared by the state archivist to have intrinsic, historical, or evidentiary value.

B. It is intended that such policies, rules, and regulations be formulated after surveying and evaluating the circumstances of and receiving advice from the various state agencies and the governing authorities of the various subdivisions of the state. Such The promulgated policies, rules, and regulations thereafter shall be binding upon all the agencies of the state and its subdivisions agencies. The secretary shall employ such personnel, purchase such equipment, and provide such facilities as may be required in the execution of the powers and duties imposed upon the secretary. The

* As it appears in the enrolled bill

secretary shall perform any acts deemed necessary, legal and proper to carry out the duties and responsibilities imposed upon him pursuant to the authority granted herein.

C. The secretary is hereby authorized to inspect and survey records, records management policies, and records disposal practices of any agency and obtain reports thereon. The secretary shall be given full cooperation of officials and employees of state agencies in any inspection, survey, or report. The secretary may report to the legislature and the governor on these activities at his discretion or as called upon by the governor or legislature.

§406. Collection of records

The state archivist shall collect court records, official documents, reports, newspapers, church records, private papers, and other historical materials and data pertaining to the colonial, territorial, and statehood periods from the earliest times to the present, to have said documents, records, and material properly repaired, filed, indexed, and preserved, whether physically or by micrographic or other appropriate process or both, and, when deemed desirable, edited and published to encourage historical investigation and research in the history of the state. When original documents or records are to be maintained in the possession of a custodial agency, the division may provide for the making of a microphotographic security copy or other appropriate facsimile for deposit with the state archives. may collect and accept records of any format, papers, and artifacts from agencies or the public, provided these records adhere to the mission of the division as provided in R.S. 44:401. The division shall prepare inventories, indexes, catalogs, and other aids to facilitate the access and use of these records.

* * *

§408. Archives and records center building; duty custody and control

A. The secretary shall have custody and control of the Louisiana State Archives and its contents to house and facilitate operations of the various archives and records management programs, including the records center establishment, and through the Louisiana State Building Authority or its successors shall have authority to design, build, purchase, lease, maintain, operate, protect, and improve buildings or facilities used for the storage of inactive records of state and local agencies of Louisiana.

* * *

§410. Records management programs; policies and principles

A. The secretary, acting through the state archivist, shall, with due regard to the program activities of the state and local agencies concerned, prescribe policies and principles to be followed by state and local governmental agencies in the conduct of their records management programs and make provision for the economical and efficient management of records by state and local governmental agencies; by analyzing, developing, prescribing, and coordinating the implementation of standards, procedures, and techniques designed to improve the management of records, to insure the maintenance and security of records deemed appropriate for preservation, and to facilitate the segregation and disposal of records of temporary value; and by effecting the efficient and economical utilization of space, equipment, and supplies needed for the purpose of creating, maintaining, storing, and servicing records. The secretary shall maintain a statewide records management program that prescribes policies and principles to be followed by state and local agencies for the economical and efficient management of state and local government records, to improve preservation and access to records, to insure the maintenance and security of records, and to facilitate the appropriate retention or disposal of records.

B. The division also shall formulate and execute a program to inventory, schedule, and microfilm official parish, municipal, and other local records which are determined by the state archivist to have permanent value, to provide safe storage for microfilm copies of such records, and to give advice and assistance to local officials in their programs for creating, preserving, filing, and making available public records in their custody. The division may assist any state, parish, municipal, or other local agency to implement a records program by providing records analysts and consultants in records management, conducting surveys in order to recommend more efficient records management practices, and providing training for records management personnel. The secretary shall employ records analysts to assist agencies in their compliance with the requirements of this Chapter and to provide training regarding compliance with the statewide records management program to state and local agencies.

§411. Retention of records; actions for recovery of records Record management obligation of agency heads

A. The secretary, acting through the state archivist, shall establish standards for the retention of records of continuing value, and monitor state and local agencies in the application of such standards to all records in their custody. To facilitate this application:

(1) The head of each agency shall establish and maintain a program for the economical and efficient management of the records of the agency, including the maintenance, access, use, security, and preservation of the records.

(2) The head of each agency shall annually designate a records officer to act as a liaison between the division and the agency on all matters relating to records management.

(3)(3) The head of each agency shall submit to the state archivist, in accordance with the policies, rules, and regulations prescribed by the secretary and the implementational standards and procedures established by the state archivist, retention schedules proposing the length of time each state record series warrants retention shall be kept for administrative, legal, or fiscal purposes after it has been created or received by the agency.

~~(2)(4)~~ The head of each agency shall also submit **disposal requests** to the state archivist lists of state **listing** records in the custody of ~~that the~~ agency which are no longer required for the transaction of current business and which lack sufficient administrative, legal, or fiscal value to warrant further retention and request that the state archivist authorize appropriate disposal. **The state archivist, at his discretion, may require the records to be kept for a longer period than specified in the approved retention schedule or by law.**

~~(3)(5)~~ Upon termination of employment with the state, unless otherwise directed by law, each agency head prior to transfer of his records to a successor, shall notify the state archivist to arrange for an appraisal to determine which record or records series should be retained in the agency office and which should be transferred to the custody of the division for permanent retention.

~~(4)(6)~~ The records of any state agency, upon termination of its existence or functions, shall automatically be transferred into the custody of the division, unless otherwise directed by law.

~~B. The secretary, acting through the state archivist, shall also notify the head of any such agency of any actual, impending, or threatening unlawful removal, defacing, alteration, or destruction of records in the custody of such agency that shall come to his attention, and initiate action through the attorney general for the recovery of such records as shall have been unlawfully removed and for such other redress as may be provided by law. In any case in which records or other materials of actual or potential archival significance are determined by the state archivist to be in jeopardy of destruction or deterioration, and such material is not essential to the conduct of daily business in the agency of origin, the secretary shall have authority to require and schedule transfer of said records to the physical and legal custody of the division and the state archivist.~~

~~C. To ensure that the above enumerated reports and notifications are submitted and implemented, the chief executive officer of each state agency shall designate annually a records officer to act as liaison between the division and the agency on all matters relating to records management.~~

* * *

§415. Centralized imaging Imaging and preservation services

~~The imaging and preservation services section of the records management program of the division shall be the centralized document conversion center for the state. All state agencies lacking existing internally established paper conversion systems of their own, and those state agencies whose equipment or facilities are no longer adequate to meet the agency's need, shall contract with the division for conversion services or shall obtain division approval for a conversion contract with any other vendor or purchase of any other conversion system. All records produced by state agency conversion systems shall comply with standards established by the division in accordance with R.S. 44:405(A)(3).~~

The imaging and preservation services program shall provide conversion services for the state. All agencies shall contract with the division for conversion services or shall comply with the conversion standards and disposal request procedures established by the division in accordance with R.S. 44:405.

* * *

§419. Preservation, repair conservation, and exhibition of records; finding aids

~~A. The state archivist shall make provisions for the preservation, management, repair, and rehabilitation, duplication and reproduction, description, and exhibition of records or related documentary material transferred to him as may be needful or appropriate, including the preparation and duplication of inventories, indexes, catalogs, and other finding aids or guides facilitating their use. **The secretary shall maintain a conservation and exhibition program and shall provide for the preservation, conservation, and exhibition of records at the Louisiana State Archives.**~~

~~B. The state archivist shall make provisions for the display or exhibition of photographic copies of microphotographic copies of records in his or the agency's custody, in lieu of the original records, if he deems it necessary to protect old, fragile, or damaged records from further damage or loss. **The secretary shall provide for the exhibition of copies in lieu of the original records, if he deems it necessary to protect old, fragile, or damaged records.**~~

* * *

§422. Safeguards against the removal, unlawful destruction, or loss of records

~~A. The head of each agency of the state or its subdivisions shall establish such safeguards against removal or loss of records as he shall consider necessary and as may be required by rules and regulations issued under authority of this Chapter. Such safeguards shall include making it known to all officials and employees of the agency that no records are to be alienated or destroyed except in accordance with law and the policies, rules, and regulations developed therefrom by the state archivist and the division, and calling their attention to the penalties provided by law for the unlawful removal or destruction of records.~~

~~**B. The head of each agency shall notify the secretary through the state archivist of any actual, impending, or threatened unlawful removal, damage, falsification, defacement, alteration, or destruction of records in the custody of the agency that come to his attention and shall assist the secretary in initiating legal action through the attorney general for their recovery.**~~

~~**C. The secretary shall notify the head of any agency of any actual, impending, or threatened unlawful removal, damage, falsification, defacement, alteration, or destruction of records in the custody of the agency that come to his attention.**~~

~~**B-D.** The secretary of state, acting through the state archivist, may refer any matter to the legislative auditor, inspector general, or attorney general as necessary for investigation relating to any instance of damaging, altering,~~

~~tampering with, or falsifying records actual, impending, or threatened unlawful removal, damage, falsification, defacement, alteration, or destruction of records, including but not limited to fraudulent creation, distribution, or filing of records.~~

~~**E. In any case in which records or other materials of actual or potential archival significance are determined by the state archivist to be in jeopardy of destruction or deterioration, the secretary shall have the authority to require and schedule transfer of the records to the physical and legal custody of the division and the state archivist.**~~

~~Section 2. R.S. 44:407, 412, 413, 414, 416, and 423 are hereby repealed in their entirety.~~

Approved by the Governor, June 10, 2024.

A true copy:

Nancy Landry
Secretary of State

ACT No. 509

SENATE BILL NO. 187

BY SENATOR BOUDREAUX AND REPRESENTATIVES ADAMS,
BERAULT, ROBBY CARTER, CHASSION, FISHER, FREIBERG,
HUGHES, JACKSON, MIKE JOHNSON, JORDAN, MILLER, NEWELL,
TAYLOR AND WALTERS
AN ACT

To enact R.S. 46:460.76.1, relative to a pilot program for Medicaid recipients to utilize portable oxygen concentrators; to provide for a pilot program developed by the Louisiana Department of Health; and to provide for related matters.

Be it enacted by the Legislature of Louisiana:

Section 1. R.S. 46:460.76.1 is hereby enacted to read as follows:

§460.76.1. Medicaid pilot program; portable oxygen concentrator

A.(1) The legislature finds that Louisiana Medicaid covers portable oxygen concentrators to Medicaid beneficiaries under twenty-one years of age, if deemed medically necessary, through the Early and Periodic Screening, Diagnostic and Treatment (EPSDT) benefit. However, for individuals over the age of twenty-one, Medicaid covers portable oxygen concentrators only for travel to medical appointments and treatment.

(2) The legislature further finds that providing Medicaid coverage for portable oxygen concentrators beyond the limited circumstances in current policy could greatly improve the quality of life for Louisiana residents who require oxygen but are mobile within the home or community.

B.(1) The Louisiana Department of Health shall establish a pilot program to provide coverage for portable oxygen concentrators in the same manner as stationary oxygen systems if a portable concentrator is prescribed by a licensed physician and the enrollee is mobile within the home or community.

(2) The Louisiana Department of Health may limit the number of portable oxygen concentrators covered each fiscal year in a manner determined through rules promulgated by the department.

C. The department shall submit a utilization report to the legislature no later than thirty days prior to the legislative session. The report shall include the number of requests for portable oxygen concentrators, the number of portable concentrators that were covered, the number of requests that were denied, the amount and means of financing of funds utilized to provide coverage, the amount of funds needed to provide coverage for requests that were denied due to lack of funds, and the demographics of enrollees that requested, received, or were denied coverage for portable concentrators.

Approved by the Governor, June 10, 2024.

A true copy:

Nancy Landry
Secretary of State

ACT No. 510

SENATE BILL NO. 201

BY SENATOR COUSSAN AND REPRESENTATIVE CHASSION
AN ACT

To enact Chapter 31-C of Title 51 of the Louisiana Revised Statutes of 1950, to be comprised of R.S. 51:2122 through 2123, relative to the Cajundome Commission; to provide with respect to the creation of the Cajundome Commission; to provide for the governance of the commission; to provide for the composition, powers, duties, and functions of the board of commissioners; to provide for the purpose and authority of the commission; to authorize the commission to adopt rules; to provide for definitions; and to provide for related matters.

Notice of intention to introduce this Act has been published.

Be it enacted by the Legislature of Louisiana:

Section 1. Chapter 31-C of Title 51 of the Louisiana Revised Statutes of 1950, comprised of R.S. 51:2122 through 2123, is hereby enacted to read as follows:

Chapter 31-C. CAJUNDOME COMMISSION

§2122. Cajundome Commission; board of commissioners; membership
A. The Cajundome Commission, hereinafter referred to as the "commission", was established in 1987 pursuant to an intergovernmental contract between the University of Louisiana at Lafayette, formerly the University of Southwestern Louisiana, hereinafter referred to as the "University", and the city of Lafayette,

hereinafter referred to as the “city”, under authority of La. Const. Art. VII, Sec. 14(C) and La. R.S. 33:1332, as a joint commission and body corporate to control and operate the multi-purpose academic, athletic, civic, and community assembly arena and convention center and surrounding land located at 444 Cajundome Boulevard, Lafayette, Louisiana, known as the Cajundome (collectively, the “Cajundome”). The Cajundome is owned by the University through the Board of Supervisors for the University of Louisiana System, for the public purpose of providing entertainment, cultural, economic, and educational benefits to the community of Lafayette and the Acadiana region. The commission was continued through two subsequent intergovernmental contracts and three extensions thereof between the University and the city. Act 319 of the 1995 Regular Session of the Louisiana Legislature recognized the commission by adding it to the list of employers participating in the Municipal Employees’ Retirement System.

B. The current intergovernmental contract providing for the commission expires on July 31, 2024. To ensure the continued existence of the commission upon expiration of the intergovernmental contract, and to prevent any disruption to the management, operation, or maintenance of the Cajundome or the rights, benefits, debts, or obligations of the presently existing commission, effective immediately upon the expiration of the current intergovernmental contract, the commission is hereby statutorily continued as a political subdivision of the state to develop, manage, operate, and maintain the Cajundome. In all respects except as otherwise expressly provided in this Chapter, the commission shall continue in existence as presently constituted, with and subject to all rights, benefits, debts, and obligations in existence as of the date of expiration of the current intergovernmental contract, with no interruption whatsoever. For purposes of R.S. 39:112, any project undertaken by the commission shall be considered to be owned and operated by the state.

C. The commission shall be domiciled in the parish of Lafayette.

D.(1) The commission shall be governed by a board of commissioners, hereinafter referred to as the “board”, composed of five persons. Except as provided in Paragraph (2) of this Subsection, each member of the board shall be appointed for a term of four years and shall serve until their successors have been appointed. Members shall be appointed as follows:

(a) Two by the president of the University of Louisiana at Lafayette, with one appointment being a minority.

(b) Two by the mayor-president of the Lafayette City-Parish Consolidated Government.

(c) One by the Lafayette City Council.

(2) The members as of the date of expiration of the current intergovernmental contract shall continue to serve their then-current terms. Upon expiration of their terms, the members as of such date other than the president shall be replaced by members appointed by the appointing authorities set forth in Paragraph (1) of this Subsection as their terms expire in the following order: first by the president of the University of Louisiana at Lafayette; second by the mayor-president of the Lafayette City-Parish Consolidated Government; third by the board of commissioners of the Lafayette Economic Development Authority; fourth by the president of the University of Louisiana at Lafayette; and fifth by the Lafayette City Council.

(3) Any vacancy occurring in the membership of the board shall be filled by the appointing authorities set forth in Paragraph (1) of this Subsection, as to the members respectively appointed by them. Any person appointed to fill a vacancy shall serve for the remainder of the unexpired term. The appointing authorities set forth in Paragraph (1) of this Subsection, as appropriate, may remove any member respectively appointed by them at any time, with or without cause and solely at their discretion.

E. The board shall elect, from its membership, a chair, a vice chair, and a secretary-treasurer.

F. A majority of the total membership of the board shall constitute a quorum in order to transact business of the commission. No contract shall be approved or any financial obligation incurred by or on behalf of the commission unless approved by a majority vote of the members of the board; provided, however, that the board may delegate to its chair or to the commission’s director the authority to enter into contracts or incur financial obligations that the board determines to be in the commission’s best interest for the efficient operation of the Cajundome.

G. Members of the board shall serve without compensation; however, they shall be reimbursed for expenses incurred while attending to the business of the board or the commission.

§2123. Cajundome Commission; purpose; function; authority; powers; duties

A. The commission shall develop, manage, operate, and maintain the Cajundome including any additions or appurtenances thereto for the public purpose of providing entertainment, cultural, economic, and educational benefits to the community of Lafayette and the Acadiana region.

B. The commission, through its board, may sue and be sued in the courts of its domicile and service of process shall be made on the chair of the board or, in the absence of the chair, upon the vice chair.

C. The commission, acting through its board, shall have all authority and power to effectuate the purposes of the commission, including but not limited to the following rights and powers:

(1) To acquire, purchase, lease as lessee, and hold and use any property, movable or immovable, tangible or intangible, or any interest therein that is necessary or desirable to carry out the purposes of the commission and to sell, lease as lessor, transfer, dispose of, or encumber any property or interest therein acquired by the commission.

(2) To develop, manage, operate, and maintain the Cajundome, including

any and all additions and appurtenances thereto; provided, however, that the construction of additions, improvements, or renovations to the Cajundome shall be done only with permission of the University as owner of the Cajundome.

(3) To execute contracts of any sort with public or private entities to effectuate the provisions of this Chapter.

(4) To execute contracts or agreements with any person, corporation, association, or other entity, including private persons, public corporations, political subdivisions, the government of the United States or any of its agencies, the state of Louisiana or any of its agencies, or any combination thereof, for or relating to the use of the Cajundome’s facilities, services, and equipment.

(5) To fix, collect, consent to, and revise rates, charges, rentals, and other terms for the use of the Cajundome’s facilities, services, and equipment as may be necessary or appropriate in the board’s discretion or as authorized by the board, including but not limited to contracts with promoters for such use upon terms authorized by the board.

(6) To establish rules and regulations for the conduct of the commission’s affairs, including but not limited to rules and regulations governing the management and operation of the Cajundome and its facilities, services, equipment, programs, and activities.

(7) To accept gifts, grants, and donations of property and money.

(8) To cooperate with the state of Louisiana or any political subdivision, department, agency, or corporation thereof for the development, operation, or maintenance of the Cajundome to accomplish the purposes of this Chapter on any basis, including the matching of funds, and by participating in projects authorized by federal or state law.

(9) To contract with, employ, and fix the compensation and terms of employment of agents or employees as may be necessary or appropriate to develop, manage, operate, and maintain the Cajundome.

(10) To pledge all or any part of its revenues for any lawful purpose to effectuate the provisions of this Chapter.

(11) To incur debt, issue bonds, and pledge payment of bonds issued by the commission for any authorized purpose pursuant to Part XII of Chapter 4 of Subtitle II of Title 39 of the Louisiana Revised Statutes of 1950.

D. All policies, procedures, delegations, authorizations, contracts, and obligations of the board or commission in effect on the effective date of this Act shall continue in full force and effect unless and until amended by future action of the board.

Approved by the Governor, June 10, 2024.

A true copy:

Nancy Landry
Secretary of State

ACT No. 511

SENATE BILL NO. 239

BY SENATOR MCMATH AND REPRESENTATIVE CHASSION
AN ACT

To enact Part IX of Chapter 1 of Title 40 of the Louisiana Revised Statutes of 1950, to be comprised of R.S. 40:31.71 through 31.74, relative to amyotrophic lateral sclerosis; to provide for legislative findings; to establish an amyotrophic lateral sclerosis surveillance system; to require reporting to the Louisiana Department of Health; to provide for exemptions to reporting requirements; to provide for confidentiality; to provide for reporting requirements for the department; to provide for an effective date; and to provide for related matters.

Be it enacted by the Legislature of Louisiana:

Section 1. Part IX of Chapter 1 of Title 40 of the Louisiana Revised Statutes of 1950, comprised of R.S. 40:31.71 through 31.74, is hereby enacted to read as follows:

**PART IX. LOUISIANA AMYOTROPHIC LATERAL
SCLEROSIS REGISTRY**

§31.71. Legislative findings

The legislature hereby finds and declares that:

(1) Amyotrophic lateral sclerosis, or ALS, most often takes at least a year to be diagnosed and is a diagnosis of exclusion, meaning that it becomes the diagnosis after other options are exhausted.

(2) The average time living with the disease is two to five years, and is often shorter and seldom much longer unless invasive measures are taken, such as a tracheostomy.

(3) It costs over two hundred thousand dollars a year to live with a tracheostomy tube, so ninety percent of the ALS population in the United States chooses not to undergo the procedure.

(4) Because the disease progresses so rapidly, patients most often do not attend an ALS clinic or long-term care clinic where their diagnosis would or could be reported to the Centers for Disease Control and Prevention (CDC), the organization tasked with counting those with ALS.

(5) The CDC program uses payor information and self-reporting to create their data and acknowledges their numbers are likely low, but they are beholden to the methods outlined by Congress.

(6) Several studies have been done to show that in states with implemented efforts to count those living with ALS, the number dramatically increased in each state.

(7) Louisiana currently reflects very few people with ALS north of Baton Rouge, likely because they remain uncounted.

(8) The only state, Massachusetts, that has ALS as a mandatory reportable

disease has become a hub for ALS research.

§31.72. ALS disease surveillance system

A. The Louisiana Department of Health shall establish an amyotrophic lateral sclerosis (ALS) surveillance system within the office of public health to collect, analyze, interpret, and disseminate data relative to individuals living with ALS in Louisiana.

B. In establishing the surveillance system, the department shall require reporting sources to report information on ALS to the office of public health.

§31.73. Confidentiality

Notwithstanding any other provision of the law to the contrary, individual identifying data in the surveillance system shall be confidential and shall not be subject to discovery. Data shall not be released for any child unless express written informed consent of a parent or legal guardian has been obtained. Data gathered by the office shall be used only for the purposes set forth in this Part.

§31.74. Report

The department shall produce an annual report on the results obtained through the surveillance system to be submitted to the secretary of the Louisiana Department of Health and the House and Senate committees on health and welfare.

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. 512

SENATE BILL NO. 253
BY SENATOR FOIL
AN ACT

To enact R.S. 17:101(D) and 1946.1, relative to parental consent; to provide relative to an individualized education program; to provide for notice to a parent or legal guardian; to provide for remote registration and preliminary enrollment of children of military personnel under certain circumstances; and to provide for related matters.

Be it enacted by the Legislature of Louisiana:

Section 1. R.S. 17:101(D) and 1946.1 are hereby enacted to read as follows:
§101. Children of military families; registration prior to residency; preliminary enrollment

* * *

D. None of the following shall preclude a child from registration prior to residency and preliminary enrollment as provided in this Section:

(1) Having an individualized education program or family service plan under the Individuals with Disabilities Education Act, 29 U.S.C. 1400 et seq.

(2) Receiving or qualifying for special education courses or services.

(3) Having an exceptionality as defined in R.S. 17:1942.

(4) Receiving or qualifying for accommodations or services under Section 504 of the 1973 Rehabilitation Act, 29 U.S.C.

* * *

§1946.1. Parental consent; notice

A. Notwithstanding any provision of law to the contrary, a local education agency shall provide ten days notice to a student's parent or legal guardian before it can initially provide a student with special education courses or related services in any setting.

