

ACTS OF 2024

LEGISLATURE

Acts 321-444

ACT No. 321

SENATE BILL NO. 226
BY SENATOR CLOUD
AN ACT

To amend and reenact R.S. 18:1313.1(G)(3) and (H)(2) and 1315(C) and to enact R.S. 18:1315(D) and (E), relative to elections; to provide relative to absentee by mail ballots; to provide for the challenge of certain ballots; to provide for processes and procedures; and to provide for related matters.

Be it enacted by the Legislature of Louisiana:

Section 1. R.S. 18:1313.1(G)(3) and (H)(2), and 1315(C) are hereby amended and reenacted and R.S. 18:1315(D) and (E) are hereby enacted to read as follows:

§1313.1. Preparation, verification, tabulation, and counting of absentee by mail and early voting ballots

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G. The procedure for the preparation and verification process for the tabulation and counting of absentee by mail ballots and early voting paper ballots before the election shall be as follows:

* * *

(3) The board shall separate any ballots that are challenged in accordance with R.S. 18:1315(A), ~~or (B), or (C)~~ from the ballots that are not challenged.

* * *

H. The procedure for counting absentee by mail ballots and early voting paper ballots on election day shall be as follows:

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(2) The board shall determine the validity of challenges filed in accordance with R.S. 18:1315(A), ~~and (B), and (C)~~.

* * *

§1315. Challenge of absentee by mail or early voting ballot

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C. Notwithstanding the provisions of Subsections A and B of this Section, any absentee by mail ballot with an absentee by mail certificate missing information, which is required to be completed by the voter pursuant to R.S. 18:1310, that was not cured by the voter in accordance with the provisions of LAC 31:1301 et seq. shall be deemed challenged. However, an absentee by mail ballot shall not be deemed challenged solely because the voter indicates on the absentee by mail certificate that he does not know his mother's maiden name.

D.(1) During the counting of absentee by mail and early voting ballots, at least a majority of the members of the board shall hear and determine the validity of any ballot challenged in accordance with the provisions of Subsection A or B of this Section.

(2) If a challenge in accordance with the provisions of Subsection A of this Section is sustained, the vote shall not be counted; the ballot or early voting confirmation sheet shall be placed in the special, secure absentee by mail and early voting ballot container; and the board shall notify the voter in writing of the challenge and the cause therefor. This 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. However, if the challenge is based upon a change of residence within the parish or is based upon a change of residence outside of the parish that has occurred within the last three months, the ballot shall be counted, provided that the voter confirmed his current address as shown by the affidavit of the absentee by mail ballot certificate or early voting confirmation sheet or, if the voter is on the inactive list of voters, as shown by the information provided on an address confirmation notice.

(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.

(b) If a ballot is rejected pursuant to the provisions of R.S. 18:1316, the vote shall not be counted and the board shall write “rejected” and the cause therefor on a separate slip of paper and attach it to the ballot, and shall place the ballots so rejected in the special, secure absentee by mail and early

voting ballot container.

(4) If a challenge in accordance with the provisions of Subsection C of this Section is sustained, the vote shall not be counted, the board shall write “rejected” and the reason therefor across the ballot envelope, and shall place the rejected ballot in the special absentee by mail ballot envelope or container. The board shall notify the voter in writing of the challenge and the reason 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 reason 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.

E. The secretary of state shall provide for the following:

(1) The preprinting of information on the absentee by mail certificate of an absentee ballot by mail in a form prescribed by the secretary of state, including but not limited to the date of the election and the ward and precinct of the voter.

(2) A uniform, standard challenge process and procedure with regards to the items missing on the absentee by mail certificate of an absentee by mail ballot and determinations made by the board.

Approved by the Governor, May 28, 2024.

A true copy:

Nancy Landry
Secretary of State

ACT No. 322

SENATE BILL NO. 227
BY SENATOR HODGES AND REPRESENTATIVES EDMONSTON, GALLE,
HEBERT, LAFLEUR, ORGERON, VENTRELLA AND WILEY
AN ACT

To amend and reenact R.S. 40:2401 and 2405(A)(1) and (2), (D), and (E), relative to peace officer standards and training; to provide for minimum training requirements; and to provide for related matters.

Be it enacted by the Legislature of Louisiana:

Section 1. R.S. 40:2401 and 2405(A)(1), and (2), (D), and (E) are hereby amended and reenacted to read as follows:

§2401. Findings and policy

The legislature finds **all of the following:**

A. that law Law enforcement work is of such importance to the health, safety and welfare of the people of this state and is of such a nature as to require education and training of a professional character. The needs of such education and training can be met only by programs adequate in quality and scope and made available to those persons who are serving as such officers including those in a temporary or probationary capacity. Education should also be made available to persons who seek to become peace officers, and this education should be supervised by a special council composed of persons experienced in law enforcement work and the training thereof rather than any other general board composed of nonlaw enforcement members.

B. Part-time, volunteer, and reserve peace officers have been utilized for decades by many police departments around the state and nation and have traditionally served as a valuable remedy to combat staffing shortages and to provide additional security during natural disasters and at events attracting large groups of people. These reserve, volunteer, and part-time peace officers have routinely been men and women who volunteered to serve their communities by freely giving their time and talent to assist their local law enforcement agencies and often received no monetary compensation whatsoever for their considerable past law enforcement experience.

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§2405. Peace officer training requirements; reimbursement by peace officer

A.(1) Except as otherwise provided in Paragraph (2) of this Subsection, any person who begins employment as a **full-time** peace officer in Louisiana subsequent to January 1, 1986, must successfully complete a certified training program approved by the council and successfully pass a council-approved comprehensive examination within one calendar year from the date of initial employment. The one-year period in which a **full-time** peace officer is required to complete a certified training program approved by the council and successfully pass a council-approved comprehensive examination is not interrupted if the peace officer leaves the employing agency to be employed as a **full-time** peace officer in another agency in Louisiana. Any person who fails to comply with this requirement shall be prohibited from exercising the authority of a peace officer; however, such persons shall not be prohibited from performing administrative duties.

~~(2)(a) The council shall promulgate administrative rules for the certification requirements of part-time and reserve peace officers employed on or after the effective date of this Act and prior to January 1, 2022 subject to oversight by the House Committee on Judiciary and Senate Committee on Judiciary B.~~

~~(b) Any person who begins employment as a part-time or reserve peace officer in Louisiana on or after January 1, 2022, shall be subject to the requirements of Paragraph (1) of this Subsection.~~ **shall successfully complete a certified training program approved by the council and successfully pass a council-approved comprehensive examination within three calendar years from the date of initial employment. The three-year period in which a part-time or reserve peace officer is required to complete a certified training program approved by the council and successfully pass a council-approved comprehensive examination is not interrupted if the peace officer leaves the employing agency to be employed as a part-time or reserve peace officer at another agency in**

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

Louisiana. Any person who fails to comply with this requirement shall be prohibited from exercising the authority of a peace officer; however, the person shall not be prohibited from performing administrative duties. In no case shall a part-time or reserve peace officer be prevented from continuing his duties if the employing agency is unable to provide the requisite training because of a shortage of funds.

D. In no case shall the failure of a peace officer to obtain the required training before the passage of one calendar year from the date of initial employment within the timeline required by this Section be grounds to suppress any evidence, testimony, or law enforcement action whatsoever in a court of law.

E. Peace ~~Full-time peace~~ officers employed after January 1, 1986, in villages of one thousand or less, according to the last decennial census, shall have a period of two calendar years to comply with the provisions of this Section. In addition, full-time peace officers employed in such a village which adopts a home rule charter after July 1, 1998, and who was employed as such at the time of adoption of the charter, shall have a period of two calendar years from the date of adoption of the charter to comply with the provisions of this Section. In no case shall a peace officer of such a village be prevented from continuing his duties or receiving regular or supplemental pay if the village is unable to provide the requisite training because of a shortage of funds.

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 28, 2024.
A true copy:
Nancy Landry
Secretary of State

ACT No. 323

SENATE BILL NO. 248

BY SENATOR WOMACK AND REPRESENTATIVES BILLINGS, BUTLER, WILFORD CARTER, CHASSION, GADBERRY, HORTON, LARVADAIN AND SCHAMERHORN
AN ACT

To enact R.S. 24:513(A)(9), relative to the legislative auditor; to require the legislative auditor to audit certain capital outlay procedures; to provide for audits of nonstate entities that receive funding through the capital outlay program; to provide for effectiveness; and to provide for related matters.

Be it enacted by the Legislature of Louisiana:
Section 1. R.S. 24:513(A)(9) is hereby enacted to read as follows:
§513. Powers and duties of legislative auditor; audit reports as public records; assistance and opinions of attorney general; frequency of audits; subpoena power
A.(1)

(9) The legislative auditor shall have the sole authority to compile financial statements and to examine, audit, or review the books and accounts of any nonstate entity, including any local government entity or quasi-public entity, that receives funding for the construction of a new project through the Capital Outlay Act pursuant to R.S. 39:112(E)(4). Failure of a nonstate entity, including any local government entity or quasi-public entity, to comply with the provisions of R.S. 39:112(E)(4) shall result in an audit finding of noncompliance pursuant to this Section and for the purposes of R.S. 39:72.L.

Approved by the Governor, May 28, 2024.
A true copy:
Nancy Landry
Secretary of State

ACT No. 324

SENATE BILL NO. 252

BY SENATOR MIZELL
AN ACT

To enact R.S. 17:416.23, relative to behavioral health of students; to require the adoption of a program by a local public school board; to provide for program requirements; to provide for reporting on the program; and to provide for related matters.

Be it enacted by the Legislature of Louisiana:
Section 1. R.S. 17:416.23 is hereby enacted to read as follows:
§416.23. Behavioral or emotional challenges; referral for assessment and treatment; reporting

A. Except as provided in R.S. 17:173, not later than thirty days prior to the beginning of the 2024-2025 school year, each city, parish, or other local public school board shall adopt rules and regulations and implement a program to:

(1) Assist school personnel in identifying signs and symptoms of a student with behavioral or emotional challenges that may cause the student to be at risk

of their behavior escalating into aggression or disruption, disciplinary actions including suspension or expulsion, or juvenile delinquency.

(2) Designate a specific employee at each school who shall be responsible for identifying behavioral and mental health support services available in the community, and when appropriate, facilitating a referral to those services for assessment and treatment, including services provided through the Louisiana Coordinated System of Care and its Medicaid provider network.

(3)(a) Require that after any second suspension of a student during the same school year, the principal or his designee and the employee designated pursuant to Paragraph (2) of this Subsection shall consult on whether the student's behavior could be attributable to behavioral or emotional challenges.

(b) Require that if it is determined that the behavior is attributable to behavioral or emotional challenges and rises to the level that supportive services could be beneficial, the principal or his designee and the employee designated pursuant to Paragraph (2) of this Subsection shall schedule a conference with the student's parent or legal guardian to discuss the student's behavior and counseling as well as the referral of the student and family to support services for assessment and treatment.

B. A city, parish, or other local public school board shall report to the state Department of Education and the House and Senate committees on education the number of students identified as possibly having behavioral or emotional challenges, the number of students for which a conference was scheduled, and the number of students referred for assessment and supportive services pursuant to this Section. The reports shall be submitted annually on July first and shall reflect data from the previous school year. The reports may be used to evaluate needs and capacity for behavioral health services throughout the state.

Approved by the Governor, May 28, 2024.
A true copy:
Nancy Landry
Secretary of State

ACT No. 325

SENATE BILL NO. 258

BY SENATOR FESI AND REPRESENTATIVE CHASSION
AN ACT

To enact R.S. 18:1313(L), relative to tabulation and counting of absentee by mail and early voting ballots; to provide for ballots cast by voters who die before election day; and to provide for related matters.

Be it enacted by the Legislature of Louisiana:
Section 1. R.S. 18:1313(L) is hereby enacted to read as follows:
§1313. Tabulation and counting of absentee by mail and early voting ballots

L. Any absentee by mail or early voting ballot cast by a voter who dies prior to election day shall be tabulated and counted in accordance with the provisions of this Section.

Approved by the Governor, May 28, 2024.
A true copy:
Nancy Landry
Secretary of State

ACT No. 326

SENATE BILL NO. 262

BY SENATOR HODGES AND REPRESENTATIVES AMEDEE, BAYHAM, CARLSON, DICKERSON, EDMONSTON AND WILEY
AN ACT

To enact R.S. 17:406.9(B)(14), relative to the rights of parents of public school children; to expand the Parents' Bill of Rights for Public Schools; to provide that each parent of a public school child has the right to protect their child from being taught that their child is currently or destined to be oppressed or an oppressor based upon the child's race or national origin; and to provide for related matters.

Be it enacted by the Legislature of Louisiana:
Section 1. R.S. 17:406.9(B)(14) is hereby enacted to read as follows:
§406.9. Parents' Bill of Rights for Public Schools

B. Parents of public school children who have not reached the age of majority shall have all of the following rights:

(14) That the school shall not discriminate against their child by teaching the child that the child is currently or destined to be oppressed or to be an oppressor based on the child's race or national origin.

Approved by the Governor, May 28, 2024.
A true copy:
Nancy Landry
Secretary of State

ACT No. 327

SENATE BILL NO. 268

BY SENATOR CATHEY AND REPRESENTATIVE THOMPSON

AN ACT

To enact R.S. 47:305.81, relative to sales and use tax rebates; to provide for a state sales and use tax rebate for the purchase of machinery, equipment, and other items used in the lithium recovery process; to provide for definitions; to authorize the secretary of the Department of Revenue to promulgate rules; to provide for application procedures; to provide for applicability; to provide for limitations with respect to the rebate; and to provide for related matters.

Be it enacted by the Legislature of Louisiana:

Section 1. R.S. 47:305.81 is hereby enacted to read as follows:

§305.81. Rebate: state sales and use tax for purchases of equipment, machinery, and other items used in lithium recovery activities

A. Critical minerals are essential for various industries, including energy, defense, and technology. To ensure energy independence for the United States, a diversified approach, including supply chain diversification, is also critical. To this end, it is recognized as essential to the continued growth and development of the critical energy resources of the state and to the continued prosperity of the people of the state that lithium recovery projects be encouraged. With global demand for lithium expected to quadruple by 2030, it is also recognized that lithium recovery will benefit the citizens of the state by encouraging energy independence and reducing the reliance on foreign imports of lithium for use in the production of batteries and other items. It is the purpose of this Section to provide an economic incentive to companies to allow them to invest in lithium recovery projects in Louisiana to enhance Louisiana's lithium production to the ultimate benefit of this state and the United States.

B. In order to accomplish the purposes set forth in Subsection A of this Section, there shall be allowed a rebate for the state sales tax paid by any company evaluating, developing, or engaged in production from a qualified lithium recovery project, for all equipment, machinery, materials, improvements, and other items purchased and used in Louisiana in connection with the development, production, operation, storage, processing, or transportation of lithium or lithium refined products in connection with a qualified lithium recovery project.

C. The amount of the rebate shall be equal to the amount of state sales tax actually paid by the applicant in connection with the purchase in Louisiana of equipment, machinery, materials, improvements, and other items for use in Louisiana in connection with the development, production, operation, storage, processing, or transportation of lithium or lithium refined products in connection with a qualified lithium recovery project including but not limited to those purchased in connection with the initial development of the project, the drilling of all production, injection, and appraisal wells used in connection with the project, the operation of the project, the production of brine in connection with the project, the extraction of lithium from the brine, the reinjection of the brine, any further processing of the extracted lithium, any storage or transportation in connection with the project, and any other equipment, machinery, materials, improvements, and other items purchased in connection with the qualified lithium recovery project.

D. For purposes of this Section a "qualified lithium recovery project" is defined as a lithium recovery and processing project that is or will be developed, constructed, and operated in Louisiana and that is or will be conducted in accordance with sound engineering principles as used in the industry, which includes the production of brine and separating the lithium from the brine, employing direct lithium extraction or any other processes or technology.

E. An applicant who is claiming the rebate shall apply to the secretary of the Department of Revenue for the rebate in a manner and on a form prescribed by the secretary. To claim the rebate, the applicant shall submit proof of the actual state sales tax paid in connection with qualified purchases under Subsection C of this Section, and any other documentation required by administrative rule.

F. The secretary of the Department of Revenue shall verify each applicant's eligibility for the rebate and shall certify the list of eligible applicants and approved rebate amounts.

G. The secretary of the Department of Revenue may promulgate rules in accordance with the Administrative Procedure Act, as are necessary to implement the provisions of this Section, including rules related to the recapture of the rebate if an applicant is subsequently determined to be ineligible for the rebate. The recapture of a rebate shall be an obligation to be collected and accounted for in the same manner as if it were a tax due to the secretary.

H. The total amount of tax rebates granted by the department for the life of the program shall not exceed one hundred thousand dollars.

I. A taxpayer shall not receive any other incentive for any expenditures for which the taxpayer has received a tax rebate pursuant to this Section.

J. The state sales tax rebate provided in this Section shall terminate on December 31, 2025.

Section 2. This Act shall be applicable to purchases made on or after July 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, May 28, 2024.

A true copy:

Nancy Landry
Secretary of State

ACT No. 328

SENATE BILL NO. 277

BY SENATOR DUPLESSIS

AN ACT

To amend and reenact R.S. 27:244(D)(1), relative to gaming; to provide for the land-based casino operating contract to conduct gaming operations; to temporarily suspend the requirement of certain provisions; and to provide for related matters.

Be it enacted by the Legislature of Louisiana:

Section 1. R.S. 27:244(D)(1) is hereby amended and reenacted to read as follows:

§244. Contract to conduct casino gaming operations; other requirements; breach of contract

* * *

D.(1) Paragraphs (A)(11) and (12) of this Section shall be temporarily suspended in force and effect from July 1, 2022, through June 30, 2024 2025.

* * *

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 the day following such approval by the legislature or July 1, 2024, whichever is later.

Approved by the Governor, May 28, 2024.

A true copy:

Nancy Landry
Secretary of State

ACT No. 329

SENATE BILL NO. 278

BY SENATORS JACKSON-ANDREWS, BARROW, BASS, CATHEY, CLOUD, HENRY, KLEINPETER, MCMATH, MIGUEZ, MILLER, MIZELL AND TALBOT AND REPRESENTATIVES ADAMS, BAYHAM, BERAULT, BILLINGS, BUTLER, CARVER, CHENEVERT, COATES, COX, CREWS, DEWITT, DICKERSON, ECHOLS, EGAN, FISHER, FREIBERG, GLORIOSO, HEBERT, HILFERTY, HORTON, JACKSON, TRAVIS JOHNSON, KNOX, LAFLEUR, MACK, MCFARLAND, OWEN, ROMERO, STAGNI, TAYLOR, THOMPSON, WALTERS, WYBLE AND ZERINGUE

AN ACT

To enact R.S. 46:972.1, relative to the Louisiana Pregnancy and Baby Care Initiative; to provide for the Louisiana Pregnancy and Baby Care Initiative within the Department of Children and Family Services; to provide for administrative structure of the initiative through a general contractor and subcontractors; to provide for a service program managed by the general contractor; to provide for program services; to provide for program eligibility; to provide for reporting; to provide for an implementation date; to provide for a prohibition on expenditure of funds; to provide for an effective date; and to provide for related matters.

Be it enacted by the Legislature of Louisiana:

Section 1. R.S. 46:972.1 is hereby enacted to read as follows:

§972.1. Louisiana Pregnancy and Baby Care Initiative

A.(1) The Louisiana Pregnancy and Baby Care Initiative is hereby created, within the Department of Children and Family Services, to act as a statewide social service program to enhance and increase resources that promote childbirth instead of abortion for women facing unplanned pregnancies and to offer a full range of services, including pregnancy support services, parenting help, and adoption assistance.

(2) The department shall implement a program by contracting with a single nonprofit organization to serve as general contractor to manage the provision of services under the Louisiana Pregnancy and Baby Care Initiative. The general contractor shall subcontract on a fee-for-service basis with existing nonprofit pregnancy centers, adoption agencies, maternity homes, and social service organizations to provide services that promote childbirth instead of abortion. The general contractor shall not provide any direct client services. The department shall impose no other requirements on the Louisiana Pregnancy and Baby Care Initiative general contractor except those contained in this Section and in its standard terms and conditions.

(3) The general contractor selected by the department shall include as part of its program budget, marketing expenses to make Louisiana residents aware of the Louisiana Pregnancy and Baby Care Initiative's services, as well as funds to develop and promote a website that provides a geographically indexed list of available nonprofit subcontractors that provide services.

B.(1) The program established by the Louisiana Pregnancy and Baby Care Initiative shall provide only the following services:

(a) Counseling or mentoring intended to improve the pregnancy or parenting situation, including care coordination for prenatal services, providing educational materials and information about pregnancy and parenting.

(b) Referrals intended to improve the pregnancy or parenting situation, including referrals to parish and social service programs, referrals for child care, transportation, housing, and state and federal benefit programs, and referrals that connect clients to health programs.

(c) Classes intended to improve the pregnancy or parenting situation, including classes on life skills, healthy pregnancies, budgeting, parenting, stress management, job training, and job placement.

(d) Material items intended to improve the pregnancy or parenting situation including but not limited to car seats, cribs, maternity clothes, infant diapers, and formula.

(2) Program subcontractors may provide services in addition to the services provided for in this Subsection, but the services shall not be funded through the Louisiana Pregnancy and Baby Care Initiative.

(3) The provision and delivery of services under the program shall be dependent on participant needs, as assessed by the nonprofit organization providing the services and not otherwise prioritized by any state agency.

C.(1) Program services shall be made available to any Louisiana resident who is:

- (a) A pregnant woman.
- (b) The biological father of an unborn child.
- (c) The biological or adoptive parent or legal guardian of a child thirty-six months of age or younger.
- (d) A program participant who has experienced the loss of a child.
- (e) An immediate family member of a current biological parent who is a program participant.

(2) Program services shall be available to participants only during pregnancy and continuing for up to thirty-six months after birth of the child.

D. The department shall include as a condition of the contract with the nonprofit organization selected as general contractor to provide program services, that the nonprofit organization shall submit a report to the department on or before seventy-five days after the close of the state fiscal year, reporting on the administration of the program during the prior fiscal year. The report shall include all of the following:

- (1) The number of clients served by the program.
- (2) The number of clients who received counseling or mentoring and the amount of counseling or mentoring received.
- (3) The number of clients who received classes and the amount of classes received.
- (4) The number of clients who received referrals and the amount of referrals received.
- (5) The number of clients who received material items and the amount of material items received.
- (6) Any other information that shows the success of the contractor's administration of the program.

E.(1) The Louisiana Pregnancy and Baby Care Initiative shall be implemented effective August 1, 2024. The Louisiana Pregnancy and Baby Care Initiative shall replace the Alternatives to Abortion Program administered by the department. The Louisiana Pregnancy and Baby Care Initiative shall be funded in a separate line-item of the General Appropriations Act or receive all funds appropriated for the Louisiana Alternatives to Abortions Program.

(2) The department shall ensure that contracts with providers of the Louisiana Alternatives to Abortions Program in effect prior to August 1, 2024, remain under contract during the transition provided for in Paragraph (1) of this Subsection.

(3) The Louisiana Pregnancy and Baby Care Initiative and any funds appropriated or expended therefor shall not be used to perform, induce, assist in the performing or inducing of abortions, or used to promote abortions or refer for abortions, and funds appropriated or expended for the program shall not be provided to organizations or affiliates of organizations that perform or induce abortions, assist in the performing or inducing of abortions, or promote abortions or refer for abortions.

F. The department shall promulgate all rules and regulations necessary to implement the provisions of this Section. 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 Section, 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.

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 28, 2024.

A true copy:
Nancy Landry
Secretary of State

ACT No. 330

SENATE BILL NO. 293
BY SENATOR EDMONDS
AN ACT

To amend and reenact R.S. 36:301(B) and (C)(2) and to enact R.S. 17:3138.12(D) (4), Chapter 11-A of Title 23 of the Louisiana Revised Statutes of 1950, to be comprised of R.S. 23:1801, and R.S. 36:304(A)(10), relative to the Louisiana Workforce Commission; to provide for workforce development; to provide relative to the powers and duties of the secretary; to provide relative to the collection of integrated data; to provide for reporting requirements; to provide for coordination and delivery of workforce solutions; to provide for goals; and to provide for related matters.

Be it enacted by the Legislature of Louisiana:

Section 1. R.S. 17:3138.12(D)(4) is hereby enacted to read as follows:
§3138.12. Louisiana's Foundational Integrated Research System for Transformation (LA FIRST)

* * *

D. LA FIRST, using the data center services of the Kathleen Babineaux Blanco Public Policy Center, shall develop and annually publish the following reports:

* * *

(4) Other ad hoc reports requested by any state entity listed in this Section, or other state entities with prior approval of all parties to the data sharing agreements associated with data used in developing the ad hoc report and with requisite funding.

* * *

Section 2. Chapter 11-A of Title 23 of the Louisiana Revised Statutes of 1950, comprised of R.S. 23:1801, is hereby enacted to read as follows:

CHAPTER 11-A. WORKFORCE SOLUTIONS

§1801. Workforce solutions; development; coordination with employers

A. The Louisiana Workforce Commission shall coordinate and be responsible for the delivery of business workforce solutions to address the state of Louisiana's workforce and economic development needs through the various workforce and educational agencies of the state. The secretary of the Louisiana Workforce Commission shall have the authority to align or realign workforce systems as necessary to better deliver workforce solutions to meet the needs of the state economy and people of the state. The secretary shall convene the leaders of the agencies listed in Paragraph (B)(1) of this Section in order to guide their collaboration across these agencies and within their agencies to improve the delivery of workforce solutions to businesses and their workforce needs.

B.(1) The Board of Regents, the Louisiana Community and Technical College System, the Department of Economic Development, the Department of Education, the Department of Public Safety and Corrections, the Louisiana State University system, and the Department of Children and Family Services shall identify, recognize, change, create or recommend any initiatives, services, data collection, research and programs that will promote workforce development in the state.

(2) Recommendations for workforce development may include special initiatives, ad hoc reports, or involvement and recommendations from the following entities:

- (a) The Kathleen Babineaux Blanco Public Policy Center at the University of Louisiana at Lafayette or any other policy institute or center operated by or affiliated with a public university located in the state of Louisiana.
- (b) Local workforce development boards.
- (c) Regional economic development organizations.
- (d) State and local chambers of commerce.
- (e) Parish or city economic development organizations.
- (f) Other ad hoc reports developed and published pursuant to the provisions of R.S. 17:3138.12 at the request of the secretary of any state entity listed in that Section, or other state entities with prior approval of all parties to the data sharing agreements associated with data used in developing the ad hoc report and with requisite funding.

C. Recommendations and development of workforce solutions shall seek to accomplish the following goals:

(1) Design and collaborate business solutions capabilities to enable employers in every region of the state to have a single point of contact for developing solutions to their immediate and long-term workforce needs.

(2) Provide a path for college students in Louisiana's four-year universities and two-year colleges toward paid or unpaid internships in Louisiana while they are in their associate degree, non-credit, or technical credential program or bachelor's degree program, with the goal that their internships are embedded in their degree programs, and are in their fields of study or professional fields of interest after graduation. The Board of Regents shall research and enact policies and procedures that incentivize Louisiana's public institutions to incorporate work-based learning into their degree program curricula and strengthen the impact of work-based learning on graduate outcomes.

(3) Provide a path for high school participants to earn credit for a paid internship or apprenticeship, through work-based learning by the time they graduate from high school. As necessary, the Department of Education shall recommend changes to the state accountability system to increase and reward work-based learning in high schools throughout Louisiana. These internships or apprenticeships should be available in a broad range of fields, including professional and technical, and coordinated regionally and locally with chambers of commerce and economic development organizations.

(4) Design a process for accurate workforce shortage forecasting relevant to the current state needs and forecasted economic development sector goals reported to the state workforce investment council and Louisiana Economic Development, annually.

(5) Organizations listed in Paragraph (B)(1) of this Section shall collaborate on development of an inventory of workforce programs in Louisiana and metrics on their performance, and report by February first of each year to the governor and legislature on a strategy and progress to address and improve workforce needs. The organizations shall develop common communication and information for the public and business community to understand the state's workforce vision with messages that guide improvement of workforce development efforts in Louisiana.

(6) Identify, recommend, and pilot solutions that use nonprofit or private

partners for state workforce solutions where possible.

D.(1) The Louisiana Workforce Commission shall determine entities responsible for convening the state's economic sectors with the greatest workforce demand shortages to address solutions to the top three sectors' shortages, annually. If the healthcare sector is determined to have workforce shortages, the recommendations shall be comprehensive to also include solutions for shortages of medical doctors and doctors of osteopathic medicine, especially in rural Louisiana, as well as nursing and allied health professionals.

(2) The agencies and institutions listed in Paragraphs (B)(1) and (2) of this Section shall provide educational attainment data from their constituents to ensure achievement for sixty percent of adults to possess a postsecondary degree or certificate in a trade by the year 2030, enabling more adults to possess postsecondary degrees, diplomas, certificates, and credentials of value.

Section 3. R.S. 36:301(B) and (C)(2) are hereby amended and reenacted, and 304(A)(10) is hereby enacted to read as follows:

§301. Louisiana Workforce Commission; creation; domicile; composition; purposes and functions

* * *

B. The Louisiana Workforce Commission through its offices and officers, shall administer and enforce laws and programs designed to protect the economic and physical well-being of Louisiana's workforce **and pursue the availability of the workforce to meet the needs of the economy.** The commission shall coordinate and administer programs conducted by the state, or jointly with federal agencies, in the area of labor-management relations, manpower evaluation and training, vocational rehabilitation, independent living, blind services, employment, unemployment and workers' compensation, job safety, and the licensing and regulation of certain types of work. **The commission shall be responsible for delivering workforce development solutions for businesses and economic sectors of the economy and coordinating with other state agencies and offices for the delivery of workforce development solutions, as provided for in R.S. 23:1801.** The commission shall perform functions related to administration of the community services block grant for which provision is initially made in the Omnibus Budget Reconciliation Act of 1981.

C.(1)

* * *

(2) Except when changes are necessary for the efficient delivery of workforce development solutions for businesses and economic sectors of the economy, whenever Whenever the secretary determines that the administration of the functions of the commission may be more efficiently performed by eliminating, merging, or consolidating existing offices or establishing new offices, he shall present a plan therefor to the legislature for its approval by statute.

* * *

§304. Powers and duties of secretary

A. In addition to the functions, powers, and duties otherwise vested in the secretary by law, he shall:

* * *

(10) Be responsible for directing statewide workforce solutions and workforce policy to meet the needs of businesses, the state economy, and the economic sectors and regions of the state, in coordination with the secretary of the Department of Economic Development, the superintendent of education, the commissioner of higher education, the president of the Louisiana Community and Technical College System, and other agencies as are related to this purpose.

* * *

Approved by the Governor, May 28, 2024.

A true copy:

Nancy Landry
Secretary of State

ACT No. 331

SENATE BILL NO. 310

BY SENATORS BARROW, BOUDREAUX, BOUIE, CARTER, DUPLESSIS, HARRIS, JACKSON-ANDREWS, JENKINS, MIZELL AND PRICE AND REPRESENTATIVES ADAMS, BAGLEY, BEAULLIEU, BILLINGS, BOYD, BRASS, WILFORD CARTER, CHASSION, DAVIS, DEVILLIER, EMERSON, FISHER, FREEMAN, HUGHES, JORDAN, KNOX, LARVADAIN, LYONS, MCMAHEN, PHELPS, RISER, SCHLEGEL, ST. BLANC AND TAYLOR

AN ACT

To amend and reenact R.S. 17:282.4(F)(1)(a), relative to the National Suicide Prevention Lifeline hotline; to require "988" on all student identification cards; to provide for an effective date; and to provide for related matters.

Be it enacted by the Legislature of Louisiana:

Section 1. R.S. 17:282.4(F)(1)(a) is hereby amended and reenacted to read as follows:

§282.4. Youth suicide prevention programs; student safety and violence and social isolation prevention training; policies; intent; rules; services; funding

* * *

F.(1) Each public and approved nonpublic secondary school shall post on its website the following information:

(a) The National Suicide Prevention Lifeline hotline number, "988".

* * *

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

Approved by the Governor, May 28, 2024.

A true copy:

THE ADVOCATE
PAGE 5

* As it appears in the enrolled bill

Nancy Landry
Secretary of State

ACT No. 332

SENATE BILL NO. 325
BY SENATOR EDMONDS
AN ACT

To enact R.S. 40:1061.31, relative to a diagnosis of a fetal abnormality; to provide that certain disclosure documents be made available to women who are pregnant mothers who have received a diagnosis of a fetal abnormality; to provide for information on fetal abnormalities; to provide for written statements; to provide for information regarding financial assistance; and to provide for related matters.

Be it enacted by the Legislature of Louisiana:

Section 1. R.S. 40:1061.31 is hereby enacted to read as follows:

§1061.31. Compatible with Love Empowerment Act

A. No more than seventy-two hours after a pregnant woman is informed that her unborn child has a fetal abnormality diagnosis, the healthcare provider who gave the diagnosis shall provide to the woman an informational document that includes resources, programs, and services for pregnant women and resources, programs, and services for infants and children born with disabilities.

B. The Louisiana Department of Health shall develop an informational document to comply with the mandate established in this Section to include resources, programs, and services for a pregnant woman whose unborn child has been diagnosed with a fetal abnormality and resources, programs, and services for infants and children born with disabilities and shall make such information available to any requesting provider of women's health care services and shall maintain the information on a link on the department's website. The information shall include the availability of perinatal hospice and palliative care and pediatric hospice and palliative care services located in Louisiana, non-profit organizations that provide support to women who carry a child to term in these situations, and mental health services in Louisiana to support the mother and father of the child. The informational document provided for in this Section may be merged with the informational document mandated by R.S. 40:1061.1.4.

C. The provisions set forth in Subsection B of this Section shall include specific instructions on how and where families of children with disabilities may apply for financial assistance and financial benefits made available via the Medicaid program in this state and similar programs.

Section 2. This Act shall be known and may be cited as "The Compatible with Love Empowerment Act".

Approved by the Governor, May 28, 2024.

A true copy:

Nancy Landry
Secretary of State

ACT No. 333

SENATE BILL NO. 328
BY SENATOR REESE
AN ACT

To enact R.S. 3:4276(17), relative to the state forester; to provide for the powers and duties of the state forester; to provide for a training program regarding certain practices and procedures; to provide relative to forest fire and wildfire suppression; and to provide for related matters.

Be it enacted by the Legislature of Louisiana:

Section 1. R.S. 3:4276(17) is hereby enacted to read as follows:

§4276. Powers and duties of state forester

The state forester shall:

* * *

(17) Establish a training program to train with volunteer firefighters regarding proper wildland firefighting practices and procedures.

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 28, 2024.

A true copy:

Nancy Landry
Secretary of State

ACT No. 334

SENATE BILL NO. 350
BY SENATORS EDMONDS AND CLOUD AND REPRESENTATIVES AMEDEE, CARLSON, FREIBERG AND OWEN
AN ACT

To amend and reenact R.S. 17:3971, 3972(A), the introductory paragraph of (B)(1) and 3972(B)(1)(c), 3973(1), and 3983(A)(2)(a)(i) and to enact R.S. 17:3991(C)(7), relative to charter schools; to provide relative to the purpose

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

and definitions applicable to charter schools and their establishment; to provide relative to eligibility to propose a charter; to provide relative to the contents, renewal, and revocation of a charter; to provide with respect to the requirements and authorities of a charter school; and to provide for related matters.

Be it enacted by the Legislature of Louisiana:

Section 1. R.S. 17:3971, 3972(A), the introductory paragraph of (B)(1) and 3972(B)(1)(c), 3973(1), and 3983(A)(2)(a)(i) are hereby amended and reenacted and R.S. 17:3991(C)(7) is hereby enacted to read as follows:

CHAPTER 42. ~~LOUISIANA PUBLIC~~ CHARTER SCHOOL DEMONSTRATION PROGRAMS LAW

PART I. GENERAL PROVISIONS

§3971. Short citation

This Chapter shall be known and may be cited as the “Louisiana Public Charter School Demonstration Programs Law”.

§3972. Intent and purpose

A. It is the intention of the legislature in enacting this Chapter to authorize school choice options for parents, teachers, and pupils through experimentation by city and parish school boards by authorizing the creation of innovative kinds of independent public charter schools for students. Further, it is the intention of the legislature to provide a framework of operational autonomy for such schools for such experimentation by the creation of such schools, a means for all persons with valid ideas and motivation to participate, and a mechanism by which results can be analyzed, considered, and repeated or replicated if appropriate in the experiment, and a mechanism by which experiment results can be analyzed, the positive results repeated or replicated, if appropriate, and the negative results identified and eliminated. Finally, it is the intention of the legislature that the best interests of students who are economically disadvantaged shall be the overriding consideration in implementing the provisions of this Chapter.

B.(1) The purposes of this Chapter shall be to increase school choice options throughout the state and to provide opportunities for parents, educators, and others interested in educating pupils to form, operate, or be employed within a an operationally autonomous charter school with each such school designed to accomplish one or more of the following objectives:

(c) Encourage the use of different and innovative teaching methods, educational models, and a variety of governance, management, and administrative structures.

§3973. Definitions

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

(1) ~~Repeated by Acts 2017, No. 136, §2, eff. August 1, 2017. “Autonomy” means that unless mutually agreed upon by the chartering authority and charter school, or otherwise required or prohibited by law, the charter school shall have independent operational decision making authority in the areas including but not limited to:~~

(a) School programming, instruction, curriculum, materials, texts, calendars, and schedules.

(b) Personnel, employment, salaries and benefits, educator certification and evaluation, performance management, participation in retirement planning, and collective bargaining.

(c) Budgeting, purchasing, procurement, contracts, food service, and management of transportation.

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

A.(1)

(2)(a)(i) Each proposal for a Type 1 or Type 3 charter school shall first be made to the local school board with jurisdiction where the school is to be located, except as provided for in Item (ii) or (iii) of this Subparagraph, by submitting a written proposal. The applicant shall also provide notice of application submission for a Type 1 or Type 3 charter school to the state Department of Education. If, after review as required by R.S. 17:3982, the local school board denies the proposal, or if conditions placed on the proposal by the local school board, as provided in Paragraph (B)(2) of this Section, are not acceptable to the chartering group, then a proposal for a Type 2 charter school may be made to the state board.

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

C. A charter school shall:

(7) Have the autonomy necessary to manage its educational programming and daily operations in accordance with law, policy, and contract.

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 28, 2024.

A true copy:
Nancy Landry
Secretary of State

ACT No. 335

SENATE BILL NO. 352
BY SENATORS MIZELL AND BARROW
AN ACT

To amend and reenact the introductory paragraph of R.S. 17:2922.1(B)(1) and 2922.1 (D)(1), and (E)(5)(a), (d), (e), and (f) and to enact R.S. 17:2922.1(B)(1)(n) and (E)(5)(g) and (h), relative to the Dual Enrollment Framework Task Force; to revise the membership of the task force; to provide for development recommendations; to provide for process recommendations; and to provide for related matters.

Be it enacted by the Legislature of Louisiana:

Section 1. The introductory paragraph of R.S. 17:2922.1(B)(1) and 2922.1(D)(1), and (E)(5)(a),(d),(e), and (f) are hereby amended and reenacted and R.S. 17:2922.1(B)(1)(n) and (E)(5)(g) and (h) are hereby enacted to read as follows:

§2922.1. Dual Enrollment Framework Task Force; creation; purpose; membership; definitions; reporting; termination

B.(1) The task force shall be composed of ~~thirteen~~ fourteen members as follows:

(n) The president of the Louisiana Association for Career and Technical Education or his designee.

D. In developing recommendations for the framework, the task force shall:
(1) Review existing laws, policies, and efforts in Louisiana and other states on dual enrollment, course choice, student remediation, articulation and transfer, career pathways, technical high schools, and transition courses.

E. In making recommendations, the task force may identify:

(5) A process to:
(a) Guarantee that dual enrollment courses articulate to the appropriate public postsecondary education institution including advancing a student's progress toward postsecondary technical certificates, diplomas, and degrees and related industry-based certifications.

(d) Explore the expansion of virtual instruction programs to increase the participation of dual enrollment course offerings in school districts across the state.

~~(d)~~ (e) Recognize and reward schools, through the state's school and district accountability system, that graduate students who have earned significant credit toward a postsecondary credential or degree in both academic and technical fields.

(e) ~~(f)~~ Recognize and reward each postsecondary education institution, within the funding formula, that shows significant use of dual enrollment in academic or technical fields to further its institutional mission.

(g) Identify opportunities for expanding career-relevant college credit and industry-based credentials through dual enrollment, including by establishing regional technical high schools operated by partnerships of one or more school districts and one or more public colleges or universities.

~~(f)~~ (h)(i) Establish a uniform pricing structure which may include a maximum tuition for dual enrollment courses offered by each public postsecondary education institution and which may differentiate between courses taught on a postsecondary campus, online, or at a high school, and may differentiate by the qualifications of the instructor.

(ii) Notwithstanding Item (i) of this Subparagraph, the recommended pricing structure shall not prevent a public postsecondary education institution and a public high school governing authority from entering into a memorandum of understanding or other agreement to provide dual enrollment courses free of charge or an amount less than that established by the pricing structure.

Approved by the Governor, May 28, 2024.

A true copy:
Nancy Landry
Secretary of State

ACT No. 336

SENATE BILL NO. 356
BY SENATOR JACKSON-ANDREWS
AN ACT

To amend and reenact the introductory paragraph of R.S. 46:353(A)(1) and to enact R.S. 46:353(A)(1)(o) through (s), relative to workforce training initiative; to provide relative to public assistance programs; to establish a workforce training pilot initiative to serve public assistance recipients in certain regions; to provide for interagency collaboration in administering the pilot initiative; to provide for the advisory board; to provide for duties of the executive director of the Louisiana Workforce Commission, the

secretary of the Department of Children and Family Services, the secretary of the Louisiana Department of Health, and the state superintendent of education with respect to the pilot initiative; to provide for administrative rulemaking; and to provide for related matters.

Be it enacted by the Legislature of Louisiana:

Section 1. The introductory paragraph of R.S. 46:353(A)(1) is hereby amended and reenacted and R.S. 46:353(A)(1)(o) through (s) are hereby enacted to read as follows:

§353. Workforce **Louisiana's pathway to independency workforce** training and education **pilot** initiative; creation; advisory board; functions

A.(1) Subject to applicable federal law and regulation, there is hereby established a workforce training and education **pilot** initiative for public assistance recipients for the purpose of improving employment opportunities and promoting workforce advancement. The heads of the state partners in collaboration with an advisory board shall administer the initiative in accordance with the provisions of this Part. The advisory board shall consist of the following members:

* * *

(o) The executive director of a workforce investment board in Concordia Parish.

(p) The executive director of a workforce investment board in Madison Parish.

(q) The executive director of a workforce investment board in Morehouse Parish.

(r) The executive director of a workforce investment board in Richland Parish.

(s) The executive director of a workforce investment board in Tensas Parish.

* * *

Approved by the Governor, May 28, 2024.

A true copy:

Nancy Landry
Secretary of State

ACT No. 337

SENATE BILL NO. 358
BY SENATOR MIZELL
AN ACT

To amend and reenact R.S. 17:416(C)(2)(a),(b),(c), and (d)(i), relative to mandatory expulsion; to provide with respect to grounds for expulsions for students in grades six through twelve; to prohibit tobacco, alcohol, vaping products, certain knives, and illegal narcotics on school property and buses and at school-sponsored events; to provide for conditions for which a student may be expelled; to provide for the duties of public school superintendents; and to provide for related matters.

Be it enacted by the Legislature of Louisiana:

Section 1. R.S. 17:416(C)(2)(a),(b),(c), and (d)(i) are hereby amended and reenacted to read as follows:

§416. Discipline of students; suspension; expulsion

* * *

C.

* * *

(2)(a)(i) Notwithstanding the provisions of Subsection B of this Section, any student ~~sixteen years of age or older~~ **in grades six through twelve who is** found guilty of being in possession of a firearm, **a knife with a blade equal to or in excess of two and one-half inches in length, or any illegal narcotic, drug, or other controlled substance** on school property, on a school bus, or ~~in actual possession~~ at a school-sponsored event, pursuant to a hearing as provided for by Paragraph (1) of this Subsection, shall be expelled from school for a minimum period of four complete school semesters and shall be referred to the district attorney for appropriate action. However, the superintendent may modify the length of such minimum expulsion requirement on a case-by-case basis, provided such modification is in writing.

(ii) ~~Notwithstanding the provisions of Subsection B of this Section, any student sixteen years of age or older found guilty of possession of, or knowledge of and intentional distribution of, or possession with intent to distribute any illegal narcotic, drug, or other controlled substance on school property, on a school bus, or at a school-sponsored event pursuant to a hearing as provided for by Paragraph (1) of this Subsection shall be expelled from school for a minimum period of four complete school semesters.~~

(b)(i) ~~Any student who is under sixteen years of age and in grades six through twelve and who is found guilty of being in possession of a firearm on school property, on a school bus, or in actual possession at a school-sponsored event, pursuant to a hearing as provided for by Paragraph (1) of this Subsection, shall be expelled from school for a minimum period of four complete school semesters, and shall be referred to the district attorney for appropriate action. However, the superintendent of a city, parish, or other local public school system may modify the length of such minimum expulsion requirement on a case-by-case basis, provided such modification is in writing.~~ **Notwithstanding the provisions of Subsection B of this Section, any student in grades six through twelve found guilty of being in possession of tobacco, alcohol, or vaping product on school property, on a school bus, or at a school-sponsored event, may be recommended for expulsion.**

(ii) ~~Any student who is under sixteen years of age and in grades six through twelve and who is found guilty of possession of, or knowledge of and intentional distribution of, or possession with intent to distribute any illegal narcotic, drug, or other controlled substance on school property, on a school~~

~~bus, or at a school-sponsored event pursuant to a hearing as provided for by Paragraph (1) of this Subsection shall be expelled from school for a minimum period of two complete school semesters.~~

(c)(i) ~~Any case involving a student in kindergarten through grade five found guilty of being in possession of a firearm on school property, on a school bus, or in actual possession at a school-sponsored event, pursuant to a hearing as provided for by Paragraph (1) of this Subsection, shall be expelled from school for a minimum period of two complete school semesters and shall be referred to the district attorney for appropriate action. However, the superintendent may modify the length of such minimum expulsion requirement on a case-by-case basis, provided such modification is in writing.~~ **Notwithstanding any public school state or local policies, a public school student in grades six through twelve who is suspended a third time within the same school year for any offense, excluding those related to dress codes or tardiness, shall be recommended for expulsion.**

(ii) ~~Any case involving a student in kindergarten through grade five found guilty of possession of, or knowledge of and intentional distribution of, or possession with intent to distribute any illegal narcotic, drug, or other controlled substance on school property, on a school bus, or at a school-sponsored event pursuant to a hearing as provided for by Paragraph (1) of this Subsection shall be referred to the city, parish, or other local public school board where the student attends school through a recommendation for action from the superintendent.~~

(d)(i) Any student expelled from school may be readmitted on a probationary basis to school at any time during the specified period of expulsion on such terms and conditions as may be stipulated by the city, parish, or other local public school ~~board~~ **superintendent** and agreed to in writing by the student and by the student's parent or other person responsible for the student's school attendance. However, any such written agreement shall include a provision that upon the school principal or superintendent of schools making a determination that the student has violated any term or condition agreed to, the student shall be immediately removed from the school premises without the benefit of any hearing or other procedure applicable to student out-of-school suspensions and expulsions and returned to the school system's alternative school setting. As soon thereafter as possible, the principal or his designee shall provide verbal notice to the superintendent of schools of any such determination and also shall attempt to provide such verbal notice to the student's parent or other person responsible for the student's school attendance. The principal or his designee also shall provide written notice of the determination and the reasons therefor to the superintendent and to the student's parent or other responsible person.

* * *

Approved by the Governor, May 28, 2024.

A true copy:

Nancy Landry
Secretary of State

ACT No. 338

SENATE BILL NO. 363
BY SENATOR COUSSAN
AN ACT

To amend and reenact R.S. 17:3140.3(C)(4)(a) and 3140.4(A)(1)(b), relative to proprietary schools; to provide relative to licenses and minimum standards for instructors; to provide for certain requirements; to provide for an effective date; and to provide for related matters.

Be it enacted by the Legislature of Louisiana:

Section 1. R.S. 17:3140.3(C)(4)(a) and 3140.4(A)(1)(b) are hereby amended and reenacted to read as follows:

§3140.3. Licenses; fees; application; renewal

* * *

C. An applicant for an initial license shall provide, at a minimum, the following:

* * *

(4)(a) A current audited balance sheet of the school prepared by an independent, certified public accountant within six months prior to the date of the initial application for licensure.

* * *

§3140.4. Licenses; minimum standards; duration

A. No applicant shall be issued a license pursuant to this Chapter until the board has first determined that the school substantially complies with the following:

(1) The school's instructors have the following qualifications:

* * *

(b) In a technical or occupational course, an instructor shall possess, at a minimum, a bona fide high school diploma or its equivalent; a certificate, diploma, license, other degree, or documented evidence of on-the-job training in the area taught; and a minimum of ~~four~~ **three** years of documented occupational experience in the area taught.

* * *

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 28, 2024.
A true copy:
Nancy Landry
Secretary of State

ACT No. 339

SENATE BILL NO. 367
BY SENATORS BASS AND MILLER
AN ACT

To amend and reenact R.S. 14:98(F)(4)(c), the heading of Part IV of Chapter 11 of Title 22 of the Louisiana Revised Statutes of 1950, and R.S. 22:2161 and 2242(A) and (B), R.S. 36:694.1(C), and R.S. 40:1428(A)(4)(a) and (C) and to repeal Part II of Chapter 11 of Title 22 of the Louisiana Revised Statutes of 1950 comprised of R.S. 22:2131 through 2135, and Part V of Chapter 11 of Title 22 of the Louisiana Revised Statutes of 1950, comprised of R.S. 22:2171, and R.S. 36:686(C)(1), (3), and (4), and R.S. 40:1421(12), relative to the boards and commissions; to authorize the commissioner to create boards and commissions; to provide for duties; to provide for membership; to provide for reporting; to repeal certain boards and commissions; and to provide for related matters.

Be it enacted by the Legislature of Louisiana:
Section 1. R.S. 14:98(F)(4)(c) is hereby amended and reenacted to read as follows:
§98. Operating a vehicle while intoxicated

* * *

F.(1)

* * *

(4) The proceeds of the sale shall first be used to pay court costs and towing and storage costs, and the remainder shall be allocated as follows:

* * *

(c) Twenty percent of the funds shall go to the Louisiana Property and Casualty Insurance Commission **department** for its use in studying ways to reduce drunk driving and insurance rates.

* * *

Section 2. The heading of Part IV of Chapter 11 of Title 22 of the Louisiana Revised Statutes of 1950, and R.S. 22:2161 and 2242(A) and (B) are hereby amended and reenacted to read as follows:

PART IV. LOUISIANA HEALTH CARE COMMISSION
DEPARTMENT ADVISORY BOARDS

§2161. Louisiana Health Care Commission; creation **Powers of the commissioner; creation of advisory boards**

A. There is hereby created the Louisiana Health Care Commission within the Department of Insurance. The commission shall be domiciled in Baton Rouge, and its members shall serve for terms of two years. The functions, duties, and responsibilities of the commission shall be to review and study the availability, affordability, and delivery of quality health care in the state. The commission shall specifically examine the rising costs of health care in the state, including but not limited to the cost of administrative duplication, the costs associated with excess capacity and duplication of medical services, and the costs of medical malpractice and liability and shall examine the adequacy of consumer protections, as well as the formation and implementation of insurance pools that better assure citizens the ability to obtain health insurance at affordable costs and encourage employers to obtain health care benefits for their employees by increased bargaining power and economies of scale for better coverage and benefit options at reduced costs. Further, the commission shall examine the implementation issues related to national health care reform initiatives. Of the members of the commission, three members shall be appointed from a list of nominees submitted by the governing boards of state colleges and universities and by a dean from the business schools represented by the Louisiana Association of Independent Colleges and Universities. One member of the Senate Committee on Insurance shall be appointed by the president of the Senate and one member of the House Committee on Insurance shall be appointed by the speaker of the House of Representatives to the commission to act as ex officio, nonvoting members. One member of the commission shall be appointed by the secretary of the Louisiana Department of Health. The commissioner of insurance shall appoint five at-large members to the commission. The remainder of the members shall be appointed by the commissioner of insurance from a list of nominees, one nominee to be submitted by each of the following:

- (1) The Louisiana Insurers' Conference.
- (2) Louisiana Association of Health Plans.
- (3) America's Health Insurance Plans.
- (4) A domestic mutual, nonprofit health service and indemnity company.
- (5) Louisiana State Medical Society.
- (6) Louisiana Association for Justice.
- (7) Health Agents for America.
- (8) Agenda for Children.
- (9) Independent Insurance Agents & Brokers of Louisiana.
- (10) AARP Louisiana.
- (11) The National Federation of Independent Businesses.
- (12) Repealed by Acts 2012, No. 271, §2, eff. August 1, 2012.
- (13) Louisiana Independent Pharmacies Association.
- (14) AARP, the nominee of which shall be a volunteer representative.

- (15) Louisiana Association of Business and Industry.
- (16) Louisiana Health Plan.
- (17) NAIFA Louisiana.
- (18) League of Women Voters.
- (19) Louisiana Hospital Association.
- (20) Louisiana Primary Care Association.
- (21) Repealed by Acts 2014, No. 90, §2, eff. August 1, 2014.
- (22) A domestic commercial health insurance issuer.
- (23) Chiropractic Association of Louisiana.
- (24) Louisiana AFL-CIO.
- (25) Louisiana Physical Therapy Association.
- (26) Louisiana State Nurses Association.
- (27) Louisiana Dental Association.
- (28) Louisiana Nursing Home Association.
- (29) Louisiana's Medicare Peer Review Organization as designated by the Health Care Financing Administration.
- (30) Louisiana Business Group on Health.
- (31) Louisiana Association of Health Underwriters.
- (32) Louisiana Psychological Association.
- (33) Optometry Association of Louisiana.
- (34) Repealed by Acts 2012, No. 271, §2, eff. August 1, 2012.
- (35) National Medical Association.
- (36) National Association for the Advancement of Colored People.
- (37) Repealed by Acts 2012, No. 271, §2, eff. August 1, 2012.
- (38) Louisiana Council on Human Relations.
- (39) National Dental Association. **The commissioner may create one or more advisory boards consisting of representatives of insurers, insurance producers, consumers of insurance products not otherwise connected with the insurance industry, and other appropriate persons.**

B. The commissioner of insurance, or his designee, shall serve ex officio on the commission and the commissioner shall appoint a chairman and vice chairman to serve terms of two years. **The commissioner shall appoint the members of any advisory board created pursuant to this Section. The commissioner shall ensure that his appointments demonstrate race, gender, ethnic, and geographical diversity. The commissioner shall promulgate rules and regulations in accordance with the Administrative Procedure Act providing for the creation, governance, duties, and termination of any advisory board created pursuant to this Section.**

C. Each appointment by the commissioner shall be confirmed by the Senate. **Advisory boards created pursuant to this Section shall advise the commissioner with respect to the availability and affordability of insurance and other matters as the commissioner may submit to the advisory board or commission.**

D. The members of the commission shall serve without compensation. **The commissioner shall report on the activities of advisory boards created pursuant to this Section as part of the annual report of the department. The commissioner may submit special reports and recommendations to the legislature on behalf of an advisory board created pursuant to this Section.**

E. Vacancies in the offices of the members shall be filled in the same manner as the original appointments for the unexpired portion of the term of the office vacated.

F. A quorum for the transaction of business by the commission shall be forty percent of the membership of the commission. All official actions of the commission shall require the affirmative vote of a majority of a quorum of the commission present and voting during meetings of the commission.

G. The commission shall meet twice in any one calendar year and may meet on the call of the chairman or upon the request of any three members.

H. The commission shall serve as an advisory body to the commissioner and shall submit to the commissioner its recommendations on all matters which it is charged to examine pursuant to Subsection A of this Section. The commission may conduct public hearings to receive testimony about the availability and affordability of health care in the state. The commission shall also be permitted to receive further information and testimony from regional and national experts on health care access issues.

I. The commissioner shall submit a yearly report on health care and health insurance, which takes into consideration the recommendations, actions, and studies of the commission, to the legislature prior to each annual regular session.

J. The commissioner shall conduct the daily affairs of the commission as specified in this Section.

* * *

§2242. Authorization to develop pilot programs
A. The Department of Insurance **department** is authorized to **may** establish pilot health insurance programs to increase access to affordable health insurance for small employers and for individuals. In conjunction with the Louisiana Department of Health and after consultation with the Louisiana Health Care Commission, the department is authorized to **may** develop private health insurance coverage for small employers and individuals, as further provided in R.S. 22:2243 and 2244.

B. In conjunction with the Louisiana Business Group on Health and the Louisiana Health Care Commission, the **The** department is hereby authorized to **may** establish employer purchasing cooperatives and other pilot programs that increase access to affordable group and individual health insurance coverage that meets the minimum requirements of R.S. 22:984 and 1061 through 1079 **1080**, as further provided in R.S. 22:2245.

* * *

Section 3. R.S. 36:694.1(C) is hereby amended and reenacted to read as

follows:
§694.1. Office of policy, innovation, and research; functions
* * *
C. In addition to the deputy commissioner of policy, innovation, and research, the commissioner of insurance may also employ such persons, including four unclassified employees, as necessary to carry out the provisions of this Section, and to provide necessary staff support for the following entities:

- (1) The Louisiana Health Care Commission.
- (2) The Louisiana Automobile Theft and Insurance Fraud Prevention Authority.
- (3) The Louisiana Property and Casualty Insurance Commission.

Section 4. R.S. 40:1428(A)(4)(a) and (C) are hereby amended and reenacted to read as follows:

§1428. Special assessment; creation of dedicated fund account
A.(1)
* * *

(4)(a) Prior to making the allocations specified in Subparagraph (b) of this Paragraph, the commissioner of insurance is authorized to may withhold the sum of thirty thousand dollars per year from the fees collected pursuant to this Section to defray the expense of collection of the fees, enforcement of this Subpart, and operation of the Department of Insurance and shall withhold one hundred eighty-seven thousand dollars to fund the Louisiana Automobile Theft and Insurance Fraud Prevention Authority pursuant to R.S. 22:2134.

* * *
C. After compliance with the requirements of Article VII, Section 9(B) of the Constitution of Louisiana relative to the Bond Security and Redemption Fund, an amount equal to that deposited as required by Subsection B of this Section shall be credited to a special statutorily dedicated fund account hereby created in the state treasury to be known as the Insurance Fraud Investigation Dedicated Fund Account, hereafter referred to in this Subsection as the “account”. The monies shall be irrevocably dedicated and deposited in the account and shall be used solely as provided in Subsection A of this Section and only in the amounts appropriated by the legislature. Monies in the account shall be appropriated, administered, and used solely and exclusively for purposes of the fraud unit, fraud support unit, insurance fraud section, ~~LATHFPA~~, and as further provided in this Section. All unexpended and unencumbered monies in the account at the end of the fiscal year shall be refunded to each insurer licensed by the Department of Insurance to conduct business in this state assessed a fee pursuant to this Section on a pro-rata basis based on each insurer's proportionate share of the total fees collected pursuant to this Section. Monies deposited into the account shall be categorized as fees and self-generated revenue for the sole purpose of reporting related to the executive budget, supporting documents, and general appropriation bills and shall be available for annual appropriation by the legislature.

* * *
Section 5. Part II of Chapter 11 of Title 22 of the Louisiana Revised Statutes of 1950, comprised of R.S. 22:2131 through 2135, and Part V of Chapter 11 of Title 22 of the Louisiana Revised Statutes of 1950, comprised of R.S. 22:2171, R.S. 36:686(C)(1), (3), and (4) and R.S. 40:1421(12) are hereby repealed in their entirety.

Section 6. Upon the effective date of this Act, any remaining funds in the Automobile Theft and Insurance Fraud Prevention Authority Dedicated Fund Account repealed herein shall be transferred to the Department of Insurance for the purpose of fraud prevention, detection, and education.

Approved by the Governor, May 28, 2024.

A true copy:
Nancy Landry
Secretary of State

ACT No. 340

SENATE BILL NO. 369
BY SENATOR BASS
AN ACT

To amend and reenact R.S. 40:1428(A)(3) and (4) and (C), to enact R.S. 22:1924(C) and 1925(D), and to repeal R.S. 40:1429, relative to insurance fraud; to provide for venue in insurance fraud cases; to provide for the allocation of insurance fraud assessment funds; to provide for an effective date; and to provide for related matters.

Be it enacted by the Legislature of Louisiana:
Section 1. R.S. 22:1924(C) and 1925(D) are hereby enacted to read as follows:
§1924. Prohibited activities and sanctions
* * *

C. In addition to the venue established by the Code of Criminal Procedure Articles 611 and 614, venue shall also be appropriate in the Nineteenth Judicial District Court, parish of East Baton Rouge.

§1925. Automobile insurance policies
* * *

D. In addition to the venue established by the Code of Criminal Procedure Articles 611 and 614, venue shall also be appropriate in the Nineteenth Judicial District Court, parish of East Baton Rouge.

Section 2. R.S. 40:1428(A)(3) and (4) and (C) are hereby amended and reenacted to read as follows:

§1428. Special assessment; creation of dedicated fund account
A.(1)
* * *

(3) ~~On and after January 1, 2004, if~~ **If** the fee assessed for the previous year exceeds by five percent of the cumulative costs of the previous year of operating the insurance fraud programs to which funds are allocated, the fee assessment for the next year shall be reduced by the amount of the excess in proportion to the assessment; ~~however, If~~ any entity listed in Subparagraph (4)(b) **Paragraph (4)** of this Subsection that expends its allocation, **the entity** shall receive at least the same allocation for the next year.

(4)(a) Prior to making the allocations specified in Subparagraph (b) of this Paragraph, the commissioner of insurance is authorized to withhold the sum of thirty thousand dollars per year from the fees collected pursuant to this Section to defray the expense of collection of the fees, enforcement of this Subpart, and operation of the Department of Insurance and shall withhold one hundred eighty-seven thousand dollars to fund the Louisiana Automobile Theft and Insurance Fraud Prevention Authority pursuant to R.S. 22:2134 **insurance fraud detection, investigation, and public awareness.**

(b) **Except as otherwise provided in Subparagraph (a) of this Paragraph, the fees collected shall be used solely for the purposes of this Subpart and shall be allocated to the insurance fraud investigation unit within the office of state police, the insurance fraud support unit within the Department of Justice, the section of insurance fraud within the Department of Insurance, and other state agencies in accordance with a written agreement entered into by the superintendent of state police, the attorney general, and the commissioner of insurance.**

(c) Except as otherwise provided in Subparagraph (a) of this Paragraph, **if a written agreement is not entered into pursuant to Subparagraph (b) of this Paragraph no later than September thirtieth, the fees collected in the next fiscal year** shall be used solely for the purposes of this Subpart and shall be allocated as follows:

- (i) Seventy-five percent of the fees collected shall be allocated to the insurance fraud investigation unit within the office of state police.
- (ii) Fifteen percent of the fees collected shall be allocated to the Department of Justice to be used solely for the insurance fraud support unit.
- (iii) Ten percent of the fees collected shall be allocated to the Department of Insurance to be used solely for the section of insurance fraud.

* * *
C. After compliance with the requirements of Article VII, Section 9(B) of the Constitution of Louisiana relative to the Bond Security and Redemption Fund, an amount equal to that deposited as required by Subsection B of this Section shall be credited to a special statutorily dedicated fund account hereby created in the state treasury to be known as the Insurance Fraud Investigation Dedicated Fund Account, hereafter referred to in this Subsection as the “account”. The monies shall be irrevocably dedicated and deposited in the account and shall be used solely as provided in Subsection A of this Section and only in the amounts appropriated by the legislature. Monies in the account shall be appropriated, administered, and used solely and exclusively for purposes of the fraud unit, fraud support unit, insurance fraud section, ~~LATHFPA~~, and as further provided in this Section. All unexpended and unencumbered monies in the account at the end of the fiscal year shall be refunded to each insurer licensed by the Department of Insurance to conduct business in this state assessed a fee pursuant to this Section on a pro-rata basis based on each insurer's proportionate share of the total fees collected pursuant to this Section. Monies deposited into the account shall be categorized as fees and self-generated revenue for the sole purpose of reporting related to the executive budget, supporting documents, and general appropriation bills and shall be available for annual appropriation by the legislature.

* * *
Section 3. R.S. 40:1429 is hereby repealed in its entirety.
Section 4. Sections 1, 3, and 5 of this Act and 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, this Act shall become effective on the day following such approval.

Section 5. Section 2 of this Act shall become effective on September 1, 2024.
Approved by the Governor, May 28, 2024.

A true copy:
Nancy Landry
Secretary of State

ACT No. 341

SENATE BILL NO. 373
BY SENATOR ALLAIN
AN ACT

To amend and reenact R.S. 47:120.32(A)(1) and (B), relative to the state individual income tax return checkoff for certain donations to the Coastal Protection and Restoration Fund; to correct a statutory citation to the fund; to provide for effectiveness; and to provide for related matters.

Be it enacted by the Legislature of Louisiana:
Section 1. R.S. 47:120.32(A)(1) and (B) are hereby amended and reenacted to read as follows:

§120.32. Donation of individual income tax refunds and other contributions to the Coastal Protection and Restoration Fund

A.(1) For tax years beginning on and after January 1, 2009, every individual that files an individual income tax return is authorized to do any of the following:

(a) Designate on the return for such tax all or a portion of the total amount of the refund to which such taxpayer is entitled for that tax year as a donation to the Coastal Protection and Restoration Fund provided for in R.S. 49:213.2 ~~R.S. 49:214.5.4~~ in lieu of that amount being paid to the taxpayer as a refund, in which case the refund shall be reduced by the amount so designated.

(b) Whether or not the taxpayer is entitled to a refund, a taxpayer may make an additional donation to the Coastal Protection and Restoration Fund provided for in ~~R.S. 49:213.2~~ **R.S. 49:214.5.4** by paying the amount of such donation in addition to any tax or refund due for the year and designating the donation on the return for such tax.

* * *

B. Upon receipt of any taxpayer’s return upon which the designation of a refund donation or the payment of an additional donation has been made, the secretary shall, after having deducted the refund donation from the amount of any refund due, remit any such donation to the state treasurer for deposit directly into the Coastal Protection and Restoration Fund provided for in ~~R.S. 49:213.2~~ **R.S. 49:214.5.4** no more than one hundred twenty days from the last statutorily authorized extension for filing the return.

* * *

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 28, 2024.

A true copy:
Nancy Landry
Secretary of State

ACT No. 342

SENATE BILL NO. 386
BY SENATOR PRICE
AN ACT

To enact R.S. 40:539(C)(8)(q), relative to Iberville Parish; to provide relative to employees of the White Castle Housing Authority; to provide that employees of the authority shall not be in the state civil service; and to provide for related matters.

Notice of intention to introduce this Act has been published.

Be it enacted by the Legislature of Louisiana:

Section 1. R.S. 40:539(C)(8)(q) is hereby enacted to read as follows:

§539. Selection of chairman and vice chairman; executive director; hiring of employees

* * *

C.
* * *

(8)
* * *

(g) Notwithstanding any provision of Subparagraph (a) of this Paragraph or of any other law to the contrary, the White Castle Housing Authority shall not be considered an instrumentality of the state for purposes of Article X, Section 1(A) of the Constitution of Louisiana, and employees of the authority shall not be included in the state civil service.

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 28, 2024.

A true copy:
Nancy Landry
Secretary of State

ACT No. 343

SENATE BILL NO. 387
BY SENATOR KLEINPETER AND REPRESENTATIVE KNOX
AN ACT

To enact R.S. 14:57.1, relative to criminal damage to property; to create the crime of vandalizing, tampering with, or destroying a crime camera system; to provide for definitions; to provide for penalties; and to provide for related matters.

Be it enacted by the Legislature of Louisiana:

Section 1. R.S. 14:57.1 is hereby enacted to read as follows:

§57.1. Vandalizing, tampering with, or destroying a crime camera system

A. It shall be unlawful for any person to intentionally vandalize, tamper with, or destroy a crime camera system by any of the following:

(1) Causing functional or cosmetic damage to the system.

(2) Adjusting or modifying the location, position, aim, focus or functionality of the system.

(3) Tampering with the performance, functions, or features of the system.

(4) Rendering the system temporarily or permanently inoperable.

B. For the purposes of this Section, a “crime camera system” includes any camera or license plate reader erected or installed for the purpose of observing or deterring illegal activity as well as any lights, mounting poles or brackets, actuator motors, computer control boards, connection interfaces, signage, software, protective housing, lenses, power supply systems, recording or battery backups, microphones, data connectivity hardware, or other component parts or ancillary equipment necessary for proper functionality and operation.

C. Whoever violates the provisions of Subsection A of this Section shall be imprisoned, with or without hard labor, for not more than two years, or may be fined not more than two thousand dollars, or both.

Approved by the Governor, May 28, 2024.

A true copy:
Nancy Landry
Secretary of State

ACT No. 344

SENATE BILL NO. 402
BY SENATOR DUPLESSIS
AN ACT

To amend and reenact R.S. 46:1844(K)(1)(b)(ii), relative to rights of crime victims; to provide relative to victim impact statements; to require a court to allow a victim impact statement to be directed toward the defendant; and to provide for related matters.

Be it enacted by the Legislature of Louisiana:

Section 1. R.S. 46:1844(K)(1)(b)(ii) is hereby amended and reenacted to read as follows:

§1844. Basic rights for victim and witness

* * *

K. Right of victim or designated family member to be present and heard at all critical stages of the proceedings.

(1)
* * *

(b) The victim and victim’s family members shall have the right to make a written and oral victim impact statement as follows:

* * *

(ii) The hearing at which an oral statement is provided to the court shall be subject to the limitations of relevance. In any case where the number of victim’s family members exceeds three, the court may limit the in-court statements it receives from them to a fewer number of statements. The court may otherwise reasonably restrict the oral statement in order to maintain courtroom decorum. The defendant must be present for the victim impact statement **and the court shall not prohibit the statement from being directed toward the defendant, unless the statement disturbs the order and decorum of the courtroom.** Upon motion of the state, the court may hear any such statement in camera.

* * *

Approved by the Governor, May 28, 2024.

A true copy:
Nancy Landry
Secretary of State

ACT No. 345

SENATE BILL NO. 404
BY SENATOR CONNICK
AN ACT

To amend and reenact R.S. 51:1260(C)(5) and (6)(f), relative to the Major Events Incentive Program; to provide relative to qualified major events; to provide for definitions; to provide for effectiveness; and to provide for related matters.

Be it enacted by the Legislature of Louisiana:

Section 1. R.S. 51:1260(C)(5) and (6)(f) are hereby amended and reenacted to read as follows:

§1260. Major Events Incentive Fund; Major Events Incentive Program

* * *

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 USA Baseball, USA Softball, or by the World Baseball Softball Confederation, 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.

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 28, 2024.

A true copy:
Nancy Landry
Secretary of State

ACT No. 346

SENATE BILL NO. 405
BY SENATOR KLEINPETER
AN ACT

To enact R.S. 11:2175(H), relative to the Sheriffs’ Pension and Relief Fund; to provide for retirees returning to positions covered by the fund; to provide for recession of retirement; 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. 11:2175(H) is hereby enacted to read as follows:
§2175. Blanket fidelity insurance policy; powers of board; rehired retirees; refund of contributions; restrictions on payments; warrants; deposits; investments

H.(1) Any person who retired from a position covered by the fund and who subsequently returns to full-time service may rescind his retirement by paying in a single lump sum all benefits received since retirement, including any DROP or Back-DROP benefits, with interest calculated at the actuarially assumed rate of return compounded annually from the date of receipt until paid. Upon repayment, the person shall have restored to his credit all service he had at the time of retirement.

(2) The provisions of this Subsection shall terminate on December 31, 2027.

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 28, 2024.

A true copy:
Nancy Landry
Secretary of State

ACT No. 347

SENATE BILL NO. 406
BY SENATOR KLEINPETER
AN ACT

To amend and reenact R.S. 11:2178(K)(2)(a), relative to the Sheriffs’ Pension and Relief Fund; to provide for membership in and receipt of benefits from the fund; to provide relative to permanent benefit increases for certain recipients; 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. 11:2178(K)(2)(a) is hereby amended and reenacted to read as follows:

§2178. Disability benefits; retirement benefits; death benefits

K.

(2)(a)(i) The permanent benefit increase shall be payable in a monthly amount not to exceed two and one-half percent of the normal monthly benefit payable to the retiree, disability recipient, or survivor on the date the increase is granted. **Except as provided in Item (ii) of this Subparagraph, the** The dollar amount of such increase for any recipient shall not exceed five percent of the average monthly benefit in payment to service retirees as of the end of the preceding fiscal year.

(ii) The dollar amount of any permanent benefit increase for a recipient whose benefit is based on the record of someone who retired with a minimum of thirty years of creditable service shall not be subject to the cap contained in Item (i) of this Subparagraph of five percent of the average monthly benefit in payment to service retirees.

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 28, 2024.

A true copy:
Nancy Landry
Secretary of State

ACT No. 348

SENATE BILL NO. 411
BY SENATOR KLEINPETER AND REPRESENTATIVES CHASSION,
DEWITT, MACK, ORGERON AND ZERINGUE
AN ACT

To amend and reenact R.S. 17:2351(6), 2354(A)(1) and (C), and 2354.8(B) and to enact R.S. 17:2351(32) and (33) and R.S. 56:3000(K), relative to anatomical gifts; to provide for definitions; to provide for license application requirements; to provide for information availability; to provide for indication of donor status; to provide for anatomical gift statements; to provide for special wishes; to provide for revocation; to provide for limitation of liability; and to provide for related matters.

Be it enacted by the Legislature of Louisiana:

Section 1. This Act shall be known and may be cited as “Willie’s Law”.

Section 2. R.S. 17:2351(6), 2354(A)(1) and (C), and 2354.8(B) are hereby amended and reenacted and R.S. 17:2351(32) and (33) are hereby enacted to read as follows:

§2351. Definitions

As used in this Part, the following terms have the following meanings:

(6) “Document of gift” means a donor card or other record used to make an anatomical gift. The term includes a statement or symbol on a driver’s license, identification card, **fishing license, hunting license,** or donor registry.

(32) “Fishing license” means a license or permit issued by the Louisiana Department of Wildlife and Fisheries to fish as defined in R.S. 56:8, for a recreational purpose as defined in R.S. 56:8.

(33) “Hunting license” means a license or permit issued by the Louisiana Department of Wildlife and Fisheries to hunt, as defined in R.S. 56:8, for a recreational purpose as defined in R.S. 56:8.

§2354. Manner of executing anatomical gift prior to death of donor

A. A donor may make an anatomical gift by any of the following:

(1) Authorizing a statement or symbol indicating that he has made an anatomical gift to be imprinted on his driver’s license, **identification card, fishing license,** or ~~identification card~~ **hunting license.**

C. Revocation, suspension, expiration, or cancellation of a driver’s license, **identification card, fishing license,** or ~~identification card~~ **hunting license** upon which an anatomical gift is indicated does not invalidate the gift.

§2354.8. Donor registry

B. The Louisiana Department of Public Safety and Corrections, office of motor vehicles, **and the Louisiana Department of Wildlife and Fisheries** shall cooperate with any person administering any donor registry that this state establishes, contracts for, or recognizes for the purpose of transferring to the donor registry all relevant information regarding the making, amendment to, or revocation of an anatomical gift.