B. If the individualized education program placement requires a reduction or removal of any special education course or related service, the local education agency shall provide ten days notice to the student's parent or legal guardian before the change can be implemented. In the event the student's individualized education program is changed for any reason, the local education agency shall provide ten days notice to the parent or legal guardian before the change can be implemented.

C. Notice as required by this Section shall be given through one of the following forms of communication:

(1) By certified mail with return receipt requested.

(2) By electronic mail, if the parent or legal guardian provides an electronic mail address.

(3) By text message, if the parent or legal guardian provides a mobile phone number for the purpose of receiving text messages.

(4) Through an online portal or other application that provides for documentation of the date of the delivery of the notice.

D. After receiving notice, a parent or legal guardian may have an individualized education program team meeting postponed to a reasonable alternative date or time by contacting the local education agency prior to a meeting that has been properly noticed.

E. Nothing in this Section shall prevent the local education agency or the parent or legal guardian from seeking a resolution of a dispute related to an individualized education program through a hearing process as promulgated by the State Board of Elementary and Secondary Education in accordance with the Administrative Procedure Act.

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. 513

SENATE BILL NO. 280
BY SENATOR PRICE AND REPRESENTATIVES BOYD, BRASS,
CHASSION, GREEN, JACKSON, LARVADAIN, NEWELL, RISER,
SELDERS AND TAYLOR
AN ACT

To enact R.S. 40:1666.1(A)(7), relative to supplemental pay; to provide for eligibility for certain fire protection officers; to provide certain requirements and limitations for eligibility; and to provide for related matters.

Be it enacted by the Legislature of Louisiana:

Section 1. R.S. 40:1666.1(A)(7) is hereby enacted to read as follows:

§1666.1. Extra compensation

A.(1)

* * *

(7)(a) Every fire protection officer who is employed on a full-time basis by the Port of South Louisiana shall be paid by the state extra compensation in the amount of six hundred dollars per month in addition to the compensation now paid to him by his employer out of self-generated revenue attributable to the agency employing the fire protection officers. To be eligible for the extra compensation, each fire protection officer shall have completed one year of service, and any fire protection officer hired after March 31, 1986, shall also have completed and passed a certified fireman's training program equal to National Fire Protection Association Standard 1001 Firefighter I Certification or a firemen's training program as approved by the Louisiana State University Firemen Training Program in accordance with R.S. 40:1541 et seq., or other state or federally approved maritime firefighter training programs.

(b) In the event that supplemental pay is increased as provided for in R.S. 40:1666.1(A)(1), then the same amount of supplemental pay shall be increased for the officers provided for in this Paragraph.

* * *

Section 2. This Act shall become effective on July 1, 2024.

Approved by the Governor, June 10, 2024.

A true copy:

Nancy Landry
Secretary of State

ACT No. 514

SENATE BILL NO. 281
BY SENATOR EDMONDS
AN ACT

To amend and reenact R.S. 22:1852(7) and the introductory paragraph of 1856.1(B), 1856.1(B)(2)(b) and (G) and to enact R.S. 22:1856.1(H), relative to pharmacy record audits; to provide for definitions; to provide for audits and reviews of pharmacy records; to provide for notification to the Department of Insurance; to provide for enforcement action; and to provide for related matters.

Be it enacted by the Legislature of Louisiana:

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

§1852. Definitions

As used in this Subpart, the following terms shall be defined as follows:

* * *

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

* * *

§1856.1. Pharmacy record audits; recoupment; appeals

* * *

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

* * *

(2)

* * *

(b) Nothing in this Paragraph shall prohibit prohibits review of a claim filed by a pharmacy to determine if the claim is payable or is paid correctly. Such The review may require the submission of prescription copies and

other documentation related to the specific claims under review but shall not require the pharmacy to provide any additional information not related to those specific claims.

* * *

G. This Section ~~shall not~~ **does not** apply to **either of the following**:

(1) Any quality assurance review, as defined by the time period prior to the reimbursement by the entity to the pharmacy.

(2) ~~An~~ **Any** investigation that is initiated, **conforming with rules adopted by the commissioner**, based on or that involves suspected or alleged fraud, willful misrepresentation, or abuse.

H. The commissioner shall promulgate rules in accordance with the Administrative Procedure Act that set forth standards for policies and procedures governing the performance of pharmacy record audits, claims reviews and quality assurance reviews, and fraud or willful misrepresentation audits.

Approved by the Governor, June 10, 2024.

A true copy:

Nancy Landry
Secretary of State

ACT No. 515

SENATE BILL NO. 312

BY SENATOR EDMONDS AND REPRESENTATIVES AMEDEE, BAYHAM,
BERAULT, BILLINGS, CARRIER, CARVER, CHENEVERT, DICKERSON,
JACKSON, LAFLEUR, OWEN AND TAYLOR

AN ACT

To enact Chapter 14-E of Title 46 of the Louisiana Revised Statutes of 1950, to be comprised of R.S. 46:1445.1 through 1445.14, relative to assistance programs of the Department of Children and Family Services; to establish within the Department of Children and Family Services an assistance program for pregnant women and certain parents; to provide for services to be delivered through the program; to require reporting to certain legislative committees concerning the program; to provide for administrative rule making; to provide for funding of the program; to provide for legal representation; to require the Department of Children and Family Services to include certain information on its website; and to provide for related matters.

Be it enacted by the Legislature of Louisiana:

Section 1. Chapter 14-E of Title 46 of the Louisiana Revised Statutes of 1950, comprised of R.S. 46:1445.1 through 1445.14, is hereby enacted to read as follows:

CHAPTER 14-E. ADOPTION AWARENESS ACT

§1445.1. Short title

This Act may be cited as the Adoption Awareness Act.

§1445.2. Purposes

The purposes of the Adoption Awareness Act are all of the following:

- (1) To encourage the formation and maintenance of two-parent families.**
- (2) To provide awareness of contemporary adoption practices.**
- (3) To ensure availability of accurate information on adoption.**

§1445.3. Definitions

As used in this Chapter, unless otherwise indicated, the terms have the meaning ascribed to them in this Section as follows:

- (1) "Agency adoption" means the agencies that are licensed by the Department of Children and Family Services pursuant to Children's Code Article 1198 et seq.**
- (2) "Birth parent" means a person who has placed his or her child for adoption.**
- (3) "Department" means the Department of Children and Family Services.**
- (4) "Expectant parent" means a woman who is pregnant or the biological father of the unborn child of a pregnant woman.**
- (5) "Home study" means a preplacement analysis of a prospective adoptive parent as is provided in Children's Code Article 1173.**

§1445.4. Adoption Awareness Program created

The Adoption Awareness Program is hereby created in the Department of Children and Family Services and the department shall contract with eligible vendors or organizations to provide the supportive services as described in R.S. 46:1445.5.

§1445.5. Required services

A. Any vendor chosen by the department shall provide resources or services as follows:

(1) Marketing designed to provide awareness of adoption and specific adoption resources available in this state, including the creation of a website providing information on adoption and the name and contact information for one or more licensed adoption agencies to assist with an agency adoption.

(2) A telephone or video hotline that provides information and educational information for resources to encourage adoption. The educational information shall include all of the following:

- (a) The adoption process.**
- (b) Practical aspects of adoption pertinent to an expectant parent.**
- (c) Resources and support that are available for expectant parents, birth parents, or adopted children.**
- (d) A biological parent's rights and legal protections.**
- (e) Available adoption agencies in this state.**
- (3) Adoption educational and training resources for doctors, nurses, hospitals, medical clinics, birthing centers, and pregnancy resource centers that provide helpful information as follows:**
 - (a) A list of other professionals and organizations that serve pregnant women**

and provide support for women considering placing their children for adoption.
(b) The location of adoption agencies that can assist in the placement of children for adoption.

(c) How to discuss the adoption process and the resources and support available to women placing their child for adoption.

B. The vendor selected by the department may contract with another entity to provide the services required in this Section.

§1445.6. Vendor and subcontractor eligibility; staffing

A nonprofit corporation or other entity is eligible to contract with the department as a vendor to provide services pursuant to this Chapter and any vendor selected by the department is eligible to contract with a subcontractor if the nonprofit or other entity and any subcontractor meets all of the following requirements:

(1) Is in good standing with the secretary of state and registered to do business in this state.

(2) Is capable of providing, directly or through contract, the services in this Section.

(3) Is not an abortion provider or an entity that promotes, refers for, or assists women in obtaining an abortion.

§1445.7. Eligibility for services

To be eligible to begin participation in the Adoption Awareness Program, a birth parent or expectant parent shall be a person who meets at least one of the following requirements:

(1) A resident of this state who is the biological parent of an unborn child.

(2) Is a parent of a child under two years of age.

(3) Is a parent of a child in the custody of the department.

(4) Is a parent of a minor who is the biological parent of an unborn child.

§1445.8. Program reporting

A. A vendor chosen by the department pursuant to R.S. 46:1445.4 shall record and report monthly to the department related to the adoption program services provided pursuant to this Chapter and the report shall include all of the following information:

(1) The number of participants who obtained a service pursuant to R.S. 46:1445.5.

(2) The number and type of services provided.

(3) The number and type of referrals made.

B. The department shall annually report to the House and Senate committees on health and welfare all of the information reported pursuant to this Section after redacting any private medical information and any other privileged information associated with the birth mothers, expectant parents, unborn children, and other children served by this program.

§1445.9. Funding and eligible expenses

A. The department shall apply funds received from the Temporary Assistance to Needy Families (TANF) Block Grant to fund the adoption awareness program services and the requirements of this Chapter to the extent feasible.

(1) A vendor of the Adoption Awareness Program may use appropriated funds in one or more of the following ways:

(a) Expenses necessary to provide services identified in R.S. 46:1445.5.

(b) Funding a marketing campaign within the state to promote adoption.

(c) Administrative expenses related to administrative overhead and other indirect costs that are approved by the department, if the aggregate amount of administrative expenses does not exceed fifteen percent.

B. The department shall fund anticipated program expenses in advance on a quarterly basis, with advanced funding to be reconciled with actual expenses following each quarter and offset against future payments.

§1445.10. Vendor protections

A. The department shall not require, as a condition of participation in the Adoption Awareness Program, a vendor or its employees to violate the freedom of religion, freedom of speech, or freedom of association that is guaranteed by the First Amendment to the Constitution of the United States and made applicable to the state by the Constitution of Louisiana.

B. The department shall not require, as any condition of participation in the Adoption Awareness Program, the vendor or its employees to participate in or facilitate any action to which the vendor or its employee has a conscience objection.

C. Notwithstanding its participation in the Adoption Awareness Program, a vendor may offer other religious or sectarian services or programs utilizing funds from other sources.

§1445.11. Legal representation in adoption proceedings

Nothing in this Chapter shall be interpreted to violate the rights and protections afforded to a birth parent or an expectant parent that are enacted in the Children's Code, the Civil Code, or in any other provision of law.

§1445.12. Required disclosures; rulemaking and reporting.

A. A vendor shall prepare an overview of the Adoption Awareness Program on a brochure or other written media that describes the website created pursuant to R.S. 46:1445.5 and any other pertinent contact information related to the program or that is required by the department.

B. The department shall provide a copy or copies of the document prepared pursuant to this Section and shall make the documents available to any one of the following:

(1) Any public health office.

(2) Any high school or middle school.

(3) Any charitable clinic at which a diagnosis of pregnancy may be made.

(4) Any person obtaining testing through a public health office for a sexually transmitted infection.

(5) Any pregnant woman applying to receive Medicaid.

C. The department shall provide a copy of the document prepared pursuant to this Section to the parent of any child taken into the custody by the department.

D. The department shall promulgate all rules and regulations necessary to implement the provisions of this Chapter. The rules shall include but not be limited to appropriate oversight provisions and penalties for failure to achieve program objectives as provided for in this Chapter, measures to ensure the clinical efficacy and financial viability of the program, and benchmarks to achieve best practice outcomes. The department shall report annually to the legislature on the status of the program.

§1445.13. Adoption awareness; Department of Children and Family Services

A link to the AdoptionOption.La.Gov website as provided for in R.S. 40:1061.17, or any successor state agency administered website that promotes adoption awareness and makes adoption resource information available to the public, shall be made available and placed in a prominent location on the websites administered by the Louisiana Department of Health and the Department of Children and Family Services. Any other state agency that administers a website may also provide a link to the AdoptionOption.La.Gov website.

§1445.14. Funding

This Chapter shall not be implemented or operational until monies are secured from the Temporary Assistance for Needy Families (TANF) sufficient to fund the provisions of this Chapter.

Section 2. This Act shall become effective on January 1, 2025.

Approved by the Governor, June 10, 2024.

A true copy:

Nancy Landry
Secretary of State

ACT No. 516

SENATE BILL NO. 332
BY SENATOR SEABAUGH
AN ACT

To repeal Chapter 1-D of Title 37 of the Louisiana Revised Statutes of 1950, comprised of R.S. 37:41 through 47, relative to the Occupational Licensing Review Commission; to repeal the policies concerning occupational regulations and respective boards; to repeal the authority creating the Occupational Licensing Review Commission; to repeal the requirements of the commission to provide active supervision of occupational licensing boards; and to provide for related matters.

Be it enacted by the Legislature of Louisiana:

Section 1. Chapter 1-D of Title 37 of the Louisiana Revised Statutes of 1950, comprised of R.S. 37:41 through 47, is hereby repealed.

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

Approved by the Governor, June 10, 2024.

A true copy:

Nancy Landry
Secretary of State

ACT No. 517

SENATE BILL NO. 336
BY SENATOR PRESSLY AND REPRESENTATIVES CARVER, CHASSION,
DAVIS, EDMONSTON, FREIBERG, JACKSON, LAFLEUR, JACOB
LANDRY, MELERINE, PHELPS, SCHLEGEL, STAGNI, TAYLOR AND
YOUNG
AN ACT

To amend and reenact R.S. 17:392.11(B) and (C) and to enact R.S. 17:392.11(D), relative to the screening and diagnosis of students; to provide for screening and diagnosis with respect to dyslexia; and to provide for related matters.

Be it enacted by the Legislature of Louisiana:

Section 1. R.S. 17:392.11(B) and (C) are hereby amended and reenacted and R.S. 17:392.11(D) is hereby enacted to read as follows:

§392.11. Dyslexia; screening, **diagnosis**, and reporting
* * *

B.(1) The state Department of Education shall select a dyslexia screener with an area under the curve of 0.80 or above and provide the screener, at no cost, to each public school. The dyslexia screener shall be administered to each student by a classroom teacher in the second half of kindergarten or upon request of a teacher or a parent or legal guardian. This screener shall not be a progress monitoring tool but shall:

(a) Be developed solely for dyslexia.
(b) Be evidence-based with proven, published psychometric validity.
(c) Be used for the sole purpose of determining whether a student is at risk for dyslexia.

(2) If the results of such screening indicate that a student is at risk for dyslexia, the parent or **legal** guardian shall be notified within thirty days of the results of the screening, **and, if requested by the parent or legal guardian, a core assessment for the diagnosis of dyslexia shall be administered as provided in Subsection C of this Section.**

(3) The implementation of the provisions of this Subsection shall be subject to the appropriation of funds by the legislature for this purpose.

C.(1) The parent may select either the school or a vendor or professional approved by the department to administer the core assessment. The administrator of the core assessment, in order to determine whether the student has dyslexia, shall determine through history, observation, and psychometric assessment if there are unexpected difficulties in reading and associated linguistic problems at the level of phonological processing that are unrelated to the student's intelligence, age, and grade level. The core assessment shall not be based on a single test score or specific number of characteristics and shall include all of the following:

(a) Tests of language, particularly phonemic assessment, real words and pseudowords, oral reading fluency, and intellectual ability.

(b) An academic performance review.

(c) An interview with the student's parent or legal guardian.

(2) The department shall do the following in accordance with rules that the State Board of Elementary and Secondary Education shall adopt for such purposes:

(a) Establish qualifications for vendors and professionals who may administer the core assessment as provided in this Subsection and provide a process for their approval.

(b) Establish a payment amount and provide for reimbursement for the administration of the core assessment.

(3) If the core assessment is administered by the school, the department shall reimburse the school for the cost of the assessment. If the core assessment is administered by an approved vendor or professional, the department shall reimburse the parent or legal guardian for the cost of the assessment. The reimbursement amount shall not exceed the payment amount established in accordance with Paragraph (2) of this Subsection.

~~C.(4)~~**D.(1) Each public school governing authority shall submit a report to the state Department of Education by December fifteenth annually relative to the occurrence of dyslexia. The report shall include numbers of students of all grade levels identified as dyslexic, either pursuant to the provisions of this Section or by any other means, and shall include, per grade, all of the following:**

(a) For students identified as dyslexic through a Section 504 Plan:

(i) The number initially identified during the preceding school year.

(ii) The total number.

(b) For students with an Individualized Education Plan identified as having a specific learning disability, dyslexia:

(i) The number initially identified during the preceding school year.

(ii) The total number.

(2) The state Department of Education shall compile the reports received pursuant to Paragraph (1) of this Subsection and report such data to the House Committee on Education and the Senate Committee on Education no later than March first annually.

(3) Notwithstanding Paragraph (1) of this Subsection, if the number of students in a grade level identified as dyslexic is not zero and not more than ten, the report shall not indicate an exact number but shall indicate that there are fewer than eleven students in the grade identified as dyslexic.

Section 2. Implementation of R.S. 17:392.11(B) and (C) as amended and reenacted in this Act is subject to the appropriation of funds by the legislature for those purposes.

Approved by the Governor, June 10, 2024.

A true copy:

Nancy Landry
Secretary of State

ACT No. 518

SENATE BILL NO. 341
BY SENATOR HARRIS
AN ACT

To amend and reenact R.S. 51:1260(B), (C)(5) and (6)(f), (E), and (G) and to repeal R.S. 51:1260(H) and (I) and 1261, relative to the Major Events Incentive Fund and the Events Incentive Fund; to provide relative to financial incentives for events held in Louisiana; to provide relative to administration of the Major Events Incentive Program; to provide relative to oversight of the Major Events Incentive Program; to repeal the Events Incentive Program; to provide for an effective date; and to provide for related matters.

Be it enacted by the Legislature of Louisiana:

Section 1. R.S. 51:1260(B), (C)(5) and (6)(f), (E), and (G) are hereby amended and reenacted to read as follows:

§1260. Major Events Incentive Fund; Major Events Incentive Program
* * *

B. There is hereby created the Major Events Incentive Program, hereinafter referred to in this Section as the "program", to be administered by the ~~office of lieutenant governor, through the Department of Culture, Recreation and Tourism~~ **Department of Economic Development**. The program shall provide grant funding to event producers and hosts, local organizing committees, endorsing municipalities, endorsing parishes, official tourism commissions, convention and visitors bureaus, and official destination marketing organizations, for costs associated with attracting and hosting qualified major events as provided in this Section.

C. As used in this Section, the following terms have the following meanings:
* * *

(5) "Qualified major event" means a National Football League Super Bowl, a National Collegiate Athletic Association Final Four tournament game, the

National Basketball Association All-Star Game, the X Games, a National Collegiate Athletic Association Division I Football Bowl Subdivision postseason game, a college tournament or championship, the World Games, a national collegiate championship of an amateur sport sanctioned by the national governing body of the sport that is recognized by the United States Olympic Committee, an Olympic activity including a Junior or Senior activity, training program, or feeder program sanctioned by the United States Olympic Committee's Community Olympic Development Program, a mixed martial arts championship, the Breeders' Cup World Championships, a Bassmasters Classic, a National Motorsports race, the Red Bull Signature Series, a football kickoff game between two National Collegiate Athletic Association teams, a national championship or Olympic trials of an amateur or professional sport sanctioned by the national governing body of the sport, the United States Bowling Congress Tournament, the WWE WrestleMania, the Bayou Classic, the Essence Festival, the Zurich Classic or other PGA Tour event, a national military event, a national political convention of the Republican National Committee or of the Democratic National Committee, or any National Collegiate Athletic Association conference, convention, or conference media event, including conference media days, or any event sanctioned by the international governing body of soccer, Federation Internationale de Football Association (FIFA), the international governing body of rugby, World Rugby, the national governing body of soccer, U.S. Soccer, or the national governing body of rugby, USA Rugby, including but not limited to World Cups, International "friendlies" matches between national or professional teams, or tournaments between national teams or professional teams from countries that are members of the international governing bodies. The term includes any activities related to or associated with a qualified major event.

(6) "Site selection organization" means any of the following:

(f) The national or international governing body of an organization not listed in Subparagraphs (a) through (e) of this Paragraph, that schedules a qualified major event as defined in this Subsection.

E. The lieutenant governor, through the Department of Culture, Recreation and Tourism, secretary of the Department of Economic Development is hereby authorized to enter into a contract with an event producer or host, a local organizing committee, endorsing parish, endorsing municipality, official tourism commission, convention and visitors bureau, or official destination marketing organization to recruit, solicit, acquire, or organize for Louisiana any qualified major event that will have a significant positive impact in the state. The contract shall provide for a financial commitment to the entity.

G. ~~Within sixty days after the event, the lieutenant governor shall submit an economic analysis to the Joint Legislative Committee on the Budget which shall include the following:~~

~~(1) The designated area which was impacted by the occurrence of the qualified major event.~~

~~(2) The total incremental increase in state sales and use receipts in the designated area.~~

~~(3) The total incremental increase in excise tax receipts in the designated area.~~

H. ~~The Joint Legislative Committee on the Budget shall determine the portion of the incremental tax increase reported by the lieutenant governor which shall be transferred into the fund. Upon approval of the Joint Legislative Committee on the Budget, the treasurer shall transfer the amount determined by the committee into the fund.~~

I.G. ~~The Department of Culture, Recreation and Tourism~~ **Department of Economic Development** shall promulgate rules for the administration of the program in accordance with the Administrative Procedure Act. In order to expedite implementation of the program, the department shall utilize emergency rulemaking for the promulgation of the initial administrative rules.

Section 2. R.S. 51:1260(H) and (I) and 1261 are hereby repealed.

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

Approved by the Governor, June 10, 2024.

A true copy:
Nancy Landry
Secretary of State

ACT No. 519

SENATE BILL NO. 357

BY SENATOR SEABAUGH AND REPRESENTATIVES AMEDEE, BACALA, BAYHAM, BILLINGS, BOURRIQUE, BRYANT, CARLSON, CARRIER, COATES, CREWS, DEVILLIER, DICKERSON, EDMONSTON, EGAN, EMERSON, FIRMENT, GALLE, HORTON, MACK, MELERINE, ORGERON, OWEN, ROMERO, SCHAMERHORN, WILDER, WRIGHT AND WYBLE
AN ACT

To amend and reenact R.S. 29:724(B)(2) and 768(B), relative to emergency declarations; to authorize the legislature to terminate all or part of an emergency declaration; to provide for the procedure by which the petition is signed and transmitted to the governor; to provide for the effectiveness of the petition to terminate; to provide for an effective date; to provide for retroactive application; and to provide for related matters.

Be it enacted by the Legislature of Louisiana:

Section 1. R.S. 29:724(B)(2) and 768(B) are hereby amended and reenacted to read as follows:

§724. Powers of the governor

* * *

B.

* * *

(2) ~~The legislature~~ Either the House of Representatives or the Senate, by petition signed by a majority of the surviving members of ~~either that house, may terminate a the entire state of disaster or emergency or any part or subpart of the executive order or proclamation at any time. This petition terminating the state of emergency or disaster or any part or subpart of the executive order or proclamation may establish a period during which no other declaration of emergency or disaster may be issued. Thereupon, the governor shall issue an executive order or proclamation ending the state of disaster or emergency. The petition terminating the state of emergency or disaster or any part or subpart of the executive order or proclamation, duly signed by a majority of the surviving members of the House of Representatives or the Senate shall be transmitted to the clerk of the House of Representatives or secretary of the Senate, as applicable, who shall transmit the petition to the governor. The termination shall be effective upon the transmission of the petition to the governor.~~

* * *

§768. Termination of declaration of public health emergency

* * *

B. ~~The legislature~~ Either the House of Representatives or the Senate, ~~in consultation with the public health authority, by a petition signed by a majority of the surviving members of either that house, may terminate a the entire state of public health emergency or any part or subpart of the executive order or proclamation at any time. This petition terminating the public health emergency or any part or subpart of the executive order or proclamation may establish a period during which no other declaration of public health emergency may be issued. Thereupon, the governor shall issue an executive order or proclamation ending the state of public health or emergency. The petition terminating the state of public health emergency or any part or subpart of the executive order or proclamation, duly signed by a majority of the surviving members of the House of Representatives or the Senate shall be transmitted to the clerk of the House of Representatives or the secretary of the Senate, as applicable, who shall transmit the petition to the governor. The termination shall be effective upon the transmission of the petition to the governor.~~

* * *

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. 520

SENATE BILL NO. 364
BY SENATOR HARRIS
AN ACT

To amend and reenact R.S. 33:2740.3, relative to the Downtown Development District of the city of New Orleans; to provide relative to the composition of the board of commissioners; to provide relative to terms of office and vacancies; to provide relative to the powers, duties, functions, administration, and governance of the district; to provide relative to preparation of plans; to provide for an effective date; and to provide for related matters.

Notice of intention to introduce this Act has been published.

Be it enacted by the Legislature of Louisiana:

Section 1. R.S. 33:2740.3 is hereby amended and reenacted to read as follows:
§2740.3. The Downtown Development District of the City of New Orleans; creation, composition, and powers; preparation of plans; levy of ad valorem taxes and issuance of bonds

A. There shall be, and there hereby is, created a special taxing district within the city of New Orleans comprised of all the territory within the following prescribed boundaries:

The point of beginning shall be at the intersection of the east bank of the Mississippi River and the Mississippi River Bridge approaches and Pontchartrain Expressway; thence continuing along the upper line of the Pontchartrain Expressway right-of-way less and except ramp areas, and in a northwesterly direction to the lake side right-of-way line of Claiborne Avenue; thence northeasterly along the lake side of said right-of-way line of Claiborne Avenue to the lower right-of-way line of Iberville Street; thence along the said lower right-of-way line of Iberville Street to the east bank of the Mississippi River; thence continuing along the east bank of said river to the upper right-of-way line of the Mississippi River Bridge approaches and Pontchartrain Expressway, being the point of beginning.

The said special taxing district shall be known as, and is hereby designated The Downtown Development District of the City of New Orleans hereinafter

in this Section referred to as the district, said creation to be effective January 1, 1975.

~~B. The council of the city of New Orleans, or its successor exercising the legislative powers of said city hereinafter referred to, collectively, as the "city council," shall have such power and control over, and responsibility for, the functions, affairs and administration of the district as are prescribed.~~

~~C. In order to provide for the orderly planning, development, acquisition, construction and effectuation of the services, improvements and facilities to be furnished by the district, and to provide for the representation in the affairs of the district of those persons and interests immediately concerned with and affected by the purposes and development of the district, there is hereby created a board of commissioners for the district hereinafter referred to as the "board".~~

~~D.C.(1) The board shall be composed of eleven members, at least nine five of whom shall be qualified voters of the city of New Orleans, and shall have their principal place of business in, or own property in, the Downtown Development District. **Each board member shall be subject to confirmation by the New Orleans city council.**~~

~~(a) Such The members of the board shall possess additional qualifications and shall be appointed as follows:~~

~~(a) Nine of the members shall be appointed by the mayor with the approval of the city council, provided, however, that the mayor will select five of such members from a list of eight nominees named by the New Orleans Chamber of Commerce.~~

~~(i) Two of the members shall be appointed by the mayor.~~

~~(ii) One of the members shall be appointed by the New Orleans city council member representing City Council District B.~~

~~(iii) One of the members shall be appointed by New Orleans & Company.~~

~~(iv) Two of the members shall be appointed by the New Orleans Chamber of Commerce, subject to approval by the president of the New Orleans city council.~~

~~(v) One of the members shall be appointed by the Greater New Orleans Hotel and Lodging Association, subject to approval by the president of the New Orleans city council.~~

~~(vi) One of the members shall be appointed by the Louisiana Restaurant Association, subject to approval by the president of the New Orleans city council.~~

~~(vii) One of the members shall be appointed by the member or members of the Louisiana House of Representatives who represent the district.~~

~~(viii) Two of the members shall be appointed by the member or members of the Louisiana Senate who represent the district.~~

~~(b) The members of the board initially appointed by the mayor shall be appointed as follows: two members for one year each, two members for two years each, two members for three years each, two members for four years each, and one member for five years, the length of the term for each individual appointed to be determined by lot. They shall serve until their successors have been appointed and qualified. **Upon the first meeting, the members of the board shall be randomly allotted terms as follows: three members for one year each, three members for two years each, three members for three years each, and two members for four years each; the length of the term for each individual appointed to be determined by lot. They shall serve until their successors have been appointed and qualified. Each board member shall be required to annually provide an affidavit attesting that he has a principal place of business or owns property in the Downtown Development District.**~~

~~(c) The members of the board thereafter appointed by the mayor upon the expiration of the respective terms of the initial appointees shall be selected and appointed in accordance with the procedures herein prescribed for the selection and appointment of the original members for the term of five years. However, vacancies shall be filled from nominations submitted by the New Orleans Chamber of Commerce in the following manner. The mayor shall select and appoint one of two names submitted to him by such council for each of the five vacancies for which the council is to submit nominees. If the selection and appointment by the mayor does not take place within thirty days following submission of the nominees by the New Orleans Chamber of Commerce, the selection and appointment shall be made by the city council. Any vacancy which occurs prior to the expiration of the term for which a member of the board has been appointed shall be filled in accordance with the procedures as set forth herein. However, the New Orleans Chamber of Commerce may submit additional nominees to either the mayor or the city council, as applicable, until all vacancies pursuant to this Subsection are filled.~~

~~(2)(a) Two members shall be jointly appointed by the state senators and state representatives who represent the district in such manner that both members are residents of the district and at least one member has his principal place of business in the district.~~

~~(b) Vacancies from among the members appointed by the state senators and state representatives who represent the district shall be filled by the state senators and state representatives who represent the district.~~

~~(c) The members of the board of commissioners of the Downtown Development District of the City of New Orleans appointed pursuant to this Paragraph shall serve a five-year term and until their successors have been appointed and qualified. Thereafter they shall serve terms that are concurrent with those of the legislators who made the appointment.~~

~~(3) As soon as practicable after their appointment, the board shall meet and elect from their number a chairman, a vice chairman, a treasurer, and such other officers as it may deem appropriate. A secretary of the board may be selected from among the members or may be otherwise selected or employed~~

by the board. The duties of the said officers shall be fixed by bylaws adopted by the board. The board shall adopt such rules and regulations as it deems necessary or advisable for conducting its business and affairs, and shall engage such assistants and employees as is needed to assist the board in the performance of its duties. It shall hold regular meetings as shall be provided by its bylaws and may hold special meetings at such time and places within or without the districts as may be prescribed in its rules or regulations. A majority of the members of the board shall constitute a quorum for the transaction of business. The board shall keep minutes of all regular and special meetings and shall make them available to the public in conformance with law. The members of the board shall serve without compensation; however, they shall receive travel allowance as reimbursement for expenses incurred while attending to the business of the district.

~~E.D.(1) The board shall prepare, or cause to be prepared, a plan or plans (such plan or plans, and the plan provided for in Subsection F of this Section, being hereinafter referred to, collectively, as the plan) specifying the public improvements, **public safety services, reducing homelessness,** facilities and services proposed to be furnished, constructed or acquired for by the district, and it shall conduct such public hearings, publish such notice with respect thereto and disseminate such information as it in the exercise of its sound discretion may deem to be appropriate or advisable and in the public interest. **The board shall conduct an annual presentation to the New Orleans city council regarding expenditures.**~~

~~(2) Any plan may specify and encompass any public services, capital improvements and facilities which the city of New Orleans is authorized to undertake, furnish or provide under the constitution and laws of the state of Louisiana, and such specified public services, improvements and facilities shall be, and shall for all purposes be deemed to be, special and in addition to all services, improvements and facilities which the city of New Orleans is then furnishing or providing, or may then, or in the future, be obligated to furnish or provide with respect to persons or property within the boundaries of the district.~~

~~(3) Any plan shall include (a) an estimate of the annual and aggregate cost of acquiring, constructing or providing the services, improvements or facilities set forth therein; (b) the proportion of the tax to be levied on the taxable real property within the district which is to be set aside and dedicated to paying the cost of furnishing specified services, and the proportion of such tax to be set aside and dedicated to paying the cost of capital improvements, or paying the cost of debt service on any bonds to be issued to pay the cost of capital improvements, such proportions, in each case, to be expressed in numbers of mills; and (c) an estimate of the aggregate number of mills required to be levied in each year on the taxable real property within the district in order to provide the funds required for the implementation or effectuation of the plan for furnishing the services specified and for capital improvements or debt service, or both.~~

~~(4) The board shall also submit the plan to the planning commission of the city of New Orleans. Said planning commission shall review and consider the plan in order to determine whether or not it is consistent with the comprehensive plan for the city of New Orleans, and shall within thirty days following receipt thereof submit to the city council its written opinion as to whether or not the plan or any portion or detail thereof is inconsistent with the comprehensive plan for the city, together with its written comments and recommendations with respect thereto.~~

~~(5) After receipt of the plan together with the written comments and recommendations of the city planning commission, the city council shall review and consider the plan, together with such written comments and recommendations. The city council may by a majority vote of its members adopt or reject the plan as originally submitted by the board, or it may alter or modify the plan or any portion or detail thereof, but only by a majority vote of all of its members. If the plan as originally submitted by the board is adopted by the majority vote of the city council, it shall become final and conclusive and may thereafter be implemented. If, however, the city council alters or modifies the plan by a majority vote of its members, the plan as so altered or modified shall be resubmitted to the board for its concurrence or rejection. The board may concur in such modified plan by a majority vote of all of its members. If the board so votes to concur in the plan as modified by the city council, the plan shall become final and conclusive and may thereafter be implemented. If, however, the board does not concur in the plan as modified by the city council, it shall notify the city council in writing of its action. Thereafter, and as often and at such time or times as the board may deem to be necessary or advisable, it shall prepare, or cause to be prepared, a plan or plans and submit the same to the city planning commission in accordance with the same procedure hereinabove prescribed with respect to the original plan. The city planning commission shall, in turn, submit such plan, together with their written comments and recommendations, to the city council for its adoption, modification or rejection in the same manner and with the same effect as hereinabove provided with respect to the original plan.~~

~~F. The provisions of Subsection E of this Section to the contrary notwithstanding, the board may prepare and submit directly to the city council a plan or plans setting forth its intention to employ professional consultants and experts and such other advisors and personnel as it in its discretion shall deem to be necessary or convenient to assist it in the preparation of a plan or plans for the orderly and efficient development of services and improvements within the district. Such plan shall also specify the services proposed to be rendered by such employees, an estimate of the aggregate of the proposed salaries of such employees and an estimate of the other expenses of the board~~

required for the preparation of such plan or plans, together with a request that a tax, within the limits hereinafter in this Section prescribed, in an amount sufficient to cover the costs of such salaries and expenses be levied on the real property within the district. The city council shall review and consider such plan within thirty days following the submission to it by the board, and shall adopt or reject such plan by a majority vote of its members. If the city council adopts such a plan, it shall become final and conclusive and the tax shall be levied as hereinafter provided. If the city council rejects the plan, it shall notify the board of its action, and the board may again and from time to time prepare and submit to the city council for its review, consideration, adoption or rejection in accordance with the procedures provided for in this Paragraph, a plan setting forth the matters hereinabove in this Section prescribed.

~~G. If no plan is finally and conclusively adopted in accordance with the procedures prescribed in this Section within ten years from and after January 1, 1975, all power and authority conferred hereby shall lapse, the district shall be dissolved and all power and authority incident thereto shall become null and void as a matter of law; provided that, in such event, all obligations, contractual or otherwise, incurred by the district during its existence shall survive and shall be fully enforceable in accordance with their terms.~~

~~H.E.(1) All services to be furnished within the district pursuant to any plan finally and conclusively adopted hereunder, shall may be furnished by the Downtown Development District or may be furnished, supplied, and administered by the city of New Orleans through its regularly constituted departments, agencies, boards, commissions, and instrumentalities as appropriate in the circumstances; and all capital improvements and facilities to be acquired, constructed, or provided within the district, whether from the proceeds of bonds or otherwise, shall likewise be so acquired, constructed, or provided by the city of New Orleans through its regularly constituted departments, agencies, boards, commissions, and instrumentalities as appropriate in the circumstances, it being the intention hereof to avoid absolutely the duplication of administrative and management efforts and expense in the implementation of any plan adopted for the benefit of the district.~~

~~(2) In order to provide such services and/or provide, construct, or acquire such capital improvements or facilities the board may enter into contracts with the city of New Orleans. The cost of any such services, capital improvements, and facilities shall be paid for to the city of New Orleans from the proceeds of the special tax levied upon real property within the district as herein provided, or from the proceeds of bonds, as the case may be.~~

~~(3) However, with the prior approval of the mayor and the city council, when the The service sought is not ordinarily may be provided by the city of New Orleans, and the board may contract with other entities in accordance with the approval of the mayor and the city council for such services. The cost of such specially contracted services shall be paid for by the board with its funds budgeted therefor. Any additional security patrols, public or private, or any other security or other services or betterments provided by the district shall be supplemental to existing personnel and services to be provided in the district by the state or the city of New Orleans, or their departments or agencies, or by other political subdivisions.~~

~~(4) The district may procure by informal bid, a public work with a value of one hundred fifty thousand dollars or less.~~

~~I.E. The city council, in addition to all other taxes which it is now or hereafter may be authorized by law to levy and collect, is hereby authorized to levy and collect as hereinafter specifically provided for a term not to exceed fifty years from and after the date the first tax is levied pursuant to the provisions of this Section, in the same manner and at the same time as all other ad valorem taxes on property subject to taxation by the city are levied and collected, a special ad valorem tax upon all taxable real property situated within the boundaries of the core area development district. The number of mills hereby authorized shall be computed by dividing the number of mills levied and collected by the city of New Orleans for general operating purposes for the year 1977 into the number of mills levied and collected by the city of New Orleans for general operating purposes for the year 1978 and multiplying the result by ten. No such tax shall be levied until a plan requiring or requesting the levy of a tax is finally and conclusively adopted in accordance with the procedures prescribed in this Section. The proceeds of said tax shall be used solely and exclusively for the purposes and benefit of the district. Said proceeds shall be paid over to the Board of Liquidation, City Debt, day by day as the same are collected and received by the appropriate officials of the city of New Orleans and maintained in a separate account. Said tax proceeds shall be paid out by the Board of Liquidation, City Debt, solely for the purposes herein provided upon warrants or drafts drawn on said Board of Liquidation, City Debt, by the appropriate officials of the city and the treasurer of the district.~~

~~J.G.(1) The city of New Orleans, when requested by resolution adopted by the vote of a majority of the members of the board, approved by a resolution of the city council adopted by a majority vote of its members, and by resolution adopted by the vote of a majority of the members of the Board of Liquidation, City Debt, shall have power and is hereby authorized to incur indebtedness for and on behalf and for the sole and exclusive benefit of the district, and to issue at one time, or from time to time, negotiable bonds, notes and other evidences of indebtedness herein referred to collectively as bonds of the city of New Orleans, the principal of, premium if any, and interest on which shall be payable solely from the proceeds of the special tax authorized, levied and collected pursuant to the provisions of this section for the purpose of paying the cost of acquiring and constructing capital improvements and facilities~~

within the district. Such bonds shall not constitute general obligations of the city of New Orleans, nor shall any property situated within the city other than property situated within the boundaries of the district be subject to taxation for the payment of the principal of, premium if any, and interest on such bonds. Furthermore, any indebtedness incurred by the city of New Orleans for and on behalf and for the benefit of the district pursuant to the provisions of this Section, whether evidenced by bonds, notes or other evidences of indebtedness, or otherwise, shall be excluded in determining the power of the city of New Orleans to incur indebtedness and to issue its general obligation bonds. The principal amount of such bonds which may be outstanding and unpaid at any one time shall never exceed the sum of fifty million (50,000,000) dollars. The proceeds derived from the sale of all such bonds shall be paid over to the appropriate officials of the city of New Orleans and shall be disbursed solely for the purposes and benefit of the district. All such bonds shall be sold by the Board of Liquidation, City Debt, and shall bear such rate or rates of interest, and shall, except as herein otherwise specifically provided, be in such form, terms and denominations, be redeemable at such time or times at such price of or prices, and payable at such times and places, within a period of not exceeding fifty years from the date thereof, as the Board of Liquidation, City Debt, shall determine.

(2) Said bonds shall be signed by the mayor of the city of New Orleans and the director of finance of the city of New Orleans, or officers exercising a similar function, and countersigned by the president or vice president and the secretary or assistant secretary of the Board of Liquidation, City Debt, provided that in the discretion of the Board of Liquidation, City Debt, all but one of said signatures may be in facsimile, and the coupons attached to said bonds shall bear the facsimile signatures of said director of finance and said secretary or assistant secretary. In case any such officer whose signature or countersignature appears upon such a bond or coupon shall cease to be such officer before delivery of said bonds or coupons to the purchaser, such signature or countersignature shall nevertheless be valid for all purposes. The cost and expense of preparing and selling said bonds shall be paid from the proceeds thereof.

(3) The resolution of the Board of Liquidation, City Debt, authorizing the issuance and sale of such bonds and fixing the form and details thereof, may contain such other provisions, not inconsistent nor in conflict with the provisions of this Section, as it may deem to be necessary or advisable to enhance the marketability and acceptability thereof by purchasers and investors, including, but without limiting the generality of the foregoing, covenants with bondholders setting forth (a) conditions and limitations on the issuance of additional bonds constituting a lien and charge on the special tax levied on real property within the district pari passu with bonds theretofore issued and outstanding and (b) the creation of reserves for the payment of the principal of and interest on such bonds. These bonds and the interest thereon are exempt from all taxation levied for state, parish or municipal or other local purposes; and savings banks, tutors of minors, curators of interdicts, trustees and other fiduciaries are authorized to invest the funds in their hands in said bonds.

(4) The Board of Liquidation, City Debt, as now organized and created, and with the powers, duties and functions prescribed by existing laws, shall be continued so long as any bonds authorized by this Section are outstanding and unpaid.

~~K.H. Notwithstanding any other provision of this Section to the contrary, no tax authorized herein shall be levied and no bonds shall be issued unless and until the maximum amount of the tax and the maximum amount of the bonds has been approved by a majority of the electors voting thereon in the city of New Orleans in an election called for that purpose. No bonds issued pursuant to this Section shall be general obligations of the state of Louisiana, the parish of Orleans or the city of New Orleans.~~

~~L.I. The district shall have the power to acquire, to lease, to insure and to sell real property within its boundaries in accordance with its plans.~~

~~M. The district shall have the power to advance to the city of New Orleans funds for payment for services rendered by the city pursuant to a contract or contracts between the district and the city.~~

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. 521

SENATE BILL NO. 384
BY SENATOR FIELDS
AN ACT

To amend and reenact R.S. 18:1315(C)(3)(a) and 1317, relative to certain voter data; to provide for reporting requirements; to provide for dissemination of information by the secretary of state; to provide for an effective date; and to provide for related matters.

Be it enacted by the Legislature of Louisiana:

Section 1. R.S. 18:1315(C)(3)(a) and 1317 are hereby amended and reenacted to read as follows:

§1315. Challenge of absentee by mail or early voting ballot

C.

(3)(a) If a challenge in accordance with the provisions of Subsection B of this Section is sustained, the vote shall not be counted and the board shall write “rejected” and the cause therefor across the ballot envelope or early voting confirmation sheet, and shall place the ballots and early voting confirmation sheets so rejected in the special, secure absentee by mail and early voting ballot container. The board shall notify the voter in writing of the challenge and the cause therefor. The notification shall be on a form provided by the secretary of state and shall be signed by at least a majority of the members of the board. The notice of the challenge and the cause therefor shall be given within four business days by mail addressed to the voter at his place of residence. The board shall retain a copy of the notification. **The registrar shall record the reason for the rejection in the state voter registration computer system.**

§1317. Curing absentee by mail ballot deficiencies; rejection of deficient ballots

The secretary of state shall promulgate and adopt rules as necessary to effectuate uniform and standardized processes for the review and curing or rejection of deficient absentee by mail ballots by the parish board of election supervisors, **shall maintain records of all ballots rejected pursuant to the provisions of R.S. 18:1315(C)(3)(a), and shall include information detailing the total number of ballots rejected per parish and the reasons for their rejection in the post-election statistical data published to the website of the secretary of state.**

Section 2. This Act shall become effective on July 1, 2025.

Approved by the Governor, June 10, 2024.

A true copy:

Nancy Landry
Secretary of State

ACT No. 522

SENATE BILL NO. 385
BY SENATOR WHEAT
AN ACT

To amend and reenact R.S. 46:1072(5), relative to strategic plans; to provide for definitions; and to provide for related matters.

Be it enacted by the Legislature of Louisiana:

Section 1. R.S. 46:1072(5) is hereby amended and reenacted to read as follows:

§1072. Definitions

As used in this Subpart, the following words and phrases shall have the following meanings ascribed for each unless the context clearly indicates otherwise:

(5) “Strategic ~~plans~~ **plan**” means any plan, strategy, or device developed or intended to construct, operate, **or** maintain a health facility or **to** engage in providing, promoting, or selling a hospital health service, **including any type of information related to the implementation or maintenance of the plan, strategy, or device.**

Approved by the Governor, June 10, 2024.

A true copy:

Nancy Landry
Secretary of State

ACT No. 523

SENATE BILL NO. 401
BY SENATOR REESE
AN ACT

To amend and reenact R.S. 14:39.1(C) and 39.2(D) and to enact R.S. 14:2(B)(62), relative to the crimes of vehicular negligent injuring and first degree vehicular negligent injuring; to increase the penalties for vehicular negligent injuring and first degree vehicular negligent injuring under certain circumstances; to provide that first degree vehicular negligent injuring is a crime of violence under certain circumstances; and to provide for related matters.