Section 3. R.S. 56:3000(K) is hereby enacted to read as follows:

§3000. Recreational license requirements; definitions

K. (1)(a) The Department of Wildlife and Fisheries shall give the widest possible

dissemination to the anatomical donation program relating to all organs and tissues, and shall make whatever provisions are feasible and desirable, through its recreational licensing apparatus, to enable persons desiring to make such anatomical donations to confirm their desires and intentions through the use of suitable documents. Additionally any recreational fishing license or hunting license issued by the department shall contain an indication thereon whether the named applicant has elected to make an anatomical gift pursuant to the provisions of this Chapter or R.S. 17:2351 et seq., with an indication made by placing an “X” in the box adjacent to the term “anatomical gift”.

(b) For recreational fishing license or hunting license applicants who wish to indicate a donor special wish or limitation, instruction for doing so shall be made available to the applicant.

(2) Any applicant who has not yet made an election to be an organ and tissue donor shall be asked at the time of application if he would like to make an anatomical gift. The applicant may elect to make an anatomical gift as part of the Louisiana Donor Registry.

(3) An anatomical gift made pursuant to this Subsection may be revoked as provided in R.S. 17:2351 et seq.

(4) The state or any of its agencies, departments, or political subdivisions shall not be liable in damages or otherwise for any removal or use of any anatomical gift made pursuant to this Subsection.

(5) The attending physician, and the hospital where an anatomical gift is made or was to be made, shall not be liable for the removal, use, or the failure to remove or use any anatomical gift made pursuant to this Subsection.

(6) Except as otherwise provided in this Subsection, the document of donation and the donation shall be made pursuant to R.S. 17:2351 et seq.

Approved by the Governor, May 28, 2024.

A true copy:
Nancy Landry
Secretary of State

ACT No. 349

SENATE BILL NO. 415
BY SENATOR PRICE
AN ACT

To amend and reenact R.S. 11:2175(E)(1) and to enact R.S. 11:2175(E)(7), relative to the Sheriffs’ Pension and Relief Fund; to provide for membership and receipt of benefits from the fund; to provide for retirees’ return to employment in positions covered by the fund; 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. 11:2175(E)(1) is hereby amended and reenacted and R.S. 11:2175(E)(7) is hereby enacted to read as follows

§2175. Blanket fidelity insurance policy; powers of board; rehired retirees; refund of contributions; restrictions on payments; warrants; deposits; investments

* * *

E.(1) Except as provided in this Paragraph **and in Paragraph (7) of this Subsection**, the board of trustees shall not authorize, grant, or pay any retirement or disability benefit to any person employed by or in the office of any sheriff of any parish of the state of Louisiana. The board may authorize, grant, or pay a retirement or disability benefit to a retiree who is reemployed in a sheriff’s office on a part-time basis provided his earnings in a fiscal year shall not exceed fifty percent of final average compensation for reemployment during the twenty-four months immediately following the date of retirement and fifty-five percent of final average compensation for reemployment in the twenty-fifth month after the date of retirement and thereafter. Such part-time reemployment shall not result in any additional creditable service time, and no employer or employee contributions shall be paid on the retiree’s behalf. **Part-time** The provisions of this Paragraph governing part-time reemployment of a retiree shall have no effect on the provisions for full-time reemployment as set forth hereafter in this Subsection. **Beginning July 1, 2024, and ending June 30, 2028, the provisions of Paragraph (7) of this Subsection shall govern the part-time reemployment or continued part-time reemployment of any retiree who retired before January 1, 2024, and the provisions of this Paragraph shall not apply to any part-time reemployment of such a retiree during that time period.**

* * *

(7)(a) Notwithstanding the provisions of Paragraph (1) of this Subsection or any other provision of law to the contrary, the board of trustees may authorize, grant, or pay a retirement or disability benefit to a retiree who retired before January 1, 2024, who is reemployed in a sheriff’s office on a part-time basis provided his earnings in a fiscal year shall not exceed sixty percent of final average compensation for reemployment during the twenty-four months immediately following the date of retirement and sixty-five percent of final average compensation for reemployment in the twenty-fifth month after the date of retirement and thereafter. Such part-time reemployment shall not result in any additional creditable service time; however, employer and employee contributions shall be paid during reemployment. Upon termination of reemployment the employee’s contributions shall be returned, without interest, upon the employee’s request.

(b) The provisions of this Paragraph governing part-time reemployment of a retiree shall have no effect on the provisions for full-time reemployment

* As it appears in the enrolled bill

provided in this Subsection.

(c) The provisions of this Paragraph shall apply beginning July 1, 2024, to any part-time reemployment or continued part-time reemployment of any retiree who retired before January 1, 2024. The provisions of this Paragraph shall terminate on June 30, 2028.

* * *

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 28, 2024.

A true copy:
Nancy Landry
Secretary of State

ACT No. 350

SENATE BILL NO. 420
BY SENATORS HODGES, CLOUD AND KLEINPETER AND
REPRESENTATIVE WILDER
AN ACT

To amend and reenact R.S. 18:1461.2(B) and to enact R.S. 14:133.1.1, relative to election offenses affecting registration and election fraud; to create the crime of election fraud or forgery; to provide penalties; and to provide for related matters.

Be it enacted by the Legislature of Louisiana:

Section 1. R.S. 14:133.1.1 is hereby enacted to read as follows:

§133.1.1. Election fraud or forgery

A. No person shall knowingly, willfully, or intentionally:

(1) Vote or attempt to vote more than once in an election.

(2) Vote or attempt to vote, knowing that he is not qualified, or influence or attempt to influence another to vote, knowing that voter to be unqualified or the vote to be fraudulent.

(3) Register, vote, or attempt to register or vote in the name of another or in an assumed or fictitious name, or in any manner other than as provided in the Louisiana Election Code.

(4) Forge the name of another or use a fictitious name on an affidavit or document required by the Louisiana Election Code.

(5) Procure or submit voter registration applications that are known by the person to be materially false, fictitious, or fraudulent.

(6) Forge, alter, add to, deface, take, destroy, or remove from proper custodial care any book, card, record, voter registration application, election return, nomination papers, withdrawals of candidacy, election supplies, election paraphernalia, or any affidavit or other document required or provided for under the provisions of the Louisiana Election Code, unless required to be removed by a court of competent jurisdiction for inspection and photostatic copying for the court record.

(7) Have in his possession an official ballot in violation of any provision of the Louisiana Election Code.

(8) Have in his possession the registration certificate of another with intent to violate any provision of the Louisiana Election Code.

(9) For purposes other than fulfilling the person’s duties relative to registration of voters as provided by law, copy or reproduce a voter registration application that has been submitted by an applicant.

B. Whoever violates any provision of this Section shall be fined not more than two thousand dollars or be imprisoned, with or without hard labor, for not more than two years, or both, for the first offense. On a second offense, or any subsequent offense, the penalty shall be a fine of not more than five thousand dollars or imprisonment at hard labor for not more than five years, or both.

Section 2. R.S. 18:1461.2(B) is hereby amended and reenacted to read as follows:

§1461.2. Election offenses affecting registration and election fraud or forgery; penalties

* * *

B. Whoever violates any provision of this Section shall be fined not more than two thousand dollars or be imprisoned, with or without hard labor, for not more than two years, or both, for the first offense. On a second offense, or any subsequent offense, the penalty shall be a fine of not more than five thousand dollars or imprisonment at hard labor for not more than five years, or both. **Whoever violates any provision of this Section shall be subject to the penalty provisions of R.S. 14:133.1.1.**

Approved by the Governor, May 28, 2024.

A true copy:
Nancy Landry
Secretary of State

ACT No. 351

SENATE BILL NO. 428
BY SENATOR FOIL
AN ACT

To amend and reenact R.S. 6:333(C)(2)(b) and (G), relative to banks and banking;

to provide for disclosures by a bank or any affiliate; to provide relative to requests of bank disclosure records; to provide for terms and conditions; to provide for related matters.

Be it enacted by the Legislature of Louisiana:

Section 1. R.S. 6:333(C)(2)(b) and (G) are hereby amended and reenact to read as follows:

§333. Disclosure of financial records; reimbursement of costs
* * *
C. A bank may disclose financial records pursuant to a disclosure demand if each of the following conditions are met:
* * *

(2) Prior to the return date, the person requesting the issuance of the disclosure demand furnishes the bank with an affidavit certifying both of the following:
* * *

(b) That such service was made at least ~~fifteen~~ **thirty** business days prior to the return date.
* * *

G. A bank shall be given a reasonable period of time prior to the return date, and in no event less than ~~fifteen~~ **thirty** business days prior thereto, in which to complete the action necessary to disclose financial records which are the subject of a request. Whether the bank is a party to litigation or not, prior to making any disclosure and notwithstanding any contrary provisions of this Section, R.S. 13:4521, Code of Civil Procedure Article 2411, or of any other law, the bank shall be reimbursed by the requesting person for the reasonable fees and costs incurred or to be incurred by the bank in the course of compliance with the request, including but not limited to document reproduction costs, research and processing costs, personnel costs, and travel expenses, whether any or all such costs are internal costs or are costs incurred by the bank in favor of a person acting on behalf of or performing services for the bank. If the bank and the requesting party disagree as to the amount of the fees and costs to be reimbursed to the bank under this Section, the bank need not produce the financial records, until the court or other appropriate body issuing the disclosure demand has fixed the amount to be paid to the bank upon a motion of any party or the bank. The court or other appropriate body, in its discretion, may order a contradictory hearing to fix the fees and costs to be reimbursed.
* * *

Approved by the Governor, May 28, 2024.
A true copy:
Nancy Landry
Secretary of State

ACT No. 352

SENATE BILL NO. 434
BY SENATOR MIZELL AND REPRESENTATIVE THOMPSON
AN ACT

To amend and reenact R.S. 17:240(A)(2), (B)(2), and (C)(2), relative to the use of vapes at school; to provide relative to smoking or vaping marijuana, tetrahydrocannabinol, or chemical derivatives on any school property; to provide for punishment; and to provide for related matters.

Be it enacted by the Legislature of Louisiana:
Section 1. R.S. 17:240(A)(2), (B)(2), and (C)(2) are hereby amended and reenacted to read as follows:

§240. Prohibition against use of tobacco ~~and marijuana~~ in schools; prohibition against smoking on school bus; rules and regulations

A. For purposes of this Section the following terms shall have the following meanings unless the context clearly indicates otherwise:
* * *

(2) “Smoking” means possession of a lighted cigar, cigarette, pipe, or any other lighted tobacco ~~or marijuana~~ product, including but not limited to e-cigs, e-cigarettes, electronic cigarettes, advanced personal vaporizers, vape pens, and vape mods.

B.(1)
* * *

(2)~~(a)~~ No person shall smoke or carry a lighted cigar, cigarette, pipe, or any other form of smoking object or device, including but not limited to e-cigs, e-cigarettes, electronic cigarettes, advanced personal vaporizers, vape pens, and vape mods on any school property.

~~(b) No person shall smoke or vape any form of marijuana as defined by R.S. 40:961, or a substance classified in Schedule I that is marijuana, tetrahydrocannabinol, or chemical derivatives thereof on any school property.~~
* * *

C.(1)
* * *

(2)~~(a)~~ The governing authority of each public elementary or secondary school and each nonpublic elementary or secondary school may provide for appropriate penalties for violators, including but not limited to disciplinary action or a fine not to exceed two hundred dollars, or both.

~~(b) Any person who violates Subparagraph (B)(2)(b) of this Section shall be subject to punishment pursuant to R.S. 40:981.3(A)(1).~~
* * *

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 28, 2024.

A true copy:
Nancy Landry
Secretary of State

ACT No. 353

SENATE BILL NO. 439
BY SENATOR MIZELL
AN ACT

To enact R.S. 40:2405.8(J), relative to peace officer training requirements; to require trauma-informed training; to provide for exclusions; to provide for terms and conditions; and to provide for related matters.

Be it enacted by the Legislature of Louisiana:
Section 1. R.S. 40:2405.8(J) is hereby enacted to read as follows:
§2405.8. Additional peace officer training requirements
* * *

J.(1) The council shall develop and continuously update trauma- informed training materials related to domestic violence, sexual assault, and sex trafficking in its basic and in-service training curriculums.

(2) For the purposes of this Subsection, trauma-informed materials shall include skills, practices, and leadership relating only to domestic violence, sexual assault, and sex trafficking.

(3) The initial orientation to sex trafficking trauma-informed training shall be classroom instruction, and shall be conducted at a P.O.S.T. accredited academy or a P.O.S.T. approved training center. The council may designate an alternative method for delivery of the training when otherwise not logistically feasible.

(4) All peace officers employed on August 1, 2024, who have been employed for one year or more, shall complete the training within one year after the curriculum has been developed and approved by the council.

(5) The trauma-informed training and materials required by this Subsection shall not include materials relating to diversity, equity, and inclusion practices or policies.

Approved by the Governor, May 28, 2024.
A true copy:
Nancy Landry
Secretary of State

ACT No. 354

SENATE BILL NO. 447
BY SENATOR MIZELL
AN ACT

To amend and reenact R.S. 13:5713(F) and to enact R.S. 13:5713(K), relative to coroners; to provide for duties of the coroner; to provide for determinations by the attorney general; to provide for an effective date; and to provide for related matters.

Be it enacted by the Legislature of Louisiana:
Section 1. R.S. 13:5713(F) is hereby amended and reenacted and R.S. 13:5713(K) is hereby enacted to read as follows:

§5713. Duties; autopsies and investigations
* * *

~~F. The coroner or his designee shall examine all alleged victims of a sexually oriented criminal offense. The coroner may select the hospital or healthcare provider named as the lead entity for sexual assault examinations in the regional plan required by R.S. 40:1300.41 as his designee to perform the forensic medical examination. implement, fulfill, and comply with all obligations, duties, and requirements imposed upon him by R.S. 40:1216.1 and by the regional sexual assault response plan approved for the coroner's health service district pursuant thereto, which the coroner shall annually sign to indicate his approval pursuant to R.S. 40:1216.1(E)(4).~~
* * *

K. If the coroner is unable, unwilling, unqualified, or has a conflict of interest in performing any of the duties provided for in this Section, the duty may be performed by the coroner of an adjacent parish or parish in the same regional health service district. The attorney general shall determine whether a conflict exists or if the coroner is unqualified, based on all available facts and circumstances.

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 28, 2024.
A true copy:
Nancy Landry
Secretary of State

ACT No. 355

SENATE BILL NO. 449
BY SENATOR SEABAUGH
AN ACT

To enact R.S. 18:2(16), relative to the Louisiana Election Code; to provide for definitions; and to provide for related matters.

Be it enacted by the Legislature of Louisiana:

Section 1. R.S. 18:2(16) is hereby enacted to read as follows:

§2. Definitions

As used in this Code, the following words and terms shall have the meanings hereinafter ascribed to each, unless the context clearly indicates another meaning:

* * *

(16) “Qualified elector” or “qualified voter” means a person who has the proper qualifications provided by law to be entitled to vote and who is lawfully registered to vote.

Approved by the Governor, May 28, 2024.

A true copy:

Nancy Landry
Secretary of State

ACT No. 356

SENATE BILL NO. 457
BY SENATOR FOIL
AN ACT

To amend and reenact R.S. 33:9038.32(D), relative to economic development districts in East Baton Rouge Parish; to provide relative to the board of commissioners; to provide relative to terms and conditions; 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. 33:9038.32(D) is hereby amended and reenacted to read as follows:

§9038.32. Creation of economic development district

* * *

D.(1) The governing authority of the district shall be the governing authority of the local governmental subdivision establishing the district.

(2) Notwithstanding the provisions of Paragraph (1) of this Subsection, the Metropolitan Council of the parish of East Baton Rouge and the city of Baton Rouge may elect to establish, by ordinance, a board of commissioners to serve as the governing authority of any district created by such Metropolitan Council. Any such board of commissioners shall consist of not less than three nor more than seven persons who may or may not reside within the district and shall serve the terms, not to exceed six years, as shall be set forth in such ordinance.

* * *

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 28, 2024.

A true copy:

Nancy Landry
Secretary of State

ACT No. 357

SENATE BILL NO. 463
BY SENATOR WHEAT
AN ACT

To enact Subpart H of Part III of Chapter 4 of Title 22 of the Louisiana Revised Statutes of 1950, to be comprised of R.S. 22:1161 through 1166, relative to dental healthcare plans; to provide for transparency of expenditures of dental healthcare plan premiums; to require an annual report; to require rules; to provide for an effective date; and to provide for related matters.

Be it enacted by the Legislature of Louisiana:

Section 1. Subpart H of Part III of Chapter 4 of Title 22 of the Louisiana Revised Statutes of 1950, comprised of R.S. 22:1161 through 1166, is hereby enacted to read as follows:

SUBPART H. LOUISIANA DENTAL LOSS RATIOS FOR DENTAL HEALTHCARE SERVICES PLANS ACT

§1161. Short title

This Subpart shall be cited as the “Louisiana Dental Loss Ratios for Dental Healthcare Services Plans Act”.

§1162. Purpose

The purpose of this Subpart is to provide for transparency of the expenditures of dental healthcare service plan premiums and to require annual reports.

§1163. Definitions

As used in this Subpart, the following definitions apply:

(1) “Dental carrier” or “carrier” means a dental insurance company, dental service corporation, dental plan organization authorized to provide dental

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* As it appears in the enrolled bill

benefits, or a health insurance plan that includes coverage for dental services.

(2) “Dental healthcare service plan” or “plan” means any plan that provides coverage for dental healthcare services to enrollees in exchange for premiums.

(3) “Dental loss ratio” means a percentage of premium dollars spent on patient care as calculated pursuant to R.S. 22:1164.

§1164. Dental loss ratio calculations

The dental loss ratio is calculated by dividing the numerator by the denominator as follows:

(1)(a) The numerator is the sum of the amount incurred for clinical dental services provided to enrollees, the amount incurred on activities that improve dental care quality, and other incurred claims as defined in 45 CFR 158.140(a).

(b) The activities to improve dental care quality shall not exceed five percent of the carrier's net revenue.

(c) Administrative and overhead costs shall not be included in the numerator.

(2) The denominator is the total amount of premium revenue except for federal and state taxes, licensing and regulatory fees paid, and any nonprofit community benefit expenditures, as defined in 45 CFR 158.162(c), and any other payments required by federal law.

§1165. Transparency of patient premium expenditures; dental loss ratio annual report

A. In order to provide transparency of patient premium expenditures for dental healthcare services, all carriers that renew, deliver, or issue a dental healthcare service plan in this state shall file a dental loss ratio annual report for the preceding calendar year to the commissioner no later than March 1, 2025, and annually thereafter, no later than June thirtieth of each calendar year.

B. The dental loss ratio annual report shall comply with all of the following:

(1) Be organized by market and product type.

(2) Contain the same information as required by the 2013 Centers for Medicare and Medicaid Services Medical Loss Ratio Annual Reporting Form (CMS-10418).

(3) If not already provided for pursuant to Paragraph (2) of this Subsection, provide the number of enrollees, the plan cost sharing, deductible amounts, the annual maximum coverage limit, and the number of enrollees who meet or exceed the annual coverage limit.

C. Any terms used in the dental loss ratio annual report shall have the same meaning as used in the Public Health Service Act, 42 U.S.C. 300gg-18 and Part 158 of Title 45 of the Code of Federal Regulations.

D. If the commissioner finds that additional information is needed to verify a plan's representation of its data, the commissioner shall provide a written notice to the carrier that requests this additional information. The carrier shall have thirty days from receipt of the notice to submit the additional information.

E. The dental loss ratio annual report filed with the commissioner shall be made available to the public no later than June 30, 2025, and annually thereafter, no later than June thirtieth of each calendar year. The commissioner shall post the dental loss ratio in a searchable format on the department's website.

F. The commissioner shall file a report on the data collected pursuant to this Section with the Senate Committee on Insurance and the House Committee on Insurance, and a copy of the report shall be forwarded to the David R. Poynter Legislative Research Library as required by R.S. 24:771 and 772, no later than June 30, 2025, and annually thereafter, no later than June thirtieth of each calendar year.

G. The provisions of this Subpart shall not apply to plans under Medicaid or the Louisiana Children's Health Insurance Program.

§1166. Rulemaking

The commissioner shall promulgate rules and regulations in accordance with the Administrative Procedure Act as necessary to implement the provisions of this Subpart, including but not limited to definitions of eligible clinical dental services, activities to improve dental care quality, and administrative and overhead cost expenditures.

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

Approved by the Governor, May 28, 2024.

A true copy:

Nancy Landry
Secretary of State

ACT No. 358

SENATE BILL NO. 465
BY SENATOR TALBOT AND REPRESENTATIVES ADAMS, BAYHAM, BILLINGS, BROWN, CARVER, CHASSION, COX, GREEN, JORDAN, LACOMBE, LAFLEUR, JACOB LANDRY, MCMAKIN, MELERINE, MENA, NEWELL, STAGNI, TAYLOR, WYBLE AND KNOX
AN ACT

To amend and reenact R.S. 17:3703(A), (D), (H)(1), (I), (K)(1), and (L) and to enact R.S. 17:3703(K)(2)(c), relative to intercollegiate athlete's compensation and rights; to provide for institutions to participate in name, image, and likeness under certain circumstances; to provide for a marketing representative to represent an intercollegiate athlete; to provide for disclosure of the value of the athlete's name, image and likeness contract greater than a certain amount; to provide for a financial literacy and life skills workshop; to provide for immunity from liability under certain circumstances; to provide for resources to support an intercollegiate athlete's participation in name, image, and likeness; and to provide for related matters.

Be it enacted by the Legislature of Louisiana:

Section 1. R.S. 17:3703(A), (D), (H)(1), (I), (K)(1), and (L) are hereby amended and reenacted and R.S. 17:3703(K)(2)(c) is hereby enacted to read as follows:

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

§3703. Intercollegiate athlete’s compensation and rights; responsibilities of postsecondary education institutions

A.(4) An intercollegiate athlete at a postsecondary education institution may earn compensation for the use of the athlete’s name, image, or likeness **subject to the following:** ~~Compensation shall be commensurate with the market value of the authorized use of the athlete’s name, image, or likeness.~~

~~(2)(1)~~ To preserve the integrity, quality, character, and amateur nature of intercollegiate athletics and ~~to maintain a clear separation between amateur intercollegiate athletics and professional sports~~ **to the extent prohibited by the rules of athletics governing associations**, a postsecondary education institution or an officer, director, employee, or agent of such institution shall not provide a current or prospective athlete with compensation for the use of the student athlete’s name, image, or likeness: **unless authorized by one of the following:**

(a) A court order nullifying or declaring unlawful current restrictions on player compensation.

(b) The bylaws or regulations of the athletics governing organization for the postsecondary educational institution.

(c) A settlement agreement or consent decree which has the same effect as a change in bylaws or regulations of an athletics governing organization.

(2) Notwithstanding any other provision of law, a postsecondary institution or an officer, director, employee, or agent of the institution may participate in name, image, and likeness endeavors directly and in support of intercollegiate athletes pursuant to Paragraph (1) of this Subsection.

* * *

D.(4) A postsecondary education institution shall not prevent or unduly restrict an intercollegiate athlete from obtaining professional representation by an athlete agent, **marketing representative**, or an attorney engaged for the purpose of securing compensation for the use of the athlete’s name, image, or likeness: **provided that:**

~~(2)~~ **(1)** Professional representation obtained by an intercollegiate athlete shall be from persons registered with or licensed for such activity by the state as follows:

(a)(i) Representation provided by an athlete agent shall be by persons registered with the state in accordance with, and in compliance with, the provisions of Chapter 7 of Title 4 of the Louisiana Revised Statutes of 1950. However, the notification provisions of R.S. 4:424(D)(3) shall not apply to an athlete agent who contacts an intercollegiate athlete for the sole purpose of representing the athlete in matters pertaining to the use of the athlete’s name, image, or likeness.

(ii) An athlete agent, or marketing representative, representing an intercollegiate athlete shall comply with the federal Sports Agent Responsibility and Trust Act, 15 U.S.C. 7801 through 7807, in his relationship with the intercollegiate athlete.

(b) An attorney representing an intercollegiate athlete shall be duly licensed to practice law.

* * *

H.(1) An intercollegiate athlete shall not enter into a contract for compensation for the use of the athlete’s name, image, or likeness if a term of the contract conflicts with a term of the intercollegiate athlete’s athletic program’s team contract **without the written approval of the institution’s athletic department.**

I. An intercollegiate athlete who enters into a contract for compensation for the use of the athlete’s name, image, or likeness **with a value of six hundred dollars or more** shall disclose the contract to the postsecondary education institution in which the athlete is enrolled, in the manner designated by the institution.

* * *

K.(1) A postsecondary education institution shall ~~conduct a~~ **provide annual financial literacy and life skills workshop training** for a minimum of ~~five two and one half~~ **two and one half** hours at the beginning of an intercollegiate athlete’s first and third academic years.

(2)(a)

* * *

(c) The postsecondary education institution may provide resources in the areas of financial responsibility, business formation, and marketing to support an intercollegiate athlete’s participation in name, image, and likeness endeavors.

* * *

L. No postsecondary institution’s **officers, directors, or** employees, including athletics coaching staff, **educators, administrators, health care professionals, consultants, other staff and agents, whether paid, volunteer, or compensated through third parties**, shall be liable for any damages to an intercollegiate athlete’s ability to earn compensation for the use of the athlete’s name, image, or likeness resulting from decisions and actions routinely taken in the course of intercollegiate athletics **or other matters relating directly or indirectly to an athlete’s eligibility to participate in intercollegiate athletics or profit from the use of the athlete’s name, image, and likeness, including but not limited to the administration of an institutions’s policies, procedures, codes of conduct, academic standards, health and safety protocols, and related matters. No postsecondary institutions, nonprofit organization, including its subsidiaries and affiliates, whether nonprofit or otherwise, formally recognized by a postsecondary institution, and no officer, director, employee, other staff member or agent of the institution or organization, shall be liable in any manner, whether directly or indirectly, under any theory of law or in equity, to current, former, or prospective intercollegiate athlete based upon the performance, nonperformance, breach, or termination of an agreement between the current,**

former, or prospective intercollegiate athlete and a third party involving the payment of compensation for name, image, or likeness. However, nothing in this Subsection shall protect the postsecondary institution or its employees from acts of gross negligence or wanton, willful, malicious, or intentional misconduct.

* * *

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 28, 2024.

A true copy:

Nancy Landry
Secretary of State

ACT No. 359

SENATE BILL NO. 476

BY SENATOR OWEN

AN ACT

To amend and reenact R.S. 14:102.5(B) and (C) and to enact R.S. 14:102.5(A)(7) (b)(iv) and (D)(5), relative to the crime of dogfighting and training dogs for dogfighting; to provide that the possession or use of a bait dog is admissible as evidence of dogfighting; to provide an increase in the minimum fine for dogfighting; and to provide for related matters.

Be it enacted by the Legislature of Louisiana:

Section 1. RS. 14:102.5(B) and (C) are hereby amended and reenacted and R.S. 14:102.5(A)(7)(b)(iv) and (D)(5) are hereby enacted to read as follows:

§102.5. Dogfighting; training and possession of dogs for fighting

A.

* * *

(7)

* * *

(b) The following activities shall be admissible as evidence of a violation of this Paragraph:

* * *

(iv) Possession or use of a bait dog to train another dog for dogfighting.

B.(1) “Bait dog” means a dog that is used as bait to train another dog to be more aggressive and accustomed to attacking other dogs for the purpose of dogfighting.

(2) “Dogfighting” means an organized event wherein there is a display of combat between two or more dogs in which the fighting, killing, maiming, or injuring of a dog is the significant feature, or main purpose, of the event.

C. Whoever violates any provision of Subsection A of this Section shall be fined not less than ~~one five~~ **five** thousand dollars nor more than twenty-five thousand dollars, or be imprisoned with or without hard labor for not less than one year nor more than ten years, or both.

D. Nothing in this Section shall prohibit any of the following activities:

* * *

(5) Owning or possessing a former bait dog for the purpose of providing it with rehabilitative care.

Approved by the Governor, May 28, 2024.

A true copy:

Nancy Landry
Secretary of State

ACT No. 360

SENATE BILL NO. 478

BY SENATORS BOUDREAUX AND COUSSAN AND REPRESENTATIVES BRYANT, CARLSON, CHASSION, EMERSON, HEBERT, LARVADAIN, LYONS, MYERS, SELTERS AND WALTERS

AN ACT

To amend and reenact the introductory paragraph of R.S. 11:1733(A) and 1733(C)(1), (D), (E), and (F)(3), relative to coverage of employees of incorporated cities, towns, villages, and tax boards or commissions; to provide for funding including contributions and other employer payments; to provide for Lafayette Consolidated Government Employees; 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. The introductory paragraph of R.S. 11:1733(A) and 1733(C)(1), (D), (E), and (F)(3) are hereby amended and reenacted to read as follows:

§1733. Agreement for coverage of employees of incorporated cities, towns, villages and tax boards or commissions

A. Each incorporated city, town, or village or tax board or commission of a municipality or parish is hereby authorized to submit for board approval an agreement for extending the benefits of this Chapter to its employees. Each such agreement or amendment thereof shall be approved by the board if it **finds that the agreement or amendment** is in conformity with the rules of the board, the requirements of this Chapter, and applicable state laws. Each agreement shall:

To enact R.S. 51:1429, relative to unfair and deceptive trade practices; to provide relative to real estate services and service agreements; to provide for the recording of real estate service agreements; to provide for penalties; to provide relative to terms, conditions, and procedures; and to provide for related matters.

Be it enacted by the Legislature of Louisiana:

Section 1. R.S. 51:1429 is hereby enacted to read as follows:

~~§1429. Unfair or deceptive trade practice or act; real estate service agreements for residential property; recordation on immovable title prohibited~~

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

~~(1) “Real estate broker” or “real estate salesperson” has the meanings ascribed to them in R.S. 37:1431.~~

~~(2) “Real estate service agreement” means an agreement that does all of the following:~~

~~(a) Grants a right to a person or his designee to act as a real estate broker or real estate salesperson for the sale of the residential immovable property identified in the real estate service agreement.~~

~~(b) Provides for compensation to one or more owners of the residential immovable property identified in the real estate service agreement.~~

~~(3) “Residential immovable property” means immovable property consisting of at least one but not more than four residential dwelling units, which are buildings or structures, each of which are occupied or intended for occupancy as single-family residences.~~

~~B. No person shall do any of the following:~~

~~(1) Secure any obligation in a real estate service agreement by obtaining a security interest, lien, or mortgage, against residential immovable property.~~

~~(2) Record a real estate service agreement, or a notice, extract, or memorandum thereof, in the mortgage or conveyance records.~~

~~C. Any violation of the provisions of Subsection B of this Section shall be a deceptive and unfair trade practice and shall subject the violator to any action and penalty provided for in this Chapter, excluding private rights of action as provided in R.S. 51:1409 and 1409.1.~~

~~D. Any obligation arising out of a real estate service agreement shall not constitute a real right and is not effective or enforceable against a third person, whether or not the agreement under which it arises is recorded.~~

~~E. Any mortgage purporting to secure or purporting to create an encumbrance of any nature upon immovable property as security for obligations arising from a real estate service agreement is absolutely null.~~

~~F. If a real estate service agreement, or a notice, extract, or memorandum thereof, in the mortgage or conveyance records, is recorded, it shall not provide actual or constructive notice against an otherwise bona fide purchaser or creditor.~~

~~G. Notwithstanding any provision of law to the contrary, an interested person may petition the court for a writ of mandamus ordering the clerk of court to cancel a security interest, lien, mortgage, or to remove a real estate service agreement, or a notice, extract, or memorandum thereof, from any public record.~~

~~H. The remedies and rights provided pursuant to this Section shall not preclude any right or remedy otherwise authorized by law.~~

~~I. Nothing in this Section authorizes or shall be construed to authorize a real estate salesperson or real estate broker to record a lien or privilege against an owner's residential immovable property to secure payment of a commission or other compensation.~~

~~J. This Section shall not apply to any of the following:~~

~~(1) A lien for a real estate broker commission on commercial real estate pursuant to R.S. 9:2781.1.~~

~~(2) An option to purchase or right of refusal to purchase real estate.~~

~~(3) An agreement to manage residential real estate.~~

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 28, 2024.

A true copy:

Nancy Landry
Secretary of State

ACT No. 364

HOUSE BILL NO. 78
BY REPRESENTATIVE CARVER
AN ACT

To amend and reenact R.S. 17:3983(A)(2)(a)(i) and 3991.1(C)(introductory paragraph) and to enact R.S. 17:3983(A)(2)(a)(iv) and 3991.1(A)(5), relative to charter schools; to authorize the initial proposal for a charter school with a corporate partner to be made to the State Board of Elementary and Secondary Education as a Type 2 charter school proposal; to provide relative to the definition of corporate partner; and to provide for related matters.

Be it enacted by the Legislature of Louisiana:

Section 1. R.S. 17:3983(A)(2)(a)(i) and 3991.1(C)(introductory paragraph) are hereby amended and reenacted and R.S. 17:3983(A)(2)(a)(iv) and 3991.1(A)(5) are hereby enacted to read as follows:

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

A.

* * *

(2)(a)(i) Each proposal for a Type 1 or Type 3 charter school shall first be made to the local school board with jurisdiction where the school is to be located, except as provided for in Item (ii) ~~or (iii)~~ (ii), (iii), or (iv) of this Subparagraph, by submitting a written proposal. If, after review as required by R.S. 17:3982, the local school board denies the proposal, or if conditions placed on the proposal by the local school board, as provided in Paragraph (B) (2) of this Section, are not acceptable to the chartering group, then a proposal for a Type 2 charter school may be made to the state board.

* * *

(iv) The initial proposal for a charter school with a corporate partner as provided in R.S. 17:3991.1 may be made to the state board as a proposal for a Type 2 charter school.

* * *

§3991.1. Corporate partners; enrollment preferences and board membership

A. The legislature finds and declares that:

* * *

(5) Encouraging and enhancing partnerships between the state's public education system and state and federal government partners that provide for public health and safety, defense, and critical infrastructure benefits the state and its students.

* * *

C. For purposes of this Section, a corporate partner is any legal entity except for a corporation identified in R.S. 18:1505.2(L)(3), whether for profit or not for profit, registered with the secretary of state, ~~except a corporation identified in R.S. 18:1505.2(L)(3), a regional airport, or any federal or state entity or agency, including a public postsecondary education institution, that~~ has, acting individually or as part of a consortium of corporations, donated or provided one or more of the following to the school:

* * *

Approved by the Governor, May 28, 2024.

A true copy:

Nancy Landry
Secretary of State

ACT No. 365

HOUSE BILL NO. 83
BY REPRESENTATIVE MOORE
AN ACT

To amend and reenact R.S. 40:2833(A)(6) and (B), relative to commercial body art facilities; to provide for regulations to be promulgated by the state health officer; to provide for the disclosure of health risks of body art; to provide for the disclosure of tattoo ink regulation by the state and federal government; and to provide for related matters.

Be it enacted by the Legislature of Louisiana:

Section 1. R.S. 40:2833(A)(6) and (B) are hereby amended and reenacted to read as follows:

§2833. Rules for minimum sanitary and safety standards

A. The state health officer shall promulgate rules and regulations pursuant to the Administrative Procedure Act, which shall provide for the enforcement of the provisions of this Chapter and which shall also establish minimum sanitary and safety standards for the operation of commercial body art facilities. Minimum standards set shall include but not be limited to all of the following:

* * *

~~(6) Procedures for sufficient disclosure prior to the application of body art, including the permanence of each procedure and procedures for obtaining written consent following such disclosure. Procedures for establishing a written consent form that discloses the health risks and permanence of each procedure. With respect to tattooing services, the written consent shall prominently state whether the ink used is regulated by the state or the United States Food and Drug Administration.~~

* * *

~~B. Such rules shall be promulgated by the state health officer no later than December 1, 1999. He~~ The state health officer shall implement and enforce all such rules adopted pursuant to Subsection A of this Section.

Approved by the Governor, May 28, 2024.

A true copy:

Nancy Landry
Secretary of State

ACT No. 366

HOUSE BILL NO. 117
BY REPRESENTATIVES GREEN, BAYHAM, BOYD, BRYANT, CHASSION, FREEMAN, KNOX, MANDIE LANDRY, LARVADAIN, LYONS, MENA, TAYLOR, VILLIO, WALTERS, AND WILLARD AND SENATORS BARROW, BOUDREAUX, BOUIE, CARTER, CATHEY, DUPLESSIS, FIELDS, HARRIS, AND JACKSON-ANDREWS
AN ACT

To enact R.S. 47:463.230, relative to motor vehicle special prestige license plates; to establish the “Mystic Krewe of Femme Fatale” specialty license plate; to provide for the creation, issuance, design, fees, implementation, distribution, and rule promulgation applicable to such license plate; to provide an effective date; 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; “Mystic Krewe of Femme Fatale”

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 “Mystic Krewe of Femme Fatale” plate, provided 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 Mystic Krewe of Femme Fatale 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 “Mystic Krewe of Femme Fatale”.

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 Mystic Krewe of Femme Fatale. The monies received from the royalty fees shall be used for the organization’s community engagement events to support its mission of uplifting the community through various endeavors of engagement, awareness, and social enhancement in order to make a difference in the New Orleans metropolitan area and across the state of Louisiana.

F. The secretary shall promulgate and adopt rules and regulations as are necessary to implement the provisions of this Section.

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 the new plates.

Approved by the Governor, May 28, 2024.

A true copy:

Nancy Landry
Secretary of State

ACT No. 367

HOUSE BILL NO. 125
BY REPRESENTATIVE BAYHAM
AN ACT

To amend and reenact R.S. 14:34.5.1(B) and (C), relative to battery of a bus operator; to provide for penalties; and to provide for related matters.

Be it enacted by the Legislature of Louisiana:

Section 1. R.S. 14:34.5.1(B) and (C) are hereby amended and reenacted to read as follows:

§34.5.1. Battery of a bus operator
* * *

B. For the purposes of this Section, a “bus operator” means any person employed by a public transit system who operates a bus, as defined in R.S. 32:1(5), or who operates an electronically operated cable car while that person is on duty in the course and scope of his or her employment, regardless of whether the bus is in motion at the time of the offense. “Bus operator” shall not include any person who operates a school bus.