Be it enacted by the Legislature of Louisiana:

Section 1. R.S. 14:39.1(C) and 39.2(D) are hereby amended and reenacted and R.S. 14:2(B)(62) is hereby enacted to read as follows:

§2. Definitions

B. In this Code, “crime of violence” means an offense that has, as an element, the use, attempted use, or threatened use of physical force against the person or property of another, and that, by its very nature, involves a substantial risk that physical force against the person or property of another may be used in the course of committing the offense or an offense that involves the

possession or use of a dangerous weapon. The following enumerated offenses and attempts to commit any of them are included as “crimes of violence”:

(62) First degree vehicular negligent injuring, when the operator’s blood alcohol concentration exceeds 0.20 percent by weight based on grams of alcohol per one hundred cubic centimeters of blood.

§39.1. Vehicular negligent injuring

C.(1) Whoever commits the crime of vehicular negligent injuring shall be fined not more than one thousand dollars or imprisoned for not more than six months, or both.

(2) Whoever commits the crime of vehicular negligent injuring and who had a blood alcohol concentration, at the time of the commission of the offense, of at least 0.15 percent but less than 0.20 percent by weight based on grams of alcohol per one hundred cubic centimeters of blood, shall be fined not more than one thousand dollars and imprisoned for not less than seven days nor more than six months. At least seven days of the sentence imposed by this Paragraph shall be served without the benefit of probation or suspension of sentence.

(3) Whoever commits the crime of vehicular negligent injuring and who had a blood alcohol concentration, at the time of the commission of the offense, of at least 0.20 percent by weight based on grams of alcohol per one hundred cubic centimeters of blood, shall be fined not more than one thousand dollars and imprisoned for not less than thirty days nor more than six months. At least thirty days of the sentence imposed by this Paragraph shall be served without the benefit of probation or suspension of sentence.

§39.2. First degree vehicular negligent injuring

D.(1)Whoever commits the crime of first degree vehicular negligent injuring shall be fined not more than ~~two~~ **five** thousand dollars or imprisoned with or without hard labor for not more than ~~five~~ **ten** years, or both.

(2) Whoever commits the crime of first degree vehicular negligent injuring and who had either a blood alcohol concentration, at the time of the commission of the offense, of at least 0.15 percent by weight based on grams of alcohol per one hundred cubic centimeters of blood, or has a prior conviction for operating a vehicle while intoxicated, shall be fined not more than five thousand dollars and imprisoned with or without hard labor for not less than two years nor more than ten years. At least two years of the sentence imposed shall be served without the benefit of probation, parole, or suspension of sentence. During any period of probation, the court shall order the offender to participate in a court-approved substance abuse treatment program and may require successful completion of a court-approved driver improvement program.

Approved by the Governor, June 10, 2024.

A true copy:

Nancy Landry
Secretary of State

ACT No. 524

SENATE BILL NO. 429
BY SENATOR COUSSAN
AN ACT

To amend and reenact R.S. 15:563(A)(4), (B), the introductory paragraph of (C)(1), and (C)(2), and 563.2 as enacted by Act No. 460 of the 2023 Regular Session, and to repeal R.S. 15:563(E) as enacted by Act No. 460 of the 2023 Regular Session, relative to offenses against minors; to provide for the Child Abuse and Neglect Registry; to provide for registration requirements; to provide for duration of registration; and to provide for related matters.

Be it enacted by the Legislature of Louisiana:

Section 1. R.S. 15:563(A)(4), (B), the introductory paragraph of (C)(1), and (C)(2), and 563.2 as enacted by Act No. 460 of the 2023 Regular Session are hereby amended and reenacted to read as follows:

§563. Registration of persons convicted of child abuse or neglect

A. Any person residing in this state who has pled guilty or nolo contendere to, or has been convicted of, any of the following felony offenses, or who has pled guilty or nolo contendere to, or has been convicted of any conspiracy to commit any of the following felony offenses, where the victim is a minor, as defined in Children’s Code Article 116, may be required to register and provide notification as a child abuser in accordance with the provisions of this Chapter:

(4) R.S. 14:35.3(~~K~~), (~~L~~), (~~M~~), (~~N~~), (~~O~~), **or (P)** (Domestic abuse battery)

B.(1) Upon conviction, the court shall provide written notification to any person convicted of an offense listed in Subsection A of this Section when the victim is a minor ~~that~~ **and when** he shall be required to register on the Child Abuse and Neglect Registry upon release, or as a condition of his probation or parole.

(2) An offender listed in Subsection A of this Section **who is required to register** shall register in person with the sheriff of the parish of the person’s residence, or residences, if there is more than one, and with the chief of police if the address of any of the person’s residences is located in an incorporated area which has a police department. If the offender resides in a municipality with a population in excess of three hundred thousand persons, he shall register in person with the police department of his municipality of

residence.

C.(1) No later than three business days after release, the offender **who is required to register** shall register and provide all of the following information to the appropriate law enforcement agencies listed in Subsection B of this Section:

* * *

(2)(a)(i) Failure to register as required in Paragraph (1) of this Subsection shall constitute a violation of this Chapter.

(ii) Knowingly providing false information to any law enforcement officer, office, or agency required to receive registration information pursuant to the provisions of this Chapter shall constitute a failure to register and, upon

(b) Upon conviction, the offender shall be fined not more than one thousand dollars and be imprisoned for not more than one year with or without hard labor.

* * *

§563.2. Duration of registration and notification period

A person required to register pursuant to the provisions of this Chapter shall comply with the requirement **and keep current his registration information** for ten years from the date of initial registration in Louisiana for a first offense and for the duration of the lifetime of the offender for a second or subsequent offense, unless the underlying conviction is reversed, set aside, or vacated.

Section 2. R.S. 15:563(E) as enacted by Act No. 460 of the 2023 Regular Session is hereby repealed.

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

Approved by the Governor, June 10, 2024.

A true copy:

Nancy Landry
Secretary of State

ACT No. 525

SENATE BILL NO. 440

BY SENATOR PRESSLY AND REPRESENTATIVE CHASSION
AN ACT

To enact R.S. 17:392.14, relative to special funds in the state treasury; to create the Dyslexia Fund as a special fund in the state treasury; to provide for the transfer, dedication, deposit, and use, as specified of the Dyslexia 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. 17:392.14 is hereby enacted to read as follows:

§392.14. Dyslexia Fund

A. There is hereby established in the state treasury, as a special fund, the Dyslexia Fund, hereinafter referred to as the "fund".

B. The fund shall consist of any monies transferred or appropriated by the legislature and any grants, gifts, or donations received by the state for the purposes of this Section. Monies appropriated or transferred into 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.

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

D. Subject to an appropriation by the legislature, monies in the fund shall be used solely to fund costs associated with the administration of a core assessment used to test students for dyslexia as provided by law.

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. 526

SENATE BILL NO. 452

BY SENATORS MCMATH, MIZELL, OWEN AND WHEAT AND
REPRESENTATIVE CARVER
AN ACT

To enact Part VI of Chapter 36 of Title 13 of the Louisiana Revised Statutes of 1950, to be comprised of R.S. 13:5771 through 5773, and to repeal R.S. 13:5726, relative to the coroner of St. Tammany Parish; to provide for qualifications for the St. Tammany Parish coroner; to provide for duties of the St. Tammany Parish coroner; to provide for oversight by the St. Tammany Parish Council; to provide for the collection and distribution of funds designated for the St. Tammany Parish coroner's office; to provide for an effective date; and to provide for related matters.

Notice of intention to introduce this Act has been published.

Be it enacted by the Legislature of Louisiana:

THE ADVOCATE
PAGE 36

* As it appears in the enrolled bill

Section 1. Part VI of Chapter 36 of Title 13 of the Louisiana Revised Statutes of 1950, comprised of R.S. 13:5771 through 5773, is hereby enacted to read as follows:

PART VI. ST. TAMMANY PARISH

§5771. St. Tammany Parish coroner; qualifications

A. In addition to the qualifications provided for in R.S. 13:5704, in St. Tammany Parish, a person shall satisfy all of the following in order to serve as coroner:

(1) Be a citizen of the United States.

(2) Be at least twenty-one years of age.

(3) Be of good moral and ethical character and temperate habits.

(4) Not be declared by any court of competent jurisdiction incompetent by reason of mental defect or disease which has not been restored.

(5) Not have been convicted in any jurisdiction of any aggravated offense as defined in R.S. 15:541, criminal offense against a victim who is a minor as defined in R.S. 15:541, sex offense as defined in R.S. 15:541, or sexual offense against a victim who is a minor as defined in R.S. 15:541.

B. Prior to qualifying for an election for coroner in St. Tammany Parish, a person shall certify, under oath, that he satisfies the criteria set forth in Subsection A of this Section and shall submit the results of a criminal history record information obtained from the Louisiana Bureau of Criminal Identification and Information of the office of state police within the Department of Public Safety and Corrections. The attestation and criminal history record information shall be presented to the St. Tammany Parish Clerk of Court to verify eligibility to be a candidate for coroner.

§5772. St. Tammany Parish coroner; duties; accountability

A. In addition to the duties provided for in R.S. 13:5713, the coroner in St. Tammany Parish shall maintain records to account for his time, work product, and expenditures and submit the data to the parish council in a manner and frequency prescribed by the council.

B. If the council finds that, after being elected, it is determined that the coroner is not in compliance with the qualifications set forth in R.S. 13:5771, the council may take any action allowable by law to remove the coroner, including but not limited to an action for malfeasance in office. Nothing in this Subsection shall be construed to prohibit a recall election pursuant to R.S. 18:1300.1 et seq.

§5773. St. Tammany Parish; coroner; ad valorem tax; compensation of coroner and employees

A.(1) The sheriff of St. Tammany Parish shall collect and transfer to the governing authority of St. Tammany Parish all tax revenues from the ad valorem tax levied by St. Tammany Parish for coroner purposes and approved by a majority of the electors of the parish at an election held for that purpose on November 2, 2004, including any extensions or renewals.

(2) The St. Tammany Parish coroner's office shall transfer all funds on hand received from the ad valorem tax to the governing authority of St. Tammany Parish, less and except amounts needed for operation for the remainder of calendar year 2024, with the amount being determined by the St. Tammany Parish Department of Finance.

B. The revenues transferred to the governing authority pursuant to Subsection A of this Section shall be deposited into a special account and expended solely for the purposes set forth in the ad valorem tax proposition approved by the voters on November 2, 2004, less and except St. Tammany Parish's administrative fees, costs associated with administration of the ad valorem tax levied, St. Tammany Parish's costs associated with oversight of the St. Tammany Parish coroner's office including expert fees and costs of investigations and audits, and amounts necessary to service bonds or other debt obligations secured by the ad valorem tax. St. Tammany Parish shall be considered to have fully and completely met its obligations to fund the St. Tammany Parish coroner's office as set forth in R.S. 13:5706 and 5710 for the life of the ad valorem tax. Until the expiration of the ad valorem tax, and notwithstanding any provisions of law to the contrary, St. Tammany Parish shall not be obligated to pay any other fee or cost and all obligations to the coroner are limited as provided for in this Subsection.

C.(1) All salaries or fees associated with the operation of the coroner's office shall be funded and paid from revenues collected pursuant to Subsection A of this Section.

(2) An annual salary shall be established by the governing authority of the parish of St. Tammany to be paid to the coroner in lieu of all fees for his services as parish coroner, ex officio parish physician, or health officer. The salary shall be the average of the salaries of the St. Tammany Parish sheriff, assessor, and clerk.

(3) The coroner shall establish an annual salary for the deputy or assistant coroners, secretaries, stenographers, clerks, technicians, investigators, official photographers, or other employees.

D. The office of the coroner of St. Tammany Parish shall not own or acquire immovable property. Any and all immovable property, including buildings, component parts and other appurtenances, previously owned by St. Tammany Parish and transferred to the St. Tammany Parish coroner's office shall be transferred to the governing authority of St. Tammany Parish free and clear of all mortgages, liens, or other encumbrances within six months of the effective date of this Section.

E. Within six months of the effective date of this Section, the governing authority of St. Tammany Parish and the St. Tammany Parish coroner's office shall enter into a restated cooperative endeavor agreement, including but not limited to the following provisions:

(1) Requiring use of all tax revenues in strict conformity with the tax proposition approved by the voters.

(2) Requiring compliance with public bid and procurement laws.

Section 2. R.S. 13:5726 is hereby repealed.

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

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 10, 2024.

A true copy:

Nancy Landry
Secretary of State

ACT No. 527

SENATE BILL NO. 460
BY SENATOR DUPLESSIS
AN ACT

To enact R.S. 33:4081.1, relative to water systems; to provide with respect to municipalities and municipal water systems; to provide relative to lead service line replacement; to provide for right of entry; to provide with respect to terms, conditions, and procedures; to provide for notice and notice requirements; to provide for definitions; to provide for funding; and to provide for related matters.

Be it enacted by the Legislature of Louisiana:

Section 1. R.S. 33:4081.1 is hereby enacted to read as follows:

§4081.1. Lead service line replacement; right of entry

A. A municipality may adopt an ordinance that allows the municipality or municipal water system, or any agent thereof, to enter a property within the municipality to perform a lead service line replacement, provided that the municipality provides the owner and any residents of the property with notice at least seven days before entering the property, unless in the case of an emergency as determined by the municipality or municipal water system. A municipality may not enter into a property that is not directly related to performing a lead service line replacement.

B. For the purposes of this Section, notice to the owner and any residents of the property shall include an attempt to inform the owner and any residents in person of the date and time of the lead service line replacement, and if the owner or a resident is unable to be reached in person, the municipality shall send, by certified mail, a letter to the owner and any residents or post a written notice in a prominent location on the property which shall include:

(1) The scheduled date and time of the lead service line replacement and who will be performing the replacement.

(2) The likely extent of water service disruption.

(3) Nearby locations where the municipality or a public water system is distributing supplementary drinking water, if any.

(4) Any remedies that the municipality shall take if the municipality or municipal water system, or an agent thereof, is unable to access the property.

C. In addition to the notice requirements of Subsection B of this Section, a municipality shall send, by certified mail, the owner a letter after the completion of the replacement stating the approximate time that the replacement occurred, and providing a brief summary of the work performed.

D. As used in this Section:

(1) "Municipal water system" means a municipal utilities authority, water district, waterworks, water commission, joint meeting or any other political subdivision of the state authorized pursuant to law to operate or maintain a public water system or to construct, rehabilitate, operate, or maintain water supply facilities or otherwise provide water for human consumption.

(2) "Service line" means the pipe, tubing, and fittings connecting a municipal water main to a building or structure, and also includes the water meter for the property.

Section 2. The provisions of this Act shall become effective if and when the Louisiana Constitution is amended to allow the use of public funds by a political subdivision for the purpose of identifying, inventorying, removing or replacing drinking water service lines composed of or harmfully affected by hazardous materials including but not limited to lead, copper, galvanized steel or iron.

Approved by the Governor, June 10, 2024.

A true copy:

Nancy Landry
Secretary of State

ACT No. 528

SENATE BILL NO. 467
BY SENATOR REESE
AN ACT

To amend and reenact R.S. 15:150(C), 152(B)(2) and (13), 161(A), (E)(11), (H)(1), and (I), 162(D) and (F), 167(E), 168(A) and (E)(3), 175(A)(1)(d) and (f), 176(C), 185.2(4) and (8), 186.2(4) and (8), and 186.3(B)(10), to enact R.S. 33:447.11.1, and to repeal R.S. 33:447.11, relative to indigent defender representation; to provide for the executive staff general qualifications; to provide for duties of the state public defender; to provide for powers and duties of the district public defenders; to provide for vacancies of the district public defenders; to provide for the Louisiana Public Defender Fund; to provide for the district indigent defender fund; to provide for proceedings to determine

indigency; to provide for partial reimbursement by indigents; to provide for definitions; to provide for the Safe Return Representation Program; to provide for additional court costs in certain mayor's courts with proceeds remitted to applicable indigent defender funds; and to provide for related matters.

Be it enacted by the Legislature of Louisiana:

Section 1. R.S. 15:150(C), 152(B)(2) and (13), 161(A), (E)(11), (H)(1), and (I), 162(D) and (F), 167(E), 168(A) and (E)(3), 175(A)(1)(d) and (f), 176(C), 185.2(4) and (8), 186.2(4) and (8), and 186.3(B)(10) are hereby amended and reenacted to read as follows:

§150. Executive staff for office; general qualifications

* * *

C. The executive staff positions shall be permanent, full-time ~~state~~ employees of the office ~~and these employees shall not otherwise engage in the practice of law, where applicable, or engage in any other business or profession.~~

* * *

§152. State public defender; qualifications; powers and duties; salary

* * *

B. The state public defender shall:

* * *

(2) Develop, present for the board's approval, and implement a strategic plan, **standards, and guidelines** for the delivery of public defender services.

* * *

(13) ~~Assist the board in establishing~~ **Establish** the standards and guidelines, policies; and procedures for the statewide delivery of indigent defender services in accordance with rules adopted by the office and as required by statute.

* * *

§161. District public defender; powers; duties; accounting; audit reporting; existing ~~chief indigent district public~~ **public** defenders continued; establishment of **office of the district office public defender**

A. Except as otherwise provided for in this Section, the office shall ~~employ~~ ~~or~~ contract, for a period of up to five years, with a district public defender to provide for the delivery and management of public defender services in each judicial district ~~through the office of the district public defender. The office of the district public defender shall be a local body corporate with the power to sue and be sued, to enter into contracts on such terms and conditions as it deems advisable, and with all other general obligations and privileges of local political subdivisions. The district public defender shall be the policymaker for the office of the district public defender and shall be responsible for ensuring that the office of the district public defender satisfies its obligations and privileges under Louisiana law.~~

* * *

E. Each district public defender shall:

* * *

(11) Maintain a client workload for the ~~district office of the district public~~ **defender** as determined by the state public defender.

* * *

H.(1) In an effort to maintain continuity of ~~indigent public~~ **public** defender services in each judicial district, any person ~~employed serving~~ as the ~~chief indigent district public~~ **defender** of a judicial district shall continue to be ~~employed by, or enter into a contract with, the office and serve as the district public defender of that district.~~

* * *

I. Notwithstanding any other provision of law to the contrary, any attorney ~~employed by or under contract with the office, the district public defender, or nonprofit organization contracting with the office, district public defender, or the office to provide legal counsel to an indigent person in a criminal proceeding shall be licensed to practice law in the state of Louisiana. The provisions of this Subsection shall not be construed to prohibit the use of an attorney licensed to practice law in another state to provide legal counsel to an indigent person in a criminal proceeding on a pro bono basis or who is receiving compensation from a grant administered by the office or from a grant administered by any nonprofit organization contracting with the office, provided that the out-of-state attorney is authorized to perform those services by the Louisiana Supreme Court. The legislature hereby specifically states that the provisions of this Subsection are in no way intended to, nor shall they be, construed in any manner which will impair any contractual obligations heretofore existing on June 1, 2007, of any out-of-state attorney authorized by the Louisiana Supreme Court to practice law in this state to provide legal counsel to an indigent person in a criminal proceeding.~~

§162. Vacancies in position of district public defender; formation of district public defender selection committee; powers and duties of committee; process for filling vacancy for district public defender; interim district public defender

* * *

D. Within thirty days of receiving the nominations for the position of district public defender from the selection committee, the office shall ~~employ or~~ contract with a district public defender from the list of nominees submitted to the board.

* * *

F. Whenever a vacancy occurs for the position of district public defender in any judicial district having a population of less than thirty thousand, or having less than four attorneys providing public defender services, the office shall evaluate the district and make a determination regarding the appropriateness of ~~employing or~~ contracting with a district public defender

or authorizing a district public defender from a contiguous judicial district to manage and supervise public defender services in that judicial district. If a decision is made by the office to ~~employ or~~ contract with a district public defender, the office shall use the selection process provided for in this Section to fill that vacancy.

the provisions of the Children's Code.

§186.2. Definitions

For the purposes of this Part, the following words shall have the following meanings:

(4) "District public defender", "chief indigent defender", or "chief public defender" means an attorney ~~employed by or~~ under contract with the ~~board~~ **office** to supervise service providers and enforce standards and guidelines within a judicial district or multiple judicial districts.

(8) "Public defender" or "indigent defender" means an attorney employed by or under contract with the office; ~~of~~ the district public defender; or a nonprofit organization contracting with the office ~~or of~~ the district public defender to provide representation as required by the provisions of the Children's Code.

§186.3. Safe Return Representation Program; duties of the office; subject to appropriation

B. In the administration of the Safe Return Program, the office shall:

(10) ~~Employ and train~~ **Train** attorneys and other staff as may be necessary to carry out the functions of the program. All attorneys representing indigent children through this program shall be licensed to practice law in Louisiana and qualified in accordance with the standards and guidelines adopted by rule of the board.

Section 2. R.S. 33:447.11.1 is hereby enacted to read as follows:

§447.11.1. Mayor's court; certain municipalities; additional court costs
A. Notwithstanding any other provision of law to the contrary, the mayors of the municipalities of DeQuincy, Iowa, Vinton, and Westlake may impose additional court costs not to exceed twenty dollars for each offense, as defined by ordinance, on any defendant convicted of a violation of a municipal ordinance or traffic violation, provided that fifty percent of any additional court cost collected pursuant to this Section shall be remitted to the Fourteenth Judicial District's Indigent Defender Fund.

B. Notwithstanding any provision of law to the contrary, the additional costs levied pursuant to R.S. 40:2264 and 2266.1 in excess of ten dollars per offense shall be optional in any mayor's court that actually levies the additional costs authorized pursuant to Subsection A of this Section.

Section 3. R.S. 33:447.11 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. 529

SENATE BILL NO. 469
BY SENATOR PRICE
AN ACT

To amend and reenact R.S. 33:4690.13(C)(1) and to repeal R.S. 33:4690.13(H), relative to Ascension Parish Road Infrastructure Development Districts; to provide relative to the powers of the districts; to provide relative to the termination date of the districts; and to provide for related matters.

Notice of intention to introduce this Act has been published.

Be it enacted by the Legislature of Louisiana:

Section 1. R.S. 33:4690.13(C)(1) is hereby amended and reenacted to read as follows:

§4690.13. Ascension Parish Road Infrastructure Development Districts

C. Special powers. The district may, subject to applicable regulatory jurisdiction and permitting authority of other public entities and officials, finance, fund, plan, establish, acquire, construct or reconstruct, enlarge or extend, equip, operate, and maintain systems, facilities, and basic road infrastructures for the following:

(1) Bridges, ~~or~~ **culverts, and other drainage facilities** that may be needed across or in any drain, ditch, canal, floodway, holding basin, excavation, public highway, tract, grade, fill, or cut, and roadways over levees and embankments, and may construct any and all of such works and improvements across, through, or over any public right-of-way, highway, grade, fill, or cut.

Section 2. R.S. 33:4690.13(H) is hereby repealed.

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

§167. Louisiana Public Defender Fund

E. The office shall dedicate and disburse at least seventy-five percent of the entirety of its annual budget and its funds in the LPD Fund as defined in Subsection A of this Section each fiscal year to the ~~offices of the district defender offices~~ **public defenders** and their indigent defender funds as defined in R.S. 15:168(A) in the various judicial districts throughout the state. The provisions of this Subsection shall not apply to statutorily dedicated funds or funds received through the awarding of grants.