C. Whoever commits the crime of battery on a bus operator while the operator is operating a bus shall be fined not more than five hundred one thousand dollars and imprisoned for not less than forty-eight seventy-two hours nor more than six months one year, with or without hard labor, without benefit of probation, parole, or suspension of sentence.

Approved by the Governor, May 28, 2024.

A true copy:

Nancy Landry
Secretary of State

ACT No. 368

HOUSE BILL NO. 143
BY REPRESENTATIVE BACALA
AN ACT

To enact R.S. 17:22.1, relative to the state superintendent of education; to authorize the superintendent to provide for a chief operating officer to research and make recommendations relative to the financial practices of school boards that fail to meet certain expenditure requirements as provided in the Minimum Foundation Program formula; to require the school boards to make plans for compliance; to subject the plans to the approval of the superintendent; to require the State Board of Elementary

and Secondary Education to adopt rules; and to provide for related matters.

Be it enacted by the Legislature of Louisiana:

Section 1. R.S. 17:22.1 is hereby enacted to read as follows:

§22.1. Superintendent; chief operating officer; assignment to local school systems

A. The state superintendent of education may provide for the department’s assignment of a chief operating officer for the purposes provided in this Section.

B.(1) The superintendent may assign this officer to any city, parish, or other local school system that fails for two consecutive years to comply with any minimum instructional expenditure requirement contained in the Minimum Foundation Program formula as adopted by the State Board of Elementary and Secondary Education and approved by the legislature. The officer shall be a contract employee who serves on a temporary basis as determined by the superintendent. He shall not be a permanent employee of the department and shall not receive a state salary or associated benefits.

(2) The officer shall research the financial standing and practices of the system and submit a written report of his findings and recommendations to the local school board and the state superintendent of education, who shall include this information in any report he makes to the state board relative to system compliance with this requirement.

(3) The school board shall develop a plan for compliance with this requirement based on the officer’s recommendations and submit the plan to the state superintendent in accordance with timelines established in state board policy. The plan is subject to the approval of the superintendent prior to implementation.

C. The state board shall adopt rules for the implementation of this Section.

Approved by the Governor, May 28, 2024.

A true copy:

Nancy Landry
Secretary of State

ACT No. 369

HOUSE BILL NO. 197
BY REPRESENTATIVE CARVER
AN ACT

To enact R.S. 49:191(2)(b) and to repeal R.S. 49:191(12)(b), relative to the Department of Culture, Recreation and Tourism, including provisions for the re-creation of the Department of Culture, Recreation and Tourism and the statutory entities made a part of the department by law; to provide for the effective termination date for all statutory authority for the existence of such statutory entities; and to provide for related matters.

Be it enacted by the Legislature of Louisiana:

Section 1. Pursuant to R.S. 49:193, the Department of Culture, Recreation and Tourism and the statutory entities made a part of the department by law shall be re-created effective June 30, 2024, and all statutory authority therefor is continued in accordance with the provisions of Part XII of Chapter 1 of Title 49 of the Louisiana Revised Statutes of 1950.

Section 2. All statutory authority for the existence of the Department of Culture, Recreation and Tourism and the statutory entities made a part of the department as re-created by Section 1 of this Act shall cease as of July 1, 2029, pursuant to R.S. 49:191. However, the Department of Culture, Recreation and Tourism may be re-created prior to such date in accordance with the provisions of Part XII of Chapter 1 of Title 49 of the Louisiana Revised Statutes of 1950.

Section 3. The provisions of R.S. 49:193 are hereby superseded to the extent that those provisions are in conflict with the provisions of this Act.

Section 4. R.S. 49:191(2)(b) is hereby enacted to read as follows:

§191. Termination of legislative authority for existence of statutory entities; phase-out period for statutory entities; table of dates

Notwithstanding any termination dates set by any previous Act of the legislature, the statutory entities set forth in this Section shall begin to terminate their operations on July first of each of the following years, and all legislative authority for the existence of any statutory entity, as defined in R.S. 49:190, shall cease as of July first of the following year, which shall be the termination date:

* * *

(2) July 1, 2028:

* * *

(b) The Department of Culture, Recreation and Tourism and all statutory entities made a part of the department by law.

Section 5. R.S. 49:191(12)(b) is hereby repealed in its entirety.

Section 6. This Act shall become effective on June 30, 2024; if vetoed by the governor and subsequently approved by the legislature, this Act shall become effective on June 30, 2024, or on the day following such approval by the legislature, whichever is later.

Approved by the Governor, May 28, 2024.

A true copy:

Nancy Landry
Secretary of State

ACT No. 370

HOUSE BILL NO. 226
BY REPRESENTATIVE MANDIE LANDRY
AN ACT

To amend and reenact R.S. 14:118(C)(1), relative to offenses against organized government; to provide relative to the penalties for public bribery; and to provide for related matters.

Be it enacted by the Legislature of Louisiana:

Section 1. R.S. 14:118(C)(1) is hereby amended and reenacted to read as follows:

§118. Public bribery

* * *

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

* * *

Approved by the Governor, May 28, 2024.

A true copy:

Nancy Landry
Secretary of State

ACT No. 371

HOUSE BILL NO. 227
BY REPRESENTATIVE MUSCARELLO
(On Recommendation of the Louisiana State Law Institute)
AN ACT

To amend and reenact Code of Civil Procedure Articles 863(A), 1425(F)(1) and (2), 1436.1, 2163, 2298, 3136, and 3335, relative to civil procedure; to provide for continuous revisions to the Code of Civil Procedure; to provide for the electronic signature of pleadings; to provide for the procedure to challenge experts; to provide with respect to depositions by telephone; to provide for peremptory exceptions filed in an appellate court; to provide with respect to injunctions prohibiting sales; to provide with respect to descriptive lists of property in lieu of inventory; to provide for notice to heirs and residuary legatees; to provide for comments; and to provide for related matters.

Be it enacted by the Legislature of Louisiana:

Section 1. Code of Civil Procedure Articles 863(A), 1425(F)(1) and (2), 1436.1, 2163, 2298, 3136, and 3335 are hereby amended and reenacted to read as follows:

Art. 863. Signing of pleadings; effect

A. Every pleading of a party represented by an attorney shall be signed by at least one attorney of record in his individual name, whose physical address and email address for service of process shall be stated. A party who is not represented by an attorney shall sign his pleading and state his physical address and email address, if ~~he~~ the party has an email address, for service of process. If mail is not received at the physical address for service of process, a designated mailing address shall also be provided. A party or attorney may sign a pleading by electronic signature in accordance with Article 253.

* * *

Art. 1425. Experts; pretrial disclosures; scope of discovery

* * *

~~F.(1) Any party may file a motion for a pretrial hearing to determine whether a witness qualifies as an expert or whether the methodologies employed by such the witness are reliable under Code of Evidence Articles 702 through 705 of the Louisiana Code of Evidence shall file a motion for a pretrial hearing. The motion shall be filed not later than sixty days prior to trial and shall set forth sufficient allegations showing the necessity for these determinations by the court.~~

(2) The court shall hold a contradictory hearing and shall rule on the motion not later than thirty days prior to the trial. At the hearing, the court shall consider the qualifications and methodologies of the proposed witness based upon the provisions of Code of Evidence Articles 104(A) and 702 through 705 ~~of the Louisiana Code of Evidence~~. For good cause shown, the court may allow live testimony at the contradictory hearing.

* * *

Comments - 2024

The amendment to Paragraph F of this Article makes clear that a pretrial hearing is necessary to determine whether a witness qualifies as an expert or whether the methodologies employed by the witness are reliable. This would change the result reached by the First Circuit in Williams v. State Farm Mutual Automobile Insurance Company, 322 So. 3d 795, 797 (La. App. 1 Cir. 2021), in which the court held that the use of the permissive “may” did not mandate a pretrial motion to challenge the qualifications of an expert.

* * *

Art. 1436.1. Depositions by telephone

If agreed upon by every party to ~~a suit~~ an action or if ordered by the court, a deposition may be taken by telephone or other remote electronic means.

* * *

Art. 2163. Peremptory exception filed in appellate court; remand if prescription or peremption pleaded

A. The appellate court may consider ~~the~~ a peremptory exception filed for the first time in that court; if the exception is pleaded prior to a submission of the case for a decision; and if proof of the ground of the exception appears of record.

B. If the ground for the peremptory exception pleaded in the appellate

court is prescription or peremption, the plaintiff may demand that the case be remanded to the trial court for trial of the exception.

* * *

Art. 2298. Injunction prohibiting sale; damages

A. Injunctive relief prohibiting the sheriff from proceeding with the sale of property seized under a writ of fieri facias shall be granted to the judgment debtor or to a third person claiming ownership of the seized property:

(1) When the sheriff is proceeding with the execution contrary to law;

(2) When subsequent to the judgment payment has been made, or compensation has taken place against the judgment, or ~~if the judgment~~ has been otherwise extinguished. If the payment, compensation, or extinguishment is for a part of the judgment, the injunction shall be granted to that extent, and the execution shall continue for the amount of the excess;

(3) When the judgment is for the payment of the purchase price of property sold to the judgment debtor and a suit for recovery of the property has been filed by an adverse claimant; ~~or~~

(4) When the judgment sought to be executed is absolutely null.

B. In the event ~~that~~ injunctive relief is granted to the judgment debtor or third party claiming ownership of the seized property, if the court finds the seizure to be wrongful, it may allow damages. ~~Attorney's~~ Attorney fees for the services rendered in connection with the injunction may be included as an element of the damages.

Comments - 2024

Paragraph B of this Article, the substance of which was enacted in 1981, is intended to give the trial judge the discretion to award damages and attorney fees where the seizure through executory process was wrongful. It is not intended to require that damages and attorney fees be awarded in every case in which an injunction is issued, such as when an injunction is issued because of a technical deficiency or a technical error.

* * *

Art. 3136. Descriptive list of property in lieu of inventory

A. Whenever an inventory of succession property otherwise would be required by law, the person at whose instance the inventory would be taken may file ~~with the Department of Revenue and in the succession proceeding, in lieu of an inventory complying with articles~~ Articles 3131 through 3135, a detailed; descriptive list of all succession property. This list shall be sworn to and subscribed by the person filing it, shall show the location of all items of succession property, and shall set forth the fair market value of each item thereof at the date of the death of the deceased.

B. The privilege of filing a descriptive list of succession property, in lieu of an inventory thereof, may be exercised without judicial authority.

* * *

Art. 3335. Notice to heirs and residuary legatees

A. A copy of any account filed by a succession representative shall be served upon each heir or residuary legatee, together with a notice that the account may be homologated after the expiration of ten days from the date of service and that any opposition thereto ~~must~~ shall be filed before homologation.

B. In the case of any account other than the final account, service on either a resident or a nonresident may be made by ordinary mail.

C. In the case of a final account, service may be made by either of the following:

~~(a) (1) In accordance with the provisions of Article 1314; or~~

~~(b) By (2) On either a resident or a nonresident, by certified or registered mail on either a resident or nonresident or by use of a commercial courier that requires a signed receipt from the addressee upon completion of delivery.~~ The certificate of the attorney for the succession representative that the notice and final account were ~~mailed~~ sent to the heir or legatee, together with the ~~return~~ receipt signed by the addressee, shall be filed in the succession proceeding prior to homologation of the final account.

Comments - 2024

In light of the practical difficulties in the modern day of obtaining a “return receipt signed by the addressee” for certified mail, this Article was revised to allow for a final account to be served upon an heir or residuary legatee by a commercial courier that requires a signed receipt from the addressee upon completion of delivery. Moreover, service by “registered” mail was removed as an option because the addressee of a parcel sent by registered mail has the ability to waive the signature requirement and still receive the parcel.

Section 2. The Louisiana State Law Institute is hereby directed to delete Comment (f) of the 1960 Official Revision Comments to Code of Civil Procedure Article 2751.

Approved by the Governor, May 28, 2024.

A true copy:

Nancy Landry
Secretary of State

ACT No. 372

HOUSE BILL NO. 271
BY REPRESENTATIVE HUGHES
AN ACT

To amend and reenact R.S. 46:1095(B)(1) and (C)(3) and to enact R.S. 46:1095(B) (8) and (9), relative to the parish hospital service district in Orleans Parish; to provide relative to the governing authority of the district; and to provide for related matters.

Notice of intention to introduce this Act has been published as provided by

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

at recess, and during school meal times for students who experience health problems associated with sickle cell disease during the school day.
(3) Methods for communicating with parents and other school personnel in order to support positive academic outcomes for students with sickle cell disease.

C. The Louisiana Sickle Cell Commission shall provide the instructional materials to the state Department of Education, and the department shall provide the materials and information to school boards for the purposes of this Section.

* * *
* * *

§3996. Charter schools; exemptions; requirements

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

* * *
* * *

(82) Sickle cell disease training for school nurses, R.S. 17:436.5.

Approved by the Governor, May 28, 2024.

A true copy:
Nancy Landry
Secretary of State

ACT No. 376

HOUSE BILL NO. 393

BY REPRESENTATIVES LYONS AND CHASSION

AN ACT

To amend and reenact R.S. 40:2200.7.2(A)(introductory paragraph) and (B) (introductory paragraph), relative to support services for individuals with dementia; to provide for Alzheimer's and other dementia disease training; to require the Louisiana Department of Health to educate healthcare providers on dementia services and care; to require certain services from the office of public health outreach programs; and to provide for related matters.

Be it enacted by the Legislature of Louisiana:

Section 1. R.S. 40:2200.7.2(A)(introductory paragraph) and (B)(introductory paragraph) are hereby amended and reenacted to read as follows:

§2200.7.2. Alzheimer's and other dementia diseases training; rulemaking
A. The Louisiana Department of Health ~~may shall~~ in its existing public health programs and services educate healthcare providers on all of the following:

* * *
* * *

B. The office of public health within the Louisiana Department of Health ~~may shall~~ include provisions in its public health outreach programs that, at a minimum, address the following:

* * *
* * *

Approved by the Governor, May 28, 2024.

A true copy:
Nancy Landry
Secretary of State

ACT No. 377

HOUSE BILL NO. 433

BY REPRESENTATIVE ZERINGUE

AN ACT

To enact R.S. 13:82.1, relative to judicial budget reports; to provide for a uniform budget document; to provide for an annual report; to provide for a submission deadline; to provide for the publication of an annual report; and to provide for related matters.

Be it enacted by the Legislature of Louisiana:

Section 1. R.S. 13:82.1 is hereby enacted to read as follows:

§82.1. Uniform budget document; supreme court annual report
Notwithstanding any provision of law to the contrary, no later than October first of each calendar year, the judicial administrator for the supreme court shall develop or revise a uniform budget document designed to show itemized revenues and expenditures for the supreme court, district courts, courts of appeal, city courts, municipal courts, and traffic courts. Once finalized, the judicial administrator shall submit the form to the chief justice of the supreme court. The judicial administrator shall also cause the form to be distributed to the chief judge of each district court, court of appeal, city court, municipal court, and traffic court that receives monies pursuant to an appropriation as provided by R.S. 13:83. Each such court shall submit its completed form to the supreme court, and the supreme court shall complete its form, no later than December thirty-first of that same calendar year. By the deadline set forth in R.S. 39:51(D), the supreme court shall submit a publicly available report containing all completed forms to the legislature and cause the completed forms to be published on its website.

Approved by the Governor, May 28, 2024.

A true copy:
Nancy Landry
Secretary of State

ACT No. 378

HOUSE BILL NO. 456

BY REPRESENTATIVES DAVIS, AMEDEE, BAYHAM, BERAULT, BOYD, BRASS, CARPENTER, WILFORD CARTER, CHASSION, EDMONSTON, FISHER, FREEMAN, HILFERTY, HUGHES, LAFLEUR, SCHLEGEL, SELDERS, TAYLOR, WYBLE, AND ZERINGUE

AN ACT

To amend and reenact R.S. 17:436.1(M) and to enact R.S. 17:436.1(O), relative to the administration of medication at schools; to require rather than authorize schools to adopt policies relative to the administration of naloxone or other opioid antagonists; to provide for the administration of certain life-saving medications at schools; to provide relative to the training of school personnel; to provide relative to a limitation of liability; and to provide for related matters.

Be it enacted by the Legislature of Louisiana:

Section 1. R.S. 17:436.1(M) is hereby amended and reenacted and R.S. 17:436.1(O) is hereby enacted to read as follows:

§436.1. Administration of medication; definition; conditions; restrictions; exceptions

* * *

M.(1) The governing authority of each public and nonpublic elementary and secondary school ~~may shall~~ adopt a policy that authorizes a school to maintain a supply of naloxone or other opioid antagonists and authorizes a school nurse or other school employee to administer naloxone or another opioid antagonist to any student or other person on school grounds in the event of an actual or perceived opioid emergency. Such a policy shall require that school employees other than school nurses receive at least six hours of general training, ~~including training on emergency administration, from a registered nurse or a licensed medical physician prior to being authorized to perform such administration.~~ training that addresses techniques on how to recognize signs of opioid-related overdose, standards and procedures for the storage and administration of naloxone or another opioid antagonist, and emergency follow-up procedures, including the requirement to summon emergency services either immediately before or immediately after administering the naloxone or other opioid antagonist. ~~A school governing authority that does not adopt such a policy shall not be subject to civil liability for failing to authorize such supply or administration.~~

(2) The following are not liable for damages in a civil action for injury, death, or loss to person or property that allegedly arises from an act or omission associated with the administration of naloxone or another opioid antagonist, unless the act or omission constitutes willful or wanton misconduct:

- (a) A public or nonpublic school.
- (b) A public or nonpublic school employee or volunteer.
- (c) A licensed health professional authorized to prescribe medication who personally furnishes or prescribes naloxone or another opioid antagonist.
- (d) A training organization and its personnel.

* * *

O.(1) Notwithstanding any other provision of law to the contrary, licensed health professionals authorized to prescribe medication may prescribe life-saving medications that are maintained in the name of a school for use in accordance with Paragraph (3) of this Subsection, licensed pharmacists and physicians may dispense such medications, and a school may maintain a stock supply of such medications in accordance with a prescription issued pursuant to this Paragraph. The state Department of Education shall develop and distribute a list of such medications.

(2) As used in this Subsection:

(a) "Life-saving medication" means any medication that can be administered to treat any life-threatening condition.

(b) "Trained school personnel" means a school employee or volunteer who has received the training on life-saving medication that addresses techniques on how to recognize signs of a life-threatening emergency, standards and procedures for the storage and administration of the medication, and emergency follow-up procedures, including the requirement to summon emergency services either immediately before or immediately after administering the medication.

(3) The governing authority of a public or nonpublic school may authorize school nurses and other trained school personnel to administer life-saving medication to a student or other person on a school premises or during a school-affiliated activity whom they believe in good faith to be experiencing a medical emergency in accordance with a standing protocol of licensed health professionals authorized to prescribe medication, regardless of whether the student or other person has a prescription for the medication. Training for the administration of such medication may be provided by a medical emergency training organization, a registered nurse, or a licensed physician.

(4) The governing authority may enter into arrangements with manufacturers or suppliers of such medications to obtain them at fair-market, free, or reduced prices.

(5) The following are not liable for damages in a civil action for injury, death, or loss to person or property that allegedly arises from an act or

omission associated with administration or self-administration of a life-saving medication, unless the act or omission constitutes willful or wanton misconduct;
(a) A public or nonpublic school.
(b) A public or nonpublic school employee or volunteer.
(c) A licensed health professional authorized to prescribe medication who personally furnishes or prescribes a life-saving medication.
(d) A training organization and its personnel.
(6) The administration of life-saving medication as provided in this Section does not constitute the practice of medicine or nursing.
Approved by the Governor, May 28, 2024.
A true copy:
Nancy Landry
Secretary of State

ACT No. 379

HOUSE BILL NO. 470
BY REPRESENTATIVE ST. BLANC AND SENATOR ALLAIN
AN ACT

To enact R.S. 13:5722(A)(2)(h), relative to courts in St. Mary Parish; to require an additional court fee in criminal matters in all courts in St. Mary Parish; to provide relative to the coroner's operational fund; and to provide for related matters.
Be it enacted by the Legislature of Louisiana:
Section 1. R.S. 13:5722(A)(2)(h) is hereby enacted to read as follows:
§5722. Coroner's Operational Fund established
A.

* * *

(2)

* * *

(h) In criminal cases, including traffic violations, in all courts in St. Mary Parish, a fee of not less than five dollars nor more than ten dollars shall be imposed on every defendant who is convicted after trial or plea of guilty, which fee shall be used solely to defray the operational costs of the office of the coroner of the parish.

* * *

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.
Approved by the Governor, May 28, 2024.
A true copy:
Nancy Landry
Secretary of State

ACT No. 380

HOUSE BILL NO. 476
BY REPRESENTATIVE CARLSON
AN ACT

To amend and reenact R.S. 18:1308(B)(1), relative to the delivery of absentee by mail ballots; to limit the number of marked ballots that a person may send to the registrar through the United States Postal Service or commercial courier; and to provide for related matters.
Be it enacted by the Legislature of Louisiana:
Section 1. R.S. 18:1308(B)(1) is hereby amended and reenacted to read as follows:
§1308. Absentee voting by mail

* * *

B.(1) The ballot shall be marked as provided in R.S. 18:1310 and returned to the registrar by the United States Postal Service, a commercial courier, or hand delivery. If delivered by other than the voter, a commercial courier, or the United States Postal Service, the registrar shall require that the person making such delivery sign a statement, prepared by the secretary of state, certifying that he has the authorization and consent of the voter to hand deliver the marked ballot. For purposes of this Subsection, "commercial courier" shall have the same meaning as provided in R.S. 13:3204(D). No person except the immediate family of the voter, as defined in this Code, shall ~~hand deliver~~ submit by any means or send for delivery by the United States Postal Service or commercial courier more than one marked ballot per election to the registrar. Upon its receipt, the registrar shall post the name and precinct of the voter as required by R.S. 18:1311.

* * *

Approved by the Governor, May 28, 2024.
A true copy:
Nancy Landry
Secretary of State

ACT No. 381

HOUSE BILL NO. 511

BY REPRESENTATIVE ILLG
AN ACT

To amend and reenact R.S. 22:1295(1)(a)(ii), relative to uninsured motorist coverage; to provide relative to the uninsured motorist rejection form; to require insurers to verify proper completion of the form; to require insurers' retention of a copy; to prohibit delegation of retention responsibilities; to provide for applicability; and to provide for related matters.
Be it enacted by the Legislature of Louisiana:
Section 1. R.S. 22:1295(1)(a)(ii) is hereby amended and reenacted to read as follows:
§1295. Uninsured motorist coverage
The following provisions shall govern the issuance of uninsured motorist coverage in this state:

(1)(a)

* * *

(ii) Such rejection, selection of lower limits, or selection of economic-only coverage shall be made only on a form prescribed by the commissioner of insurance. The prescribed form shall be provided by the insurer and signed by the named insured or his legal representative. The form signed by the named insured or his legal representative which initially rejects such coverage, selects lower limits, or selects economic-only coverage shall be conclusively presumed to become a part of the policy or contract when issued and delivered, irrespective of whether physically attached thereto. A properly completed and signed form creates a rebuttable presumption that the insured knowingly rejected coverage, selected a lower limit, or selected economic-only coverage. An insurer may require the producer of record to obtain a completed selection form and deliver the form to the insurer; however, the insurer shall verify that the form is properly completed, retain a copy of the form as part of the policy, and shall not delegate this obligation to retain a properly completed form to the producer of record. The form signed by the insured or his legal representative which initially rejects coverage, selects lower limits, or selects economic-only coverage shall remain valid for the life of the policy and shall not require the completion of a new selection form when a renewal, reinstatement, substitute, or amended policy is issued to the same named insured by the same insurer or any of its affiliates. An insured may change the original uninsured motorist selection or rejection on a policy at any time during the life of the policy by submitting a new uninsured motorist selection form to the insurer on the form prescribed by the commissioner of insurance. Any changes to an existing policy, regardless of whether these changes create new coverage, except changes in the limits of liability, do not create a new policy and do not require the completion of new uninsured motorist selection forms. For the purpose of this Section, a ~~new policy shall mean~~ "new policy" means an original contract of insurance which an insured enters into through the completion of an application on the form required by the insurer.

* * *

Section 2. The provisions of this Act shall apply to new policies written on or after April 1, 2025.
Approved by the Governor, May 28, 2024.
A true copy:
Nancy Landry
Secretary of State

ACT No. 382

HOUSE BILL NO. 573
BY REPRESENTATIVE DAVIS
AN ACT

To amend and reenact R.S. 26:351(3)(a), relative to alcoholic beverages; to provide relative to the sale and shipment of certain alcoholic beverages; to provide relative to container size limitations of beverages of high alcoholic content; and to provide for related matters.
Be it enacted by the Legislature of Louisiana:
Section 1. R.S. 26:351(3)(a) is hereby amended and reenacted to read as follows:
§351. Limitation on size of containers of beverages of high alcoholic content; standards of fill

* * *

(3)(a) Distilled spirits, whether domestically bottled or imported, subject to the metric standard of fill prescribed in Paragraph (1) of this Section shall be packed with the following number of containers per shipping case or container:

Container sizes	Containers per case	
1.75 liters	6	
1.00 liters	<u>not more than 12</u>	
750 milliliters	<u>not more than 12</u>	
700 milliliters	12	
375 milliliters	24	
355 milliliters	24	
200 milliliters	48	48
50 milliliters	60	
50 milliliters	120	

* * *

Approved by the Governor, May 28, 2024.
A true copy:

ACT No. 383

**HOUSE BILL NO. 580
BY REPRESENTATIVE MUSCARELLO
AN ACT**

To amend and reenact R.S. 9:5175(A), (B), and (C)(1), (2)(a), (f), and (g), and (3) and to enact R.S. 9:5175(C)(2)(h) and 5175.1, relative to bankruptcy; to provide procedures for bankruptcy orders and discharges; to provide for an effective date; and to provide for related matters.

Be it enacted by the Legislature of Louisiana:

Section 1. R.S. 9:5175(A), (B), and (C)(1), (2)(a), (f), and (g), and (3) are hereby amended and reenacted and R.S. 9:5175(C)(2)(h) and 5175.1 are hereby enacted to read as follows:

§5175. Order of discharge in bankruptcy; effect

A.(1) A judgment debtor in whose favor a United States Bankruptcy Court has entered an order of discharge, or any person whose rights are or may be affected by the order, may bring an action in accordance with the provisions of R.S. 44:114, against the recorder of mortgages of a parish in which the judgment is recorded to declare the judicial mortgage created by its recordation extinguished and order the recordation of the judgment cancelled from the records of the parish and any other parish in which the judgment is recorded.

B.(1) (2) Upon proof of the order of discharge, and that the judgment upon which a judicial mortgage is based is for a claim that has been discharged was scheduled or disclosed in the bankruptcy proceeding, the court shall declare extinguished the judicial mortgage evidenced by the recordation of the judgment and order the recordation of the judgment cancelled unless the judgment creditor, or any other party to the action whose rights are or may be adversely affected by the cancellation, proves that the judgment creditor or such other person possesses equity in property as a result of the judicial mortgage over and above superior liens, in which case the order of cancellation shall expressly exclude its effect as to that property. any property encumbered by the judicial mortgage in which there is equity.

(2) If a bankruptcy court order authorizing the sale of property free and clear of all judgments, mortgages, and privileges does not specify the discharged judgments, mortgages, or privileges to be cancelled, the trustee or former trustee in the proceedings, or his attorney of record, may specify by affidavit which discharged judgments, mortgages, or privileges are to be partially cancelled as to the particular property subject to the order. The affidavit and a Request to Cancel shall be filed with the bankruptcy court order. The affidavit shall contain all of the following information:

(a) A statement that the debtor filed a petition under the United States Bankruptcy Code.

(b) The name of the court where the bankruptcy proceeding was filed.

(c) The date on which the petition was filed.

(d) A statement that the debt or debts upon which the judgment, mortgage, or privilege is based were listed in the bankruptcy proceeding.

(e) A description of the particular property to be released and a statement that the property is free and clear of all judgments, mortgages, or privileges.

(f) A listing of the judgments, mortgages, or privileges, including the clerk's office identification by instrument number, book, or folio.

(g) A certified copy of the bankruptcy court order.

E. B.(1) A judgment debtor may obtain a partial cancellation of the inscription of a judgment as it affects property not owned by the judgment debtor on the date of his filing a petition the filing of a petition or at any time prior to the discharge order under Chapter 7 or Chapter 13 of the United States Bankruptcy Code upon the filing of an affidavit in accordance with this Subsection.

(2) The affidavit shall contain all of the following:

(a) A statement that the judgment debtor filed a petition under Chapter 7 or Chapter 13 of the United States Bankruptcy Code.

* * *

(f) A copy of the schedule or schedules listing the debt. A statement that the affiant is liable to and shall indemnify the clerk or recorder and any of his or her employees or agents relying on the affidavit for any damages they may suffer as a consequence of such reliance.

(g) A copy of the discharge order. A copy of the schedule or schedules listing the debt.

(h) A copy of the discharge order.

(3) Upon the filing of an affidavit in compliance with this Subsection, the recorder shall partially cancel the judgment insofar as it affects the property described in the affidavit and any property that may have been acquired after the date stated in Subparagraph (2)(c) of this Subsection that the debtor filed his the petition for bankruptcy.

* * *

§5175.1. Bankruptcy order authorizing sale of property

If a United States Bankruptcy Court order authorizing the sale of property free and clear of all liens, judgments, mortgages, and privileges does not specify the liens, judgments, mortgages, or privileges to be cancelled, a Louisiana licensed attorney may specify by affidavit which liens, judgments, mortgages, or privileges are to be partially cancelled as to the particular property subject to the order. The affidavit and a Request to Cancel shall

be filed in the mortgage records of the parish in which the property is situated with a certified copy of the entire bankruptcy court order including all attachments thereto. The affidavit shall contain all of the following information:

(a) A statement that the debtor filed a petition under the United States Bankruptcy Code.

(b) The name of the court where the bankruptcy proceeding was filed.

(c) The date on which the petition was filed.

(d) A statement that the debt or debts upon which the judgment, mortgage, or privilege is based were listed in the bankruptcy proceeding.

(e) A full legal description of the particular property subject to the order.

(f) A listing of the liens, judgments, mortgages, or privileges, including the clerk's office identification by instrument number, book, or folio, or by whatever local method the clerk's office identifies such records.

(g) A statement that each holder of the liens, judgments, mortgages, or privileges sought to be partially cancelled was provided notice of the bankruptcy court order.

(h) A statement that the affiant is liable to and shall indemnify and hold harmless the clerk or recorder, and any of his or her employees or agents, relying on the affidavit for any damages they may suffer as a consequence of such reliance.

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 28, 2024.

A true copy:

Nancy Landry
Secretary of State

ACT No. 384

**HOUSE BILL NO. 593
BY REPRESENTATIVE HILFERTY
AN ACT**

To amend and reenact R.S. 33:4076, relative to the sewerage and water board of New Orleans; to provide relative to the employees of the board; to provide relative to residency requirements; 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. 33:4076 is hereby amended and reenacted to read as follows: §4076. Employees of board; civil service

The board may employ all necessary clerks, engineers, firemen, and other skilled and unskilled employees necessary and proper to the efficient administration, operation and control of the public sewerage, water, and drainage systems. All the employees, except unskilled laborers, shall be appointed only after they have passed the civil service examination administered by the civil service commissioners of the city of New Orleans. Other than executive management positions, if an employment position cannot be filled with a New Orleans resident within ninety days after the position has been advertised, the board may employ a person who is not a New Orleans resident and who shall remain exempt from the city's residency requirement for the duration of his employment. They shall hold their positions during good behavior and shall be removed only for cause. Nothing herein shall be construed as preventing the board from dispensing with the services of unnecessary employees. Civil service rules shall not apply to the executive director, the general superintendent, or the Board of Advisory Engineers.

Section 2. The State Civil Service Commission and the Civil Service Commission of the City of New Orleans shall cooperatively develop a plan for the transfer of all employees of the sewerage and water board of New Orleans to the state civil service. The plan shall be fully implemented and all such employees shall be subject to the administration of state civil service within one year of the effective date of this Act.

Approved by the Governor, May 28, 2024.

A true copy:

Nancy Landry
Secretary of State

ACT No. 385

**HOUSE BILL NO. 607
BY REPRESENTATIVE OWEN
AN ACT**

To amend and reenact R.S. 40:1664.3(59), 1664.9(B)(1) and (3) and (C)(1) and (3) and to enact R.S. 40:1664.3(73) through (81) and 1664.9(C)(12), relative to locksmith licensing; to provide for definitions; to provide for limited locksmiths; to provide for automotive locksmiths; to provide for limited security; to provide for limited conveyance device mechanics; to provide for licensing and renewal fees; 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 underscored and boldfaced (Senate Bills) are additions.

Section 1. R.S. 40:1664.3(59), 1664.9(B)(1) and (3) and (C)(1) and (3) are hereby amended and reenacted and R.S. 40:1664.3(73) through (81) and 1664.9(C)(12) are hereby enacted to read as follows:

§1664.3. Definitions

As used in this Subpart, the following terms have the meanings specified in this Section:

* * *

(59) “Property protection systems and equipment” means those life safety and property protection systems intended to protect lives and property from the risk of theft, unauthorized entry, or other physical harm to a structure’s occupants or property. Property protection systems and equipment include; but are not limited to intrusion alarms, closed circuit television, automotive locks, mechanical locks, and electronic locks.

* * *

(73) “Automotive” means ~~concerned with or related to, but not limited to, motor vehicles, automobiles, trucks, motorcycles, recreational vehicles, all-terrain vehicles, snowmobiles, campers, boats, and other watercraft.~~

(74) “Automotive locksmith endorsement” means the document issued by the state fire marshal to a firm or employee authorizing either to engage in property protection activity of automotive locks and equipment, including programming of automotive key fobs and transponder devices.

(75) “Automotive locksmith technician” means an individual who sells, repairs, rebuilds, recodes, rekeys, programs, services, adjusts, installs, ~~manipulates, or bypasses automotive locks and equipment, which includes key fobs and automotive transponder devices, and the creation and duplication of automotive keys.~~

(76) “Limited conveyance device mechanic” means an individual who is licensed through the state fire marshal and erects, constructs, installs, alters, services, repairs, or maintains only platform lifts, stairway chairlifts, and limited-use-limited-application, or LULA, elevators in commercial and industrial structures.

(77) “Limited conveyance device mechanic endorsement” means an endorsement that allows the holder to erect, construct, install, alter, service, repair, or maintain only platform lifts, stairway chairlifts, and limited-use-limited-application, or LULA, elevators in commercial and industrial structures.

(78) “Limited locksmith endorsement” means the document issued by the state fire marshal to a firm or employee authorizing either to engage in property protection activity of automotive locks and equipment, including programming of automotive transponder devices, and mechanical locks in commercial and residential structures that are non-powered, whether by electrical current or battery. This endorsement does not authorize the holder to engage in property protection activity of special locking systems or equipment.

(79) “Limited locksmith technician” means an individual who sells, repairs, rebuilds, recodes, rekeys, programs, services, adjusts, installs, manipulates, or bypasses automotive locks, stand-alone electro-mechanical locking systems, and mechanical locking systems or devices for controlled access to automobiles or egress to premises, safes, vaults, doors, lock boxes, or other non-powered locking systems and equipment and devices for safeguarding automobiles or commercial or residential structures or areas. This activity includes the creation and duplication of keys for automotive locks and mechanical locking systems or devices. This endorsement does not authorize the holder to engage in property protection activity of special locking systems or equipment.

(80) “Limited security endorsement” means the document issued by the state fire marshal to a firm or employee authorizing either to engage in property protection activity of security, household fire warning, or closed circuit television systems and equipment. This endorsement does not authorize the holder to engage in property protection activity of special locking systems or equipment.

(81) “Limited security technician” means an individual who engages in property protection activity of security, household fire warning, or closed circuit television systems and equipment. This endorsement does not authorize the holder to engage in property protection activity of special locking systems or equipment.

* * *

§1664.9. Fees; license endorsements for firms and persons; certifications; Louisiana Life Safety and Property Protection Trust Dedicated Fund Account

* * *

B. The amount of licensing fees for a firm shall be as follows:			
Firm endorsement		Initial fee	Renewal fee
(1)(a) Technical Endorsement-Locksmith			
		\$250	\$50
(b) Specialty Endorsement:			
(i) Bank locking	\$250	\$50	
(ii) Detention locking	\$250	\$50	
(iii) Limited Locksmith	\$250	\$50	
(iv) Automotive Locksmith	\$250	\$50	
* * *			
(3)(a) Technical Endorsement-Security			
	\$250	\$50	
(b) Specialty Endorsement:			
(i) Closed Circuit Television	\$250	\$50	
(ii) Household fire	\$250	\$50	
(iii) Special Locking	\$250	\$50	
(iv) Limited Security	\$250	\$50	
* * *			

C. The amount of licensing fees for a person are as follows:

	Employee endorsement	Initial fee	Renewal fee
--	----------------------	-------------	-------------

(1)(a) Technical Endorsement-Locksmith			
		\$100	\$50
(b) Specialty Endorsement:			
(i) Bank locking	\$100	\$50	
(ii) Detention locking	\$100	\$50	
(iii) Limited Locksmith	\$100	\$50	
(iv) Automotive Locksmith	\$100	\$50	
* * *			
(3)(a) Technical Endorsement-Security			
	\$100	\$50	
(b) Specialty Endorsement:			
(i) Closed Circuit Television	\$100	\$50	
(ii) Household fire	\$100	\$50	
(iii) Security sales	\$100	\$50	
(iv) Special Locking	\$100	\$50	
(v) Limited Locksmith	\$100	\$50	
(vi) Limited Security	\$100	\$50	
* * *			
(12) Speciality Endorsement-			
Limited Conveyance Device Mechanic	\$100	\$50	
* * *			

Section 2. This Act shall become effective on January 1, 2025.
Approved by the Governor, May 28, 2024.
A true copy:
Nancy Landry
Secretary of State

ACT No. 386

HOUSE BILL NO. 629
BY REPRESENTATIVE PHELPS
AN ACT

To amend and reenact R.S. 17:233(B)(1)(b), relative to truancy; to provide for parental and school responsibilities with respect to truant students; to provide for criminal penalties; and to provide for related matters.
Be it enacted by the Legislature of Louisiana:
Section 1. R.S. 17:233(B)(1)(b) is hereby amended and reenacted to read as follows:
§233. Cases of habitual absence or tardiness referred to juvenile or family court; denial or suspension of driving privileges; parental responsibilities

* * *

B.(1)
* * *
(b)(i) The parent or legal guardian of a student shall enforce the attendance of the student at the school to which the student is assigned. The parent or legal guardian of a truant student shall ensure that the student makes up missed school work by attending after-school tutoring sessions, weekend make-up classes, or other remediation opportunities, as determined by the school board until the students has caught up with his school work. The parent shall also attend meetings at the school on at least a monthly basis relative to the student’s progress until the student has caught up on his missed school work and any assistance fair conducted by the school district that provides information on supports available to families. Failure to comply with the provisions of this Item may subject a parent to the penalties provided in R.S. 14:92.2.
(ii) The principal of each school or his designee shall note any concerns that school personnel have relative to a child’s school attendance on the back of any Supplemental Security Income form that the school receives relative to that child.