§168. Judicial district indigent defender fund

A. There is hereby created within each judicial district an indigent defender fund which shall be administered by the district public defender ~~on behalf of the office of the district public defender for that judicial district~~ and composed of funds provided for by this Section and such funds as may be appropriated or otherwise made available to it.

E.

(3) No court shall have jurisdiction to order the payment of any funds administered by the ~~Louisiana Public Defender Board~~ **office** or district public defender for expert witnesses, or for any other reason.

§175. Proceedings to determine indigency

A.(1)

(d) If the court makes the preliminary determination that the accused is or may be indigent, the court shall require the accused to make application to the ~~office of the~~ district public defender ~~office~~ or an attorney appointed or under contract to provide indigent defender services, who shall inquire further into the accused's economic status and, upon determining that the accused is indigent, shall file a certification thereof, in such form as the court may require and without paying costs in advance, in the record of the proceeding or enroll as counsel.

(f) An accused person or, if applicable, a parent or legal guardian of an accused minor or an accused adult person who is claimed as a dependent on the federal income tax submission of his parent or legal guardian, who makes application to the ~~office of the~~ district ~~office~~ **public defender** certifying that he is financially unable to employ counsel and requesting representation by indigent defense counsel or conflict counsel, shall pay a nonrefundable application fee of forty dollars to the ~~office of the~~ district ~~office~~ **public defender** or its designee, which fee shall be in addition to all other fees or costs lawfully imposed. If the office or other appropriate official determines that the person does not have the financial resources to pay the application fee based upon the financial information submitted, the fee may be waived or reduced. An accused who is found to be indigent may not be refused counsel for failure to pay the application fee.

§176. Partial reimbursement by indigents

C.(1) When an accused is initially determined to be indigent and appointed counsel but subsequently hires private counsel, the court shall conduct a contradictory hearing to determine the expenses of representing the accused incurred by the ~~office of the~~ district ~~office~~ **public defender** or the service region, where applicable. Upon determining the expenses incurred, the accused shall, within the discretion of the court, be liable to reimburse the ~~office of the~~ district ~~office~~ **public defender** or service region, where applicable, those expenses, upon a determination that the accused was in fact not initially indigent. A judgment for the amount owed may be recorded in the mortgage records in favor of the board for the payment of money against the accused and may be enforced as provided by law.

(2) All funds received by the ~~office of the~~ district ~~office~~ **public defender** shall be deposited into the judicial district indigent defender fund as provided for in R.S. 15:168.

(3) Failure of the accused to disclose the full amount involved in the hiring shall constitute grounds for contempt of court.

§185.2. Definitions

As used in this Part, the following words shall have the following meanings:

(4) "District public defender", "chief indigent defender", or "chief public defender" means an attorney ~~employed by or~~ under contract with the office to supervise service providers and enforce standards and guidelines within a judicial district or multiple judicial districts.

(8) "Public defender" or "indigent defender" means an attorney employed by or under contract with ~~the board~~, the **office of the** district public defender, or a nonprofit organization contracting with the board or the district public defender to provide representation, including curatorship appointments, to indigent or absent parents in child abuse and neglect cases as required by

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

ACT No. 530

SENATE BILL NO. 475
BY SENATOR OWEN
AN ACT

To enact R.S. 17:17.8, relative to curricula requirements; to provide relative to high school graduation requirements; to provide for virtual teaching under certain circumstances; to provide relative to a virtual Health Education course; and to provide for related matters.

Be it enacted by the Legislature of Louisiana:

Section 1. R.S. 17:17.8 is hereby enacted to read as follows:

§17.8. Health Education requirement; virtual course

A. Notwithstanding any other provision of law to the contrary, a one-half credit course in Health Education that is required for a high school diploma shall be offered virtually to any student that is required to enroll in a physical education course for at least two consecutive school years.

B. No policy or administrative rule promulgated by the State Board of Elementary and Secondary Education that is contrary to this Section shall be enforced.

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. 531

SENATE BILL NO. 480
BY SENATOR BOUDREAUX AND REPRESENTATIVE CHASSION
AN ACT

To amend and reenact R.S. 34:291(A), 292(B)(1)(b), 293(A)(1), 293.1(A), (E)(1) and (F)(1), to enact R.S. 34:291(B)(1)(m) and 34:293.2, and to repeal 33:4720.171, relative to Lafayette Parish; to provide relative to the Lafayette Economic Development Authority; to provide relative to redevelopment authority; to provide relative to the composition of the board; to provide relative to the powers and functions of the board; to provide relative to cooperative endeavor agreements; to provide for the termination of the North Lafayette Redevelopment Authority; and to provide for related matters.

Notice of intention to introduce this Act has been published.

Be it enacted by the Legislature of Louisiana:

Section 1. R.S. 34:291(A), 292(B)(1)(b), 293(A)(1), 293.1(A), (E)(1) and (F)(1) are hereby amended and reenacted and R.S. 34:291(B)(1)(m) and 34:293.2 are hereby enacted to read as follows:

§291. Creation; territorial limits and jurisdiction

A. The Lafayette Economic Development Authority, hereinafter referred to as the authority or the district, is created as a political subdivision of the state of Louisiana, and its territorial limits and jurisdiction shall extend throughout the parish of Lafayette. Such authority shall continue to constitute a political subdivision, **a redevelopment authority pursuant to R.S. 34:293.2**, and a harbor and terminal district originally created under the provisions of Article XIV, Section 30.1 of the Louisiana Constitution of 1921 and Article XIV, Section 31 thereof, continued as a statute at R.S. 34:340.1 through 340.6.

B.(1) The Lafayette Economic Development Authority is established for the purpose of having a council composed of representatives from the business community, parish and city governments, the University of Louisiana at Lafayette, and the South Louisiana Community College to perform the functions of an economic and industrial development agency. Such functions may include, without limitation:

* * *

(m) Leveraging economic and community development strategies to engage in and foster redevelopment and revitalization activities within distressed areas with the parish.

* * *

§292. Board of commissioners

* * *

B.(1) The commissioners shall be appointed as follows:

* * *

(b) Two members, **one of whom shall be a racial minority**, shall be appointed by the Lafayette Mayor-President. The Lafayette Mayor-President may serve as one of the appointments.

* * *

§293. Powers of board; title to structures

A.(1) The board has the power to regulate the commerce and traffic of the

harbor and terminal district in any manner that may in its judgment be best for the public interest. It has all the rights, privileges, and immunities granted to corporations in Louisiana. It may administer, contract for, operate, and maintain wharves, warehouses, landings, docks, sheds, belt and connecting railroads, canals, basins, locks, elevators, and other structures and facilities necessary or proper for the use and development of the business of the district, including buildings and equipment for the accommodation of passengers and in the handling, storage, transportation, and delivery of freight, express, and mail. It may maintain proper depths of water to accommodate the business of the district; provide mechanical facilities and equipment for use in connection with the wharves, sheds, docks, elevators, warehouses, and other structures; provide light, water, and police protection for the district and for all harbor and terminal facilities situated therein. It may make and collect reasonable charges for the use of all structures, works, and facilities administered, and for any and all services rendered by it. It may regulate reasonably the fees **or rentals and charges charged to be made by for use of** privately owned wharves, docks, warehouses, elevators, **or other privately owned facilities located on property owned or sold by the authority** and other facilities within the limits of the district when the same are offered for the use of the public **or by a private industrial, commercial, research, or other economic development entity or activity.**

* * *

§293.1. Additional powers; industrial development

A. The district shall have authority to construct and/or acquire **land and improvements to construct, operate, and maintain facilities, improvements, infrastructure**, industrial parks and/or industrial plant buildings within the district, including sites and other necessary property or appurtenances therefor, and to acquire, construct, improve, operate, maintain and provide improvements and services necessary therefor, including but not limited to **buildings**, roads, street lighting, bridges, rail facilities, drainage, sewers, sewerage disposal facilities, solid waste disposal facilities, waterworks and other utilities and related properties. The district shall also have the authority to sell, lease or otherwise dispose of, by suitable and appropriate contract, to any enterprise locating or existing within the district, all or any part of an industrial plant site, industrial plant building or other property owned by the district. In determining the consideration for any contract to lease, sell or otherwise dispose of lands, buildings or other property of the district, the board may take into consideration the value of the lands, buildings or other properties involved as well as the potential value of the economic impact of the industrial or business enterprise being induced to locate or expand within the district. Such economic impact shall include increased employment, increased use of local labor, wages and salaries to be paid, consumption of local materials, products and resources and special tax revenues to be generated by the industrial or business enterprise acquiring or leasing lands, buildings or other property from the district. In no event, however, and under no circumstances shall the board dispose of any property of the district for less than fifty percent of the appraised value of the property without the prior approval of the governing authority of the parish, which approval shall be by resolution adopted by a simple majority.

* * *

E.(1) The district shall have authority to enter into any cooperative endeavor. "Cooperative endeavor" means any form of economic development assistance between or among the district and the state, any of its local governmental subdivisions, political corporations, or public benefit corporations, the United States or its agencies, or any public or private association, corporation, or individual. **The district shall have the authority to convey to the United States, the state, or to any political subdivision of the state any land, property, right-of-way, easement, servitude, or other thing of value, which the authority may own or acquire, for use by such governmental entity to accomplish the objectives and purposes of the authority, pursuant to the terms of any appropriate cooperative endeavor agreement.** The term "cooperative endeavor" shall include, but not be limited to, cooperative financing, cooperative development, or any other form of cooperative economic development activity.

* * *

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

(1) To apply for and to receive and accept for or from any federal agency, the state, or political subdivision of the state or for or from any public or private source any grants, loans, **leases, contributions, or advances, or any form of financial assistance** for or in the aid of an economic development cooperative endeavor, project, or projects, to give and accept such equity or security as may be required, and to enter into and carry out a contract or contracts of agreements in connection therewith, ~~provided that public notice is given prior to such action.~~

* * *

§293.2. Additional powers; redevelopment

With regard to redevelopment functions, the authority, through the board, shall have all powers necessary or convenient to carry out and effectuate the purposes and provisions of this Part within the territory comprised of all of the territory included within House of Representatives District No. 44 and Districts 1 and 5 of the Lafayette City Council as geographically drawn on June 20, 2022, including but not limited to the following:

(1) The authority shall have the power to create and execute redevelopment

plans for specified areas within the territory defined in this Section. The implementation of all such plans shall not proceed until, to the extent required by law, the authority has obtained the approval of the local planning commission or zoning board. In the execution of such redevelopment plan, the authority shall have the powers provided in this Subsection.

(2) To undertake and carry out redevelopment projects and related activities.

(3) To develop, test, and report methods and techniques and carry out demonstrations and other activities for the prevention and the elimination of slums and urban blight.

(4) To plan, develop, regulate, operate, and maintain activities and planned land uses to foster any type of property development.

(5) The authority may purchase adjudicated properties within the territory defined in this Section from any political subdivision of the state of Louisiana.

(6) The authority may purchase, sell, lease, exchange, or otherwise dispose of or transfer to or with other political subdivision of this state or public or private persons at public or private sale any land, property, improvements, or portions thereof, including immovable property and housing, which is, in the opinion of the board, appropriate to accomplish the objective and purposes of the district. Prior to any sale, lease, conveyance, disposition, or transfer of property pursuant to this Paragraph, the authority shall fix the price and terms of the sale, lease, exchange, or other contract to be made with reference to the property. Such sale, lease, conveyance, disposition, or transfer shall comply with the terms and provisions of this Part.

(7) The authority may sell, lease, exchange, or otherwise transfer immovable property or any interest therein acquired by it for residential commercial or industrial uses or for public use, subject to such covenants, conditions, and restrictions, including covenants running with the land, as it may deem to be necessary or desirable to assist in carrying out the purposes of this Part.

(8) The authority may temporarily operate, maintain, or lease immovable property acquired by it in a redevelopment area for or in connection with a redevelopment project pending disposition of the property as authorized in this part for such uses and purposes as may be deemed desirable even though not in connection with the redevelopment plan.

(9) The authority may dispose of any immovable property within a redevelopment area acquired by purchasing adjudicated properties. Notwithstanding any other provision of law, immovable property acquired in accordance with the redevelopment plan may be disposed of to a public body for public reuse.

(10) To require and issue licenses.

(11) To levy and collect sales and use taxes within the boundaries of the district for such purposes and at such rate as provided by the propositions authorizing their levy, not to exceed in aggregate one percent, which taxes may not exceed the limitation set forth in the Constitution of Louisiana, provided the proposition submitted to a vote in accordance with the Louisiana Election Code shall be approved by a majority of the qualified electors of the jurisdiction of the authority voting in an election held for that purpose.

Section 2. R.S. 33:4720.171 is hereby repealed in its entirety.

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 10, 2024.

A true copy:

Nancy Landry
Secretary of State

ACT No. 532

SENATE BILL NO. 481

BY SENATOR BOUDREAUX AND REPRESENTATIVE CHASSION
AN ACT

To enact R.S. 33:9038.77, relative to the University of Louisiana at Lafayette Economic Development District; to provide for the creation and boundaries of the district; to provide for its governance; to provide for the powers and duties of the district, including the authority to levy taxes and special assessments and engage in debt financing; to provide for tax increment financing; and to provide for related matters.

Notice of intention to introduce this Act has been published.

Be it enacted by the Legislature of Louisiana:

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

§9038.77. The University of Louisiana at Lafayette Economic development district

A. Creation. The University of Louisiana at Lafayette Economic Development District, hereinafter referred to as the "district", is hereby created in the city of Lafayette and parish of Lafayette where the University of Louisiana at Lafayette, hereinafter referred to as the "university", is located. The district is comprised of property owned by the university and its affiliated entities and will provide for cooperative economic and community development among the district, the university, the city of Lafayette or the parish of Lafayette, and the state. The district is a political subdivision of the state having all of the rights, powers, privileges, and immunities accorded by law and the Constitution of Louisiana to political subdivisions of the state, subject to the limitations provided in this Section.

B. Boundaries. (1) The district encompasses an area within the city of Lafayette,

Louisiana comprised of the area following as described below, subject to and less and except the exclusions defined in Paragraph (2) of this Subsection:

An area described herein starting at the Point of Beginning with NAD 27 Louisiana South State Plane coordinates 564,683.09 north and 1,783,250.72 east and thence S 47°24'38" E for a distance of 66.98 feet; thence S 49°12'31" E for a distance of 181.49 feet; thence S 53°20'54" E for a distance of 104.71 feet; thence S 49°08'03" E for a distance of 304.09 feet; thence S 43°05'29" E for a distance of 62.69 feet; thence S 48°47'16" E for a distance of 192.41 feet; thence S 49°09'06" E for a distance of 357.10 feet; thence N 28°42'08" E for a distance of 138.21 feet; thence S 50°49'52" E for a distance of 66.05 feet; thence S 28°49'08" W for a distance of 139.24 feet; thence S 48°37'01" E for a distance of 113.67 feet; thence S 39°24'29" E for a distance of 44.70 feet; thence S 50°08'01" E for a distance of 603.20 feet; thence N 29°27'09" E for a distance of 128.29 feet; thence S 54°18'18" E for a distance of 50.00 feet; thence S 29°22'08" W for a distance of 134.12 feet; thence S 30°26'12" W for a distance of 70.61 feet; thence N 49°02'37" W for a distance of 93.04 feet; thence N 41°50'39" W for a distance of 90.17 feet; thence N 49°03'47" W for a distance of 655.29 feet; thence S 40°50'58" W for a distance of 265.34 feet; thence S 49°37'48" E for a distance of 33.54 feet; thence S 42°29'29" W for a distance of 77.58 feet; thence S 48°21'27" E for a distance of 655.28 feet; thence S 50°39'56" E for a distance of 53.49 feet; thence S 44°08'48" W for a distance of 62.23 feet; thence S 48°36'28" E for a distance of 291.84 feet; thence S 56°05'23" E for a distance of 65.31 feet; thence N 41°28'00" E for a distance of 75.00 feet; thence S 49°00'06" E for a distance of 43.00 feet; thence S 41°27'59" W for a distance of 75.00 feet; thence S 45°02'18" W for a distance of 45.15 feet; thence N 48°36'04" W for a distance of 394.06 feet; thence S 41°23'53" W for a distance of 379.47 feet; thence S 47°45'37" E for a distance of 655.41 feet; thence S 48°44'48" E for a distance of 38.20 feet; thence S 36°45'05" W for a distance of 145.97 feet; thence S 48°59'53" E for a distance of 142.00 feet; thence S 42°26'43" W for a distance of 8.29 feet; thence S 48°53'40" E for a distance of 150.00 feet; thence S 41°26'22" W for a distance of 308.42 feet; thence S 44°41'43" W for a distance of 72.23 feet; thence S 37°18'03" W for a distance of 257.74 feet; thence S 48°40'02" E for a distance of 14.54 feet; thence S 36°30'08" W for a distance of 30.58 feet; thence N 48°53'17" W for a distance of 381.05 feet; thence N 70°22'52" W for a distance of 61.77 feet; thence N 76°54'52" W for a distance of 124.13 feet; thence N 69°13'41" W for a distance of 35.68 feet; thence N 59°44'33" W for a distance of 221.71 feet; thence N 54°54'19" W for a distance of 66.75 feet; thence N 42°30'14" W for a distance of 34.64 feet; thence N 31°01'13" W for a distance of 17.36 feet; thence N 19°32'13" W for a distance of 34.64 feet; thence N 04°13'32" W for a distance of 34.64 feet; thence N 11°05'09" E for a distance of 34.64 feet; thence N 25°16'35" E for a distance of 139.33 feet; thence N 34°21'20" E for a distance of 56.45 feet; thence N 41°03'46" E for a distance of 167.19 feet; thence N 48°43'10" W for a distance of 189.16 feet; thence S 41°10'19" W for a distance of 485.89 feet; thence S 40°47'36" E for a distance of 37.74 feet; thence S 53°22'32" E for a distance of 7.02 feet; thence S 66°47'20" E for a distance of 13.99 feet; thence S 84°40'25" E for a distance of 13.99 feet; thence N 77°26'31" E for a distance of 13.99 feet; thence N 64°01'43" E for a distance of 7.02 feet; thence S 57°51'27" W for a distance of 55.33 feet; thence S 54°54'09" W for a distance of 87.39 feet; thence S 42°58'14" W for a distance of 92.17 feet; thence S 26°09'03" W for a distance of 142.69 feet; thence S 00°24'05" W for a distance of 97.15 feet; thence S 03°49'56" E for a distance of 139.11 feet; thence S 21°50'36" W for a distance of 70.83 feet; thence S 44°17'41" W for a distance of 215.68 feet; thence S 42°22'35" W for a distance of 63.62 feet; thence S 35°16'03" W for a distance of 110.40 feet; thence S 37°55'50" W for a distance of 46.13 feet; thence N 47°01'33" W for a distance of 159.14 feet; thence N 45°02'30" W for a distance of 240.82 feet; thence S 46°02'05" W for a distance of 206.47 feet; thence S 41°09'21" W for a distance of 47.08 feet; thence S 31°36'31" W for a distance of 65.30 feet; thence S 76°43'45" W for a distance of 464.95 feet; thence N 22°57'47" W for a distance of 166.96 feet; thence N 31°00'08" W for a distance of 25.00 feet; thence N 49°00'03" W for a distance of 25.00 feet; thence N 64°40'01" W for a distance of 25.00 feet; thence N 74°04'05" W for a distance of 46.23 feet; thence N 63°24'28" W for a distance of 42.42 feet; thence N 47°10'05" W for a distance of 50.97 feet; thence N 29°10'06" W for a distance of 30.00 feet; thence N 17°11'10" W for a distance of 173.63 feet; thence N 26°46'09" W for a distance of 75.24 feet; thence N 22°56'48" W for a distance of 103.02 feet; thence N 11°39'48" W for a distance of 40.88 feet; thence N 00°04'07" E for a distance of 40.88 feet; thence N 11°48'03" E for a distance of 40.88 feet; thence N 22°24'30" E for a distance of 52.82 feet; thence N 15°09'11" E for a distance of 58.18 feet; thence N 05°08'50" E for a distance of 271.81 feet; thence N 06°24'38" W for a distance of 14.25 feet; thence N 20°03'54" W for a distance of 64.12 feet; thence N 12°29'17" W for a distance of 35.02 feet; thence N 03°20'12" W for a distance of 62.59 feet; thence N 11°05'56" E for a distance of 40.69 feet; thence N 25°27'04" E for a distance of 22.05 feet; thence N 45°22'01" W for a distance of 101.63 feet; thence N 45°22'01" W for a distance of 117.34 feet; thence S 50°21'43" W for a distance of 102.16 feet; thence S 38°07'27" E for a distance of 118.40 feet; thence S 48°06'28" W for a distance of 107.96 feet; thence S 46°16'37" W for a distance of 70.57 feet; thence S 56°47'11" W for a distance of 91.68 feet; thence N 54°04'15" W for a distance of 165.61 feet; thence N 63°08'48" W for a distance of 29.37 feet; thence N 81°17'59" W for a distance of 29.37 feet; thence S 80°32'51" W for a distance of 29.73 feet; thence S 66°57'39" W for a distance of 18.30 feet; thence S 85°45'06" W for a distance of 10.60 feet; thence S 57°24'46" W for a distance of 41.85 feet; thence N 36°11'09" W for a distance of 51.78 feet; thence S 61°16'46" W for a distance of 342.78 feet; thence S 66°28'12" W for a distance of 301.91 feet; thence S 71°52'20" W for a distance of 1211.18 feet; thence S 71°52'20" W for a distance of 542.62 feet; thence N 32°22'31" W for a distance of 77.95 feet; thence N 36°11'21" W for a distance of 315.56 feet; thence S 62°27'01" W for a distance of 107.86 feet; thence N 53°07'39" W for a distance of 36.27 feet; thence N 37°11'29" W for a distance of 38.67 feet; thence N 22°07'28"

land in the district, except to the extent that the land is a residential property. Upon doing so, the district board shall publish notice of this election in the official newspaper of Lafayette Parish.

C. Governance. (1) The district shall be administered and governed by a board of commissioners, hereinafter referred to as the "board".

(2) The board shall be comprised as follows:

(a) The president of the university shall serve as a member of the board and chairman of the board for as long as he is the president of the university and shall be replaced by the successor president.

(b) The president of the university shall appoint four persons to be members of the board.

(3) The appointed members shall serve five-year terms after the initial terms provided in this Paragraph. Two members shall serve an initial term of two years, and two members shall serve an initial term of three years, as determined by lot at the first meeting of the board. Each appointed member of the board shall continue to serve until reappointed or a successor is duly appointed. Any vacancy in the membership of the board shall be filled in the manner of the original appointment for the unexpired term. If an appointment to fill a vacancy is not made within sixty days, the board shall appoint an interim successor to serve until the position is filled by the president of the university.

D. Rights and powers. The district, acting by and through its board, shall have and exercise all powers of a political subdivision necessary or convenient for the carrying out of its objects and purposes, including but not limited to the following:

(1) To sue and be sued.

(2) To adopt, use, and alter at will a corporate seal.

(3) To acquire by gift, grant, purchase, donation, exchange, or any other means all property, including rights-of-way, movable, immovable, or mixed, corporeal or incorporeal, or any interest therein.

(4) To enter into contracts in connection with the purposes of the district, including but not limited to those for the purchase, acquisition, construction, and improvement of works and facilities necessary.

(5) In its own name and on its own behalf to incur debt and to issue revenue bonds, special assessment bonds, certificates, notes, and other evidences of indebtedness and to levy and cause to be collected certain taxes as provided in this Section and as may be provided by general law.

(6) To regulate the imposition of fees and rentals charged by the district for its facilities and services rendered by it.

(7) To borrow money and pledge all or part of its revenues, leases, rents, or other advantages as security for such loans.

(8) To appoint officers, agents, and employees, prescribe their duties, and fix their compensation.

(9) To develop public improvement projects for the benefit of the university, either directly with the university or through one or more private foundations or nonprofit corporations affiliated with the university, or both.

(10) To exercise any and all of the powers granted to an economic development district as if the district were an economic development district established pursuant to Part II of this Chapter, including but not limited to the powers of tax increment financing pursuant to R.S. 33:9038.33 and 33:9038.34 and the power to levy taxes within the district pursuant to R.S. 33:9038.39. The district shall exercise such powers in accordance with the provisions of Part II of this Chapter.

(11) To exercise any and all of the powers granted to a community development district as if the district were a community development district established pursuant to Chapter 27-B of this Title, including but not limited to the power to levy special assessments on property within the district pursuant to R.S. 33:9039.29. The district shall exercise such powers in accordance with the provisions of Chapter 27-B of this Title.

E. Subdistricts. The district may create subdistricts as provided in this Subsection. The district shall publish notice of its intent to create a subdistrict in the official journal of the district. At least ten days after publication of such notice, the board shall conduct a public hearing on the question of creating the subdistrict. Thereafter, the board may designate one or more areas within the boundaries of the district as subdistricts of the district. Each subdistrict shall constitute a political subdivision of the state and shall be governed by the board. Each subdistrict shall have the same powers as the district and shall be given a suitable name as the board may designate. Any reference to the district in this Section includes any subdistrict created by the district, to the extent of the subdistrict.

F. Levy of taxes. (1) It is expressly provided that any sales and use tax levied by the district may exceed the limitation set forth by Article VI, Section 29(A) of the Constitution of Louisiana and shall be imposed, collected, and enforced subject to the terms of the resolution imposing the tax and the provisions of Subtitle II of Title 47 of the Louisiana Revised Statutes of 1950.

(2) The district is authorized to levy taxes or assessments of any type acting by and through its board.

(3) The tax so authorized shall be imposed by ordinance adopted by the district, acting by and through its board, without the need of an election.

(4) The powers and rights conferred by this Paragraph shall be in addition to the powers and rights conferred by any other general or special law. This Paragraph does and shall be construed to provide a complete and additional method for the levy of any taxes or assessments.

G. Debt Financing. (1) The district may issue and sell from time to time bonds, notes, renewal notes, refunding bonds, interim certificates, certificates of indebtedness, certificates of participation, debentures, warrants, commercial paper, or other obligations or evidences of indebtedness to provide funds for

and to fulfill and achieve its public purpose or corporate purposes, as set forth in this Section, including but not limited to the payment of all or a portion of the costs of a project, to provide amounts necessary for any corporate purposes, including necessary and incidental expenses in connection with the issuance of the obligations, the payment of principal and interest on the obligations of the district, the establishment of reserves to secure such obligations, and all other purposes and expenditures of the district incident to and necessary or convenient to carry out its public functions or corporate purposes, and any credit enhancement for said obligations.

(2) Except as may otherwise be provided by the board, all obligations issued by the district shall be negotiable instruments and payable solely from the revenues of the district as determined by the board, or from any other source that may be available to the district but shall not be secured by the full faith and credit of the state or the city of Lafayette or the parish of Lafayette.

(3) Obligations shall be authorized, issued, and sold by a resolution or resolutions of the board. Such bonds or obligations may be of such series, bear such date or dates, mature at such time or times, bear interest at such rate or rates, including variable, adjustable, or zero interest rates, be payable at such time or times, be in such denominations, be sold at such price or prices, at public or private negotiated sale, after advertisement as is provided for in R.S. 39:1426, be in such form, carry such registration and exchangeability privileges, be payable at such place or places, be subject to such terms of redemption, and be entitled to such priorities on the income, revenue, and receipts of, or available to, the district as may be provided by the board in the resolution or resolutions providing for the issuance and sale of the bonds or obligations of the district.

(4) The obligations of the district shall be signed by such officers of the board by either manual or facsimile signatures as shall be determined by resolution or resolutions of the board and may have impressed or imprinted thereon the seal of the district or a facsimile thereof.

(5) Any obligations of the district may be validly issued, sold, and delivered, notwithstanding that one or more of the officers of the board signing such obligations, or whose facsimile signature or signatures may be on the obligations, shall be determined by resolution or resolutions of the board and may have impressed or imprinted thereon the seal of the district or a facsimile thereof.

(6) Obligations of the district may be sold in such manner and from time to time as may be determined by the board to be most beneficial, subject to approval of the State Bond Commission, and the district may pay all expenses, premiums, fees, or commissions which it may deem necessary or advantageous in connection with the issuance and sale thereof.

(7) The board may authorize the establishment of a fund or funds for the creation of a debt service reserve, a renewal and replacement reserve, or such other funds or reserves as the board may approve with respect to the financing and operation of any project funded with the proceeds of such bonds and as may be authorized by any bond resolution, trust agreement, indenture of trust or similar instrument or agreement pursuant to the provisions of which the issuance of bonds or other obligations of the district may be authorized.

(8) Any cost, obligation, or expense incurred for any of the purposes of powers of the district specified in this Subsection shall be a part of the project costs and may be paid or reimbursed as such out of the proceeds of bonds or other obligations issued by the district.

(9) Neither the members of the board nor any person executing the bonds shall be personally liable for the bonds or be subject to any personal liability by reason of the issuance thereof. No earnings or assets of the district shall accrue to the benefit of any private persons. However, the limitation of liability provided for in this Paragraph shall not apply to any gross negligence or criminal negligence on the part of any member of the board or person executing the bonds.

(10) All obligations authorized to be issued by the district pursuant to the provisions of this Subsection, together with interest thereof, income therefrom, and gain upon the sale thereof shall be exempt from all state and local taxes.

(11) The state and all public officers, any parish, municipality, or other subdivision or instrumentality of the state, any political subdivision, any bank, banker, trust company, savings bank and institution, building and loan association, savings and loan association, investment company or any person carrying on a banking or investment business, insurance association, and any person carrying on an insurance business, and any executor, administrator, curator, trustee, and other fiduciary, and any retirement system or pension fund may legally invest any sinking funds monies, or other funds belonging to them or within their control in any bonds or other obligations issued by the district pursuant to the provisions of this Subsection, and such bonds or other obligations shall be authorized security for all public deposits. It is the purpose of this Section to authorize such persons, firms, corporations, associations, political subdivisions and officers, or other entities, public or private, to use any funds owned or controlled by them, including but not limited to sinking, insurance, investment, retirement, compensation, pension and trust funds, and funds held on deposit, for the purchase of any such bonds other obligations of the district, and that any such bonds shall be authorized security for all public deposits. However, nothing contained in this Section with regard to legal investments for security for public deposits shall be construed as relieving any such person, firm, corporation, or other entity from any duty of exercising reasonable care in selecting securities.

H. Tax financing. (1) The district may be the recipient of a sales or use tax increment which consists of that portion of the designated incremental sales or use tax collected each year on the sale at retail, the use, the lease or rental, the consumption and storage for use or consumption of tangible personal property, and on sales of services, all as defined in R.S. 47:301 et seq., or any

other applicable provision of law.

(2) The sales or use tax increment may include hotel occupancy taxes, occupancy taxes, or similar taxes, or any combination of such taxes, levied upon the use or occupancy of hotel rooms if so designated by the city of Lafayette in the parish of Lafayette as the tax recipient entity, from taxpayers located within the district which exceeds the designated sales or use tax revenues and hotel occupancy taxes, or similar taxes so designated that were collected in the year immediately prior to the year in which the district was established.

I. Contesting ordinance or resolution; time limit. Any ordinance or resolution adopted by the board including but not limited to an ordinance adopted pursuant to Paragraph (F)(3) of this Section, or the pledge of tax increments collected under the authority of this Section to any financing authorized by this Section shall be published at least twice in the official journal of Lafayette Parish. For a period of thirty days after the date of publication, any person in interest shall have the right to 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 taxes. After that time, no one shall have any cause or right of action to test the regularity, formality, legality, or effectiveness of the ordinance or resolution, and provisions thereof for any cause whatsoever. Thereafter, it shall be conclusively presumed that every 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 unless a claim pursuant to this Section has been filed.

J. This Section, being necessary for the welfare of the state, the parish, and its residents, 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. 533

SENATE BILL NO. 484

BY SENATOR DUPLESSIS AND REPRESENTATIVE CHASSION
AN ACT

To amend and reenact R.S. 22:1483.1(A) and (C) and R.S. 44:4.1(B)(11), to enact R.S. 22:1483.1(B)(5) and (E)(3) and 1483.3, and to repeal R.S. 22:1483.1(F), relative to the Louisiana Fortify Homes Program; to provide the commissioner of insurance may apply for grants or other funding, if available; to provide the commissioner of insurance may enter into certain agreements with public agencies and private entities; to require the grantee to submit to random reinspections; to provide certain information and records are confidential; to repeal the termination date; to provide for an actuarial study; to provide for an effective date; and to provide for related matters.

Be it enacted by the Legislature of Louisiana:

Section 1. R.S. 22:1483.1(A) and (C) are hereby amended and reenacted and R.S. 22:1483.1(B)(5) and (E)(3) and 1483.3 are hereby enacted to read as follows:
§1483.1. Louisiana Fortify Homes Program

A.(1) The Louisiana Fortify Homes Program is hereby created within the department. The commissioner, as program administrator, may make financial grants to retrofit roofs of insurable property, as defined in R.S. 22:1483(C)(9), with a homestead exemption to resist loss due to hurricane, tornado, or other catastrophic windstorm events and to meet or exceed the “fortified roof” standard of the Insurance Institute for Business and Home Safety. The commissioner shall promulgate rules and regulations governing to govern the eligibility requirements for grants and the administration of the program.

(2) The commissioner may apply for grants or funds from the federal government or other funding sources to supplement the funds appropriated by the legislature. The commissioner may use grant funds to pay for inspections for grant applicants subject to the terms of the grant.

(3) The commissioner may enter into a cooperative endeavor agreement with public agencies and private entities for projects pursuant to this Section. A cooperative endeavor partner may administer grants or funds in the manner required by the cooperative endeavor agreement.

(4)(a) In order to ensure that state or federal monies are used in as an effective manner as possible for the Louisiana Fortify Homes Program and to ensure a maximum rate of return on invested state dollars, the department shall perform the following duties:

(b) By July first of each calendar year, the department shall publish on its website or other publicly accessible platform a list of all discounts that insurers filed and were approved by the commissioner. The department shall also submit a copy of the report to the David R. Poynter Legislative Research Library as required by R.S. 24:771 and 772.

B. In order to receive a grant pursuant to this Section, the grantee shall do all of the following:

(5) Submit to random reinspection of the retrofitted insurable property.

C.(1) The name of a recipient of a grant received pursuant to this Section, the amount of the grant, and the municipal address of the retrofitted insurable property shall be a public record.

(2) All information and records received pursuant to this Section other than those listed in Paragraph (1) of this Subsection shall be deemed confidential and exempt from disclosure pursuant to the Public Records Law, R.S. 44:1 et seq.

Nothing in this Subsection shall prevent the use of such information or records for the compilation of statistical data wherein the identity of the applicant, grantee, evaluator, or contractor is not disclosed.

E. This Section does not create any of the following:

(3) A guarantee, warranty, or surety on the part of the state for the performance of any obligation undertaken by an applicant, evaluator, or contractor.

§1483.3. Discounts; actuarial study

A. Subject to a sufficient appropriation by the legislature, the department shall conduct an actuarial study to determine the range of discounts that would be actuarially justified for a structure that meets the fortified home building standards promulgated by the Insurance Institute for Business and Home Safety. At any time the department does not receive sufficient appropriation from the legislature to conduct a third-party actuarial study required by this Section, the department may conduct an actuarial study utilizing the department’s actuarial staff.

B. If the department conducts an actuarial study, the commissioner shall produce a report of the findings of the study. The department shall ensure that the report is made publicly available on the website of the department or other publicly accessible platform. The department shall also submit a copy of the report to the David R. Poynter Legislative Research Library as required by R.S. 24:771 and 772.

Section 2. R.S. 44:4.1(B)(11) 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:

(11) R.S. 22:2, 14, 31, 42.1, 88, 244, 263, 265, 461, 550.7, 571, 572, 572.1, 572.2, 574, 601.3, 618, 639, 691.4, 691.5, 691.6, 691.7, 691.8, 691.9, 691.9.1, 691.10, 691.38, 691.56, 732, 752, 753, 771, 834, 972(D), 976, 1008, 1019.2, 1203, 1460, 1464, 1466, **1483.1**, 1488, 1546, 1559, 1566(D), 1644, 1656, 1657.1, 1660.7, 1723, 1796, 1801, 1808.3, 1927, 1929, 1983, 1984, 2036, 2045, 2056, 2085, 2091, 2293, 2303, 2508

Section 3. R.S. 22:1483.1(F) 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. 534

SENATE BILL NO. 489

BY SENATOR CATHEY AND REPRESENTATIVES CREWS, DICKERSON, EDMONSTON, GADBERRY, HORTON, MCCORMICK AND THOMPSON
AN ACT

To amend and reenact R.S. 40:1578.6, 1578.7(A), (B), (C), (D), and (E), 1730.22(A), 1730.23(A), 1730.28(A)(1), 1730.39(A)(1) and (C), 1733, 1737(A), 1738(A) and (B), and 1740, and to repeal R.S. 40:1732, and 1734 through 1736, relative to the fire marshal; to provide for powers of the fire marshal; to provide for the Louisiana State Uniform Construction Code; to provide for adoption of certain codes; to provide for accessibility of buildings; to provide for terms, conditions, and procedures; and to provide for related matters.

Be it enacted by the Legislature of Louisiana:

Section 1. R.S. 40:1578.6, 1578.7(A), (B), (C), (D), and (E), 1730.22(A), 1730.23(A), 1730.28(A)(1), 1730.39(A)(1) and (C), 1733, 1737(A), 1738(A) and (B), and 1740 are hereby amended and reenacted to read as follows:

§1578.6. National Fire Protection Association’s Life Safety Code; Southern Standard Building Code ~~Louisiana State Uniform Construction Code~~; applicability to high-rise structures; minimum standards; existing hazardous buildings; appeal

A. Adequate protection for life safety shall be afforded in every structure or movable as those terms are defined in R.S. 40:1573. To afford such protection, all newly constructed structures and movables shall comply with the rules and regulations to be promulgated by the fire marshal ~~Louisiana State Uniform Construction Code Council~~ in conformity with the Administrative Procedure Act which shall establish as minimum standards the provisions of the Life Safety Code of the National Fire Protection Association, and Section 518—Special Provisions for High Rise, of Chapter IV of the Southern Standard Building Code, **Louisiana State Uniform Construction Code** as applicable to high-rise structures, **including high rise buildings**, as both are annually or periodically amended, and the fire marshal shall be the authority having jurisdiction to enforce compliance with **the fire protection, egress, and**

accessibility provisions of such regulations. The effective date for enforcement shall be one hundred eighty days after adoption and promulgation under the Administrative Procedure Act.

B. In addition to the provisions of Subsection A of this Section, the facilities provided for in R.S. 40:1563(C)(4) shall comply with the provisions of the Life Safety Code of the National Fire Protection Association as promulgated by the fire marshal in conformity with the Administrative Procedure Act.

~~B.C.~~ A parish or municipality which, prior to January 1, 1975, had adopted and is enforcing a nationally recognized model building code ~~and/or~~ ~~or~~ fire prevention code or a code equal to a nationally recognized building code ~~and/or~~ ~~or~~ fire prevention code may continue to enforce such codes in place of the codes required in the paragraph above; however, such codes shall contain requirements that are substantially equal to the fire marshal's code with respect to high rise buildings, mandatory automatic sprinkler and extinguishment systems, and fire detection systems.

~~C.D.(1)~~ This Section shall not apply to existing buildings, except as provided for by R.S. 40:1641 et seq., which were lawfully constructed and maintained unless the fire marshal deems that a serious life hazard exists due to a particular condition, at which time he can require the institution of proper fire protection measures to alleviate the particular hazards noted according to **either of the following: the chapter on existing buildings of the latest edition of the N.F.P.A. Life Safety Code, as most recently adopted by administrative rule by the office of the state fire marshal, code enforcement and building safety. Such directives of the fire marshal may be appealed to the board of review. "Lawfully constructed and maintained" as used in this Subsection means in conformance with the laws, codes, rules, and regulations in force at the time of original construction.**

(a) The chapter on existing buildings of the 2015 edition of the N.F.P.A. Life Safety Code for facilities pursuant to R.S. 40:1563(C)(4) and structures that are permitted for construction prior to January 1, 2026.

(b) The International Code Council's International Existing Building Code as adopted by the Louisiana State Uniform Construction Code Council in accordance with R.S. 40:1730.28 for structures that are permitted for construction on or after January 1, 2026.

(2) Such directives of the fire marshal may be appealed to the board of review. "Lawfully constructed and maintained" as used in this Subsection means in conformance with the laws, codes, rules, and regulations in force at the time of original construction.

§1578.7. State Uniform Fire Prevention Code

A. It is hereby found and declared by the legislature that the protection of life and property will be enhanced by adoption of the National Fire Prevention Code, as it is published by the National Fire Protection Association ~~or the International Fire Code, as it is published by the International Code Council. It is also hereby found and declared by the legislature that the adoption of NFPA 1 will complement and not conflict with the National Fire Protection Association's Life Safety Code.~~

~~B. The National Fire Prevention Code, known as NFPA 1, 1997 edition, published and maintained by the National Fire Protection Association or the International Fire Code, known as the IFC, is hereby adopted as the State Uniform Fire Prevention Code to the extent that it does not conflict with the National Fire Protection Association's Life Safety Code. Application of requirements that pertain to buildings shall be limited to structures, watercraft, and movables as defined by R.S. 40:1573.~~

C. If a fire prevention code is adopted by any political subdivision of the state, it ~~must~~ **shall** adopt the State Uniform Fire Prevention Code.

D. Nothing in this Section shall be construed so as to prevent the state fire marshal from enforcing the National Fire Protection Association's Life Safety Code **fire protection, egress, and accessibility provisions of the Louisiana State Uniform Construction Code, excluding the provisions for one- and two-family dwellings, as adopted by the Louisiana State Uniform Code Council in accordance with R.S. 40:1730.28**, nor any other laws of the state, the enforcement of which are his statutory and regulatory responsibility.

E. The state fire marshal shall have the power and authority to promulgate those rules and regulations as may be necessary to incorporate or adopt any subsequent amendments or additions to the State Uniform Fire Prevention Code to conform to NFPA 1 ~~or the IFC~~, as it is ~~they are~~ subsequently amended or issued as a new edition by the National Fire Protection Association ~~or by the International Code Council.~~

* * *

§1730.22. Louisiana State Uniform Construction Code Council; membership; function of council; meeting requirements; immunity

A. The Louisiana State Uniform Construction Code Council, hereinafter in this Part referred to as the "council", is hereby created and shall consist of twenty members, one of whom shall be the state health officer, or his designee, **and one of whom shall be the fire marshal, or his designee.** With the exception of the state health officer, or his designee, **and the fire marshal, or his designee**, who shall serve by virtue of his position, each member of the council shall be appointed by the governor, subject to Senate confirmation, and shall serve at the pleasure of the governor. With the exception of the state health officer, or his designee, **and the fire marshal, or his designee**, each term for a member of the council shall be four years where a member shall serve no more than two consecutive terms. Each member of the council shall serve without compensation but shall be reimbursed for actual expenses and mileage incurred while attending council meetings in accordance with state travel regulations promulgated by the division of administration. Reimbursement shall be limited to mileage and expenses for the attendance

of twelve meetings per calendar year.

* * *

§1730.23. Enforcement of building codes by municipalities ~~and parishes, parishes, and the fire marshal~~

A.(1) Notwithstanding any other law to the contrary relating to the authority of local governments to enforce construction codes, all municipalities and parishes in this state shall enforce only the construction codes provided for in this Part. All municipalities and parishes shall use building code enforcement officers or certified third-party providers contracted by the municipality, parish, or regional planning commission to act in the capacity of a building code enforcement officer to enforce the provisions of this Part. Enforcement procedures by building code enforcement officers or third-party providers acting in the capacity of a building code enforcement officer shall include examination or review of plans, drawings, or specifications; the conducting of inspections; and the issuance, denial, or revocation of permits. A building code enforcement officer, third-party provider, or third-party provider contracted by a jurisdiction as provided for in R.S. 40:1730.24(A) shall not conduct plan review or inspections on a commercial or residential structure if such officer or provider owns any interest in the legal entity that constructed such commercial or residential structure or receives any compensation from the legal entity other than the fees that are charged for plan review or inspections. Nothing in this ~~Subsection~~ **Paragraph** shall be construed to prevent a commercial or residential contractor or homeowner from using a third-party provider as provided for in R.S. 40:1730.24(B). Nothing in this ~~Subsection~~ **Paragraph** shall be construed to prevent a commercial contractor or commercial owner from using the office of state fire marshal as a third-party provider as provided for in R.S. 40:1730.24(B) on commercial structures in any parish within the state with a population of less than forty thousand and whose boundaries lie completely north of the one hundred ten mile per hour wind line, as shown in the American Society of Civil Engineers (ASCE-7) basic wind speeds map published in the latest edition of the International Building Code.

(2) Nothing in this Section shall be construed to prevent the fire marshal from enforcing the fire protection, egress, and accessibility provisions of the Louisiana State Uniform Construction Code, excluding the provisions for one- and two-family dwellings, as adopted by the council in accordance with R.S. 40:1730.28.

* * *

§1730.28. Mandatory adoption of certain nationally recognized codes and standards as the state uniform construction code; adoption by reference

A. Except as provided in Subsection C of this Section, the council shall evaluate, adopt, and amend only the latest editions of the following as the State Uniform Construction Code:

(1) International Building Code, not including Parts I-Administrative, Chapter 11-Accessibility, and Chapter 27-Electrical. The applicable standards referenced in that code are included for regulation of construction within this state. The appendices of that code may be adopted as needed, but the specific appendix or appendices shall be referenced by name or letter designation at the time of adoption.

* * *

§1730.39. Powers of state fire marshal

A.(1) The state fire marshal may ~~establish contract agreements~~ **enter into agreements by letter of intent** with municipalities and parishes in order to provide code enforcement on behalf of the municipality or parish as provided in R.S. 40:1730.24 of this Part.