* * *

Approved by the Governor, May 28, 2024.
A true copy:
Nancy Landry
Secretary of State

ACT No. 387

HOUSE BILL NO. 634
BY REPRESENTATIVE FREIBERG
AN ACT

To enact R.S. 33:2740.70.6, relative to certain parishes; to authorize the governing authority of the parish to distribute sales and use tax revenue collected on the sale of admission tickets to certain events; to provide relative to the approval of such distributions; and to provide for related matters.
Be it enacted by the Legislature of Louisiana:
Section 1. R.S. 33:2740.70.6 is hereby enacted to read as follows:
§2740.70.6. Certain parishes; rebate of sales taxes
A. The governing authority of a parish with a population of more than four hundred fifty thousand according to the most recent federal decennial census may, subject to the requirements of Subsection B of this Section, rebate revenue from sales and use taxes the governing authority levies that was collected on the sale of admission tickets to an event that meets one of the

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following criteria:
(1) The event was held in a publicly owned facility that has a seating capacity of at least seven thousand five hundred.
(2) The event was held for two or more days, and average daily attendance was at least seven thousand five hundred.
B. The governing authority shall not rebate sales and use tax revenue pursuant to this Section unless the governing authority of the parish convention and visitors bureau, however the bureau is styled in the particular parish, recommends the rebate and the parish governing authority approves the rebate prior to the commencement of ticket sales for the event.
C. The parish governing authority shall rebate revenue pursuant to this Section within ninety days after it receives sufficient proof of entitlement to the rebate.
D. For purposes of this Section, “rebate” as a noun means a payment to the promoter of the event, and “rebate” as a verb means to pay to the promoter of the event.
Approved by the Governor, May 28, 2024.
A true copy:
Nancy Landry
Secretary of State

ACT No. 388

HOUSE BILL NO. 635
BY REPRESENTATIVE BAGLEY
AN ACT

To enact R.S. 40:1501.9, relative to Caddo Parish Fire District No. 6; to authorize the district to levy a sales and use tax, subject to voter approval; and to provide for related matters.
Be it enacted by the Legislature of Louisiana:
Section 1. R.S. 40:1501.9 is hereby enacted to read as follows:
§1501.9. Caddo Parish Fire District No. 6; authority to levy sales and use tax
A. Notwithstanding any other provision of law to the contrary, Caddo Parish Fire District No. 6 may levy and collect a sales and use tax not to exceed one percent pursuant to the provisions of Article VI, Section 30 of the Constitution of Louisiana. Caddo Parish Fire District No. 6 may levy the tax only if the levy of the tax is approved by a majority of the qualified electors of the district voting on the proposition at an election held for that purpose and conducted in accordance with the Louisiana Election Code and held on a date that corresponds with an election date provided by R.S. 18:402(A)(1) or (B)(1).
B. The proceeds of the tax authorized by this Section shall be used for maintaining and operating fire protection facilities, for obtaining water for fire protection purposes, or for any other lawful purpose as determined by the governing board.
C. The sales and use tax so levied shall be imposed by an ordinance of the district and shall be levied upon the sale at retail, the use, the lease or rental, the consumption, the storage for use or consumption of tangible personal property, and on sales of services in the district, all as defined in Chapter 2 of Subtitle II of Title 47 of the Louisiana Revised Statutes of 1950.
D. The tax shall be in addition to all other authorized sales and use taxes and shall be collected at the same time and in the same manner as other local sales and uses taxes.
Section 2. Notwithstanding the provisions of R.S. 40:1501.9(A) as enacted by this Act, the governing authority of Caddo Parish Fire District No. 6 may, in 2025 only, call the election provided for in R.S. 40:1501.9(A) on a date that corresponds with an election date provided by R.S. 18:402(F).
Approved by the Governor, May 28, 2024.
A true copy:
Nancy Landry
Secretary of State

ACT No. 389

HOUSE BILL NO. 651
BY REPRESENTATIVE BRAUD
AN ACT

To amend and reenact R.S. 22:1923(introductory paragraph) and (2) (introductory paragraph), 1964(13), and 2198(A) and to enact R.S. 22:1923(2) (p), relative to insurance fraud and unfair trade practices; to modify definitions; to provide relative to subpoena powers of the commissioner of insurance; and to provide for related matters.
Be it enacted by the Legislature of Louisiana:
Section 1. R.S. 22:1923(introductory paragraph) and (2)(introductory paragraph), 1964(13), and 2198(A) are hereby amended and reenacted and R.S. 22:1923(2)(p) is hereby enacted to read as follows:
§1923. Definitions
As used in this Part, the following terms shall have the meanings indicated in this Section:
* * *
(2) “Fraudulent insurance act” shall include but not be includes but is not limited to acts or omissions committed by any person who, knowingly and with intent to defraud, does any of the following:
* * *

(p) Presents to an insurer or insured a statement, estimate, invoice, bid,
THE ADVOCATE * As it appears in the enrolled bill
PAGE 25

proposal, proof of loss, or any other document that misrepresents the scope of damages or costs of repairs associated with a property insurance claim.
* * *
§1964. Methods, acts, and practices which are defined as unfair or deceptive
The following are declared to be unfair methods of competition and unfair or deceptive acts or practices in the business of insurance:
* * *

(13) Fraudulent insurance act. A fraudulent insurance act is one committed by a person who knowingly and with intent to defraud presents, causes to be presented, or prepares with knowledge or belief that it will be presented to or by an insurer, purported insurer, producer, or any agent thereof, any written statement as part of, or in support of, or in opposition to an application for the issuance of, or the rating of an insurance policy for commercial insurance, or a claim for payment or other benefit pursuant to an insurance policy for commercial or personal insurance which he knows to contain materially false information concerning any fact material thereto; or conceal for the purpose of misleading information concerning any fact material thereto. Committing a fraudulent insurance act as defined in R.S. 22:1923.
* * *

§2198. Procedure and subpoena power of commissioner
A.(1) Upon receipt of information, evidence, or other reason to believe that a person or entity may be in possession, custody, or control of any documentary or non-documentary information relevant to an investigation for a possible violation of any provision of Chapter 7 of this Title, or violation of any prohibitory insurance law in this state, The the commissioner of insurance or other employee designated by him for that purpose, shall have power to compel may issue and serve a subpoena compelling the attendance of any person the person or entity by subpoena at a hearing or investigation proceeding, proceeding.
(2) The commissioner may subpoena, to administer oaths, and to examine any person under oath concerning the business, conduct, or affairs of any company, entity, or persons subject to the provisions of this Code, and in connection therewith to require the production of any books, records, or papers relative to a hearing, inquiry, or investigation.
(3) The commissioner shall serve subpoenas provided for in this Section in the same manner as if issued by a district court.
* * *

Approved by the Governor, May 28, 2024.
A true copy:
Nancy Landry
Secretary of State

ACT No. 390

HOUSE BILL NO. 677
BY REPRESENTATIVE BEAULLIEU
AN ACT

To amend and reenact R.S. 18:110(D), 154(F)(3), 173(D), 193(A) and (E), 423(H) (2), 434(F), 494(A), 512(C), 572(A)(1) and (2)(a), 574(E)(1), 1259(B)(2)(b), (4), and (6), 1280.21(C), 1406(C), the heading of Part VIII of Chapter 11 of Title 18 of the Louisiana Revised Statutes of 1950, 1551, 1553, 1554, and 1555(B), and R.S. 26:584(B)(4), to enact R.S. 18:154(F)(8), and to repeal R.S. 18:154(G) and 173(B), relative to the revision of the system of laws providing for elections; to make revisions to the Louisiana Election Code; to provide for statements requesting cancellation of voter registration; to provide for the disclosure of an application to vote absentee by mail and related information; to provide for the disclosure of voided votes; to provide for the cancellation of voter registration; to provide for notification of deaths for purposes of cancellation of voter registration; to provide for the qualification of a commissioner removed for cause; to provide for objections to candidacy; to provide for the timing for an election following a tie vote in a general election; to provide for the transmission of documentation to the secretary of state following an election; to provide for the promulgation of returns; to provide for the timing for notifications provided by the state central committee of a recognized political party; to provide for the Campaign Finance Disclosure Act; to provide for the disbursement of the surplus campaign contributions of a deceased candidate; to provide relative to local option elections; to provide for the language required on a petition for a local option election; and to provide for related matters.
Be it enacted by the Legislature of Louisiana:
Section 1. R.S. 18:110(D), 154(F)(3), 173(D), 193(A) and (E), 423(H)(2), 434(F), 494(A), 512(C), 572(A)(1) and (2)(a), 574(E)(1), 1259(B)(2)(b), (4), and (6), 1280.21(C), 1406(C), the heading of Part VIII of Chapter 11 of Title 18 of the Louisiana Revised Statutes of 1950, 1551, 1553, 1554, and 1555(B) are hereby amended and reenacted and R.S. 18:154(F)(8) is hereby enacted to read as follows:
§110. Removal from precinct; removal from parish
* * *

D. Any registrant may have his name cancelled from the file of eligible voters by filing a signed written statement of such request with the registrar of voters for the parish in which he is registered.
* * *
§154. Records open to inspection; copying; exceptions
* * *

F. Notwithstanding any provision of this Section to the contrary, the registrar, the clerk of court, and the Department of State shall be prohibited
CODING: Words in struck through type are deletions from existing law; words under scored (House Bills) and underscored and boldfaced (Senate Bills) are additions.

from disclosing the following:

(3) An application to vote absentee by mail, ~~or information contained therein, or the status of a voted ballot~~ until the applicant has returned his voted ballot to the registrar and the registrar has accepted the voted ballot.

(8) ~~Votes that are void because of the death of a candidate pursuant to R.S. 18:410.6 and 469, withdrawal of a candidate pursuant to R.S. 18:502, resignation of a public officer subject to a recall election pursuant to R.S. 18:1300.7, or disqualification of a candidate pursuant to R.S. 18:1410.~~

§173. Deaths

D. The registrar of voters shall search obituaries for deceased persons whose registrations were not canceled. The registrar of voters shall use information from an obituary notice to cancel a deceased voter's registration if the notice provides sufficient information to properly identify the voter ~~and the registrar has confirmed the voter's death with the office of vital records.~~

§193. Challenge and cancellation of registration; notice; procedures
A. When the registrar has reason to believe that a registrant no longer is qualified to be registered, or that a registrant has changed his residence, he shall immediately notify the person by sending the address confirmation card and notice to the registrant and place the voter on the inactive list of voters. However, a person shall not be placed on the inactive list of voters if there is address information available to the registrar from the United States Postal Service or its licensee which indicates the voter has moved to another address within the parish.

E. A voter on the inactive list of voters who fails to respond to the address confirmation notice shall remain on the inactive list of voters until his address is confirmed in accordance with the procedures set forth in R.S. 18:196 or not later than a period of two regularly scheduled federal general elections, at which time the registrar Department of State shall cancel the voter's registration.

§423. Parish boards of election supervisors

H. Designees.

(2) For each day of service, the designee or alternate designee of the chairman of the parish executive committee, the designee or alternate designee of the chairman of the state central committee, and the member or alternate member of appointed by the governor shall be paid the same compensation as a member or appointee, and the designating member or appointee shall not be compensated for that day. Any compensation paid to the designee or alternate designee of the chairman of the parish executive committee, designee or alternate designee of the chairman of the state central committee, or member or alternate member appointed by the governor shall be counted against the compensation of the designating member or governor's member, which shall not exceed the number of days as provided in Subsection E of this Section.

§434. Commissioners and alternate commissioners; selection; commission; disqualification; replacement

F. Removal for cause. Any commissioner selected under the provisions of this Section may be removed for cause by the parish board of election supervisors at any time after his selection and before the closing of the polls on election day. Any commissioner removed for cause under the provisions of this Subsection shall not serve as a commissioner in any election ~~for twelve months~~ after his removal.

§494. Effect of sustaining an objection to candidacy
A. Disqualification. ~~When~~ Except as provided in Subsection B of this Section, when an objection to candidacy is sustained on the ground ~~that the defendant failed to qualify for the primary election in the manner prescribed by law, that the defendant failed to qualify for the primary election within the time prescribed by law, or that the defendant does not meet the qualifications for the office he seeks, any of the grounds provided for in R.S. 18:492, the final judgment shall disqualify the defendant as a candidate in the primary election for the office for which he failed to qualify properly: that office.~~

§512. Election of candidates in a general election

C. Effect of a tie vote. If, as a result of a tie vote in a general election, the number of candidates who would be elected to an office exceeds the number of persons to be elected to the office, the candidates who received the same number of votes for that office in the general election are not elected. The election for officers thus not elected shall be returned to the people on the third Saturday after the date on which the results in the election at which the tie vote occurred were promulgated fourth Saturday after the election date at which the tie vote occurred.

§572. Transmission of election returns; voting machine keys; machine certificates

A.(1) After the results are printed from the voting machines and all election paperwork is complete, the commissioner-in-charge shall immediately:
(a) ~~Mail to the secretary of state the envelope marked "Secretary of State's Envelope".~~
(b) ~~Deliver~~ deliver to the clerk of court in a clear plastic zipper bag the following:
(a) The envelope marked "Secretary of State's Envelope".
(i) (b) The completed and signed key envelope for the voting machines.
(ii) (c) The original of the machine certificates.
(iii) (d) The original affidavit of payroll and nondisclosure for the commissioners.
(iv) (e) One copy of the official election results report from the voting machines.
(v) (f) A copy of each completed notation of irregularities form.
(vi) (g) All election result cartridges, if applicable.
(vii) (h) For a federal election, the return provisional ballot envelope containing all voted provisional ballots and unused provisional ballots and envelopes.
(viii) (i) A duplicate record of each challenge.
(2)(a) Upon receipt of the items listed in ~~Subparagraph (1)(b)~~ Paragraph (1) of this Subsection, the clerk of court shall affix the time of receipt upon the election documents which contain election results. The clerk of court shall make a copy of the election results available to the press and public.

§574. Compilation and promulgation of returns

E.(1) On or before the fourteenth day after the primary or general election, if no action has been timely filed contesting the election to the office of a state candidate, the secretary of state shall promulgate the returns for state candidates, proposed constitutional amendments, and recall elections by publishing in the official journal of the state the names of the state candidates for each office in the election, the text of the proposed constitutional amendment, and recall elections and the number of votes received by each such candidate, proposed constitutional amendment, and recall elections as shown by the returns transmitted by the clerks of court from the compiled statements by the parish boards of election supervisors. In a parish containing a municipality with a population of three hundred thousand or more, the promulgation shall be from the returns transmitted by the parish board of election supervisors. On or before the fourteenth day after the primary or general election, if no action has been timely filed contesting the election to office of a candidate other than a state candidate, the secretary of state shall promulgate the returns for the election for candidates other than state candidates ~~by transmitting to the clerk of court for the parish wherein the state capital is located~~ publishing on the secretary of state's website a notice containing the results of the elections for candidates other than state candidates. ~~The clerk of court shall post this notice in a prominent place in his office.~~

§1259. Arrangement of ballot; designation of party candidates

B.

(2) Directly to the left of the names of the presidential and vice presidential candidates shall appear:

(b) If nominated by a nominating petition or by the filing of notices of candidacy, the political ~~principal~~ principle which the candidates support, as stated on the nominating petition or on the notices of candidacy, if any, and the words "Nominating Petition" or the abbreviation "Nom. Petition" shall appear if nominated by petition.

(4) Immediately below the word "Electors" the names of the presidential electors nominated in support of the nominees for president and vice president of that party or political ~~principal~~ principle shall appear.

(6) In preparing the ballots, the secretary of state shall arrange the names of the candidates of recognized political parties alphabetically, according to the names of the parties, followed by the names of the candidates nominated by nominating petitions and by the filing of notices of candidacy, listed alphabetically by designation of political ~~principal~~ principle.

§1280.21. Presidential preference primary election

C. The state central committee shall notify the Department of State that its bylaws allow for such voting by non-affiliated electors no later than ~~seven~~ sixty days prior to the opening of qualifying for the presidential preference primary. Such notification shall be considered valid and effective for subsequent presidential preference primaries unless the state central committee notifies the Department of State that its bylaws no longer allow for such voting by non-affiliated electors no later than ~~seven~~ sixty days prior to the opening of qualifying for a presidential preference primary.

§1406. Petition; answer; notification

C. The defendant shall be served with citation directing him to appear in court no later than 10:00 a.m. on the fourth day after suit was filed, subject,

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however, to the provisions of ~~R.S. 18:1408(D)~~ R.S. 18:1408. The defendant is not required to answer the petition, but if he answers, he shall do so prior to trial.

PART VIII. SPECIAL PROVISIONS FOR DECEASED CANDIDATES WITH DEFICITS

§1551. Exception
Notwithstanding any contrary provision of this Chapter, the provisions of this Part shall apply to circumstances existing when a candidate dies leaving a deficit or surplus which would have otherwise required reports to be filed if the candidate were not deceased.

§1553. Reports; contents; due dates
The reports shall be filed at the same time, shall contain the same information, and shall be certified correct in the same manner as reports required by this Chapter for candidates with deficits.

§1554. Contribution limitations; excess funds
A. Notwithstanding the provisions of R.S. 18:1505.2(H), the contribution limit for contributions to a deceased candidate who has a deficit, or the principal campaign committee of such a deceased candidate, shall be ten thousand dollars per calendar year until there is no deficit.

B. Any contributions received in excess of the deficit shall be returned to the contributors on a pro rata basis.

C. Excess funds in the campaign account of a deceased candidate who dies leaving a surplus shall be expended as provided in R.S. 18:1505.2(I) within two years of the candidate's death.

§1555. Penalties
B. If a violation of this Part ~~R.S. 18:1554~~ occurs, the supervisory committee shall notify the personal representative of the deceased candidate that each contribution received after the violation shall be returned to the contributor and that no further contributions, except contributions from a family member of the deceased candidate, may be solicited or received to resolve the deficit. For purposes of this Subsection, "family member" shall mean the spouse of the deceased, children of the deceased and their spouses, parents of the deceased, parents of the spouse of the deceased, grandparents of the deceased, siblings of the deceased and their spouses, and siblings of the parents of the deceased and their spouses.

Section 2. R.S. 26:584(B)(4) is hereby amended and reenacted to read as follows:

§584. Form of petition for election
B. The petition shall then list all of the following five propositions:
“(1) Shall the sale of beverages of alcoholic content containing not more than six percent alcohol by volume be permitted by package only and not for consumption on the premises?”
“(2) Shall the sale of beverages of alcoholic content containing not more than six percent alcohol by volume for consumption on the premises be permitted?”
“(3) Shall the sale of beverage alcohol containing one-half of one percent alcohol by volume and above for consumption on the premises be permitted?”
“(4) Shall the sale of beverages of alcoholic content containing one-half of one percent alcohol by volume and above ~~be permitted by the~~ package only and not for consumption on the premises ~~be permitted?”~~”
“(5) Shall the sale of beverages of high and low alcoholic content be permitted only on the premises of restaurant establishments which have been issued an “R” permit as defined by law?”

Section 3. R.S. 18:154(G) and 173(B) are hereby repealed in their entirety.
Approved by the Governor, May 28, 2024.

A true copy:
Nancy Landry
Secretary of State

ACT No. 391

HOUSE BILL NO. 917
BY REPRESENTATIVE PHELPS
AN ACT

To provide that Act No. 84 of the 2023 Regular Session of the Legislature shall be known and may be cited as “Armani’s Law”.

Be it enacted by the Legislature of Louisiana:
Section 1. Act No. 84 of the 2023 Regular Session of the Legislature shall be known and may be cited as “Armani’s Law”.
Approved by the Governor, May 28, 2024.

A true copy:
Nancy Landry
Secretary of State

ACT No. 392

HOUSE BILL NO. 922
BY REPRESENTATIVES OWEN, BOURRIAQUE, BOYER, BRASS, CHASSION, CREWS, DEWITT, FIRMENT, FISHER, FREIBERG, GREEN, HUGHES, ILLG, JACKSON, MIKE JOHNSON, TRAVIS JOHNSON, KNOX,

LAFLEUR, LARVADAIN, MARCELLE, MOORE, SCHAMERHORN, SELTERS, STAGNI, TARVER, THOMPSON, AND WALTERS
AN ACT

To designate the portion of Louisiana Highway 171, in Leesville, Louisiana, as the “Claude ‘Buddy’ Leach Memorial Highway” and to provide for related matters.

Be it enacted by the Legislature of Louisiana:
Section 1. The portion of Louisiana Highway 171, at the intersection of Highway 171 and Boone Street to East Louisiana Street, in Leesville, Louisiana, shall be known and is hereby designated as the “Claude ‘Buddy’ Leach Memorial Highway”.

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 installation of each sign, not to exceed the sum of five hundred fifty dollars per sign.

Approved by the Governor, May 28, 2024.
A true copy:

Nancy Landry
Secretary of State

ACT No. 393

HOUSE BILL NO. 965

(Substitute for House Bill No. 574 by Representative Hilferty)
BY REPRESENTATIVES HILFERTY, ADAMS, BAYHAM, BILLINGS, BOYD, BRAUD, ROBBY CARTER, CARVER, COX, DOMANGUE, FISHER, FREEMAN, FREIBERG, GADBERRY, GREEN, HUGHES, JACKSON, KNOX, LAFLEUR, MANDIE LANDRY, LYONS, MARCELLE, MENA, MOORE, NEWELL, OWEN, STAGNI, TAYLOR, WALTERS, AND WILLARD
AN ACT

To enact R.S. 33:4159.3, relative to the city of New Orleans; to provide relative to the sewerage and water board of New Orleans; to provide relative to bills for services provided by the board; to provide for fixed billing and dispute arbitration; 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. 33:4159.3 is hereby enacted to read as follows:

§4159.3. Customer billing; fixed rate; arbitration
A. The board shall present every residential customer with the option of paying a fixed monthly rate for services. The fixed rate available to a customer shall be determined by calculating the average monthly cost of the customer’s service based on his recent water meter readings, and the board shall notify each residential customer of the option for fixed rate billing and the amount he would pay each month. A customer who selects the fixed rate option shall be billed the specified monthly amount until an automated meter is installed and operable at his residence.

B. There is hereby established an arbitration program applicable to customers who dispute their bills from the board. The program shall function in accordance with the following requirements:

(1) The legislative auditor and the New Orleans inspector general shall, acting together, appoint two arbiters for each councilmanic district in New Orleans, subject to confirmation by the city council. One arbiter from each district shall be appointed to serve on the residential arbitration team, and one arbiter from each district shall be appointed to serve on the commercial arbitration team.

(2) If a customer disputes a monthly bill or the fixed monthly rate offered pursuant to Subsection A of this Section, his case shall be referred to the appropriate arbitration team.

(3) Each arbitration team shall hold regularly scheduled appointment days at a public facility in each of the councilmanic districts to discuss cases with particular customers. Each team shall hold at least two appointment days per month in each councilmanic district. At least one member of the team shall meet with each customer in a private location at the public facility and shall review the evidence pertaining to the customer’s dispute.

(4) Based on his review and consultation with the other arbiters of his team, an arbiter shall determine whether the bill amount or the proposed fixed rate amount is appropriate and if not, what the appropriate amount or rate is.

(5) If the arbiter determines that the appropriate bill or rate amount is lower than what has been submitted to the customer, he shall notify the board, and the board shall lower the amount or rate to that which the arbiter has determined is appropriate.

(6) If the customer is dissatisfied with the determination of the arbiter, the customer may appeal to the city council as otherwise provided by law.

C. For purposes of this Section, “residential customer” refers to a customer who resides in a single family residence or multifamily residence with four or fewer units. “Commercial customer” refers to any customer that is not a residential customer.

Section 2. Each residential customer of services of the sewerage and water board shall be presented with the amount of his fixed rate bill pursuant to R.S. 33:4159.3(A) as enacted by this Act within one hundred twenty days of the effective date of this Act.

Section 3. This Act shall become effective upon signature by the governor

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

Approved by the Governor, May 28, 2024.

A true copy:
Nancy Landry
Secretary of State

ACT No. 394

HOUSE BILL NO. 967

(Substitute for House Bill No. 35 by Representative Riser)
BY REPRESENTATIVES RISER, ADAMS, AMEDEE, BACALA, BAYHAM, BERAULT, BILLINGS, BOURRIQUE, BOYD, BRAUD, BRYANT, CARRIER, WILFORD CARTER, CARVER, CHASSION, CHENEVERT, COX, DEWITT, FIRMONT, FISHER, FREIBERG, GADBERRY, GREEN, HORTON, HUGHES, JORDAN, KNOX, LAFLEUR, JACOB LANDRY, LARVADAIN, MARCELLE, MCCORMICK, MELERINE, MILLER, MOORE, NEWELL, OWEN, PHELPS, ROMERO, SCHAMERHORN, SELTERS, STAGNI, TAYLOR, THOMPSON, AND WILLARD

AN ACT

To amend and reenact R.S. 11:710(A)(4)(b) and to enact R.S. 11:710.1(G), relative to the Teachers' Retirement System of Louisiana; to provide relative to the reemployment of certain retired teachers without a suspension or reduction of benefits; 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. 11:710(A)(4)(b) is hereby amended and reenacted and R.S. 11:710.1(G) is hereby enacted to read as follows:

§710. Employment of retirees who retired on or before June 30, 2020
A. As used in this Section, the following words and phrases shall have the following meanings, unless a different meaning is clearly required by the context:

* * *

(4) "Reemployment-eligible critical shortage position" or "critical shortage position" means any of the following:

* * *

(b) A position for a full-time ~~or part-time~~ certified speech therapist, speech pathologist, audiologist, educational diagnostician, school social worker, school counselor, school psychologist, interpreter, educational transliterator, or educator of the deaf or hard of hearing whose position of employment requires a valid Louisiana ancillary certificate approved and issued by the state Department of Education in a school district where a critical shortage exists.

* * *

§710.1. Employment of retirees who retired on or after July 1, 2020

* * *

G.(1) Notwithstanding the provisions of Subsection A of this Section, a retiree who is employed in a critical shortage position shall be governed by the provisions of this Subsection.

(2)(a) Except as provided in Subsection C of this Section, a retiree who is employed in a critical shortage position may receive a benefit during the period of his reemployment if the Board of Elementary and Secondary Education and the board of trustees of this system have received certification that a critical shortage exists. Prior to making such certification for any critical shortage position, the employer shall satisfy the requirements of Subparagraph (b) of this Paragraph. If a certified applicant who is not a retiree applies for an advertised position, such person shall be hired before any certified retiree is employed, unless fewer than three applicants have applied for the position, each of whom is certified in the critical shortage area being filled.

(b) For any position sought to be filled by employment of a retiree, the employer may certify the existence of a critical shortage only after complying with all of the following requirements:

(i) Posting with the career development office, or similar such entity, of every postsecondary education institution within a one-hundred-twenty-mile radius of the employer's governing authority at the beginning of each semester a general statement that the employer is soliciting applications for future employment of certified teachers.

(ii) Advertising at least once per month in the official journal of the employer's governing authority that the employer is soliciting applications for future employment of certified teachers.

(iii) Prominently displaying a listing of positions that are unfilled or that are filled by reemployed retirees on the website of the employer's governing authority and of the employer, if the employer maintains a separate website.

(3) On an annual basis, the superintendent and personnel director of the school employing a retiree who returns to active service in a position defined in Subparagraph (5)(a) of this Subsection shall certify a critical shortage area to the Board of Elementary and Secondary Education and the board of trustees of this system.

(4) On an annual basis, the employing school board for a retiree who returns to active service in a position defined in Subparagraph (5)(b) of this

Subsection shall certify to the Board of Elementary and Secondary Education and the board of trustees of this system that a critical shortage exists for the position in the school district.

(5) "Critical shortage position" means any of the following:

(a) A position for a full-time or part-time classroom teacher who teaches any student in pre-kindergarten through twelfth grade in a school where a critical shortage exists.

(b) A position for a full-time or part-time certified speech therapist, speech pathologist, audiologist, educational diagnostician, school social worker, school counselor, school psychologist, interpreter, educational transliterator, or educator of the deaf or hard of hearing whose position of employment requires a valid Louisiana ancillary certificate approved and issued by the state Department of Education in a school district where a critical shortage exists.

(6) During the period of his return to active service under the provisions of this Subsection, 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 benefits in the retirement system. Upon termination of active service, the retired teacher shall, upon application, be refunded the employee contributions paid since reemployment. The refund shall be without interest. The retirement system shall retain the employer contributions.

Section 2. The cost of this Act, if any, shall be funded with additional employer contributions in compliance with Article X, Section 29(F) of the Constitution of Louisiana.

Section 3. This Act shall become effective on July 1, 2024; if vetoed by the governor and subsequently approved by the legislature, this Act shall become effective on July 1, 2024, or on the day following such approval by the legislature, whichever is later.

Approved by the Governor, May 28, 2024.

A true copy:
Nancy Landry
Secretary of State

ACT No. 395

SENATE BILL NO. 133

BY SENATORS PRESSLY AND HODGES AND REPRESENTATIVE EDMONSTON
AN ACT

To enact R.S. 49:24, relative to certain international organizations; to disallow the exercise of jurisdiction by certain international organizations; to prevent the use of communications from certain international organizations as a basis for action in the state of Louisiana; to provide for effectiveness; and to provide for related matters.

Be it enacted by the Legislature of Louisiana:

Section 1. R.S. 49:24 is hereby enacted to read as follows:

§24. Jurisdiction of certain international organizations
The World Health Organization, United Nations, and the World Economic Forum shall have no jurisdiction or power within the state of Louisiana. No rule, regulation, fee, tax, policy, or mandate of any kind of the World Health Organization, United Nations, and the World Economic Forum shall be enforced or implemented by the state of Louisiana or any agency, department, board, commission, political subdivision, governmental entity of the state, parish, municipality, or any other political entity.

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 28, 2024.

A true copy:
Nancy Landry
Secretary of State

ACT No. 396

SENATE BILL NO. 232

BY SENATOR ABRAHAM
AN ACT

To enact Part XIV of Chapter 3 of Title 6 of the Louisiana Revised Statutes of 1950, to be comprised of R.S. 6:341, relative to legal tender in the state of Louisiana; to provide for gold and silver coins, specie, or bullion; to provide relative to terms, conditions, materials, and procedures; and to provide for related matters.

Be it enacted by the Legislature of Louisiana:

Section 1. Part XIV of Chapter 3 of Title 6 of the Louisiana Revised Statutes of 1950, comprised of R.S. 6:341, is hereby enacted to read as follows:

PART XIV. GOLD AND SILVER LEGAL TENDER
SUBPART A. GENERAL PROVISIONS
§341. Tender and acceptance of United States government gold and silver
A. Any gold or silver coin, specie, or bullion issued by any state or the United States government as legal tender shall be recognized as legal tender in the

state of Louisiana.
B. No person shall be required to offer or accept any recognized legal tender as described in Subsection A of this Section for the payment of debts, deposit, or any other purpose, nor shall any person incur any liability for refusing to offer or accept such legal tender, except as specifically provided for by contract.

Approved by the Governor, May 28, 2024.
A true copy:
Nancy Landry
Secretary of State

ACT No. 397

SENATE BILL NO. 344
BY SENATOR BARROW
AN ACT

To enact R.S. 22:1339, relative to homeowner’s insurance policies; to require applicants or an existing insured to disclose to their insurer the property is to be used as a group home; to provide cause for cancellation or nonrenewal of the insured’s homeowner’s insurance policy; and to provide for related matters.

Be it enacted by the Legislature of Louisiana:
Section 1. R.S. 22:1339 is hereby enacted to read as follows:
§1339. Applicant or insured disclosure requirement; group homes
Upon application for a new homeowner’s insurance policy or at any time for an insured that has a homeowner’s insurance policy in effect, the applicant or insured shall disclose to the insurer that the property is to be used or is being used as a group home. Failure to disclose this information to an insurer provides the insurer cause to cancel or nonrenew the homeowner’s insurance policy pursuant to R.S. 22:1333(B).

Section 2. This Act will become effective upon a signature by the governor or, if not signed by the governor, as provided by Article III, Section 18 of the Constitution of Louisiana. If vetoed by the governor and subsequently approved by this legislature, this Act will become effective on the day following such approval.

Approved by the Governor, May 28, 2024.
A true copy:
Nancy Landry
Secretary of State

ACT No. 398

SENATE BILL NO. 414
BY SENATORS BASS AND TALBOT AND REPRESENTATIVES ADAMS, AMEDEE, BACALA, BAMBURG, BERAULT, BILLINGS, BRAUD, CARVER, CHASSION, CHENEVERT, DEWITT, DICKERSON, EGAN, GADBERRY, HEBERT, HILFERTY, HORTON, ILLG, MIKE JOHNSON, KNOX, MELERINE, MYERS, OWEN, THOMPSON, WILDER AND WYBLE
AN ACT

To amend and reenact Children’s Code Articles 1151(A)(1), (B), and (C), 1152(A)(1) and (2), (C)(3), and (G), 1154(A), and 1157(A)(1) and to repeal Children’s Code Articles 1150(2)(e) and 1152(A)(3), relative to the installation and use of newborn safety devices at infant relinquishment sites; to authorize the installation of the devices at certain sites; to provide for requirements for use of the devices; to amend the requirement for an instructional video; to include contacting the Missing and Exploited Children Information Clearinghouse for information on missing children and endangered adults; to repeal provisions that identify certain centers as designated emergency care facilities; to repeal provisions that allow the department to promulgate certain rules regarding newborn safety devices installed in hospitals; and to provide for related matters.

Be it enacted by the Legislature of Louisiana:
Section 1. Children’s Code Articles 1151(A)(1), (B), and (C), 1152(A)(1) and (2), (C)(3), and (G), 1154(A), and 1157(A)(1) are hereby amended and reenacted to read as follows:

Art. 1151. Relinquishment of infants; defense to prosecution
A.(1) If a parent wishes to relinquish his infant, he may leave the infant in the care of any employee of a designated emergency care facility or in a newborn safety device that **is located in a designated emergency care facility that is manned continuously on a twenty-four hour basis, seven days a week, and three hundred sixty-five days a year and** meets the specifications provided in Subparagraph (2) of this Paragraph ~~and is physically located inside of a facility which is licensed as a hospital in accordance with the Hospital Licensing Law, R.S. 40:2100 et seq., and has an emergency department that is staffed twenty-four hours per day.~~ **The employee who mans the newborn safety device shall be an emergency response provider, as defined in 6 U.S.C. 101, who is certified in neonatal resuscitation and pediatric advanced life support.**

B. If the parent is unable to travel to a designated emergency care facility, he ~~the parent~~ may call “911”, and a firefighter, a law enforcement officer, or an emergency medical service provider shall immediately be dispatched to meet the parent and transport the child to a hospital, and to ensure that all requirements listed in Article 1152(D) through (I) have been met.

C. Relinquishment of an infant in accordance with this Chapter is not a criminal act of neglect, abandonment, cruelty, or a crime against the child

and shall not be subject to an investigation for abandonment by the department.

Art. 1152. Designated emergency care facility, emergency medical service provider, firefighter, and law enforcement officer responsibilities; newborn safety devices authorized

A.(1) Every designated emergency care facility shall appoint as its representative one or more employees on duty during regular business hours who is knowledgeable about the requirements of this Chapter. ~~In addition, at other times each facility shall designate a representative who can be reached by emergency telephone service or post instructions to contact “911” for a safe haven relinquishment if outside of normal operating hours.~~

~~(2)(a) A designated emergency care facility that is a hospital licensed in accordance with the Hospital Licensing Law, R.S. 40:2100 et seq., which has an emergency department that is staffed twenty-four hours per day may install on its premises a newborn safety device in accordance with the requirements and specifications of Article 1151(A).~~

~~(b) A~~ **Each** designated emergency care facility that installs a newborn safety device as authorized by ~~this Subparagraph~~ **Article 1151(A)** shall be;

~~(a) Be~~ responsible for the cost of the installation.

~~(b)(c) Each designated emergency care facility that installs a newborn safety device as authorized by this Subparagraph shall install~~ **Install** an adequate dual alarm system connected to the physical location of the newborn safety device. The facility shall ensure all of the following with respect to the alarm system:

(i) The system generates an audible alarm at a central location within the facility sixty seconds after the opening of the access door to the newborn safety device.

(ii) The system generates an automatic call to 911 if the alarm is activated and not turned off from within the facility less than sixty seconds after the commencement of the initial alarm.

(iii) The alarm system is tested at least one time per week to ensure that it is in working order.

(iv) The alarm system is visually checked at least two times per day to ensure that it is in working order.

~~(c)(d) Each designated emergency care facility that installs a newborn safety device as authorized by this Subparagraph shall ensure~~ **Ensure** that the device is checked at least daily for debris and is cleaned and sanitized with a hospital-quality disinfectant at least weekly and after any newborn relinquishment into the device.

~~(d)(e) Each designated emergency care facility that installs a newborn safety device as authorized by this Subparagraph shall maintain~~ **Maintain** documentation of the testing of the alarm system ~~required by Subsubparagraph (e) of this Subparagraph and the cleaning and sanitation of the device required by Subsubparagraph (d) of this Subparagraph.~~

~~(e)(f) Each designated emergency care facility that installs a newborn safety device as authorized by this Subparagraph shall install~~ **Install** adjacent to the device a card holder and shall keep the card holder stocked with safe haven informational cards supplied by the department pursuant to Paragraph D of this Article and other safe haven informational materials produced in accordance with Article 1160 **in an envelope conspicuous and readily available in the newborn safety device for the relinquishing parent.**

~~(f)(g) Each designated emergency care facility that installs a newborn safety device as authorized by this Subparagraph shall adopt~~ **Adopt** written policies for receiving, in accordance with the applicable requirements of this Chapter and applicable licensing rules, a newborn who has been relinquished into the newborn safety device.

(g) Maintain neonatal and pediatric resuscitation supplies.

* * *

C. Instruction by a designated emergency care facility on safe haven relinquishment procedures may:

* * *

(3) Utilize the downloadable instructional video and training materials provided by the Department of Children and Family Services on the department’s website **and the manufacturer of the newborn safety device.**

* * *

G. ~~In the event that~~ **When** an infant is relinquished to ~~a designated emergency care facility other than a hospital, or to an emergency medical service provider, firefighter, or law enforcement officer, the staff of the facility, the emergency medical service provider, the firefighter, or the law enforcement officer shall immediately transfer the infant to a hospital.~~

* * *

Art. 1154. Safe haven continued custody hearing; instant order
A. Immediately after notification that an infant has been relinquished, the department shall request an oral instant order of custody from the court in accordance with Article 620 and shall take physical custody of the infant within twelve hours of notice that the infant is ready to be discharged from the hospital. The department shall exercise due diligence in attempting to identify and locate any non-relinquishing parent, including but not limited to performing a missing children search, **which shall include contacting the Missing and Exploited Children Information Clearinghouse, as defined in R.S. 46:1431, for information on missing endangered adults and missing children to determine if the child has been reported missing.**

* * *

Art. 1157. Reclaiming of parental rights by the relinquishing parent; hearing
A. A relinquishing parent may reclaim parental rights by proving by clear and convincing evidence that:

(1) He ~~The parent~~ is the parent of the child.

* * *
Section 2. Children’s Code Articles 1150(2)(e) and 1152(A)(3) are hereby repealed in their entirety.
Approved by the Governor, May 28, 2024.
A true copy:
Nancy Landry
Secretary of State

ACT No. 399

SENATE BILL NO. 418
BY SENATOR LAMBERT
AN ACT

To authorize and provide for the transfer of certain state property; to authorize the transfer of certain state property in Ascension Parish and Bossier Parish; to provide for the property description; to provide for reservation of mineral rights; to provide terms and conditions; and to provide for related matters.

Be it enacted by the Legislature of Louisiana:

Section 1. The commissioner of administration and the secretary of the Department of Public Safety and Corrections, notwithstanding any other provision of law to the contrary, are hereby authorized and empowered to convey, transfer, assign, lease, or deliver any interest, excluding mineral rights, the state may have to all or any portion of the following described parcel of property to Priceco, L.C.:

A tract of land containing approximately 3.42 acres, more or less, located in Section 63, Township 9 South, Range 2 East, Ascension Parish

Section 2. The commissioner of administration and the secretary of the Department of Public Safety and Corrections 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, lease, or delivery of title, 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 commissioner of administration and the secretary of the Department of Public Safety and Corrections and Priceco, L.C., in exchange of consideration proportionate to the appraised value of the property.

Section 3. The secretary of the Louisiana Department of Health and the commissioner of the division of administration, notwithstanding any other provision of law to the contrary, are hereby authorized and empowered to convey, transfer, assign, lease, or deliver any interest, excluding mineral rights, the state may have to all or any portion of the following described parcel of property to the Bossier Parish School Board:

A tract of land containing approximately 37.921 acres, more or less, being a portion of Tract 3B1 situated in Section 12, Township 18 North, Range 13 West, Bossier Parish, identified as Louisiana State Land Office Site Code/Business Entity No. 7-08-002 and known as a portion of the former Northwest Support and Services Center.

Section 4. The secretary of the Louisiana Department of Health and the commissioner of the division 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, lease, or delivery of title, excluding mineral rights, to the property described in Section 3 of this Act, and as more specifically described in any such agreements entered into and documents executed by and between the secretary of the Louisiana Department of Health and the commissioner of the division of administration and the Bossier Parish School Board, in exchange of consideration proportionate to the appraised value of the property.

Section 5. 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 28, 2024.

A true copy:
Nancy Landry
Secretary of State

ACT No. 400

HOUSE BILL NO. 322
BY REPRESENTATIVES STAGNI, AMEDEE, BAGLEY, BAYHAM, BILLINGS, CARLSON, CARVER, CHASSION, CHENEVERT, DAVIS, DICKERSON, EDMONSTON, EGAN, FREIBERG, HORTON, HUGHES, JACOB LANDRY, MACK, MARCELLE, MELERINE, OWEN, PHELPS, ROMERO, SCHAMERHORN, SCHLEGEL, TAYLOR, WILEY, AND WYBLE
AN ACT

To amend and reenact R.S. 17:416(A)(1)(b)(i) and (c)(i) and (v) and 416.18(B), relative to student discipline; to grant certain authority to teachers; to prohibit retaliation from principals and administrators for certain disciplinary action taken; to require certain disciplinary action; to provide relative to the exercise of teacher rights; and to provide for related matters.

Be it enacted by the Legislature of Louisiana:

Section 1. R.S. 17:416(A)(1)(b)(i) and (c)(i) and (v) and 416.18(B) are hereby amended and reenacted to read as follows:

§416. Discipline of students; suspension; expulsion
A.(1)

* * *

(b)(i) Each teacher may take disciplinary action to correct a student who violates school rules or who interferes with an orderly education process. No principal or administrator shall prohibit or discourage a teacher from taking disciplinary action, recommending disciplinary action, or completing a form to initiate disciplinary action against a student who violates school policy or who interferes with an orderly education process. No principal or administrator shall retaliate or take adverse employment action against a teacher for taking disciplinary action against a student. The provisions of this Item shall apply only if the disciplinary action that the teacher takes is in accordance with policy adopted by the public school governing authority.

* * *

(c)(i) When a student’s behavior prevents the orderly instruction of other students or poses an immediate threat to the safety or physical well-being of any student or teacher or when a student violates the school’s code of conduct, the teacher ~~may~~ shall have the student immediately removed from his classroom and placed in the custody of the principal or his designee.

* * *

(v) Upon the third removal from the same classroom pursuant to this Subparagraph, the teacher and the principal shall discuss the disruptive behavior patterns of the student and the potentially appropriate disciplinary measure before the principal implements a disciplinary measure. In addition, a conference between the teacher or other appropriate school employee and the student’s parent or legal guardian ~~may be~~ is required prior to the student being readmitted to that same classroom. Such conference may be in person or by telephone or other virtual means. If such conference is required by the school, the school shall give written notice to the parent.

* * *

§416.18. Teacher Bill of Rights

* * *

B. No city, parish, or other local public school board shall establish policies that prevent teachers from exercising the rights provided in this Section or in any other provision included in R.S. 17:416 through 416.16. No principal or administrator shall retaliate or take adverse employment action against a teacher for exercising the rights provided in this Section. However, the provisions of this Section do not authorize a teacher to violate the provisions of any discipline policy adopted by the public school governing authority.

* * *

Approved by the Governor, May 28, 2024.

A true copy:
Nancy Landry
Secretary of State

ACT No. 401

HOUSE BILL NO. 428
BY REPRESENTATIVE BOYD
AN ACT

To amend and reenact R.S. 22:292, 2322, and 2336, relative to the Louisiana Citizens Property Insurance Corporation; to provide relative to insurable property; to provide an option to exclude coverage of personal property; and to provide for related matters.

Be it enacted by the Legislature of Louisiana:

Section 1. R.S. 22:292, 2322, and 2336 are hereby amended and reenacted to read as follows:

§292. Definitions; personal property; option to exclude
A. As used in this Part, unless the context otherwise requires:

(1) “Assessable insureds” means insureds who procure a policy of insurance for one or more subject lines of business in this state.

(2) “Assessable insurers” means insurers authorized to write one or more subject lines of business in this state.

(3) “Coastal area” means all of that area of the state designated in the plan of operation submitted by the governing board, approved by the commissioner of insurance and designated as Coastal Plan (Louisiana Insurance Underwriting Plan) area.

(4) “Coastal Plan” means the successor to that program established by Act 35 of the 1970 Regular Session to provide a residual market for adequate insurance on property in the coastal areas of the state, now available as a program of the Louisiana Citizens Property Insurance Corporation.

(5) “Corporation” means the Louisiana Citizens Property Insurance Corporation, and includes the residual market insurance programs known as the “Coastal Plan” and the “FAIR Plan”.

(6) “Essential property insurance” means any of the following coverages against direct loss to property as defined by the plan of operation approved by the commissioner of insurance:

(a) Fire, with or without extended coverage and vandalism and malicious mischief.

(b) Windstorm and hail without fire, but only with respect to dwellings and commercial properties on a monoline basis.

(c) Homeowners.

(d) Business interruption insurance but only with respect to commercial properties on a monoline basis.

(7) “FAIR Plan” means the successor to that program established by Act 424 of the 1992 Regular Session, and designated as the “Fair Access to Insurance Requirements Plan” to provide a residual market for adequate insurance on property in the state, now available as a program of the Louisiana Citizens Property Insurance Corporation.

(8) “Governing board” means that board of directors which is established under R.S. 22:2294 and, where appropriate, any designee of the governing board.

(9) “Insurable property” means real and tangible personal property at a fixed location in Louisiana when such property is in an insurable condition and basic property insurance is not obtainable in the voluntary market and as further defined by the governing board.

(10) “Net direct premiums” means gross direct premiums, excluding reinsurance assumed, written for subject lines of business, less return premiums, dividends paid or credited to policyholders, or the unused or unabsorbed portions of premium deposits. In no event shall premiums on industrial fire insurance policies be considered as net direct premiums.

(11) “Plan of operation” means the document setting the rules of operation of the corporation, as promulgated by the governing board and approved by the Louisiana Senate Committee on Insurance and the Louisiana House Committee on Insurance pursuant to the provisions of this Chapter.

(12) “Subject lines of business” means the following lines of business: fire, allied lines, homeowners’ multiperil, the property insurance portion of commercial multiperil policies, and the business interruption insurance portion of commercial multiperil policies or such interruption insurance with respect to commercial properties on a monoline basis.

B. Notwithstanding Paragraph (A)(9) of this Section, a policyholder may request, in writing, to exclude tangible personal property from covered insurable property. If the policyholder excludes coverage, the insurer may calculate an actuarially justified reduction in premium.

* * *

§2322. Louisiana Insurance Underwriting Plan (Coastal Plan); definitions; movable property; option to exclude

A. As used in R.S. 22:2322 through 2334, unless the context otherwise requires:

(1) “Coastal area” means all of that area of the state designated in the “plan” approved by the commissioner of insurance.

(2) “Essential property insurance” means any of the following coverages against direct loss to property as defined by the plan approved by the commissioner of insurance:

(a) Fire, with or without extended coverage and vandalism and malicious mischief.

(b) Windstorm and hail without fire, but only with respect to dwellings and commercial properties on a monoline basis.

(c) Homeowners.

(3) “Governing committee” means that group which is referred to in R.S. 22:2325 and, where appropriate, any designee of the governing committee.

(4) “Insurable property” means immovable property at fixed locations in coastal areas of the state as that term is hereinafter defined or the corporeal movable property located therein (but shall not include insurance on motor vehicles) which property is determined by the governing committee of the plan, after inspection and pursuant to the criteria specified in the plan, to be in an insurable condition against the perils of fire as determined by normal underwriting standards; however, any structure built in substantial accordance with the Standard Building Code, including the design-wind requirements, which is not otherwise rendered uninsurable by reason of use, occupancy, or state of repair, shall be an insurable risk within the meaning of R.S. 22:2321 through 2335. Provided further, that any structure commenced on or after July 29, 1970, not built in substantial compliance with the Standard Building Code, including the design-wind requirements therein, shall not be an insurable risk under the terms of R.S. 22:2321 through 2335. The owner or applicant shall furnish with the application proof in the form of a certificate from a local building inspector, contractor, engineer, or architect that the structure is built in substantial accordance with the Standard Building Code.

(5) “Net direct premiums” means gross direct premiums, excluding reinsurance assumed and ceded, written on property in this state for fire and allied lines insurance, including components of homeowners’ policies and commercial multiple peril package policies, less return premiums upon canceled contracts, dividends paid or credited to policyholders, or the unused or unabsorbed portion of premium deposits. In no event shall premiums on industrial fire insurance policies be considered “net direct premiums”.

(6) “Plan” means the document setting the rules of operation approved or promulgated by the commissioner of insurance relative to the Louisiana Insurance Underwriting Plan.

B. Notwithstanding Paragraph (A)(4) of this Section, a policyholder may request, in writing, to exclude corporeal movable property from covered insurable property. If the policyholder excludes coverage, the insurer may calculate an actuarially justified reduction in premium.

* * *

§2336. Louisiana Joint Reinsurance Plan (FAIR Plan); definitions; personal property; option to exclude

A. As used in R.S. 22:2336 through 2347, unless the context otherwise requires:

(1) “Designated area” means all of that area of the state designated in the

plan on file with the commissioner of insurance and designated as FAIR (Fair Access to Insurance Requirements) Plan area.

(2) “Essential property insurance” means any of the following coverages against direct loss to property as defined by the plan approved by the commissioner of insurance:

(a) Fire, with or without extended coverage and vandalism and malicious mischief.

(b) Windstorm and hail without fire, but only with respect to dwellings and commercial properties on a monoline basis.

(c) Homeowners.

(3) “Governing committee” means that group which is referred to in R.S. 22:2338 and, where appropriate, any designee of the governing committee.

(4) “Insurable property” means real and tangible personal property at a fixed location in a designated area of Louisiana when such property is in an insurable condition and basic property insurance is not obtainable in the normal market.

(5) “Net direct premiums” means gross direct premiums, excluding reinsurance assumed and ceded, written on property in this state for fire and allied lines and, if provided in the plan, homeowners’ insurance, including premium components of all multiperil policies and homeowners’ policies, less return premiums, dividends paid or credited to policyholders, or the unused or unabsorbed portions of premium deposits. In no event shall premiums on industrial fire insurance policies be considered as net direct premiums.

(6) “Plan” means the document setting the rules of operation approved or promulgated by the commissioner of insurance relative to the Louisiana Joint Reinsurance Plan.

B. Notwithstanding Paragraph (A)(4) of this Section, a policyholder may request, in writing, to exclude tangible personal property from covered insurable property. If the policyholder excludes coverage, the insurer may calculate an actuarially justified reduction in premium.

Approved by the Governor, May 28, 2024.

A true copy:

Nancy Landry
Secretary of State

ACT No. 402

HOUSE BILL NO. 760

BY REPRESENTATIVES STAGNI, BAYHAM, WILFORD CARTER, COX,
ILLG, SCHLEGEL, AND VILLIO

AN ACT

To amend and reenact R.S. 48:1653(1) and (17), 1655(E)(3), 1661, and 1665(B) and to enact R.S. 48:1655(E)(4), relative to the Regional Transit Authority; to provide for the withdrawal from the authority by a participant; to provide for an effective date; and to provide for related matters.

Be it enacted by the Legislature of Louisiana:

Section 1. R.S. 48:1653(1) and (17), 1655(E)(3), 1661, and 1665(B) are hereby amended and reenacted and R.S. 48:1655(E)(4) is hereby enacted to read as follows:

§1653. Definitions; terms defined

For purposes of this Chapter, the following words have the meanings ascribed to them by this Section, except where the context clearly indicates otherwise:

(1) “Authority” means the Regional Transit Authority ~~which shall be composed of the parishes of Orleans, Jefferson, St. Tammany, St. Bernard, and such other adjacent parishes as may elect to participate in accordance with the provisions of this Chapter.~~

* * *

(17) “Regional area” means the jurisdictional area of the authority comprising the parishes of Orleans, Jefferson, St. Tammany, St. Bernard, and such other adjacent parishes as may elect to participate, but excluding the territory of any local government which may decline membership on the board or withdraw from the authority as hereinafter provided.

* * *

§1655. Board of commissioners; membership; terms

* * *

E.

* * *

(3) Thereupon such parish shall be a participant in the authority and its rights and responsibilities shall, insofar as possible, be the same as if it had participated in the authority from its beginning, provided that said parish shall assume its pro rata share of the then current expenses of the authority, as determined by the authority. ~~By virtue of their participation in the authority, whether initially or subsequently by board approval, all participating parishes concur fully and accept without reservation, the exclusive rights and power of the authority as stated herein, and further agree and obligate themselves to remain in the authority until all outstanding obligations of the authority are liquidated or until the authority is abolished, whichever occurs first.~~

(4) A participating parish may, by resolution of its local governing body, withdraw from participation in the authority. The withdrawal shall be effective forty-five days following the authority’s receipt of the resolution. Thereafter, the authority shall have no jurisdiction within that parish.

* * *

§1661. Eminent domain

The authority shall have no power of eminent domain, but the city of New Orleans and the participating parishes of Orleans, Jefferson, and St. Bernard, for purposes of the authority, may exercise the broadest power of eminent domain permissible under the laws of this state; however, no local governing body shall exercise any power of eminent domain hereunder with respect to property located beyond its territorial limits, nor shall it expropriate any business enterprise or any of its assets for the purpose of operating that enterprise or halting competition with a government enterprise.

* * *

§1665. Participation by local government; alternative methods of financing

* * *

~~B. Within thirty days of the effective date of this Act, the governing authority of each parish situated within the territory of the authority shall certify by resolution whether or not it desires to participate in the authority. Should the governing body of the parish fail to adopt such a resolution, the parish shall be deemed to have declined participation in the authority. Within forty-five days of the effective date of this Act, the board shall be appointed in accordance with the provisions of this Chapter. After the board shall have been appointed in accordance with Section 1655 of this Chapter any~~ Any parish eligible to participate may apply for membership to the board in accordance with rules promulgated by the board. The board, with the approval of the local governing body of each of the participating parishes of Orleans, Jefferson, St. Tammany, St. Bernard, and such other adjacent parishes as may elect to participate, subject to such the limitations as are hereinafter set forth in this Section, shall determine the extent of financial participation and the time or times such financial participation may be required with respect to each of the local governments in order to finance provisions for a rapid transit system through the joint instrumentality of the authority. If such determination contemplates a contractual obligation on the part of a local government to make payments to the authority over a period of time exceeding one year or to issue any bonds or other obligations evidencing indebtedness, such determination shall take the form of a rapid transit contract to be entered into between the authority and the local government. The final execution of a rapid transit contract shall be completed in every instance in the manner hereinafter set forth in this Section.

* * *

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

Approved by the Governor, May 28, 2024.

A true copy:

Nancy Landry
Secretary of State

ACT No. 403

**HOUSE BILL NO. 788
BY REPRESENTATIVE ZERINGUE
AN ACT**

To amend and reenact R.S. 39:100.171(C), relative to the Hurricane Ida Recovery Fund; to provide relative to uses of monies in the fund; to provide for an effective date; and to provide for related matters.

Be it enacted by the Legislature of Louisiana:

Section 1. R.S. 39:100.171(C) is hereby amended and reenacted to read as follows:

§100.171. Hurricane Ida Recovery Fund

* * *

C. Monies in the fund shall be used to make full or partial payments to eligible entities that suffered ~~property~~ loss or damage caused by Hurricane Ida and that were not fully compensated for the ~~property~~ loss or damage by insurance and other federal and state disaster resources. For the purposes of this Section, the term “eligible entity” shall mean a political subdivision of the state and shall include school boards. ~~Except as otherwise provided in this Subsection, the~~ The governing authority of an eligible entity receiving monies pursuant to the provisions of this Section shall apply the money to the cost of repair or replacement of the ~~loss or damage damaged property or to the cost of an approved project replacing the damaged property. If federal assistance funds have been received for the damaged property and monies disbursed to the eligible entity pursuant to the provisions of this Section remain after the eligible entity has satisfied its portion of any required local match for the damage, the eligible entity shall apply any remaining monies received from the fund to one or more of the following for expenses incurred since on or after August 29, 2021:~~

(1) ~~A facility owned by an eligible entity that is open to the public for public use.~~

(2) ~~A public facility that an eligible entity owns or has legal responsibility for maintaining, including any:~~

(a) ~~Flood control, navigation, irrigation, reclamation, public power, sewage treatment and collection, water supply and distribution, watershed development, or airport facility.~~

(b) ~~Non-federal aid street, road, or highway.~~

(c) ~~Other public building, structure, or system, including those used for~~

~~educational, recreational, or cultural purposes.~~

(d) ~~Park.~~

(3) ~~A facility owned by a private nonprofit entity and used to provide services to the general public.~~

(4) ~~A mixed-use facility provided that more than fifty percent of the physical space of the facility is used for a public purpose.~~

(5) ~~A facility that meets both of the following conditions:~~

(a) ~~At least fifty percent of the total square footage of the facility was used by the owner for a public purpose before Hurricane Ida.~~

(b) ~~All or part of the facility was under repair or remodeling when Hurricane Ida struck the facility.~~

(6) ~~Debris removal.~~

(7) ~~Emergency protection measures.~~

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 28, 2024.

A true copy:

Nancy Landry
Secretary of State

ACT No. 404

SENATE BILL NO. 342

**BY SENATOR HARRIS AND REPRESENTATIVES BRYANT, CHASSION,
FISHER, HUGHES, LARVADAIN, SELDERS, STAGNI AND WALTERS
AN ACT**

To amend and reenact R.S. 40:1103.3(A), 1103.5(4), 1105.1(1), 1105.3(4), 1105.5, 1105.8.1(D)(1)(b)(iii) and (G), and 1105.9(A)(1), (B), (C)(1), (D), (E), and (F), 1105.12(F)(4), and 1105.13(C) and R.S. 47:120.63, to enact R.S. 40:1105.1(8), and to repeal R.S. 40:1105.11, relative to the Louisiana Tumor Registry; to provide for definitions; to provide for powers and duties of the president of the Louisiana State University System; to provide for requirements for participation in the program; to provide relative to the board; and to provide for related matters.

Be it enacted by the Legislature of Louisiana:

Section 1. R.S. 40:1103.3(A), 1103.5(4), 1105.1(1), 1105.3(4), 1105.5, 1105.8.1(D)(1)(b)(iii) and (G), and 1105.9(A)(1), (B), (C)(1), (D), (E), and (F), 1105.12(F)(4), and 1105.13(C) are hereby amended and reenacted and R.S. 40:1105.1(8) is hereby enacted to read as follows:

§1103.3. Standard written summary of breast cancer alternatives

A. Pursuant to the provisions of this Part and no later than March 1, 2000, the department, in consultation with the Louisiana Cancer ~~and Lung Trust Fund~~ Advisory Board, shall develop a standard written summary of the advantages, disadvantages, risks, and descriptions of the procedures regarding medically viable and efficacious alternative methods of treatment for breast cancer including surgical, radiological, or chemotherapeutic treatments or combinations thereof. Thereafter, the department shall review and, if necessary, revise the summary every three years; however, the department shall revise the summary prior to the three-year review if the department determines that new or revised information should be included in the summary.

* * *

§1103.5. Information and access to breast reconstructive surgery

Every hospital licensed by the Louisiana Department of Health pursuant to R.S. 40:2100 et seq., and every Louisiana physician who provides mastectomy surgery, lymph node dissection, or a lumpectomy shall provide information to the patient concerning the option of reconstructive surgery following such procedures, including the availability of coverage for reconstructive surgery, in accordance with the state insurance law and applicable provisions of federal law. The information shall be provided to the patient in writing and in advance of obtaining consent to the surgical procedure. At a minimum, the information provided shall include the following:

* * *

(4) Other information as may be required by the secretary of health, consistent with information developed by the Louisiana Department of Health and the Louisiana Cancer ~~and Lung Trust Fund~~ Advisory Board and circulated to providers and patients by the Louisiana State Board of Medical Examiners.

§1105.1. Definitions

As used in this Part:

(1) “Board” shall mean the Louisiana Cancer ~~and Lung Trust Fund~~ Advisory Board.

* * *

(8) “Tumor registry”, “Cancer registry program”, and “statewide registry program” shall mean the Louisiana Tumor Registry.

* * *

§1105.3. Powers; duties

The president shall:

* * *

(4) Comply with reporting procedures and requirements established by the board for tumor registry **state, the Centers for Disease Control and Prevention,**

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

§1105.5. Participation in program
A. Any health care provider or radiation center participating hospital diagnosing or providing treatment to cancer patients shall report each case of cancer to the president in a format prescribed by the president within six months of admission or diagnosis and shall furnish the data, including but not limited to follow-ups, medical history, risk factors, and cancer screening, on each cancer patient when requested. If the facility fails to report in a format prescribed by the president, the president may enter the facility; and obtain the information; and report it in the appropriate format. In these cases, the facility shall reimburse the president Louisiana Tumor Registry for the cost of obtaining and reporting the information. The Louisiana Tumor Registry and participating hospitals may enter into agreements to allow remote electronic access to medical records of cancer patients.

B. Any health care provider or radiation center diagnosing or providing treatment to cancer patients shall report each cancer case. In addition, health care providers shall furnish follow-up data on each cancer patient when requested. Pathology laboratories, radiation centers, surgery centers, physicians and other licensed healthcare facilities and providers shall report cancer cases in the required electronic format to the statewide registry program and grant access to cancer patient records. These facilities and providers shall allow access to all records which would identify cases of cancer to ascertain and abstract reportable cancer cases by the statewide cancer registry program.

C. Any health care provider or radiation center which provides diagnostic or treatment services to patients with cancer shall report any additional demographic, diagnostic, or treatment information requested by the president concerning any person presently or previously receiving services who has or had a malignant tumor. Additionally, the president shall have physical access to all records which would identify cases of cancer or would establish characteristics of the cancer, treatment of the cancer, or medical status of any identified cancer patient.

§1105.8.1. Louisiana Tumor Registry; research committee; disclosure of registry data

D.(1) The director of the tumor registry or his designee shall coordinate the research committee of the tumor registry. The research committee shall include, without limitation, the following members:

(b) A qualified representative selected from each of the following entities:

(iii) The Louisiana Cancer ~~and Lung Trust Fund~~ Advisory Board.

G. The tumor registry shall annually prepare a statistical report concerning cancer rates and counts which includes data at the census tract level, and shall submit the report to the office of the president for inclusion with the annual cancer report required by R.S. 40:1105.10. The tumor registry shall also provide the statistical report required by this Subsection to the Louisiana State University Health Sciences Center at New Orleans, the Louisiana State University Health Sciences Center at Shreveport, the Louisiana Cancer ~~and Lung Trust Fund~~ Advisory Board, and each participating hospital.

§1105.9. Louisiana Cancer ~~and Lung Trust Fund~~ Advisory Board

A.(1) There is hereby created the Louisiana Cancer ~~and Lung Trust Fund~~ Advisory Board, which shall consist of the following members appointed and reappointed by the governor, to serve at his pleasure, upon recommendation of each institution and organization represented:

- (a) A representative from Tulane University School of Medicine.
- (b) A representative from the Louisiana State University ~~School of Medicine,~~ Health Sciences Center - New Orleans.
- (c) A representative from the Louisiana State University ~~School of Medicine,~~ Health Sciences Center - Shreveport.
- (d) A representative from the ~~Alton Ochsner Medical Foundation~~ Health.
- (e) A representative of the ~~American Cancer Society, Louisiana Division,~~ Ine Louisiana Department of Health.
- (f) A representative of the ~~American Lung Association of Louisiana, Ine~~ Louisiana Cancer Prevention and Control Programs.
- (g) A representative of the ~~Leukemia Society of America, Inc., Louisiana~~ Chapter Louisiana Children's Medical Center.
- (h) A representative of the ~~Mary Bird Perkins Cancer Radiation and Research Foundation, Ine~~ Center.
- (i) A representative of the ~~Xavier University School of Pharmacy of Louisiana.~~
- (j) A representative of the Louisiana State Medical Society.
- (k) A representative of the Acadiana Medical Research Foundation.
- (l) A representative of the ~~American Heart Association, Louisiana Affiliation~~ Louisiana Cancer Registrars Association.
- (m) A representative of Willis Knighton Health System.
- (n) A representative of the Franciscan Missionaries of Our Lady Health System.
- (o) A representative from Woman's Hospital.

B. The board shall determine the eligibility of medical research programs and clinical investigation and training projects to receive funds; however, sufficient Sufficient funds shall be allocated annually to the statewide registry

program for reporting cancer cases under the provisions of R.S. 40:1105.1 et seq. Administration of funds shall be exercised by the office of the president.

C.(1) The board shall establish rules and regulations for its own procedures, establish policies for the operation of the statewide registry program for reporting cancer cases established under the provisions of R.S. 40:1105.1 et seq.; and establish procedures for the allocation of any monies collected pursuant to R.S. 47:120.63 for the purposes of cancer prevention, control, or surveillance in Louisiana criteria for review panels, and establish guidelines and deadlines for grant applications to be submitted. The appointment of review panels for the purpose of evaluating grant applications and making recommendations to the board on a priority basis shall be made before monies are allocated. Any member of the board or review panels with a direct conflict of interest shall ~~excuse~~ recuse himself or herself from voting on any grant proposal the allocation of monies.

D. For purposes of this Section, the following definitions shall apply:
(1) "Clinical investigation" shall mean the application of the results of medical research to treat patients.

(2) "Medical research" shall mean a program to determine the cause and prevention of disease.

(3) "Training" shall mean the educational preparation for a subspecialist career in cancer or lung disease.

E. A current report on the programs funded shall be made to the House Committee on Ways and Means and to the Senate Committee on Revenue and Fiscal Affairs, meeting jointly, prior to each regular session of the legislature.

F. ~~E.~~ Any member of the board or of a review panel, whether or not such member is compensated by the institution or organization he represents, shall recuse himself from participating in any discussion or voting regarding any matter relating to awarding a grant or contracting with the institution or organization he is appointed to represent. No member of the board or of a review panel who complies with the recusal provisions contained in this Subsection shall be deemed to have violated the Code of Governmental Ethics. The appointment of a compensated employee as a representative of a designated institution or organization shall not constitute a prohibited relationship under the provisions of the Code of Governmental Ethics.

§1105.12. Louisiana Advisory Committee on Populations and Geographic Regions With Excessive Cancer Rates; creation; membership; duties

F.

(4) The committee shall seek comment and review of its conclusions and findings from appropriate scientific, medical, or health panels established by local chapters or affiliates of national groups that may include but should not be limited to the following: The Louisiana State Medical Society, the Louisiana Cancer Consortium, Louisiana Cancer ~~and Lung Trust Fund~~ Advisory Board, National Cancer Institute, American College of Epidemiology, U. S. Public Health Service, Louisiana State University Health Sciences Center, American Cancer Society, etc. Final recommendations will be sent to the secretary of the Louisiana Department of Health and other appropriate department agencies and officers as provided in this Subsection.

§1105.13. Breast Cancer Control Program

C. To implement the provisions of this Section, there shall be a breast cancer control agent in each of the Louisiana Department of Health regions, and all agents shall provide individual annual reports to the Louisiana Cancer ~~and Lung Trust Fund~~ Advisory Board. The breast cancer control agents will be responsible for increasing the statewide mammography utilization rate by launching a statewide initiative and community outreach program to educate the public about the benefits of early detection and treatment of breast cancer. The breast cancer control agents shall seek additional sources of funding, both public and private, including federal grants made available to states through 42 U.S.C. 300(k) et seq.

Section 2. R.S. 47:120.63 is hereby amended and reenacted to read as follows:
§120.63. Income tax checkoff; donation for Louisiana cancer; creation; use of monies

A. Every individual who files an individual income tax return for the current tax year and who is entitled to a refund may designate on his current year return that all or any portion of the total amount of the refund to which he is entitled shall be donated to the Louisiana Cancer ~~and Lung Trust Fund~~ Advisory Board, created pursuant to ~~R.S. 40:1299.88~~ R.S. 40:1105.9, for the purpose of combating cancer and research into a cure for the disease. The designation shall be made at the time of the filing of the current year tax return and shall be made upon the income tax return form as provided by the secretary of the Department of Revenue. No donation made under the provisions of this Subsection shall be invalid for lack of an authentic act.

B. Upon receipt of any taxpayer's current year income tax return upon which the designation of a donation has been made pursuant to Subsection A of this Section, the secretary shall enter in a central record the donation and the name of the donor. The secretary shall forward all such donations to the Louisiana Cancer ~~and Lung Trust Fund~~ Advisory Board annually, on or before March first of the year following the year in which the tax return was filed. The board shall use the monies derived from all such donations for the purpose of combating and researching cancer.

Section 3. R.S. 40:1105.11 is hereby repealed.
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, May 28, 2024.
A true copy:
Nancy Landry
Secretary of State

ACT No. 405

SENATE BILL NO. 177
BY SENATOR MORRIS
A JOINT RESOLUTION

Proposing to amend Article V, Section 25(C) and to add Article V, Section 25(A) (4) of the Constitution of Louisiana, relative to the judiciary commission; to require the judiciary commission to conduct certain investigations; to provide for membership of the judiciary commission; to specify an election for submission of the proposition to electors; and to provide a ballot proposition.

Section 1. Be it resolved by the Legislature of Louisiana, two-thirds of the members elected to each house concurring, that there shall be submitted to the electors of the state, for their approval or rejection in the manner provided by law, a proposal to amend Article V, Section 25(C) and to add Article V, Section 25(A)(4) of the Constitution of Louisiana, to read as follows:

§25. Judiciary Commission
Section 25.(A) Composition. The judiciary commission shall consist of

* * *
(4) two appointees of the speaker of the Louisiana House of Representatives, two appointees of the president of the Louisiana Senate, and one appointee of the governor.

* * *
(C) Powers. ~~On recommendation of the judiciary commission, the~~ **The** supreme court may, **after an investigation by the judiciary commission, which shall be instituted on recommendation by the judiciary commission or by directive of a majority of the supreme court,** ~~censure, suspend with or without salary, remove from office, or retire involuntarily a judge for willful misconduct relating to his official duty, willful and persistent failure to perform his duty, persistent and public conduct prejudicial to the administration of justice that brings the judicial office into disrepute, malfeasance while in office, conduct while in office which would constitute a felony, or conviction of a felony. On recommendation of the judiciary commission, the~~ **The** supreme court may, **on recommendation of the judiciary commission, or on its own motion, disqualify a judge from exercising any judicial function, without loss of salary, during pendency of proceedings in the supreme court. On recommendation of the judiciary commission, the** **The** supreme court may, **after an investigation by the judiciary commission, which shall be instituted on recommendation by the judiciary commission or by directive of a majority of the supreme court,** retire involuntarily a judge for disability that seriously interferes with the performance of his duties and that is or is likely to become permanent. The supreme court shall make rules implementing this Section ~~and providing for confidentiality and privilege of commission proceedings.~~

* * *
Section 2. Be it further resolved that this proposed amendment shall be submitted to the electors of the state of Louisiana at the statewide election to be held on December 7, 2024.

Section 3. Be it further resolved that on the official ballot to be used at said election there shall be printed a proposition, upon which the electors of the state shall be permitted to vote YES or NO, to amend the Constitution of Louisiana, which proposition shall read as follows:

Do you support an amendment to allow the supreme court to sanction a judge upon an investigation by the judiciary commission, and provide that the recommended sanction shall be instituted by the judiciary commission or by a majority of the supreme court, and to provide for the appointment of five members of the judiciary commission?

(Amends Article V, Section 25(C); adds Article V, Section 25(A)(4))
A true copy:
Nancy Landry
Secretary of State

ACT No. 406

HOUSE BILL NO. 48
BY REPRESENTATIVES BACALA, ADAMS, AMEDEE, BERAULT,
BILLINGS, BOYER, BUTLER, CARLSON, ROBBY CARTER, CARVER,
CHENEVERT, COX, CREWS, DEVILLIER, DEWITT, ECHOLS,
EDMONSTON, EGAN, EMERSON, FIRMONT, GLORIOSO, HEBERT,
HENRY, HORTON, MIKE JOHNSON, JACOB LANDRY, MCCORMICK,
MCMAHEN, MCMAKIN, MELERINE, MYERS, OWEN, SCHAMERHORN,
SCHLEGEL, SELDERS, THOMAS, WILEY, AND WYBLE
A JOINT RESOLUTION

Proposing to add Article III, Section 16(F) of the Constitution of Louisiana, to provide relative to consideration of appropriations bills; to provide for time periods and required information relative thereto; to provide for submission of the proposed amendment to the electors; and to provide for related matters.

Section 1. Be it resolved by the Legislature of Louisiana, two-thirds of the members elected to each house concurring, that there shall be submitted to the electors of the state of Louisiana, for their approval or rejection in the manner provided by law, a proposal to add Article III, Section 16(F) of the Constitution of Louisiana, to read as follows:

§16. Appropriations
Section 16.

* * *
(F) Coordination of resources and expenditures. No conference committee report or amendment from the Senate on a bill appropriating money shall be considered for concurrence until at least forty-eight hours after the bill, a summary detailing the proposed changes to the bill, and any additional information required by the joint rules of the legislature and the rules of the house of the legislature considering concurrence have been distributed to each member of that house of the legislature.

Section 2. Be it further resolved that this proposed amendment shall be submitted to the electors of the state of Louisiana at the statewide election to be held on December 7, 2024.