* * *

C. Nothing in this Part shall be construed so as to prevent the state fire marshal from enforcing the Commercial Building Energy Conservation Code as provided in R.S. 40:1730.41 et seq. **The fire marshal shall enforce the fire protection, egress, and accessibility provisions of the Louisiana State Uniform Construction Code, excluding the provisions for one- and two-family dwellings, with referenced standards as adopted by the council in accordance with R.S. 40:1730.28.**

* * *

§1733. ADA Standards to prevent architectural barriers

~~A. The Americans with Disabilities Act Standards for Accessible Design in effect on March 15, 2011, as adopted by the United States Department of Justice pursuant to the ADA are hereby adopted as of October 1, 2011, and requirements therein, shall be complied with **The International Building Code Chapter 11-Accessibility, as adopted by the Louisiana State Uniform Construction Code Council in accordance with R.S. 40:1730.28 and requirements therein, including the referenced ICC A117.1 Accessible and Usage Buildings and Facilities, shall be complied with.**~~

~~B. The Americans with Disabilities Act Accessibility Guidelines in effect on September 1, 1994, shall remain in effect through September 30, 2011.~~

~~C. The state fire marshal shall have the power and authority to promulgate those rules and regulations as may be necessary to incorporate or adopt any subsequent amendments or additions to or editions of the ADA Standards, as it is subsequently amended or issued as a new edition adopted by the United States Department of Justice.~~

* * *

§1737. Violations; enforcement by fire marshal

A. In cases of practical difficulty or unnecessary hardship, the state fire marshal may, after consultation with Louisiana Rehabilitation Services, grant exceptions from the literal requirements of the standards and specifications required by this Part or permit the use of other methods or materials. Unless

a written exception is granted by the fire marshal, any unauthorized deviation from ~~ADA Standards~~ **International Building Code Chapter 11-Accessibility** shall be rectified by full compliance within ninety days after discovery of the deviation and delivery of a copy of the order requiring remedying of the deviation to the occupant or any person in charge of the premises personally or by registered or certified mail. If no person is found on the premises, the order may be served by affixing a copy thereof in a conspicuous place on the door at the entrance of the premises.

* * *

§1738. Review of plans and specifications before construction begins

A. No building permits shall be issued, no state contracts shall be awarded, nor shall any change in new building plans which affect compliance with ~~ADA Standards~~ **the International Building Code Chapter 11-Accessibility** be approved, concerning any public buildings or facilities or private buildings or facilities until the fire marshal has reviewed and stated that the plans and specifications regarding accessibility appear to him to comply with the ~~ADA Standards~~ **the International Building Code Chapter 11-Accessibility**.

B. In each case the application for review shall be accompanied by the plans and full, complete, and accurate specifications which shall comply in every respect with any and all requirements prescribed by the ~~ADA Standards~~ **the International Building Code Chapter 11-Accessibility**.

* * *

§1740. Enforcement of Part

A. For purposes of enforcing this Part, in any instance in which the ~~ADA Standards are~~ **the International Building Code Chapter 11-Accessibility** is not complied with, the local building code authorities and the health authorities shall have authority to enforce these standards. Written approval by the fire marshal shall be presumptive evidence of compliance with ~~ADA Standards~~ **the International Building Code Chapter 11-Accessibility** but shall not be considered conclusive and local building code authorities and health authorities shall have the power to review all construction within their jurisdiction to the end that the intent of this legislation shall be enforced.

B. Local building code authorities, health authorities, or any individual may seek an injunction to halt construction or require compliance with ~~ADA Standards~~ **the International Building Code Chapter 11-Accessibility** of any public building or facility or private building or facility which has been constructed or is being constructed in violation of this Part. All actions shall be brought in the district court of the parish in which the public building or facility or private building or facility, or portion thereof, that is not in compliance, is situated.

Section 2. R.S. 40:1732 and 1734 through 1736 are hereby repealed.

Section 3. This Act shall become effective on July 1, 2026; if vetoed by the governor and subsequently approved by the legislature, this Act shall become effective on the day following such approval by the legislature or July 1, 2026, whichever is later.

Approved by the Governor, June 10, 2024.

A true copy:

Nancy Landry
Secretary of State

ACT No. 535

SENATE BILL NO. 507

(Substitute of Senate Bill No. 419 by Senator Talbot)
BY SENATOR TALBOT AND REPRESENTATIVE KNOX
AN ACT

To amend and reenact R.S. 14:95(N) as enacted by Section 1 of Act 1 of the 2024 Second Extraordinary Session and R.S. 40:1379.3(D)(1) and (2) and (L) and 1382(A)(1) and (C) and to enact R.S. 40:1382(D), relative to the illegal carrying of handguns; to provide relative to negligent carrying of a concealed handgun; to increase the penalties for negligent carrying of a concealed handgun in certain areas; to provide for returning a forfeited handgun; and to provide for related matters.

Be it enacted by the Legislature of Louisiana:

Section 1. R.S. 14:95(N) as enacted by Section 1 of Act 1 of the 2024 Second Extraordinary Session is hereby amended and reenacted to read as follows:
§95. Illegal carrying of weapons

* * *

N. Any person lawfully carrying a handgun pursuant to Subsection M of this Section shall be subject to the restrictions contained in R.S. 40:1379.3(I), (L), (M), (N), and (O).

Section 2. R.S. 40:1379.3(D)(1) and (2) and (L) and 1382(A)(1) and (C) are hereby amended and reenacted and R.S. 40:1382(D) is hereby enacted to read as follows:

§1379.3. Statewide permits for concealed handguns; application procedures; definitions

* * *

I.(1) No individual to whom a concealed handgun permit is issued or a person carrying a weapon pursuant to R.S. 14:95(M) may carry and conceal such handgun while under the influence of alcohol or a controlled dangerous substance. While a permittee is under the influence of alcohol or a controlled dangerous substance, an otherwise lawful permit is considered automatically suspended and is not valid. A permittee **or any person carrying a concealed handgun** shall be considered under the influence as evidenced by a blood alcohol reading of .05 percent or greater by weight of alcohol in the blood, or

when a blood test or urine test shows any confirmed presence of a controlled dangerous substance as defined in R.S. 40:961 and 964.

(2) A permittee armed with a handgun in accordance with this Section or a person carrying a weapon pursuant to R.S. 14:95(M) shall notify any police officer who approaches the ~~permittee~~ **individual** in an official manner or with an identified official purpose that he has a weapon on his person, submit to a pat down, and allow the officer to temporarily disarm him. Whenever a law enforcement officer is made aware that an individual is carrying a concealed handgun and the law enforcement officer has reasonable grounds to ~~believe~~ **suspect** that the individual is under the influence of either alcohol or a controlled dangerous substance, the law enforcement officer may take temporary possession of the handgun, **reasonably detain the individual**, and request submission of the individual to a department-certified chemical test for determination of the chemical status of the individual. Whenever a law enforcement officer **reasonably suspects or** is made aware that an individual is behaving in a criminally negligent manner as defined under the provisions of this Section, or is negligent in the carrying of a concealed handgun as provided for in R.S. 40:1382, the law enforcement officer may **frisk for and** seize the handgun, until adjudication by a judge, if the individual is issued a summons or arrested under the provisions of R.S. 40:1382. Failure by the permittee to comply with the provisions of this Paragraph shall result in a six-month automatic suspension of the permit. **A person carrying a concealed handgun pursuant to R.S. 14:95(M) who fails to comply with the provisions of this Paragraph shall be subject to the penalties provided in Subsection L of this Section.**

* * *

L.(1) Anyone who carries and conceals a handgun in violation of any provision of this Section, unless authorized to do so by another provision of the law, shall be fined not more than five hundred dollars, or imprisoned for not more than six months, or both.

(2) **Anyone who carries a concealed handgun in violation of any provision of this Section in the area within the boundaries of the French Quarter Management District as established in R.S. 25:799 shall be fined not less than five hundred dollars nor more than one thousand dollars, or be imprisoned for not more than six months, or both.**

* * *

§1382. Negligent carrying of a concealed handgun

A. Negligent carrying of a concealed handgun is the intentional or criminally negligent carrying by any person, whether or not authorized or licensed to carry or possess a concealed handgun, under the following circumstances:

(1) When it is foreseeable that the handgun may discharge, or when a **law enforcement officer or** others are placed in reasonable apprehension **or the law enforcement officer has a reasonable suspicion** that the handgun may discharge.

* * *

C.(1) Whoever commits the offense of negligent carrying of a concealed handgun shall be fined not more than five hundred dollars, or imprisoned ~~without hard labor~~ for not more than six months, or both. ~~The adjudicating judge may also order the forfeiture of the handgun and may suspend or revoke any permit or license authorizing the carrying of the handgun.~~

(2) **Whoever commits the offense of negligent carrying of a concealed handgun in the area within the boundaries of the French Quarter Management District as established in R.S. 25:799 shall be fined not less than five hundred dollars nor more than one thousand dollars, or imprisoned for not more than six months, or both.**

(3) **In addition to the penalties provided in Paragraphs (1) and (2) of this Subsection, the court may order the forfeiture of the handgun and may suspend or revoke any permit or license authorizing the concealed carrying of the handgun.**

D. Notwithstanding the provisions of R.S. 40:1798, a handgun forfeited under Paragraph (C)(3) of this Section shall be returned to the defendant if the defendant satisfies all of the following:

(1) **The instant conviction is the defendant's first offense for a violation of this Section.**

(2) **The defendant is not otherwise prohibited by state or federal law from possessing a firearm.**

(3) **The defendant successfully completes the eight-hour National Rifle Association Basics Pistol Shooting course taught in person by a National Rifle Association certified instructor within one year of conviction.**

Section 3. This Act shall become effective on July 4, 2024; if vetoed by the governor and subsequently approved by the legislature, this Act shall become effective on the day following such approval by the legislature or July 4, 2024, whichever is later.

Approved by the Governor, June 10, 2024.

A true copy:

Nancy Landry
Secretary of State

ACT No. 536

HOUSE BILL NO. 15

BY REPRESENTATIVE FONTENOT
AN ACT

To amend and reenact R.S. 11:2213(11)(a)(iii) and 2220(A)(2)(a) and to enact R.S. 11:2213(11)(i) and (j), 2214.1, 2220(A)(4), and 2241.4(A)(4), relative to the

Municipal Police Employees' Retirement System; to provide for eligibility for retirement; to provide relative to benefits of certain retirees; to provide for termination of membership of certain elected officials; to provide for definitions; to authorize certain reemployment of retirees without benefit suspension; to provide for payment of contributions; 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. 11:2213(11)(a)(iii) and 2220(A)(2)(a) are hereby amended and reenacted and R.S. 11:2213(11)(i) and (j), 2214.1, 2220(A)(4), and 2241.4(A)(4) are hereby enacted to read as follows:

§2213. Definitions

* * *

(11) "Employee" shall mean any of the following classifications:

(a)

* * *

(iii) Any person in a position as defined in the municipal fire and police civil service system who is employed on a full-time basis by a police department of any municipality of this state, who is under the direction of a chief of police, and who is paid from the budget of the applicable police department does not meet any other definition of employee.

* * *

(i) Notwithstanding any provisions of Item(a)(iii) of this Paragraph to the contrary and in conformity with the provisions of R.S. 11:2214(A)(2)(b), "employee" shall mean any person employed by the Baton Rouge Police Department who is a law enforcement employee and "employee" shall not mean any person employed by the Baton Rouge Police Department who is not a law enforcement employee. For purposes of this Subparagraph, "law enforcement employee" means any person occupying a position within a class title that, subject to the merger agreement, was included in the membership of the system on the effective date of this Subparagraph. For any position in the Baton Rouge Police Department within a class title created after the effective date of this Subparagraph, "law enforcement employee" shall mean a person occupying a position that makes the person eligible to receive state supplemental pay.

(j) Any person who is not a full-time police officer and who on June 30, 2024, met the definition of employee only under Item (a)(iii) of this Paragraph and was enrolled in another municipal retirement system is not an employee.

* * *

§2214.1. Termination of membership; certain elected officials

A member of this system who is elected, who is eligible for retirement from this system, and who is eligible, for the same employment, for membership in another statewide retirement system may terminate his membership in this system upon his enrollment in the other system. If such member enrolls in another system, he shall file a notice of such enrollment in writing with the board of this system, and all employer and employee contributions to this system by or on behalf of the member shall cease upon receipt by the board of the notice. The former member may apply for retirement from this system and receive this retirement benefit any time after the termination of his membership in this system regardless of whether he terminates the employment that made him eligible for membership.

* * *

§2220. Benefits; contribution limit

A. Eligibility for normal retirement, early retirement, and limitations.

* * *

(2)(a)(i) Regardless Except as provided by Item (ii) of this Subparagraph, regardless of age, if a retiree of this system becomes an employee as defined in R.S. 11:2213, payment of retirement benefits shall be suspended and the employee and employer shall contribute to the system toward creditable service.

(ii) The benefits of a retiree of the system who retires as a police officer during the period beginning July 1, 2024, and ending June 30, 2026, and who, no sooner than ninety days following the date of his retirement, is first employed as an employee under R.S. 11:2213(11)(a)(iii) shall not be suspended if the retiree irrevocably elects not to receive additional service credit or accrue any additional retirement benefit in the retirement system. Such election shall be in writing and filed with the board of trustees within thirty days after the effective date of the retiree's employment. During such employment, the retiree and his employer shall make contributions to the retirement system as provided by this Chapter. Upon termination of employment as an employee under R.S. 11:2213(11)(a)(iii), employee contributions paid since reemployment shall, upon application, be refunded without interest, to the retiree. The retirement system shall retain the employer contributions and interest on the contributions.

* * *

(4)(a) The retirement benefit of a retiree of this system who retired on or before January 1, 2024, and who, before July 1, 2028, becomes an employee, as defined by R.S. 11:2213, no sooner than ninety days following the effective date of his retirement shall not be suspended as otherwise required by Paragraph (2) of this Subsection if the retiree retired with twenty-five years of service credit or retired with twenty or more years of service credit and has attained the age of fifty-five.

(b) During such reemployment, the retiree and his employer shall make contributions to the retirement system as provided by this Chapter, but the retiree shall receive no additional service credit and shall not accrue any

additional retirement benefit in the retirement system. Upon termination of reemployment, employee contributions paid since reemployment shall, upon application, be refunded to the retiree without interest. The retirement system shall retain the employer contributions and interest on contributions.

* * *

§2241.4. Eligibility for retirement

A. Any member of this subplan shall be eligible for retirement if he has:

* * *

(4) Seven years or more of service, at age sixty-two or thereafter, if he is an elected chief of police who is not eligible for retirement under Paragraph (1), (2), or (3) of this Subsection and is prohibited from continuing employment as a chief with the same employer due to term limits. Any person retiring under this Paragraph shall provide sufficient documentation to the retirement system proving that he meets these requirements and shall irrevocably elect not to receive additional service credit or accrue any additional retirement benefit in the retirement system if he subsequently becomes reemployed. Such election shall be in writing and filed with the board of trustees before the effective date of the retiree's retirement. During any subsequent employment, the retiree and his employer shall make contributions to the retirement system as provided by this Chapter. Upon termination of subsequent employment, employee contributions paid since reemployment shall, upon application, be refunded, without interest, to the retiree. The retirement system shall retain the employer contributions and interest of the contributions.

* * *

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. 537

HOUSE BILL NO. 40
BY REPRESENTATIVE HORTON
AN ACT

To amend and reenact R.S. 11:2260(A)(2)(introductory paragraph) and (e), relative to the Firefighters' Retirement System; to provide for membership on the system's board of trustees; to provide for retired members; and to provide for related matters.

Notice of intention to introduce this Act has been published as provided by Article X, Section 29(C) of the Constitution of Louisiana.

Be it enacted by the Legislature of Louisiana:

Section 1. R.S. 11:2260(A)(2)(introductory paragraph) and (e) are hereby amended and reenacted to read as follows:

§2260. Administration

A. Board of trustees:

* * *

(2) The board shall consist of ~~eleven~~ twelve trustees as follows:

* * *

(e) ~~A retiree~~ Two retirees of the system who shall be elected by a majority vote of the retired members and beneficiaries of the system for a term of five years.

* * *

Section 2.(A) This Act does not affect the term of the retiree member of the Firefighters' Retirement System board of trustees serving pursuant to the provisions of R.S. 11:2260(A)(2)(e) on the effective date of this Act.(B) The election of the second retiree of the system to the board of trustees as authorized by R.S. 11:2260(A)(2)(e) as amended by this Act shall occur no later than December 31, 2024.

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 10, 2024.

A true copy:

Nancy Landry
Secretary of State

ACT No. 538

HOUSE BILL NO. 65
BY REPRESENTATIVE HILFERTY
AN ACT

To enact R.S. 33:9613(H), relative to local inspector generals; to provide relative to the office of the inspector general for the city of New Orleans; to provide for investigative powers; to exempt the exercise of certain powers;

and to provide for related matters.
Be it enacted by the Legislature of Louisiana:
Section 1. R.S. 33:9613(H) is hereby enacted to read as follows:
§9613. Investigative powers

* * *

H. The inspector general and investigators employed in the New Orleans Office of Inspector General shall be authorized to carry a firearm in the lawful discharge of their duties provided they annually qualify in the use of firearms by the Council on Peace Officer Standards and Training and have proof of qualification, in addition to a valid identification as a retired law enforcement officer.

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

ACT No. 539

HOUSE BILL NO. 103

BY REPRESENTATIVES MIKE JOHNSON, ADAMS, BAYHAM, BILLINGS,
BOYD, BRASS, BUTLER, CARPENTER, WILFORD CARTER,
DICKERSON, EMERSON, FIRMENT, FISHER, FREEMAN, HILFERTY,
HORTON, JACKSON, LAFLEUR, MCCORMICK, MOORE, NEWELL, OWEN,
SCHAMERHORN, SELDERS, TAYLOR, AND WALTERS

AN ACT

To amend and reenact R.S. 42:23 and to enact R.S. 42:19(A)(1)(c), relative to broadcasts of public meetings; to require certain public bodies to broadcast meetings live; to require certain information on the notice of the meeting; to provide definitions; and to provide for related matters.

Be it enacted by the Legislature of Louisiana:

Section 1. R.S. 42:23 is hereby amended and reenacted and R.S. 42:19(A)(1)(c) is hereby enacted to read as follows:

§19. Notice of meetings
A.(1)

* * *

(c) Each public body subject to R.S. 42:23(B)(2) shall include on its written public notice sufficient information to enable the public to locate the broadcast for viewing.

* * *

§23. ~~Some~~ Audio and video recordings; live broadcast

A. All of the proceedings in a public meeting may be video or tape recorded, filmed, or broadcast live. ~~However, any~~

B.(1) Each nonelected board or commission that has the authority to levy a tax shall video or audio record, film, or broadcast live all proceedings in a public meeting.

(2)(a)(i) The parish governing authority in a parish with a population of twenty-five thousand or more shall broadcast live all of its proceedings in public meetings, including the parish governing authority's committee meetings.

(ii) Each school board in a parish with a population of twenty-five thousand or more shall broadcast live all of its proceedings in public meetings, including the school board's committee meetings.

(iii) Each governing authority of a municipality with a population of ten thousand or more shall broadcast live all city council meetings including city council committee meetings. There is no requirement to broadcast a committee meeting where members are volunteers.

(b) For purposes of this Paragraph, "broadcast live" means the publicly available distribution of audio and video of a meeting in real or near real time via the internet or television broadcast.

(c) The failure of a public body to broadcast live as required by this Paragraph due to a technological failure beyond the control of the public body or beyond its ability to resolve timely is not a violation of the provisions of this Chapter.

(d) The requirement in this Paragraph for a public body to broadcast its meetings does not apply to any executive session held in accordance with this Chapter.

~~B. C.~~ A public body shall establish standards for the use of lighting, recording, or broadcasting equipment to insure proper decorum in a public meeting.

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

ACT No. 540

HOUSE BILL NO. 106
BY REPRESENTATIVE JACKSON
AN ACT

To amend and reenact R.S. 24:58(D)(2), R.S. 33:9668(D)(2), R.S. 42:1157(A)(4)(c), and R.S. 49:78(D)(2) and to enact R.S. 24:58(D)(6), R.S. 33:9668(D)(6), and R.S. 49:78(D)(6), relative to penalties imposed by the Board of Ethics; to provide for the enforcement of registration and reporting requirements of legislative, executive branch, and local lobbyists; to provide for the

assessment of late fees and civil penalties for failure to timely file; to provide for the computation of days; and to provide for related matters.

Be it enacted by the Legislature of Louisiana:

Section 1. R.S. 24:58(D)(2) is hereby amended and reenacted and R.S. 24:58(D)(6) is hereby enacted to read as follows:

§58. Enforcement

* * *

D. In addition to any other applicable penalties:

* * *

(2) Any person whose registration or report is filed eleven or more days after the day on which it was due may be assessed, in addition to any late fees pursuant to this Section, after a hearing by the board, a civil penalty not to exceed ~~ten~~ one thousand dollars.

* * *

(6) The computation of days provided for in this Subsection shall not include Saturdays, Sundays, or other legal holidays.

Section 2. R.S. 33:9668(D)(2) is hereby amended and reenacted and R.S. 33:9668(D)(6) is hereby enacted to read as follows:

§9668. Enforcement

* * *

D. In addition to any other applicable penalties:

* * *

(2) Any person whose registration or report is filed eleven or more days after the day on which it was due shall be assessed, in addition to any late fees pursuant to this Section, after a hearing by the ethics board, a civil penalty not to exceed ~~ten~~ one thousand dollars.

* * *

(6) The computation of days provided for in this Subsection shall not include Saturdays, Sundays, or other legal holidays.

Section 3. R.S. 42:1157(A)(4)(c) is hereby amended and reenacted to read as follows:

§1157. Late filing fees

A.

* * *

(4) Any late filing fees assessed by the Board of Ethics or its staff, for any failure to timely file any report or statement due, shall not exceed the following:

* * *

(c) If the fee is fifty dollars per day, the maximum shall be one thousand five hundred dollars, except that the maximum shall be five hundred dollars for fees assessed pursuant to Paragraph (2) of this Subsection. The computation of days provided for in this Subparagraph shall not include Saturdays, Sundays, or other legal holidays.

* * *

Section 4. R.S. 49:78(D)(2) is hereby amended and reenacted and R.S. 49:78(D)(6) is hereby enacted to read as follows:

§78. Enforcement

* * *

D. In addition to any other applicable penalties:

* * *

(2) Any person whose registration or report is filed eleven or more days after the day on which it was due may be assessed, in addition to any late fees pursuant to this Section, after a hearing by the board, a civil penalty not to exceed ~~ten~~ one thousand dollars.

* * *

(6) The computation of days provided for in this Subsection shall not include Saturdays, Sundays, or other legal holidays.

Approved by the Governor, June 10, 2024.

A true copy:
Nancy Landry
Secretary of State

ACT No. 541

HOUSE BILL NO. 118
BY REPRESENTATIVE NEWELL
AN ACT

To enact Part III of Chapter 8 of Title 23 of the Louisiana Revised Statutes of 1950, to be comprised of R.S. 23:861, relative to pre-dispute arbitration agreements; to prohibit pre-dispute arbitration agreements for claims or accusations of sexual harassment in the workplace; to provide for an exception; and to provide for related matters.