Section 3. Be it further resolved that on the official ballot to be used at the election, there shall be printed a proposition, upon which the electors of the state shall be permitted to vote YES or NO, to amend the Constitution of Louisiana, which proposition shall read as follows:

Do you support an amendment to require that the legislature wait for at least forty-eight hours prior to concurring in a conference committee report or amendments to a bill appropriating money? (Adds Article III, Section 16(F))

A true copy:
Nancy Landry
Secretary of State

ACT No. 407

HOUSE BILL NO. 49
BY REPRESENTATIVE BACALA
A JOINT RESOLUTION

Proposing to amend Article III, Section 2(A)(3)(a) and (4)(a) of the Constitution of Louisiana and to add Article III, Section 2(A)(5) of the Constitution of Louisiana, relative to regular sessions of the legislature, to allow the legislature to extend a regular session for a limited time period for a specific purpose; to provide for submission of the proposed amendment to the electors; and to provide for related matters.

Section 1. Be it resolved by the Legislature of Louisiana, two-thirds of the members elected to each house concurring, that there shall be submitted to the electors of the state of Louisiana, for their approval or rejection in the manner provided by law, a proposal to amend Article III, Section 2(A)(3)(a) and (4)(a) of the Constitution of Louisiana and to add Article III, Section 2(A)(5) of the Constitution of Louisiana, to read as follows:

§2. Sessions
Section 2.(A) Annual Session.

* * *
(3)(a) All regular sessions convening in even-numbered years shall be general in nature and shall convene at noon on the second Monday in March. The legislature shall meet in such a session for not more than sixty legislative days ~~during a period of eighty-five calendar days.~~ No such session shall continue beyond six o'clock in the evening of the eighty-fifth calendar day after convening **except as provided in Subparagraph (5) of this Paragraph.** No new matter intended to have the effect of law shall be introduced or received by either house after six o'clock in the evening of the twenty-third calendar day. No matter intended to have the effect of law, except a measure proposing a suspension of law, shall be considered on third reading and final passage in either house after six o'clock in the evening of the fifty-seventh legislative day or the eighty-second calendar day, whichever occurs first, except by a favorable record vote of two-thirds of the elected members of each house.

* * *
(4)(a) All regular sessions convening in odd-numbered years shall convene at noon on the second Monday in April. The legislature shall meet in such a session for not more than forty-five legislative days ~~in a period of sixty calendar days.~~ No such session shall continue beyond six o'clock in the evening of the sixtieth calendar day after convening **except as provided in Subparagraph (5) of this Paragraph.** No new matter intended to have the effect of law shall be introduced or received by either house after six o'clock in the evening of the tenth calendar day. No matter intended to have the effect of law, except a measure proposing a suspension of law, shall be considered on third reading and final passage in either house after six o'clock in the evening of the forty-second legislative day or fifty-seventh calendar day, whichever occurs first, except by a favorable record vote of two-thirds of the elected members of each house.

* * *
(5) Notwithstanding any contrary provision of Subsubparagraphs (3)(a) and (4)(a) of this Paragraph and only if necessary to finally pass a bill appropriating

money, the legislature, by a favorable record vote of two-thirds of the elected members of each house, may extend a regular session in increments of two legislative or calendar days. During the time a regular session has been extended, the legislature shall not consider any matter having the effect of law other than those contained in a bill appropriating money. No regular session shall be extended more than six calendar days beyond the original time and day for the session to adjourn sine die. Section 2. Be it further resolved that this proposed amendment shall be submitted to the electors of the state of Louisiana at the statewide election to be held on December 7, 2024.

Section 3. Be it further resolved that on the official ballot to be used at the election, there shall be printed a proposition, upon which the electors of the state shall be permitted to vote YES or NO, to amend the Constitution of Louisiana, which proposition shall read as follows:

Do you support an amendment to allow the legislature to extend a regular session in increments of two days up to a maximum of six days if necessary to pass a bill appropriating money? (Amends Article III, Sections 2(A)(3)(a) and 4)(a); Adds Article III, Section 2(A)(5))

A true copy:
Nancy Landry
Secretary of State

ACT No. 408

HOUSE BILL NO. 300
BY REPRESENTATIVE ORGERON
A JOINT RESOLUTION

Proposing to amend Article VII, Section 10.2(E)(1) of the Constitution of Louisiana, relative to federal proceeds from alternative energy production on the Outer Continental Shelf; to provide for the disposition of revenues; to provide for submission of the proposed amendment to the electors; and to provide for related matters.

Section 1. Be it resolved by the Legislature of Louisiana, two-thirds of the members elected to each house concurring, that there shall be submitted to the electors of the state of Louisiana, for their approval or rejection in the manner provided by law, a proposal to amend Article VII, Section 10.2(E)(1) of the Constitution of Louisiana, to read as follows:

§10.2. Coastal Protection and Restoration Fund
Section 10.2

* * *

(E)(1) Subject to Article VII, Sections 9(B) and 10.1 of this constitution, in each fiscal year, the federal revenues that are received by the state generated from Outer Continental Shelf energy production, including but not limited to oil and gas activity, wind energy, solar energy, tidal energy, wave energy, geothermal energy, and other alternative or renewable energy production or sources, and eligible, as provided by federal law, to be used for the purposes of this Paragraph shall be deposited and credited by the treasurer to the Coastal Protection and Restoration Fund.

* * *

Section 2. Be it further resolved that this proposed amendment shall be submitted to the electors of the state of Louisiana at the statewide election to be held on November 5, 2024.

Section 3. Be it further resolved that on the official ballot to be used at the election, there shall be printed a proposition, upon which the electors of the state shall be permitted to vote YES or NO, to amend the Constitution of Louisiana, which proposition shall read as follows:

Do you support an amendment to require that federal revenues received by the state generated from Outer Continental Shelf alternative or renewable energy production be deposited into the Coastal Protection and Restoration Fund? (Amends Article VII, Section 10.2(E)(1))

A true copy:
Nancy Landry
Secretary of State

ACT No. 409

SENATE BILL NO. 119
BY SENATOR MILLER AND REPRESENTATIVES BRYANT, CARRIER,
EGAN, FREEMAN, GADBERRY, GLORIOSO, MCMAKIN AND WYBLE
A JOINT RESOLUTION

Proposing to amend Article VII, Section 25 of the Constitution of Louisiana, relative to ad valorem tax; to provide for the administration of tax sales of immovable property; to provide for the postponement of taxes under certain circumstances; and to specify an election for submission of the proposition to electors and provide a ballot proposition.

Section 1. Be it resolved by the Legislature of Louisiana, two-thirds of the members elected to each house concurring, that there shall be submitted to the electors of the state, for their approval or rejection in the manner provided by law, a proposal to amend Article VII, Section 25 of the Constitution of Louisiana, to read as follows:

§25. Tax Sales **Administration**
Section 25.(A) **Tax Sales Immovables.** (1) There shall be no forfeiture of property for nonpayment of taxes. However, the assessment of ad valorem taxes and other impositions on immovable property shall constitute a lien and

privilege on the property assessed in favor of the political subdivision to which taxes and other impositions are owed. The legislature shall provide, by law, for the efficient administration of tax sales, which shall include at a minimum:

(a) Imposition of interest on the delinquent taxes and other impositions not to exceed one percent per month on a noncompounding basis.

(b) Imposition of penalty not to exceed five percent of the delinquent taxes and other impositions.

(c) A period of time during which the lien cannot be enforced.

(d) A procedure for claiming the excess proceeds from the sale of the property, as a result of the enforcement of the lien.

(2) The legislature may, by law, provide authority to the tax collector to waive penalties for good cause.

at the expiration of the year in which the taxes are due, the collector, without suit, and after giving notice to the delinquent in the manner provided by law, shall advertise for sale the property on which the taxes are due. The advertisement shall be published in the official journal of the parish or municipality, or, if there is no official journal, as provided by law for sheriffs' sales, in the manner provided for judicial sales. On the day of sale, the collector shall sell the portion of the property which the debtor points out. If the debtor does not point out sufficient property, the collector shall sell immediately the least quantity of property which any bidder will buy for the amount of the taxes, interest, and costs. The sale shall be without appraisalment. A tax deed by a tax collector shall be prima facie evidence that a valid sale was made.

(2) If property located in a municipality with a population of more than four hundred fifty thousand persons as of the most recent federal decennial census fails to sell for the minimum required bid in the tax sale, the collector may offer the property for sale at a subsequent sale with no minimum required bid. The proceeds of the sale shall be applied to the taxes, interest, and costs due on the property, and any remaining deficiency shall be eliminated from the tax rolls.

(B) Redemption. (1) The property sold shall be redeemable for three years after the date of recordation of the tax sale, by paying the price given, including costs, five percent penalty thereon, and interest at the rate of one percent per month until redemption.

(2) In the city of New Orleans, when such property sold is residential or commercial property which is abandoned property as defined by R.S. 33:4720.12(1) or blighted property as defined by Act 155 of the 1984 Regular Session, it shall be redeemable for eighteen months after the date of recordation of the tax sale by payment in accordance with Subparagraph (1) of this Paragraph.

(3) In any parish other than Orleans, when such property sold is vacant residential or commercial property which has been declared blighted, as defined by R.S. 33:1374(B)(1) on January 1, 2013, or abandoned, as defined by R.S. 33:4720.59(D)(2) on January 1, 2013, it shall be redeemable for eighteen months after the date of recordation of the tax sale by payment in accordance with Subparagraph (1) of this Paragraph.

(C) Annulment. No sale of property for taxes shall be set aside for any cause, except on proof of payment of the taxes prior to the date of the sale, unless the proceeding to annul is instituted within six months after service of notice of sale. A notice of sale shall not be served until the final day for redemption has ended. It must be served within five years after the date of the recordation of the tax deed if no notice is given. The fact that taxes were paid on a part of the property sold prior to the sale thereof, or that a part of the property was not subject to taxation, shall not be cause for annulling the sale of any part thereof on which the taxes for which it was sold were due and unpaid. No judgment annulling a tax sale shall have effect until the price and all taxes and costs are paid, and until ten percent per annum interest on the amount of the price and taxes paid from date of respective payments are paid to the purchaser; however, this shall not apply to sales annulled because the taxes were paid prior to the date of sale.

(D) Quieting Tax Title. The manner of notice and form of proceeding to quiet tax titles shall be provided by law.

~~(E)(B)~~ Movables; Tax Sales. When taxes on movables are delinquent, the tax collector shall seize and sell sufficient movable property of the delinquent taxpayer to pay the tax, whether or not the property seized is the property which was assessed. Sale of the property shall be at public auction, without appraisalment, after ten days advertisement, published within ten days after date of seizure. It shall be absolute and without redemption.

If the tax collector can find no corporeal movables of the delinquent to seize, he may levy on incorporeal rights, by notifying the debtor thereof, or he may proceed by summary rule in the courts to compel the delinquent to deliver for sale property in his possession or under his control.

~~(F)(C) Postponement of Taxes. The legislature may postpone the payment of taxes, but only in cases of an emergency declared by the governor or a parish president pursuant to the Louisiana Homeland Security and Emergency Assistance and Disaster Act, overflow, general conflagration, general crop destruction, or other public calamity, and may provide for the levying, assessing, and collecting of such postponed taxes. In such case, the legislature may authorize the borrowing of money by the state on its faith and credit, by bond issue or otherwise, and may levy taxes, or apply taxes already levied and not appropriated, to secure payment thereof, in order to create a fund from which loans may be made through the Interim Emergency Board to the governing authority of the parish where the calamity occurs taxes are postponed.~~ The money loaned shall be applied to and shall not exceed the deficiency in revenue of the parish or a political subdivision therein or of

which the parish is a part, caused by postponement of taxes. No loan shall be made to a parish governing authority without the approval of the Interim Emergency Board.

Section 2. Be it further resolved that the provisions of the amendment contained in this Joint Resolution shall become effective January 1, 2026.

Section 3. Be it further resolved that if a proposed amendment to Article VII, Section 25 of the Constitution of Louisiana which authorizes liens and privileges on immovable property for nonpayment of taxes is adopted at a statewide election prior to December 7, 2024, then the amendment to the constitution proposed in this Joint Resolution is hereby withdrawn, and the secretary of state is hereby ordered not to include this proposed amendment on the ballot on December 7, 2024.

Section 4. Be it further resolved that this proposed amendment shall be submitted to the electors of the state of Louisiana at the statewide election to be held on December 7, 2024.

Section 5. Be it further resolved that on the official ballot to be used at said election there shall be printed a proposition, upon which the electors of the state shall be permitted to vote YES or NO, to amend the Constitution of Louisiana, which proposition shall read as follows:

Do you support an amendment to eliminate mandatory tax sales for nonpayment of property taxes and require the legislature to provide for such procedures by law; to limit the amount of penalty and interest on delinquent property taxes; and to provide for the postponement of property tax payments under certain circumstances?

(Amends Article VII, Section 25)

A true copy:
Nancy Landry
Secretary of State

ACT No. 410

HOUSE BILL NO. 4

BY REPRESENTATIVES ZERINGUE AND DOMANGUE AND SENATOR ALLAIN
AN ACT

To amend and reenact R.S. 33:9109(C)(2), relative to charges for 911 emergency services; to authorize the Terrebonne Parish Communications District to increase its service charge on wireless phone service; 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. 33:9109(C)(2) is hereby amended and reenacted to read as follows:

§9109. Additional service charge on wireless telecommunications service

* * *

C. Service charge. The governing authority of any district may levy a CMRS emergency telephone service charge subject to and in accordance with the provisions of this Subsection. Such service charge:

* * *

(2)(a) Shall not exceed one dollar and twenty-five cents per month per wireless CMRS connection or the rate which the district levies or is authorized to levy on CMRS users on August 1, 2016, whichever is higher.

(b) Notwithstanding the provisions of Subparagraph (a) of this Paragraph, the governing authority of the Terrebonne Parish Communications District may levy a CMRS emergency telephone service charge of not more than one dollar and eighty-five cents per month per wireless CMRS connection.

* * *

Approved by the Governor, June 3, 2024.

A true copy:
Nancy Landry
Secretary of State

ACT No. 411

HOUSE BILL NO. 113

BY REPRESENTATIVES MCMAKIN AND CHASSION
AN ACT

To amend and reenact R.S. 44:32(C)(2), relative to public records; to provide for public records held by public postsecondary education institutions; to provide for copying fees paid by student-produced media outlets affiliated with the institution; and to provide for related matters.

Be it enacted by the Legislature of Louisiana:

Section 1. R.S. 44:32(C)(2) is hereby amended and reenacted to read as follows:

§32. Duty to permit examination; prevention of alteration; payment for overtime; copies provided; fees

* * *

C.

* * *

(2)(a) For all public records of state agencies, it shall be the duty of the custodian of such records to provide copies to persons so requesting, unless the requestor fails to pay the applicable copying fees after being notified of the amount in advance of production or the requestor has an outstanding

balance from a prior request. Fees for such copies shall be charged according to the uniform fee schedule adopted by the commissioner of administration as provided by R.S. 39:241 or as otherwise fixed or provided by law. Copies of records may be furnished without charge or at a reduced charge to indigent citizens of this state or the persons whose use of such copies, as determined by the custodian, will be limited to a public purpose, including but not limited to use in a hearing before any governmental regulatory commission.

(b) Copies of records held by a public postsecondary education institution shall be furnished without charge to any student-produced media outlet that is affiliated with the institution and that is funded in whole or in part by fees levied by the institution or by students enrolled at the institution.

* * *

Approved by the Governor, June 3, 2024.

A true copy:
Nancy Landry
Secretary of State

ACT No. 412

HOUSE BILL NO. 119

BY REPRESENTATIVE ROMERO
AN ACT

To amend and reenact R.S. 23:1595 and to enact R.S. 23:1606, relative to unemployment compensation; to provide for the duration of benefits; to provide definitions; to provide for extended benefits; to provide for the termination of extended benefits; to provide for the promulgation of rules; to provide for an effective date; and to provide for related matters.

Be it enacted by the Legislature of Louisiana:

Section 1. R.S. 23:1595 is hereby amended and reenacted and R.S. 23:1606 is hereby enacted to read as follows:

§1595. Duration of benefits

A. Any otherwise eligible individual shall be entitled during any benefit year to a total amount of benefits equal to twenty-six up to twenty times his weekly benefit amount as determined pursuant to R.S. 23:1592 provided that such total amount of benefits, if not a multiple of one dollar, shall be computed to the nearest multiple of one dollar. No claimant shall receive a benefit check for any week beyond the number of weeks computed on his initial claim unless that claimant is participating in a program providing partial unemployment as set forth in R.S. 23:1472(19)(a) or has been paid wages for part-time or full-time work. Further, if a base period employer has provided severance pay, which when prorated weekly is an amount which equals or exceeds the claimant's weekly benefit amount, the claimant's benefit entitlement computed pursuant to the provisions of this Subsection shall be reduced by one week for each week of severance pay, provided that no claimant's entitlement shall be reduced to less than one week.

B.(1) The maximum number of weekly benefits a claimant may be eligible for in a benefit year shall depend on the average of the three most recently published state seasonally adjusted unemployment rates preceding the month in which the claimant files his first claim for benefits.

(2) For all valid unemployment compensation claims submitted, the maximum duration of benefits available to a claimant shall be based upon the average unemployment rate as determined by the administrator according to the following formula:

(a) When the average unemployment rate is five percent or less, the maximum duration of benefits shall be limited to twelve weeks.

(b) When the average unemployment rate is greater than five percent but less than five and one-half percent, the maximum duration of benefits shall be limited to thirteen weeks.

(c) When the average unemployment rate is equal to or greater than five and one-half percent but less than six percent, the maximum duration of benefits shall be limited to fourteen weeks.

(d) When the average unemployment rate is equal to or greater than six percent but less than six and one-half percent, the maximum duration of benefits shall be limited to fifteen weeks.

(e) When the average unemployment rate is equal to or greater than six and one-half percent but less than seven percent, the maximum duration of benefits shall be limited to sixteen weeks.

(f) When the average unemployment rate is equal to or greater than seven percent but less than seven and one-half percent, the maximum duration of benefits shall be limited to seventeen weeks.

(g) When the average unemployment rate is equal to or greater than seven and one-half percent but less than eight percent, the maximum duration of benefits shall be limited to eighteen weeks.

(h) When the average unemployment rate is equal to or greater than eight percent but less than eight and one-half percent, the maximum duration of benefits shall be limited to nineteen weeks.

(i) When the average unemployment rate is equal to or greater than eight and one-half percent, the maximum duration of benefits shall be limited to twenty weeks.

C. On a biannual basis, the Louisiana Workforce Commission shall publish on its website the maximum number of weekly benefits a claimant may be eligible for in a benefit year, provided for in Subsection B of this Section, for a claimant who has filed an initial claim for unemployment benefits in any week in that month.

B. D. For the purposes of this Section, "wages" shall be counted as "wages

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

for insured work” for the benefit purposes with respect to any benefit year only if the benefit year begins subsequent to the date on which the employing unit by whom the wages were paid became an employer within the meaning of this Chapter.

* * *

§1606. Extended benefits for training; definitions; eligibility; weekly extended benefit amount; total extended benefit amount; termination of extended benefits

A. For the purposes of this Section, the following terms have the meanings ascribed to them:

(1) “Eligibility period of an individual” means the period consisting of the weeks in an individual’s benefit year which begin in an extended benefit period and, if his benefit year ends within such extended benefit period, any weeks thereafter which begin in such period.

(2) “Exhaustee” means an individual who, with respect to any week of unemployment in his eligibility period, either:

(a) He has received, prior to such week, all of the regular benefits that were available to him in accordance with this Chapter or any other unemployment insurance law of any state approved by the United States secretary of labor pursuant to the Internal Revenue Code of 1954, 26 U.S.C. §3304, including dependent’s allowances and benefits payable to federal civilian employees and ex-servicemen pursuant to 5 U.S.C. Chapter 85, in his current benefit year that includes such week. For the purposes of this Paragraph, an individual shall be considered to have received all of the regular benefits that were available to him as a result of a pending appeal with respect to wages or employment, or both, that were not considered in the original monetary determination in his benefit year. He may subsequently be determined to be entitled to added regular benefits.

(b) His benefit year having expired prior to such week, has no wages, or has insufficient wages or employment, or both, on the basis of which he could establish a new benefit year that would include such week if all of the following apply:

(i) He has no right to unemployment insurance benefits or allowances, as the case may be, pursuant to the Railroad Unemployment Insurance Act, 45 U.S.C. §351 et seq., or under such other federal laws as are specified in regulations issued by the United States secretary of labor.

(ii) He has not received and is not seeking unemployment insurance benefits under the unemployment insurance law of Canada or the United States Virgin Islands, but if he is seeking such benefits and the appropriate agency finally determines that he is not entitled to benefits under such law, he shall be considered an exhaustee if the other provisions of this definition are met. An unemployment compensation law submitted to the secretary of the United States Virgin Islands for approval, shall be effective on the day after the day on which the United States secretary of labor approves such law pursuant to the Internal Revenue Code of 1954, 26 U.S.C. §3304(a).

(3) “Extended benefits” means benefits payable to an individual under the provisions of this Section for weeks of unemployment in his eligibility period.

(4) “Extended benefit period” means a period which begins upon exhaustion of regular unemployment benefits and ends upon the exhaustion or disqualification for extended benefits pursuant to this Section.

(5) “Regular benefits” means benefits payable to an individual in accordance with this Chapter or in accordance with the unemployment insurance law of any state, approved by the United States secretary of labor pursuant to the Internal Revenue Code of 1954, 26 U.S.C. §3304, including benefits payable to federal civilian employees and to ex-servicemen pursuant to 5 U.S.C. Chapter 85, other than extended benefits.

B. An individual shall be eligible to receive extended benefits with respect to any week of unemployment in his eligibility period, only if the administrator finds that with respect to such week all of the following apply:

(1) He is an exhaustee as defined in this Section.

(2) He is enrolled and participating in an approved training program as provided in R.S. 23:1602 at the time his regular benefits are exhausted.

C. The weekly extended benefit amount payable to an individual for a week of total unemployment in his eligibility period shall be an amount equal to the weekly benefit amount determined pursuant to R.S. 23:1592 payable to him during his benefit year with respect to when he last became an exhaustee.

D. The total extended benefit amount payable to any eligible individual with respect to any one benefit year shall be eight times his weekly benefit amount which was payable to him in accordance with this Chapter for a week of total unemployment in such benefit year.

E. Except when the result would be inconsistent with the provisions of this Section and as provided in the regulation of the administrator, the provisions of this Chapter which apply for, or the payment of, regular benefits shall apply to claims for and the payment of, extended benefits.

F. An individual shall not be eligible for extended benefits for any week if the administrator determines that the individual is no longer enrolled or participating in the training program or the individual has completed the training program.

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

Approved by the Governor, June 3, 2024.

A true copy:

Nancy Landry
Secretary of State

ACT No. 413

HOUSE BILL NO. 128
BY REPRESENTATIVE FONTENOT
AN ACT

To amend and reenact R.S. 14:95.1(B), relative to possession of a firearm or carrying of a concealed weapon by a felon; to provide for penalties; and to provide for related matters.

Be it enacted by the Legislature of Louisiana:

Section 1. R.S. 14:95.1(B) is hereby amended and reenacted to read as follows:

§95.1. Possession of firearm or carrying concealed weapon by a person convicted of certain felonies

* * *

B.(1) Whoever is found guilty of violating the provisions of this Section shall be imprisoned at hard labor for not less than five nor more than twenty years without the benefit of probation, parole, or suspension of sentence and be fined not less than one thousand dollars nor more than five thousand dollars.

(2) Notwithstanding the provisions of R.S. 14:27, whoever is found guilty of attempting to violate the provisions of this Section shall be imprisoned at hard labor for not more than seven and one-half years and fined not less than five hundred dollars nor more than two thousand five hundred dollars.

(3) If the offender is found guilty of violating the provisions of this Section while on probation or parole, the sentence imposed pursuant to this Subsection shall be served consecutively with the remaining balance of any sentence to be served for a prior conviction for any offense in accordance with Code of Criminal Procedure Article 901.

* * *

Approved by the Governor, June 3, 2024.

A true copy:

Nancy Landry
Secretary of State

ACT No. 414

HOUSE BILL NO. 152
BY REPRESENTATIVE BERAULT
AN ACT

To enact R.S. 33:9039.15.1 and 9039.16(D), relative to the Lakeshore Villages Community Development District in St. Tammany Parish; to provide relative to the election of the district’s governing authority and terms of members; to provide for appointment of members under certain circumstances; to provide relative to compensation of members of the governing authority; to provide relative to officers; to authorize the district to contract for financial and record keeping services; 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. 33:9039.15.1 and 9039.16(D) are hereby enacted to read as follows:

§9039.15.1. Lakeshore Villages Community Development District; board of supervisors, elections, and meetings

The Lakeshore Villages Community Development District in St. Tammany Parish, hereafter in this Section referred to as the “district”, is subject to the provisions of R.S. 33:9039.15 except as otherwise provided by this Section:

(1)(a) District supervisors shall be elected on the date specified by R.S. 18:402 for congressional elections, and their terms shall begin on January third of the year after the election. Each supervisor shall be elected to a designated division of the board. The divisions are for the sole purpose of election of supervisors. The divisions are designated alphabetically as Divisions “A” through “E”, and each supervisor in office on January 1, 2025, shall be assigned to a designated division by name alphabetically. A candidate for supervisor shall, at the time of filing his declaration as a candidate therefor, designate only one division for which he is a candidate. The electors of the district shall elect one member from among the candidates for each division of the commission.

(b) Notwithstanding Subparagraph (a) of this Paragraph, if the total number of registered voters in the district is fewer than two hundred fifty in any even-numbered year, no election shall be held in that year, and the governing authority of St. Tammany Parish shall appoint the successors to supervisors whose terms expire on January third of the following year. By April fifteenth of each even-numbered year, the chief executive officer of the district shall request from the registrar of voters a report on the number of registered voters in the district. By June fifteenth of the year, the board of supervisors shall decide whether to call an election or request that the parish governing authority appoint such members.

(2)(a) Except as otherwise provided by this Paragraph, district supervisors serve four-year terms.

(b) The terms of all supervisors serving on January 1, 2025, end on January 3, 2027. The initial term of three supervisors elected at the election in 2026 is four years and the initial term for two supervisors is two years, as determined by lot at the first meeting of the board after the beginning of the term.

(3) The district’s board of supervisors shall elect one supervisor as chair and one supervisor as a vice chair. The board shall also elect a secretary who need not be a supervisor and who may also serve as the treasurer as

provided in R.S. 33:9039.16(B). The board may elect other officers as it deems necessary.

(4) Each district supervisor may receive a per diem of not more than two hundred fifty dollars for meetings he attends, but not more than two meetings per month. Each supervisor may also receive travel expenses as authorized in the district’s bylaws.§9039.16. Board of supervisors; general duties

* * *

D. The board of supervisors of the Lakeshore Villages Community Development District in St. Tammany Parish may contract, on terms it deems appropriate, with a person or entity to provide financial services and record keeping services for the district.

Section 2. This Act shall become effective on January 1, 2025.
Approved by the Governor, June 3, 2024.

A true copy:
Nancy Landry
Secretary of State

ACT No. 415

HOUSE BILL NO. 169
BY REPRESENTATIVE ROBBY CARTER
AN ACT

To amend and reenact R.S. 30:1109(B), relative to liability; to provide relative to owners and operators of carbon sequestration; to provide relative to limitations on the recovery of noneconomic damages; and to provide for related matters.

Be it enacted by the Legislature of Louisiana:

Section 1. R.S. 30:1109(B) is hereby amended and reenacted to read as follows:

§1109. Cessation of storage operations; limited liability release

* * *

B.(1) In any civil liability action against the owner or operator of a storage facility, carbon dioxide transmission pipeline, or the generator of the carbon dioxide being handled by either the facility or pipeline, the maximum amount recoverable as compensatory damages for noneconomic loss shall not exceed two hundred fifty thousand dollars per ~~occurrence~~ person, except where the damages for noneconomic loss suffered by the plaintiff were for wrongful death; permanent and substantial physical deformity, loss of use of a limb or loss of a bodily organ system; or permanent physical or mental functional injury that permanently prevents the injured person from being able to independently care for himself or herself and perform life sustaining activities. In such cases, the maximum amount recoverable as compensatory damages for noneconomic loss shall not exceed five hundred thousand dollars per ~~occurrence~~ person.

(2) If Paragraph (1) of this Subsection, or the application thereof to any person or circumstance, is finally determined by a court of law to be unconstitutional or otherwise invalid, the maximum amount recoverable as damages for noneconomic loss shall thereafter not exceed one million dollars per ~~occurrence~~ person. This provision shall not supersede any contractual agreement with respect to liability between a plaintiff and an owner or operator of a storage facility, a carbon dioxide transmission pipeline, or the generator of the carbon dioxide.

* * *

Approved by the Governor, June 3, 2024.

A true copy:
Nancy Landry
Secretary of State

ACT No. 416

HOUSE BILL NO. 174
BY REPRESENTATIVE MCMAKIN
AN ACT

To amend and reenact R.S. 17:3394(E)(1), relative to disciplinary proceedings at public postsecondary education institutions; to revise the conditions under which a student or student organization may be deemed guilty of a violation; and to provide for related matters.

Be it enacted by the Legislature of Louisiana:

Section 1. R.S. 17:3394(E)(1) is hereby amended and reenacted to read as follows:

§3394. Disciplinary proceedings

* * *

E. When a violation is punishable by suspension of ten or more days or expulsion, or when a violation by a student organization is punishable by suspension or removal of the organization from the institution, the disciplinary procedures contained in the code of student conduct shall include but need not be limited to the following:

(1) Afford the accused student or organization the express presumption of innocence and set forth that he or the organization may not be deemed guilty of the violation until he or the organization formally acknowledges responsibility or the conclusion of a hearing where the institution has established proven every element of the ~~alleged~~ violation necessary to constitute guilt by clear and convincing evidence. The standard of establishing guilt through clear and convincing evidence shall not alter the burden of proof in hearings held

pursuant to Title IX of the Education Amendments of 1972 or R.S. 17:3399.11 et seq.

* * *

Approved by the Governor, June 3, 2024.
A true copy:
Nancy Landry
Secretary of State

ACT No. 417

HOUSE BILL NO. 181
BY REPRESENTATIVE BRASS
AN ACT

To amend and reenact R.S. 38:1759(B) and 1764(C), relative to consolidated gravity drainage districts in Ascension Parish; to provide relative to the boards of commissioners of consolidated gravity drainage districts in the parish; to provide for the powers of the districts and responsibilities of the parish; and to provide for related matters.

Be it enacted by the Legislature of Louisiana:

Section 1. R.S. 38:1759(B) and 1764(C) are hereby amended and reenacted to read as follows:

§1759. Appointment and terms of commissioners

* * *

B.(1) Notwithstanding the provisions of Subsection A of this Section, the board of commissioners of Gravity Drainage District No. 2 and Gravity Drainage District No. 5 of Livingston Parish shall consist of seven members, subject to all other requirements of qualifications for office provided in Subsection A of this Section.

(2) Notwithstanding the provisions of Subsection A of this Section, the board of commissioners of the East Ascension Consolidated Gravity Drainage District No. 1 consists of the Ascension Parish council members whose council districts include portions of the drainage district.

(3) Notwithstanding the provisions of Subsection A of this Section, the board of commissioners of the West Ascension Consolidated Gravity Drainage District No. 1 consists of three members as follows:

(a) The member of the Ascension Parish council whose council district includes all or the larger part of the drainage district.

(b) The mayor of Donaldsonville or his designee,

(c) A member appointed by the Ascension Parish council for a four-year term.

* * *

§1764. Corporate status and powers of districts

* * *

C.(1) The drainage or sub-drainage district shall have the power and authority to plan, construct, maintain and operate such works of improvement as land treatments for watershed protection, flood prevention works, irrigation improvements, recreation, municipal and industrial water storage, and fish and wildlife developments. The drainage or sub-drainage district shall have the power and authority to cooperate with and enter into cooperative agreements and arrangements with agencies of the United States of America on a matching fund or any other basis for planning and constructing such works of improvement or other works, facilities or programs authorized and contemplated by the National Watershed Protection and Flood Prevention Act, 16 U.S.C. 1001 et seq.

(2) All services furnished and work undertaken by East Ascension Consolidated Gravity Drainage District No. 1 or West Ascension Consolidated Gravity Drainage District No. 1 shall be administered by the Ascension Parish president and executed through the parish’s regularly constituted departments and agencies.

* * *

Approved by the Governor, June 3, 2024.

A true copy:
Nancy Landry
Secretary of State

ACT No. 418

HOUSE BILL NO. 215
BY REPRESENTATIVE ST. BLANC
AN ACT

To enact R.S. 33:2554(C)(4), relative to the city of Morgan City; to provide relative to the classified police service; to provide relative to the certification and appointment of eligible persons; 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. 33:2554(C)(4) is hereby enacted to read as follows:

§2554. Certification and appointment

* * *

C.

* * *

(4) Notwithstanding any other provision of law to the contrary, in the city of Morgan City, a vacant position in the police department shall be filled in the following manner:

(a) If a vacancy cannot be filled by reinstatement or by reemployment as provided in Subsections A and B of this Section, the board shall next certify the names of the persons on the promotional list, in the order in which they appear thereon, for the class in which the vacancy is to be filled.(b) The appointing authority shall select and appoint to any vacancy to be filled a person whose name appears on the promotional list for the class for which he was tested as a person who is among the three highest in departmental seniority.

* * *

Approved by the Governor, June 3, 2024.

A true copy:
Nancy Landry
Secretary of State

ACT No. 419

**HOUSE BILL NO. 225
BY REPRESENTATIVE BOYD
AN ACT**

To enact R.S. 33:9091.28, relative to Orleans Parish; to create the Tall Timbers Crime Prevention and Improvement District; to provide relative to the boundaries, purpose, governance, and powers and duties of the district; to provide relative to district funding; to authorize the city, subject to voter approval, to impose and collect a parcel fee for the district; 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. 33:9091.28 is hereby enacted to read as follows:

§9091.28. Tall Timbers Crime Prevention and Improvement District

A. Creation. There is hereby created within the parish of Orleans, as more specifically provided in Subsection B of this Section, a body politic and corporate known as the Tall Timbers Crime Prevention and Improvement District, referred to in this Section as the “district”. The district is a political subdivision of the state as defined in the Constitution of Louisiana.

B. Boundaries. The district is comprised of all lots within Sections 2 through 10 of the Tall Timbers Subdivision, which lots front on or abut any of the streets within the Subdivision, namely: Tall Oaks Drive, Inwood Avenue, South Inwood Avenue, Pin Oak Avenue, South Pin Oak Avenue, Post Oak Avenue, South Post Oak Avenue, White Oak Avenue, North Teak Avenue, Red Oak Drive, Red Oak Court, Tall Pines Drive, Mimosa Drive, Mimosa Court, Peach Tree Court, Silver Maple Court, or Red Cypress Drive.

C. Purpose. The district is established for the primary objects and purposes of aiding in crime prevention for district residents and their property and serving the needs of residents of the district by funding beautification and other activities and improvements for the overall betterment of the district and the quality of life of its residents.

D. Governance. (1) The district shall be managed by a nine-member board of commissioners, referred to in this Section as the “board”. The board shall be composed of the president and treasurer of the Tall Timbers Owners Association and seven other members appointed by the board of the association.

(2) All members of the board shall be residents of the district and members in good standing of the Tall Timbers Owners Association.

(3) Appointed board members shall serve four-year terms except that the Tall Timbers Owners Association may specify a shorter initial term when making its initial appointments.

(4) The board shall elect from its members a chairman, a vice chairman, a secretary, a treasurer, and other officers as it deems necessary. The duties of the officers shall be fixed by the bylaws adopted by the board.

(5) The secretary or the treasurer of the board shall maintain the minute books and archives of the district. The monies, funds, and accounts of the district shall be in the official custody of the board.

(6) The board may adopt rules and regulations for conducting its business affairs. Rules and regulations of the board relative to the notice and conduct of meetings shall conform to applicable law, including laws relative to open meetings. The board shall hold regular meetings and may hold special meetings at times and places within the district as prescribed in the bylaws.

(7) A majority of the members of the board constitutes a quorum for the transaction of business. The board shall keep minutes of all meetings and shall make them available through the secretary of the board to residents of the district.

(8) The members of the board shall serve without compensation but shall be reimbursed for reasonable out-of-pocket expenses directly related to the governance of the district.

(9) Each member of the board has one vote. The vote of a majority of the members of the board present and voting, a quorum being present, is required to decide any question upon which the board takes action.

E. Powers and duties. The district, acting through its board, shall have the following powers and duties:

(1) To sue and be sued.

(2) To adopt, use, and alter at will a corporate seal.

(3) To receive and expend funds collected pursuant to Subsections F and G of this Section and in accordance with a budget adopted as provided by Subsection H of this Section.

(4) To enter into contracts with individuals or entities, private or public.

(5) To provide or enhance security patrols in the district, to provide for improved lighting, signage, or matters relating to the security and beautification of the district.

(6) To enter into contracts and agreements for security, improvement, or betterment of the district, including with one or more other districts for the joint security, improvement, or betterment of all participating districts.

(7) To provide for services and make expenditures as the board deems proper for the upkeep and beautification of the district and the quality of life of its residents.

(8) To acquire or lease items and supplies that the board deems instrumental to achieving the purposes of the district.

(9) To procure and maintain liability insurance against any liability of the district and against any personal or legal liability of a board member that may be asserted or incurred based upon his service as a member of the board or that may arise as a result of his actions taken within the scope and discharge of his duties as a member of the board.

(10) To perform or have performed any other function or activity necessary or appropriate to carry out the purposes of the district or for the overall betterment of the district.

F. Parcel fee. The governing authority of the city of New Orleans may impose and collect a parcel fee within the district subject to and in accordance with the provisions of this Subsection:

(1)(a) The amount of the fee shall be as requested by duly adopted resolution of the board. For the first two years, the initial fee shall not exceed two hundred thirty dollars per year per parcel.

(b) For the third and any subsequent year in which the fee is collected, the fee shall not exceed two hundred fifty dollars per year per parcel.

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

(b) For purposes of this Section, “parcel” means a lot, a subdivided portion of ground, or an individual tract.