Be it enacted by the Legislature of Louisiana:

Section 1. Part III of Chapter 8 of Title 23 of the Louisiana Revised Statutes of 1950, comprised of R.S. 23:861, is hereby enacted to read as follows:

PART III. MEDIATION AND ARBITRATION OF LABOR DISPUTES

§861. Pre-dispute arbitration agreements; sexual harassment; prohibited

A. It shall be an unlawful employment practice for an employer to require, as a condition of employment or continued employment, a prospective employee or employee to enter into a pre-dispute arbitration agreement that includes a provision requiring arbitration for any claim or accusation of workplace sexual harassment.

B. The provisions of this Section shall not prohibit an employer and employee from consenting to arbitrating such claims pursuant to Subsection A of this Section after the claim arises.

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

ACT No. 542

HOUSE BILL NO. 127
BY REPRESENTATIVE BAYHAM
AN ACT

To amend and reenact R.S. 14:97, relative to the crime of simple obstruction of a highway of commerce; to provide relative to the elements of the offense; to provide relative to penalties; and to provide for related matters.

Be it enacted by the Legislature of Louisiana:

Section 1. R.S. 14:97 is hereby amended and reenacted to read as follows:

§97. Simple obstruction of a highway of commerce

A. Simple obstruction of a highway of commerce is either of the following:
(1) ~~the~~ The intentional or criminally negligent placing of anything or the intentional or criminally negligent performance of any act on any railway, railroad, navigable waterway, road, highway, thoroughfare, or runway of an airport, which will render movement thereon more difficult.

(2) The conspiracy or aiding and abetting of other individuals to commit either the intentional or criminally negligent placing of anything or the intentional or criminally negligent performance of any act on any railway, railroad, navigable waterway, road, highway, thoroughfare, or runway of an airport, which will render movement thereon more difficult.

B. Whoever commits the crime of simple obstruction of a highway of commerce in a manner that violates the provisions of this Section shall be fined not more than ~~two~~ seven hundred ~~fifty~~ dollars, or imprisoned for not more than six months, or both.

C. The provisions of this Section shall not apply to an employee or contractor of any public utility or a provider of electric utility services, communications, telecommunications, video, or information services, to the extent that the employee or contractor is acting on behalf of such entity in a road, highway, or thoroughfare.

Approved by the Governor, June 10, 2024.

A true copy:
Nancy Landry
Secretary of State

ACT No. 543

HOUSE BILL NO. 137
BY REPRESENTATIVE BRASS
AN ACT

To amend and reenact R.S. 46:2602(B)(1) through (6) and (13) and 2605(A) and (B)(7), (11), (13) through (16), (19), and (29) and to enact R.S. 46:2605(B)(42) and (G), relative to the Children's Cabinet and the Children's Cabinet Advisory Board; to provide for membership of the cabinet; to provide for membership of the board; to provide for duties of the board; to authorize the board to establish subcommittees; and to provide for related matters.

Be it enacted by the Legislature of Louisiana:

Section 1. R.S. 46:2602(B)(1) through (6) and (13) and 2605(A) and (B)(7), (11), (13) through (16), (19), and (29) are hereby amended and reenacted and R.S. 46:2605(B)(42) and (G) are hereby enacted to read as follows:

§2602. Children's Cabinet; creation; purpose
* * *

B. The cabinet shall be composed of the following members:

(1) The secretary of the Department of Children and Family Services or his designee.

(2) The secretary of the Louisiana Department of Health or his designee.

(3) The deputy secretary for youth services of the Department of Public Safety and Corrections or his designee.

(4) The secretary of the Louisiana Workforce Commission or his designee.

(5) The state superintendent of education or his designee.

(6) The commissioner of administration or his designee.
* * *

(13) The secretary of the Department of Economic Development or his designee.
* * *

§2605. Children's Cabinet Advisory Board

A. The Children's Cabinet Advisory Board, hereinafter referred to as the "advisory board", is hereby created. The purpose of the advisory board shall be to provide information and recommendations from the perspective of advocacy groups, service providers, and parents. Primary responsibilities of the Children's Cabinet Advisory Board are:

(1) To ensure information sharing between governmental and nongovernmental entities serving Louisiana's children.

(2) To make recommendations to the Children's Cabinet, through the executive director, as requested by the Cabinet.

(3) To make recommendations to the Children's Cabinet, through the executive director, as necessary as determined by the advisory board.

(4) To make recommendations to the Children's Cabinet, through the executive director, as to ~~the~~ budget priorities for the coming year and specific

budget items to be supported in the Children's Budget by September thirtieth, by August thirty-first.

(5) ~~To make recommendations to the Children's Cabinet, through the executive director, as to specific budget items to be supported in the Children's Budget by November thirtieth.~~

(6) To make recommendations to the Children's Cabinet, through the executive director, as to specific programs with the greatest potential for reducing child poverty and funding opportunities for the implementation of such programs.

(7) ~~(6)~~ To make an annual report to the legislature, the Senate Committee on Health and Welfare, the House Committee on Health and Welfare, the Select Committee on Women and Children, and any other legislative committee requesting a copy of the annual report by January thirty-first. The report shall summarize the well-being of Louisiana's children, the accomplishments of the past year, and specific goals and priorities for the next fiscal year.

B. The advisory board shall be composed of the following members:
* * *

(7) The director of the State Head Start Collaboration Project or his designee.
* * *

(11) The assistant secretary of child welfare of the Department of Children and Family Services or his designee.
* * *

(13) The assistant secretary of the office for citizens with developmental disabilities of the Louisiana Department of Health or his designee.

(14) The assistant secretary of the office of public health of the Louisiana Department of Health or his designee.

(15) The assistant secretary of the office of behavioral health of the Louisiana Department of Health or his designee.

(16) The director of the bureau of health services financing of the Louisiana Department of Health or his designee.
* * *

(19) The assistant secretary of the office of juvenile justice of the Department of Public Safety and Corrections or his designee.
* * *

(29) State child ombudsman, who shall serve as a nonvoting ex officio member. A representative of the Louisiana Association of Nonprofit Organizations.
* * *

(42) A representative of the Louisiana Occupational Therapy Association.
* * *

G. The advisory board may establish subcommittees that include but are not limited to an Ezekiel's Law subcommittee.

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. 544

HOUSE BILL NO. 145
BY REPRESENTATIVE BAGLEY
AN ACT

To enact R.S. 16:205 and 266, relative to the parishes of Sabine and Winn; to provide with respect to the district attorney's office; to require relative to group health insurance coverage for eligible retired employees; and to provide for related matters.

Be it enacted by the Legislature of Louisiana:

Section 1. R.S. 16:205 and 266 are hereby enacted to read as follows:

§205. Group health insurance; parish of Winn; office of the district attorney; eligible retired employees

A. If a group health insurer offers a retired employee a health insurance plan, the district attorney's office of the Eighth Judicial District shall pay the retired employee's premium, upon retirement age, per the Parochial Employees' Retirement System of Louisiana. Otherwise, the district attorney's office shall pay up to one hundred percent of the retired employee's health insurance premium comparable to the premium of an active employee's plan of choice.

B. When the retired employee reaches the age or condition for Medicare eligibility, the retired employee shall secure Medicare and pursue a supplemental plan. The district attorney's office shall continue to pay the retired employee's current health insurance premium or the premium for the supplemental plan that is comparable to the present insurance coverage.

C. For purposes of this Section, a retired employee shall have twenty-five years of employment with the district attorney's office at the time of retirement.
* * *

§266. Group health insurance; parish of Sabine; office of the district attorney; eligible retired employees

A. If a group health insurer offers a retired employee a health insurance plan, the district attorney's office of the Eleventh Judicial District shall pay the retired employee's premium, upon retirement age, per the Parochial Employees' Retirement System of Louisiana. Otherwise, the district attorney's office shall pay up to one hundred percent of the retired employee's health insurance premium comparable to the premium of an active employee's plan of choice.

B. When the retired employee reaches the age or condition for Medicare eligibility, the retired employee shall secure Medicare and pursue a supplemental plan. The district attorney's office shall continue to pay the retired employee's current health insurance premium or the premium for the supplemental plan that is comparable to the present insurance coverage.

C. For purposes of this Section, a retired employee shall have twenty-five consecutive years of employment with the district attorney's office at the time of retirement.

Approved by the Governor, June 10, 2024.

A true copy:
Nancy Landry
Secretary of State

ACT No. 545

HOUSE BILL NO. 147
BY REPRESENTATIVE GLORIOSO
AN ACT

To enact R.S. 13:2575.2.1, relative to the city of Slidell; to provide relative to administrative adjudication of certain ordinance violations and judicial review of administrative hearings; to provide for definitions; 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. 13:2575.2.1 is hereby enacted to read as follows:

§2575.2.1. City of Slidell; additional administrative adjudication procedures; judicial review procedures

A.(1) In the city of Slidell, the term "housing violation" as used in this Section also encompasses building codes, zoning, vegetation, and nuisance ordinances.

(2) In the city of Slidell, the procedures for administrative adjudication provided in this Section may also be utilized in matters involving licensing and permits and any other ordinance violations that may be determined by the municipal governing authority.

B.(1) Any person aggrieved by a decision of the hearing officer of the city of Slidell may present a petition to the district court of the parish along with payment of reasonable costs as required by the clerk. Such petition shall be duly verified, set forth that the decision is illegal, in whole or in part, and specify the grounds of the illegality. The petition shall be presented to the court within thirty days after the filing of the decision of the hearing officer.

(2) Upon the presentation of the petition, the court may allow a writ of certiorari directed to the hearing officer to review the decision of the hearing officer, and there shall be prescribed therein the period of time within which a return may be made and served upon the relator's attorney. Such period shall be not less than ten days but may be extended by the court. The allowance of the writ shall not stay the proceedings upon the decision or any enforcement thereof unless the person who files the appeal for writ of certiorari furnishes security, prior to filing notice of appeal, with the agency of the city designated by ordinance to accept such payments in the amount fixed by the hearing officer sufficient to assure satisfaction of the finding of the hearing officer relative to the fine, fee, penalty, costs of the hearing, and costs, if any, of correcting the violation.

(3) The hearing officer of the city of Slidell shall not be required to return the original papers acted upon by the hearing officer but may return certified or sworn copies thereof or such portions thereof as called for by the writ. The return shall concisely set forth such other facts as may be pertinent and material to show the grounds of the decision appealed from and shall be verified.

(4) If, upon the hearing, it appears to the court that testimony is necessary for the proper disposition of the matter, the court may take additional evidence or appoint a referee to take such evidence. The referee shall report to the court with his findings of fact and conclusions of law, and his report constitutes a part of the proceedings upon which the determination of the court shall be made.

(5) The court may reverse or affirm, wholly or in part, or may modify the decision brought up for review. All issues in any proceedings under this Section shall have preference over all other civil actions and proceedings. The appellant and the city of Slidell shall be parties in such civil action and proceeding; the hearing officer of the city of Slidell shall not be a party to such civil action and proceeding.

Approved by the Governor, June 10, 2024.

A true copy:
Nancy Landry
Secretary of State

ACT No. 546

To enact Subpart B of Part I of Chapter 12 of Title 42 of the Louisiana Revised Statutes of 1950, to be comprised of R.S. 42:813 through 817, and R.S. 49:955(B)(10.1), relative to the Office of Group Benefits; to provide relative to requirements for certain Office of Group Benefits contractors; to provide relative to the powers and duties of the Office of Group Benefits; to provide definitions; to provide exceptions; to provide relative to penalties; to provide with respect to rulemaking; to provide for an effective date; and to provide for related matters.

Be it enacted by the Legislature of Louisiana:

Section 1. Subpart B of Part I of Chapter 12 of Title 42 of the Louisiana Revised Statutes of 1950, comprised of R.S. 42:813 through 817, is hereby enacted to read as follows:

SUBPART B. CONTRACTS AND REVENUES

§813. Definitions

A. For the purposes of this Subpart, the following terms shall have the following meanings:

(1) "Administrator" means any entity contracted with the office to adjust or settle claims in connection with health coverage offered by the office. The term "administrator" shall not include an employer performing any such service on behalf of its employees, an independent consulting actuary contracted with the office, or a pharmacy benefit manager.

(2) "Pharmacy benefit manager" means any entity contracted with the office to administer a prescription drug or device program of one or more health plans on behalf of the office in accordance with a pharmacy benefit program.

(3) "Administrative fee" means the sole compensation the administrator or pharmacy benefit manager receives under the contract. The administrative fee includes all services related to the contract including but not limited to appeals, clinical programs, and other communications, eligibility maintenance, explanation of benefits, formulary customizations, member grievances and call centers, on-site audits and surveys, prior authorizations and step therapy, trend management, and benchmark reporting and transaction fees. The administrative fee does not include pass-through claims.

(4) "Revenues" means all financial benefits an administrator or pharmacy benefit manager receives related to utilization or enrollment in programs offered by the office. These include but are not limited to access fees, market share fees, formulary access fees, inflation protection and penalty payments, and marketing grants from pharmaceutical manufacturers, wholesalers, and data warehouse vendors. "Revenues" also means any financial benefit received by an administrator or pharmacy benefit manager attached to a rebate.

§814. Revenue reports

A.(1) Annually on or before April first, each administrator and pharmacy benefit manager that had a contract with the office in the preceding calendar year shall file a report with the office detailing any known revenues outside the administration fee related to their current contract with the office for the preceding calendar year, by source.

(2) Annually on or before June thirtieth, each administrator and pharmacy benefit manager that was required to file a report pursuant to the provisions of Paragraph (1) of this Subsection shall file a final report with the office updating and supplementing as appropriate any information from its report filed pursuant to Paragraph (1) of this Subsection to ensure that all revenues for the preceding calendar year are reported.

B. At the time a report required pursuant to the provisions of this Section is filed with the office, the filer shall also submit copies of the report to the House and Senate committees on insurance.

C. Notwithstanding any provision of law to the contrary, the office may promulgate emergency rules for the initial implementation of this Section.

§815. Administrators

A. Each administrator contract with the office shall clearly establish an administrative fee or a calculation for an administrative fee to be retained by the administrator for performance of its duties. The administrator is prohibited from retaining revenues directly attributable to the contract other than the administrative fee. This prohibition includes revenues from rebates and other fee arrangements with third-party administrators which revenues are directly attributable to the administrator's contract with the office.

B.(1) Each year, within thirty days of filing the report required by R.S. 42:814(A)(1), the administrator shall remit to the office all revenues that are directly attributable to its contract with the office, notwithstanding the administrative fee, that were collected in the calendar year covered by the report.

(2) Each year, within thirty days of filing the report required by R.S. 42:814(A)(2), the administrator shall remit to the office any new revenues disclosed on such report that are directly attributable to its contract with the office, notwithstanding the administrative fee.

C. Amounts received but not retained by the administrator as payment for network access, or value-based clinical and provider quality performance programs based on national benchmarks, shall not be considered as revenue for purposes of this Section.

§816. Pharmacy benefit managers

A. Each pharmacy benefit manager contract with the office shall clearly establish an administrative fee or a calculation for an administrative fee to

be retained by the pharmacy benefit manager for performance of its duties. The pharmacy benefit manager is prohibited from retaining revenues directly attributable to the contract other than the administrative fee. This prohibition includes revenues from rebates and other fee arrangements with third-party pharmacy benefit managers which revenues are directly attributable to the pharmacy benefit manager's contract with the office.

B.(1) Each year, within thirty days of filing the report required by R.S. 42:814(A)(1), a pharmacy benefit manager shall remit to the office all revenues that are directly attributable to its contract with the office, notwithstanding the administrative fee, that were collected by the pharmacy benefit manager in the calendar year covered by the report.

(2) Each year, within thirty days of filing the report required by R.S. 42:814(A)(2), the pharmacy benefit manager shall remit to the office revenues disclosed on such report that are directly attributable to its contract with the office, notwithstanding the administrative fee.

§817. Penalties

A. Each administrator and pharmacy benefit manager owes a duty of good faith and fair dealing to the office. Failure to file a report required by this Subpart or failure to accurately or completely disclose revenues on such report shall constitute a breach of the duties imposed in this Section.

B. In addition to any damages, attorney fees, and costs for breach of the imposed duty, including all costs associated with recovering owed amounts, the office may be awarded penalties assessed against the breaching party in an amount not to exceed two times the party's revenues received for the calendar year for which the party failed to disclose with the office.

Section 2. R.S. 49:955(B)(10.1) is hereby enacted to read as follows:

§955. Application of Chapter to rules and fees

* * *

B. The legislature further recognizes that there exist specific exceptions, exemptions, and limitations to the laws pertaining to the adoption, amendment, or repeal of any rule or the adoption, increasing, or decreasing of any fee throughout the revised statutes and codes of this state. Such exceptions, exemptions, and limitations are hereby continued in effect by incorporation into this Chapter by citation:

* * *

(10.1) R.S. 42:814(C).

* * *

Section 3. The Louisiana State Law Institute is hereby authorized and directed to redesignate R.S. 42:801 through 812 of the Louisiana Revised Statutes of 1950 as "Subpart A. General Provisions".

Section 4. 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 10, 2024.

A true copy:

Nancy Landry
Secretary of State

ACT No. 547

HOUSE BILL NO. 186
BY REPRESENTATIVE VILLIO
AN ACT

To amend and reenact R.S. 33:1243(B)(1), relative to the parish of Jefferson; to provide relative to parish ordinances; to provide relative to the violation of such ordinances; to provide relative to the penalties for any such violation; 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. 33:1243(B)(1) is hereby amended and reenacted to read as follows:

* * *

B.(1) In the parish of Jefferson, except as to properties zoned or used for industrial activities, the maximum penalty which may be imposed for violation of any parish ordinance shall be a fine of five hundred one thousand dollars and imprisonment of six months in the parish jail. Notwithstanding any provision of this Section to the contrary, in the parish of Jefferson, properties zoned or used for industrial activities may be subject to penalties for violation of parish ordinances not to exceed twenty-five thousand dollars upon the first violation and not to exceed fifty thousand dollars for a second or subsequent violation.

* * *

Approved by the Governor, June 10, 2024.

A true copy:

Nancy Landry
Secretary of State

ACT No. 548

HOUSE BILL NO. 189
BY REPRESENTATIVE WILLARD
AN ACT

To amend and reenact R.S. 15:440.4(A)(5) and Children's Code Articles 323 and 326(A)(7) and to enact R.S. 15:440.2(D) and 440.4(C) and Children's Code Article 326(C), relative to the taped statements of a protected person; to provide for an additional person who is authorized to supervise the taking of a protected person's statement; to provide for a definition; and to provide for related matters.

Be it enacted by the Legislature of Louisiana:

Section 1. R.S. 15:440.4(A)(5) is hereby amended and reenacted and R.S. 15:440.2(D) and 440.4(C) are hereby enacted to read as follows:

§440.2. Authorization

* * *

D. For the purposes of this Part, "civilian investigator" shall mean any person who performs investigative work as a non-certified employee of a law enforcement agency and who has completed training required by that law enforcement agency. Required training shall include, but not be limited to, basic investigative training and specific training on investigation of crimes involving a protected person.

* * *

§440.4. Method of recording videotape; competency

A. A videotape of a protected person may be offered in evidence either for or against a defendant. To render such a videotape competent evidence, it must be satisfactorily proved:

* * *

(5) That the taking of the protected person's statement was supervised by a physician, a social worker, a law enforcement officer, a licensed psychologist, a medical psychologist, a licensed professional counselor, ~~or~~ an authorized representative of the Department of Children and Family Services, or a civilian investigator.

* * *

C. The provisions of this Section, relative to a civilian investigator's ability to render a videotape as competent evidence, shall only apply to a civilian investigator within a parish with a population of not less than three hundred eighty-three thousand and not more than four hundred forty thousand as provided in the most recent federal decennial census.

Section 2. Children's Code Articles 323 and 326(A)(7) are hereby amended and reenacted and Children's Code Article 326(C) is hereby enacted to read as follows:

Art. 323. Definitions

(1) "Civilian investigator" means any person who performs investigative work as a non-certified employee of a law enforcement agency and who has completed training required by that law enforcement agency. Required training shall include, but not be limited to, basic investigative training and specific training on investigation of crimes involving a protected person.

(2) "Department" means the Department of Children and Family Services.

(2) (3) "Protected person" means any person who is a victim of a crime or a witness in a juvenile proceeding and who either:

(a) Is under the age of eighteen years.

(b) Has a developmental disability as defined in R.S. 28:451.2(4).

(3) (4) "Videotape" means the visual recording on a magnetic tape, film, videotape, compact disc, digital versatile disc, digital video disc, or by other electronic means together with the associated oral record.

* * *

Art. 326. Competent evidence; procedures for making videotape

A. A videotape of the statements of a protected person who is alleged to be the victim of or witness to a crime may be offered in evidence for or against such crime. To render such a videotape competent evidence, all of the following must be satisfactorily proved:

* * *

(7) The taking of the protected person's statement was supervised by a physician, a social worker, a law enforcement officer, a licensed psychologist, medical psychologist, licensed professional counselor, a civilian investigator, or an authorized representative of the department.

* * *

C. The provisions of this Article, relative to a civilian investigator's ability to render a videotape as competent evidence, shall only apply to a civilian investigator within a parish with a population of not less than three hundred eighty-three thousand and not more than four hundred forty thousand as provided in the most recent federal decennial census.

Approved by the Governor, June 10, 2024.

A true copy:

Nancy Landry
Secretary of State

ACT No. 549

HOUSE BILL NO. 205
BY REPRESENTATIVES GLORIOSO, BACALA, BOYER, COX, FONTENOT,
HORTON, THOMPSON, VILLIO, AND WILEY
AN ACT

To enact R.S. 15:1352(A)(71) through (87), relative to the crime of racketeering; to provide for additional crimes that are elements of racketeering activity; and to provide for related matters.

Be it enacted by the Legislature of Louisiana:

Section 1. R.S. 15:1352(A)(71) through (87) are hereby enacted to read as follows:

§1352. Definitions

A. As used in this Chapter, “racketeering activity” means committing, attempting to commit, conspiring to commit, or soliciting, coercing, or intimidating another person to commit any crime that is punishable under the following provisions of Title 14 of the Louisiana Revised Statutes of 1950, the Uniform Controlled Dangerous Substances Law, or the Louisiana Securities Law:

* * *

- (71) R.S. 14:329.1 (Riot)
- (72) R.S. 14:329.2 (Inciting to riot)
- (73) R.S. 14:51.1 (Injury by arson)
- (74) R.S. 14:52.1 (Simple arson of a religious building)
- (75) R.S. 14:54.2 (Manufacture and possession of delayed incendiary devices; penalty)
- (76) R.S. 14:54.3 (Manufacture and possession of a bomb)
- (77) R.S. 14:55 (Aggravated criminal damage to property)
- (78) R.S. 14:56.5 (Criminal damage to historic buildings or landmarks by defacing with graffiti)
- (79) R.S. 14:61.1 (Criminal damage to a critical infrastructure)
- (80) R.S. 14:71.1 (Bank fraud)
- (81) R.S. 14:34.2 (Battery of a police officer)
- (82) R.S. 14:40.1 (Terrorizing; menacing)
- (83) R.S. 14:63.4 (Aiding and abetting others to enter or remain on premises where forbidden)
- (84) R.S. 14:96 (Aggravated obstruction of a highway of commerce)
- (85) R.S. 14:97 (Simple obstruction of a highway of commerce)
- (86) R.S. 14:225 (Institutional vandalism)
- (87) R.S. 14:327 (Obstructing a fireman)

* * *

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