(c) The owner of each parcel is 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 who vote on the proposition at an election held for that purpose in accordance with the Louisiana Election Code.

(b) The initial term for the imposition of the parcel fee is five years, but the fee may be renewed if approved by a majority of the registered voters of the district voting on the proposition at an election as provided in Subparagraph (a) of this Paragraph. Any election to authorize the renewal of the fee shall be held for that purpose in accordance with the Louisiana Election Code. If the fee is renewed, the term of the imposition of the fee shall be as provided in the proposition authorizing such renewal, not to exceed five years.

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

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

(6)(a) The city of New Orleans shall remit to the district all amounts collected not more than sixty days after collection.

(b) The district shall use the proceeds of the fee solely and exclusively for the purposes and benefit of the district; however, the city may retain one percent of the amount collected as a collection fee.

G. Additional contributions. The district may solicit and accept additional voluntary contributions and grants to further the purposes of the district.

H. Budget. (1) The board of commissioners shall adopt an annual budget in accordance with the Local Government Budget Act, R.S. 39:1301 et seq.

(2) The district shall be subject to audit by the legislative auditor pursuant to R.S. 24:513.

I. Miscellaneous provisions. (1) It is the purpose and intent of this Section that any additional security patrols, public or private, or any other security or other services or betterments provided by the district shall be supplemental to and not be in lieu of 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.

(2) If the district ceases to exist, the board shall transmit all district funds to the city of New Orleans, and such funds, together with any other funds collected by the city of New Orleans pursuant to this Section, shall be maintained in a separate account by the city and shall be used only to promote, encourage, and enhance the security of the area included in the district.

J. Indemnification and exculpation. (1) The district shall indemnify its officers and board members to the fullest extent permitted by R.S. 12:227, as fully as if the district were a nonprofit corporation governed thereby, and as provided in the district’s bylaws.

(2) No board member or officer of the district is liable to the district or to any individual who resides, owns property, visits, or otherwise conducts business in the district for monetary damages for breach of his duties as a board member or officer; however the foregoing provision does not eliminate or limit the liability of a board member or officer for any of the following:

(a) Acts or omissions not in good faith or which involve intentional misconduct or a knowing violation of law.

(b) Any transaction from which he derived an improper personal benefit.

(3) To the fullest extent permitted by R.S. 9:2792 et seq., including R.S. 9:2792.1 through 2792.9, a person serving the district as a board member or officer shall not be held individually liable for any act or omission arising out

of the performance of his duties.
Approved by the Governor, June 3, 2024.
A true copy:
Nancy Landry
Secretary of State

ACT No. 420

HOUSE BILL NO. 238

BY REPRESENTATIVES ECHOLS, ADAMS, BAYHAM, BERAULT,
BILLINGS, BOYER, BUTLER, CARLSON, WILFORD CARTER,
CHENEVERT, COATES, DEWITT, EDMONSTON, EGAN, EMERSON,
GALLE, HORTON, JACOB LANDRY, OWEN, RISER, SCHAMERHORN,
THOMPSON, WILDER, AND WYBLE AND SENATORS ALLAIN, BASS,
CATHEY, FESI, WHEAT, AND WOMACK
AN ACT

To enact Part I-A of Chapter 22 of Title 3 of the Louisiana Revised Statutes of 1950, to be comprised of R.S. 3:3613 through 3619, relative to protection of agricultural lands from foreign adversaries; to restrict a foreign adversary with an ownership interest in a business entity from owning or having an interest in agricultural land; to provide for exceptions; to provide for reporting requirements; to provide for definitions; to authorize the attorney general to take certain actions in response to violations involving the acquisition or sale of immovable property by foreign adversaries; to authorize certain courts to issue orders against foreign adversaries; to provide for immunity from liability for certain professionals involved in the consummation of real estate transactions; to provide for forfeiture and civil penalties; and to provide for related matters.

Be it enacted by the Legislature of Louisiana:

Section 1. Part I-A of Chapter 22 of Title 3 of the Louisiana Revised Statutes of 1950, comprised of R.S. 3:3613 through 3619, is hereby enacted to read as follows:

PART I-A. PROTECTION OF AGRICULTURAL LANDS

§3613. Ownership of agricultural lands by foreign adversaries restricted
A. No foreign adversary or prohibited foreign actor shall directly or indirectly own, acquire, lease, or otherwise obtain any interest in agricultural land as defined by R.S. 3:3602.

B. A prohibited foreign actor may sell or convey an ownership interest in agricultural land in this state.

C. A person may conclusively rely upon an affidavit made by a person intending to acquire or holding an interest in immovable property to the effect that the person is not a foreign adversary or a prohibited foreign actor, and the correctness of those facts may not be controverted against any person relying on the affidavit, unless actual fraud by such person is proven. A person who gives a false affidavit shall be responsible for any loss or damage suffered by any person whose rights are adversely affected.

§3614. Definitions

For purposes of this Part, the following definitions shall apply:
(1) “Controlling interest” means possession of the power to direct or cause the direction of the management or policies of a company, whether through ownership of securities, by contract or otherwise. A person or entity that directly or indirectly has the right to vote fifty percent or more of the voting interests of an entity or is entitled to fifty percent or more of its profits is presumed to possess a controlling interest.

(2) “Foreign adversary” means a foreign nongovernment person or foreign government identified as a foreign adversary pursuant to 15 CFR 7.4 including the People’s Republic of China and the Hong Kong Special Administrative Region, Republic of Cuba, Islamic Republic of Iran, Democratic People’s Republic of Korea, Russian Federation, and Venezuela under the leadership of Nicolas Maduro. It shall not include a person who is a legal permanent resident with lawful presence in the United States.

(3) “Immovable property” means agricultural land as defined in R.S. 3:3602.

(4) “Prohibited foreign actor” means a corporation, limited liability company, pension or investment fund, trust, or limited partnership in which a foreign adversary has a controlling interest.

§3615. Exceptions

The provisions of this Part shall not apply to foreign business entities that might otherwise qualify as a foreign adversary owning agricultural lands under the following circumstances:

(1) If the right is guaranteed by a treaty or if the person’s country of origin affords certain real estate rights to United States citizens.

(2) If a title to agricultural land is held as a security to indebtedness or real estate acquired upon collection of a debt.

(3) If such foreign business entity is a religious, educational, charitable, or scientific corporation.

(4) If inherited land, or land received by such foreign business entity as payment for a debt, is sold or transferred within five years.

§3616. Civil penalties; actions

A.(1) A prohibited foreign actor that violates the provisions of this Part shall be subject to a civil penalty of fifty thousand dollars and forfeiture if such entity does not divest itself of agricultural land acquired in violation of this Part within one year after judgment is entered in this action.

(2) Any civil penalty collected pursuant to this Section shall be paid to the attorney general to offset costs associated with enforcement of provisions contained in this Section.

B. A party to the contract to purchase, lease, or otherwise acquire immovable property may rescind the contract prior to the transfer of the immovable property if the party determines that a foreign adversary has an ownership interest that violates the provisions of this Part.

C. The attorney general may bring an action for injunctive relief in the name of the state against the foreign adversary or prohibited foreign actor to restrain and enjoin the sale or lease prior to the transfer of the immovable property or to restrain or enjoin the lease. The attorney general shall serve the petition for injunctive relief upon the parties to the transaction. Upon receipt of the petition, a party may rescind the contract to purchase, lease, or otherwise acquire immovable property pursuant to Subsection B of this Section. The attorney general shall file a notice of lis pendens in the mortgage records of the parish in which the property is located no later than three business days after instituting the proceeding. The institution of the action and the filing of the notice of lis pendens shall have no effect on persons obtaining rights in the immovable property prior to the filing of the notice of the pending action.

D.(1) The attorney general may serve an investigative demand or subpoena for deposition testimony to any person who is believed to have information, documentary material, or physical evidence relevant to the alleged or suspected attempt to enter into, conspiracy to enter into, or entering into a contract to purchase, lease, or otherwise acquire immovable property in this state if all of the following exist:

(a) The attorney general has evidence that a foreign adversary or a prohibited foreign actor is attempting to enter into, conspiring to enter into, or has entered into a contract to purchase, lease, or otherwise acquire immovable property in this state.

(b) The attorney general believes it to be in the public interest that an investigation should be made to ascertain whether a foreign adversary or a prohibited foreign actor in fact is attempting to enter into, conspiring to enter into, or has entered into a contract to purchase, lease, or otherwise acquire immovable property in this state.

(2)(a) Such investigative demand or subpoena for deposition testimony shall contain a description of the attempt to enter into, conspiracy to enter into, or entering into a contract to purchase, lease, or otherwise acquire immovable property in this state under investigation and shall require such person to furnish, under oath or otherwise, a report in writing setting forth the relevant facts and circumstances of which he has knowledge, or to produce relevant documentary material or physical evidence for examination, at such reasonable time and place as may be stated in the investigative demand that is the subject matter of the investigation. Nonpublic personal information may be excluded from the report, deposition, or other testimony.

(b) Any subpoena for deposition testimony issued pursuant to this Section shall include a notice informing the prospective deponent of the deponent’s right to counsel at the deposition with an opportunity for cross-examination, and the deposition shall be conducted at the deponent’s principal place of business, deponent’s place of residence, deponent’s domicile, or, if agreeable to the deponent, at some other place convenient to the attorney general and the deponent’s attorney.

(c) Any such deposition shall be held at a reasonable time, as may be stated in the investigative subpoena. At any time before the return date specified in the investigative demand or before the noticed deposition, or within twenty days after the demand or deposition notice has been served, whichever is shorter, a petition stating good cause for a protective order to extend the return date, or to modify or set aside the demand or deposition notice, may be filed in the district court having civil jurisdiction in the parish where the person served with the demand resides, is domiciled, or has his principal place of business located.

(d) If no protective order from the court is secured and the written request by the attorney general is not complied with by the return date thereof, the attorney general may apply to the court for an order compelling compliance with the investigative demand or deposition notice.

(e) If any person fails or refuses to file any statement, report, documentary material or physical evidence, or obey any investigative subpoena or demand issued by the attorney general, except as permitted by a protective order issued by an appropriate court, the attorney general may apply to the district court having civil jurisdiction in the parish where the person served with the demand or subpoena resides, is domiciled, or has his principal place of business located, for a rule to show cause why an order compelling compliance should not be issued.

(f) Any disobedience of an order compelling compliance under this Section by any courts shall be punished as a contempt of court.

E. Service of any demand, subpoena, or petition shall be made in the manner provided by law.

F. Any immovable property acquired by a foreign adversary or a prohibited foreign actor is subject to divestiture or civil forfeiture to the state.

G. In the enforcement of this Part, the attorney general may use all other procedures and authority for investigation, supervision, and conduct of actions on behalf of the state as provided by law.

H. A court petitioned by the attorney general may issue such additional orders or render judgments against the foreign adversary or the prohibited foreign actor as may be necessary to protect the public. Such orders shall include but not be limited to the following:

(1) Revocation, forfeiture, or suspension of any license, charter, franchise, certificate, or other evidence of authority of any person to do business in the state.

- (2) Appointment of a receiver.
- (3) Dissolution of domestic corporations or associations.
- (4) Suspension or termination of the right of foreign corporations or associations to do business in this state.
- (5) Restitution to compensate any person who did not knowingly enter into a transaction with the foreign adversary or a prohibited foreign actor for any loss, expenses, court costs, or attorney fees which may have been incurred because of the sale being void or enjoined.
- (6) Civil forfeiture of any immovable property acquired by the foreign adversary or the prohibited foreign actor in accordance with the provisions of this Section.

I.(1) If, after examining the evidence, the attorney general concludes that a violation of this Part occurred, the attorney general may order the foreign adversary or prohibited foreign actor to divest himself of all interests in the land within ninety days after service of the order upon the foreign adversary or prohibited foreign actor.

(2) The order of divestiture, as described in Paragraph (1) of this Subsection, shall be served personally or by certified mail.

J.(1) If the holder of the interest that is ordered to be divested disputes the determination of the attorney general that a violation of this Part occurred, the holder may submit a written request for a judicial determination to the attorney general.

(2) The written request, as described in Paragraph (1) of this Subsection, shall be delivered to the attorney general within sixty days after service of the order of divestiture. If no written request is received within this time, the determination of the attorney general shall become final.

(3) A foreign adversary, prohibited foreign actor, or any holder of interest may seek judicial review after the attorney general's final determination.

(4) Any appeal from the final determination of the attorney general shall be in accordance with the Administrative Procedure Act.

K.(1) If the foreign adversary or prohibited foreign actor fails to divest himself of all interests pursuant to Paragraph (I)(1) of this Section or if a holder of the interest submits a written request pursuant to Subsection J of this Section, the attorney general may bring an action to divest the interest.

(2) The attorney general may initiate a civil action pursuant to this Section in either the parish of East Baton Rouge or a parish where a portion of the immovable property is located.

(3) The attorney general shall record in the public mortgage records of the parish clerk of court of each parish in which any portion of the immovable property is located a notice of pendency of the action pursuant to Book VII, Title II, Chapter 4 of the Code of Civil Procedure.

L. If the holder of the interest in immovable property has submitted a written request pursuant to Subsection J of this Section, the court shall conduct an evidentiary hearing to determine, by a preponderance of the evidence, if a violation of this Part occurred, prior to taking any other action. If the court determines that there has been no violation, the court shall dismiss the action and expunge the notice of pending action.

M. If a court of competent jurisdiction determines that a violation of this Part occurred, the court shall order that such immovable property be sold by the sheriff in the parish where the immovable property is located in the same manner as a judicial sale in accordance with the requirements of Book IV, Title II, Chapter 2 of the Code of Civil Procedure.

§3617. Protection of ownership interests

A. All forfeitures or dispositions under this Part shall be made with due provisions for the rights of any person who did not knowingly enter into a transaction with the foreign adversary or the prohibited foreign actor.

B. No mortgage, lien, privilege, or other security interest recognized under the laws of this state and no ownership interest in indivision, lease, servitude, usufruct, right of use, bond for deed, or other real right shall be affected by the forfeiture, seizure, or divestiture provisions of this Part.

C. No forfeiture or disposition under this Part shall affect the rights of any person who did not knowingly enter into a transaction with the foreign adversary or a prohibited foreign actor.

D. The attorney general shall, within three business days of instituting any action under this Part, file a copy of the petition or other pleading instituting the action in the mortgage records of the parish in which any related immovable property is situated.

E. Notice of pending forfeiture, seizure, or divestiture shall be provided by the attorney general to the holder of each mortgage, lien, or security interest in the same manner as provided in R.S. 40:2608(3) or R.S. 14:90.1(B)(3).

F. Notice of pending forfeiture, seizure, or divestiture shall be provided by the attorney general to the holder of any interest in the immovable property being seized.

G. The attorney general may cause the petition or other pleading to be cancelled from the mortgage records no later than three business days after judgment is rendered or after a request for cancellation is made by any interested party seeking to transfer the property to a person other than a foreign adversary or a prohibited foreign actor. If the petition or other pleading relates to a property interest vested in a foreign adversary or a prohibited foreign actor, the attorney general may petition the court for an order requiring the proceeds of the sale attributable to the property interest of the foreign adversary or a prohibited foreign actor after the deduction of payments to mortgagees, lienholders, person providing services in connection with the transfer of the property, and credits to the purchaser relating to tax and other customary prorations, be deposited in the registry of the court in which the proceeding is pending.

§3618. Limitation of liability for failure to identify a foreign adversary or prohibited foreign actor

No attorney, title insurer, title insurance producer, title insurance agency producer, lender, mortgage servicer, notary public, real estate agent, real estate broker, seller, or lessor, or any of their directors, officers, or employees shall have a duty to make any investigation as to whether a party to a transaction involving immovable property is a foreign adversary or prohibited foreign actor, nor shall any such person be liable for failing to identify that a party to a transaction involving immovable property is a foreign adversary or prohibited foreign actor.

§3619. Applicability

Except as otherwise provided in this Part, the provisions contained in this Part shall apply only to immovable property acquired by a foreign adversary or prohibited foreign actor after August 1, 2024. If a foreign adversary or prohibited foreign actor acquires immovable property despite the prohibitions contained in this Part, the property shall be subject to forfeiture only during the period in which the foreign adversary or prohibited foreign actor owns the property. Rights in immovable property shall not be void or voidable because the property or right therein previously was held by a foreign adversary or prohibited foreign actor.

Approved by the Governor, June 3, 2024.

A true copy:

Nancy Landry
Secretary of State

ACT No. 421

HOUSE BILL NO. 252

BY REPRESENTATIVES MIKE JOHNSON, BRASS, CARPENTER,
CHASSION, DICKERSON, EDMONSTON, FREIBERG, MELERINE,
SELDERS, TAYLOR, AND YOUNG

AN ACT

To enact R.S. 17:440.3, relative to school employees; to require communication to parents of student athletes relative to cardiac health; and to provide for related matters.

Be it enacted by the Legislature of Louisiana:

Section 1. R.S. 17:440.3 is hereby enacted to read as follows:

§440.3. Cardiac health; student athletes, parents; communication

A. The state Department of Education shall provide written information to public school governing authorities relative to cardiac health. Such information shall include, at a minimum, the requirements that a student athlete who has or has had a cardiac health issue must meet before returning to participation in athletics.

B. Each public school governing authority shall distribute the information provided for in Subsection A of this Section in writing to student athletes and their parents and legal guardians. Coaches, athletic trainers, athletic directors, or other appropriate school personnel shall collect signatures from parents indicating receipt and understanding of the requirements outlined in the communication.

Approved by the Governor, June 3, 2024.

A true copy:

Nancy Landry
Secretary of State

ACT No. 422

HOUSE BILL NO. 270

BY REPRESENTATIVE BOYD

AN ACT

To repeal R.S. 33:2828, relative to the Orleans Parish assessor; to remove the process and fee for obtaining an ad valorem tax exemption for nonprofit property in New Orleans.

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. 33:2828 is hereby repealed in its entirety.

Approved by the Governor, June 3, 2024.

A true copy:

Nancy Landry
Secretary of State

ACT No. 423

HOUSE BILL NO. 315

BY REPRESENTATIVES MIKE JOHNSON, BAYHAM, BILLINGS,
ROBBY CARTER, DICKERSON, EDMONSTON, GREEN, LARVADAIN,
MUSCARELLO, STAGNI, AND VENTRELLA AND SENATORS
BOUDREAUX, CARTER, CONNICK, DUPLESSIS, FIELDS, HARRIS,
JACKSON-ANDREWS, JENKINS, AND SEABAUGH

AN ACT

To enact Civil Code Articles 3493.11 and 3493.12, and to repeal Civil Code Articles 3492 and 3493, relative to tort actions; to provide prescriptive periods for tort actions; to provide for applicability; to provide for an

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

effective date; and to provide for related matters.
Be it enacted by the Legislature of Louisiana:
Section 1. Civil Code Articles 3493.11 and 3493.12 are hereby enacted to read as follows:

Art. 3493.11. Delictual actions
Delictual actions are subject to a liberative prescription of two years. This prescription commences to run from the day injury or damage is sustained. It does not run against minors or interdicts in actions involving permanent disability and brought pursuant to the Louisiana Products Liability Act or state law governing product liability actions in effect at the time of the injury or damage.

Art. 3493.12. Damage to immovable property; commencement and accrual of prescription
When damage is caused to immovable property, the two-year prescription commences to run from the day the owner of the immovable acquired, or should have acquired, knowledge of the damage.

Section 2. Civil Code Articles 3492 and 3493 are hereby repealed their entirety.

Section 3. The provisions of this Act shall be given prospective application only and shall apply to delictual actions arising after the effective date of this Act.

Section 4. 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. 424

HOUSE BILL NO. 357
BY REPRESENTATIVES AMEDEE, BAGLEY, BAYHAM, EGAN, HORTON,
MCCORMICK, AND OWEN
AN ACT

To amend and reenact R.S.10:9-102(a)(29) and to enact R.S. 10:9-102(a)(82), relative to central bank digital currency; to provide an exception to a deposit account; to define central bank currency; and to provide for related matters.

Be it enacted by the Legislature of Louisiana:
Section 1. R.S. 10:9-102(a)(29) is hereby amended and reenacted and R.S. 10:9-102(a)(82) is hereby enacted to read as follows:

§9-102. Definitions and index of definitions
(a) Chapter 9 definitions. In this Chapter:

(29) “Deposit account” means a demand, time, savings, passbook, or similar account maintained with a bank. The term does not include investment property, a central bank digital currency, or accounts evidenced by an instrument.

(82) “Central bank digital currency” means a digital currency, a digital medium of exchange, or a digital monetary unit of account issued by the Board of Governors of the United States Federal Reserve System, or a federal agency of the United States, that is processed, validated, or made directly available to a consumer.

Approved by the Governor, June 3, 2024.
A true copy:
Nancy Landry
Secretary of State

ACT No. 425

HOUSE BILL NO. 373
BY REPRESENTATIVES DICKERSON, BROWN, CHENEVERT,
EDMONSTON, GALLE, GREEN, LACOMBE, LAFLEUR, MACK,
ORGERON, WILEY, AND ZERINGUE
AN ACT

To amend and reenact R.S. 29:262, relative to veterans’ service offices; to require maintenance of veterans’ service offices; to provide requirements of the type of office space; and to provide for related matters.

Be it enacted by the Legislature of Louisiana:
Section 1. R.S. 29:262 is hereby amended and reenacted to read as follows:
§262. Service offices; suitable office space
Police juries and municipal governing authorities shall provide and be responsible for suitable and professional office space; for the operation of veterans’ service offices established pursuant to R.S. 29:261. Each office space shall be located in a safe and accommodating environment, be free of necessary repairs, and have restroom facilities. However, the cost of providing such office space shall not be considered as any payment or contribution required of a police jury or municipal governing authority toward the expense of operation and maintenance of such service offices.

Approved by the Governor, June 3, 2024.
A true copy:
Nancy Landry
Secretary of State

ACT No. 426

HOUSE BILL NO. 384
BY REPRESENTATIVES KNOX, CHASSION, AND MANDIE LANDRY
AN ACT

To amend and reenact R.S. 32:863(A)(3)(a), relative to the lapse of motor vehicle insurance coverage; to provide with respect to reinstatement fees for the lapse of insurance coverage; and to provide for related matters.

Be it enacted by the Legislature of Louisiana:
Section 1. R.S. 32:863(A)(3)(a) is hereby amended and reenacted to read as follows:

§863. Sanctions for false declaration; reinstatement fees; revocation of registration; review
A.

(3)(a) Sanctions for a violation of Paragraph (1) of this Subsection shall be imposed until proof of required liability security is provided to the secretary and all reinstatement fees are paid. Sanctions for a violation of Paragraph (2) of this Subsection shall be imposed for a period of not less than twelve months nor more than eighteen months. However, in no event shall these sanctions be removed until such time as proof of the required security is provided to the secretary along with all appropriate fees required by law, including a reinstatement fee of one hundred dollars per violation of Paragraph (1) of this Subsection if the vehicle was not covered by the required security for a period of one to thirty days, two hundred fifty dollars if the vehicle was not covered by required security for a period of thirty-one to ninety days, and five hundred dollars if the vehicle was not covered by required security for a period in excess of ninety days. No reinstatement fee shall be imposed by the secretary if the vehicle was not covered by required security for a period of ten days or less and the insured surrenders the vehicle’s license plate to the secretary within ten days or if the violation is the insured’s first violation pursuant to Paragraph (1) of this Subsection and the lapse of insurance coverage was for ~~five ten~~ days or less, provided immediate notice of the cancellation is given within one to five days before issuing the violation. In addition, notice shall be transmitted to the insured through any digitized credentials established pursuant to R.S. 39:17.2(D) within one to five days before issuing the violation. The reinstatement fees for violations of Paragraph (2) of this Subsection shall be as follows: two hundred fifty dollars for a first violation, five hundred dollars for a second violation, and one thousand dollars for a third or subsequent violation. The reinstatement fee shall not be owed for an alleged violation of Paragraph (2) of this Subsection when proof of the required security is provided to the secretary within sixty days of the date of the notice. If at the time of reinstatement, a person has multiple violations and is within sixty days of the notice, the total amount of fees to be paid shall not exceed eight hundred fifty dollars for violations of Paragraph (1) of this Subsection and one thousand seventy-five dollars for violations of Paragraph (2) of this Subsection. At no time shall the total amount of fees, including administrative fees, exceed two hundred fifty dollars for persons sixty-five years or older. After sixty days of the date of the notice, all fees shall be considered final delinquent debt and therefore owed, and the eight-hundred-fifty-dollar limit for persons under sixty-five years shall no longer apply.

Approved by the Governor, June 3, 2024.
A true copy:
Nancy Landry
Secretary of State

ACT No. 427

HOUSE BILL NO. 410
BY REPRESENTATIVE BRASS
AN ACT

To amend and reenact R.S. 38:2316 and to repeal R.S. 39:128(B)(2), relative to the applicability of the selection of professional services for public contracts; to provide for service contracts with a certain budget; to repeal certain exceptions; to provide an effective date; and to provide for related matters.

Be it enacted by the Legislature of Louisiana:
Section 1. R.S. 38:2316 is hereby amended and reenacted to read as follows:
§2316. Applicability
Except as provided in R.S. 38:2311(C), the provisions of this Part shall not apply to professional service contracts in which the estimated project budget cost is ~~five hundred thousand~~ one million dollars or less.

Section 2. R.S. 39:128(B)(2) 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 3, 2024.
A true copy:

ACT No. 428

HOUSE BILL NO. 424

BY REPRESENTATIVES PHELPS, BAYHAM, BOYD, BRYANT, WILFORD
CARTER, CHASSION, FISHER, LYONS, MARCELLE, MOORE, NEWELL,
SELDERS, AND TAYLOR
AN ACT

To enact R.S. 17:184 and 3996(B)(82) and to repeal R.S. 17:7(31), relative to grades assigned in public schools; to require all public schools to use a uniform ten-point grading scale; to repeal the requirement that the State Board of Elementary and Secondary Education provide for the implementation of a uniform grading scale; and to provide for related matters.

Be it enacted by the Legislature of Louisiana:

Section 1. R.S. 17:184 and 3996(B)(82) are hereby enacted to read as follows:
§184. Uniform grading scale

A. Each public school governing authority shall use the following ten-point grading scale for students enrolled in any grade for which letter grades are used:

- (1) One hundred points through ninety points is an A.
- (2) Eighty-nine points through eighty points is a B.
- (3) Seventy-nine points through seventy points is a C.
- (4) Sixty-nine points through sixty points is a D.
- (5) Fifty-nine points through zero points in an F.

B. The provisions of Subsection A of this Section do not apply to any school that is operated by the United States Department of Defense and that is located on a federal military installation.

* * *

§3996. Charter schools; exemptions; requirements

* * *

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

* * *

(82) Uniform ten-point grading scale, R.S. 17:184.

* * *

Section 2. R.S. 17:7(31) is hereby repealed in its entirety.

Approved by the Governor, June 3, 2024.

A true copy:

Nancy Landry
Secretary of State

ACT No. 429

HOUSE BILL NO. 432

BY REPRESENTATIVES ILLG, ADAMS, BACALA, BAMBURG, BAYHAM,
BEAULLIEU, BERAULT, BILLINGS, BOYD, BOYER, BRASS, BRAUD,
BROWN, BRYANT, BUTLER, CARLSON, CARRIER, CARVER, CHASSION,
CHENEVERT, COATES, COX, CREWS, DAVIS, DESHOTEL, DEVILLIER,
DEWITT, DICKERSON, DOMANGUE, EMERSON, FIRMENT, FONTENOT,
FREEMAN, FREIBERG, GADBERRY, GLORIOSO, GREEN, HORTON,
MIKE JOHNSON, TRAVIS JOHNSON, JORDAN, KERNER, KNOX,
LACOMBE, LAFLEUR, JACOB LANDRY, LARVADAIN, LYONS, MACK,
MARCELLE, MCMAHEN, MCMAKIN, MELERINE, MENA, MYERS,
NEWELL, OWEN, RISER, ROMERO, SELDERS, ST. BLANC, STAGNI,
THOMPSON, WALTERS, WILDER, WILLARD, WRIGHT, WYBLE, AND
ZERINGUE AND SENATORS BARROW, BASS, BOUDREAUX, CARTER,
CATHEY, DUPLESSIS, EDMONDS, FIELDS, FOIL, HENRY, HENSGENS,
JACKSON-ANDREWS, KLEINPETER, LAMBERT, MIZELL, MORRIS,
PRICE, SEABAUGH, AND TALBOT
AN ACT

To enact R.S. 47:463.230, relative to motor vehicle prestige license plates; to establish the "Louisiana State University Baseball National Champions" speciality license plate; to provide for the creation, issuance, design, implementation, fees, 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 plates; "Louisiana State University Baseball National Champions"

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 "Louisiana State University Baseball National Champions" plate, provided 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 Louisiana State

University Board of Supervisors 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 "LSU Baseball National Champions".

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 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 department shall retain one dollar from each annual fee to offset administrative costs. The remainder of the fee shall be forwarded to Louisiana State University as a charitable donation to Louisiana State University by the applicant.

F. The secretary shall promulgate and adopt rules and regulations as are necessary to implement the provisions of this Section.

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 systems is updated to accommodate the creation of the new plates.

Approved by the Governor, June 3, 2024.

A true copy:

Nancy Landry
Secretary of State

ACT No. 430

HOUSE BILL NO. 438

BY REPRESENTATIVE CARRIER

AN ACT

To enact R.S. 33:1261.2(D), relative to ambulance service districts in Allen Parish; to provide relative to the boards of commissioners of such districts; to provide for compensation of commissioners; 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. 33:1261.2(D) is hereby enacted to read as follows:

§1261.2. Board of commissioners; membership; qualifications; appointment; terms, vacancies; removal; officers; meetings

* * *

D. Commissioners may receive a per diem, in an amount not to exceed one hundred dollars, for each day of their attendance at meetings of the board, up to twenty-four meeting days per year. The per diem shall be paid out of district funds.

Approved by the Governor, June 3, 2024.

A true copy:

Nancy Landry
Secretary of State

ACT No. 431

HOUSE BILL NO. 541

BY REPRESENTATIVES LYONS, BILLINGS, BOYD, FISHER, FREEMAN,
GREEN, JACKSON, LAFLEUR, NEWELL, AND WALTERS

AN ACT

To amend and reenact R.S. 14:283.2(A)(2) and to enact R.S. 14:283.2(C)(5), relative to the nonconsensual disclosure of a private image; to provide relative to the elements of the offense of nonconsensual disclosure of a private image; to provide for a definition; and to provide for related matters.

Be it enacted by the Legislature of Louisiana:

Section 1. R.S. 14:283.2(A)(2) is hereby amended and reenacted and R.S. 14:283.2(C)(5) is hereby enacted to read as follows:

§283.2. Nonconsensual disclosure of a private image

A. A person commits the offense of nonconsensual disclosure of a private image when all of the following occur:

* * *

(2) The person who discloses the image obtained it through unauthorized access or under circumstances in which a reasonable person would know or understand that the image was to remain private.

* * *

C. For purposes of this Section:

* * *

(5) "Unauthorized access" means the retrieval of an image from an individual's telecommunication device as defined in R.S. 14:81.1.1 without that individual's permission.

* * *

Approved by the Governor, June 3, 2024.

A true copy:

Nancy Landry
Secretary of State

ACT No. 432

HOUSE BILL NO. 558

BY REPRESENTATIVES TURNER AND THOMPSON

AN ACT

To amend and reenact R.S. 40:1248.1(3) and (6), 1248.3, 1248.7(A) and (C)(1) and (2), and 1248.8(A) through (D), to enact R.S. 40:1248.1(7) and 1248.5(D), and to repeal R.S. 40:1248.11 and 1248.12, relative to the Local Healthcare Provider Participation Program; to provide for definitions; to provide for parish applicability; to identify providers subject to the local hospital assessment payments; to provide a basis by which hospital payments shall be assessed; to provide for an effective date; to repeal provisions relative to enhanced reimbursement for rural and governmental institutional providers; and to provide for related matters.

Be it enacted by the Legislature of Louisiana:

Section 1. R.S. 40:1248.1(3) and (6), 1248.3, 1248.7(A) and (C)(1) and (2), and 1248.8(A) through (D) are hereby amended and reenacted and R.S. 40:1248.1(7) and 1248.5(D) are hereby enacted to read as follows:

§1248.1. Definitions

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

* * *

(3) “Institutional provider” means ~~a nongovernmental hospital licensed in accordance with the Hospital Licensing Law, R.S. 40:2100 et seq. a governmental institutional provider, nongovernmental institutional provider, or rural hospital, as applicable, located in participating parishes.~~

* * *

(6) “~~Rural institutional provider~~ Rural hospital” means a rural hospital; ~~other than one as defined in R.S. 40:1189.3, that is licensed by the department, has no more than sixty hospital beds on November 1, 2020, and meets any of the following criteria:~~

(a) ~~Is located in a municipality with a population of not less than seven thousand persons and not more than seven thousand five hundred persons according to the most recent federal decennial census and in a parish with a population of not less than thirty thousand persons and not more than thirty-five thousand persons according to the most recent federal decennial census.~~

(b) ~~Is located in a municipality with a population of not less than ten thousand persons and not more than ten thousand five hundred persons according to the most recent federal decennial census and in a parish with a population of not less than eighty thousand persons and not more than ninety thousand persons according to the most recent federal decennial census.~~

(c) ~~Is located in a municipality with a population of not less than three thousand persons and not more than three thousand five hundred persons according to the most recent federal decennial census and in a parish with a population of not less than thirty thousand persons and not more than thirty-five thousand persons according to the most recent federal decennial census.~~

(7) “Nongovernmental institutional provider” means a hospital licensed in accordance with the Hospital Licensing Law, R.S. 40:2100 et seq., that is not a governmental institutional provider or rural hospital.

* * *

§1248.3. Applicability

The provisions of this Subpart shall apply ~~exclusively to the following parishes: any parish in which at least two institutional providers are located.~~

(1) ~~Any parish with a population of not less than forty thousand persons and not more than forty-two thousand persons according to the most recent federal decennial census.~~

(2) ~~Any parish with a population of not less than forty-six thousand persons and not more than forty-seven thousand persons according to the most recent federal decennial census.~~

(3) ~~Any parish in which a rural institutional provider is located.~~

* * *

§1248.5. Powers and duties of parishes; limitations; inspection of provider records

* * *

D.(1) A rural hospital may be included in assessment payments imposed pursuant to this Subpart if the rural hospital and parish enter into a mutual agreement to include the rural hospital.

(2) A governmental hospital may be included in assessment payments imposed in accordance with this Subpart if the governmental hospital and parish enter into a mutual agreement to include the governmental hospital.

(3) If a parish excludes providers, the definition of institutional provider as used in this Section and in R.S. 40:1248.8 shall be read to exclude such excluded providers.

* * *

§1248.7. Local provider participation fund; authorized uses

A. Each parish that collects a local hospital assessment payment authorized by this Subpart ~~or in which a rural institutional provider is located~~ shall create a local provider participation fund. All income received by a parish pursuant to the provisions of this Subpart, including the revenue from local hospital assessment payments remaining after discounts and fees for assessing and collecting the payments are deducted, shall be deposited in the local provider participation fund of the parish. Monies in the fund may be withdrawn only in accordance with and for purposes specified in the provisions of this Section.

* * *

C. Monies in the local provider participation fund may be used only for one or more of the following purposes:

(1) To fund intergovernmental transfers from a parish to the state to provide the nonfederal share of a program of Medicaid payments for the benefit of ~~rural institutional providers or other hospitals in the parish authorized under the Medicaid state plan.~~

(2) To pay the administrative expenses of a parish associated exclusively with activities authorized by this Subpart in an amount not to exceed the amount specified in R.S. 40:1248.8 ~~five percent of the local hospital assessment payment.~~

* * *

§1248.8. Local hospital assessment payments; basis; calculation

A. Except as provided in Subsection E of this Section, a parish that collects a local hospital assessment payment authorized by this Subpart may require an annual local hospital assessment payment to be assessed quarterly using any basis permitted by 42 U.S.C. 1396b(w)(3) on the net patient revenue of each institutional provider located in the parish. In the first year in which the local hospital assessment payment is required, the local hospital assessment payment shall be assessed on the net patient revenue of an institutional provider as determined by the most recently filed Medicaid cost report. The parish shall update the amount of the local hospital assessment payment on an annual basis.

B. ~~The amount of a local hospital assessment payment authorized by this Subpart shall be uniformly imposed on proportionate with the amount of net patient revenue generated by each paying hospital in the parish. In accordance with 42 U.S.C. 1396b(w), a local hospital assessment payment authorized by this Subpart shall not hold harmless any institutional provider.~~

C. A parish that collects a local hospital assessment payment authorized by this Subpart shall set the amount of the local hospital assessment payment. The amount of the local hospital assessment payment required of paying hospitals may not exceed an amount that, when added to the amounts amount of the local hospital assessment payment required of each paying hospital may not exceed an amount that, when added to the amount of the local hospital assessment payments required from all other paying hospitals in the parish, and the amount of any other assessment, local hospital assessment payment, or tax imposed by the state with a similar purpose, equals an amount of revenue that exceeds six percent of the aggregate net patient revenue of all paying hospitals in the parish state. The local hospital assessment shall also meet all other relevant Centers for Medicare and Medicaid Services tests. No later than the twentieth day before a hearing to set a rate pursuant to R.S. 40:1248.6, a parish shall inform the department of the amount of revenue to be collected under the proposed assessment. If the department determines that the proposed assessment will trigger federal compliance issues, including issues with respect to the six percent limit, the department shall inform the parish, prior to the hearing, of any necessary reductions in the amount to be collected or changes necessary to comply with federal requirements. If the parish does not follow recommendations or requests from the department, the department may terminate, or refuse to enter into, any intergovernmental transfer agreements with the parish.

D. Subject to the maximum payment amount prescribed in Subsection C of this Section, a parish that collects a local hospital assessment payment authorized by this Subpart shall set local hospital assessment payments in amounts that in the aggregate will generate sufficient revenue to cover the administrative expenses of the parish for activities provided for in this Subpart and to fund the nonfederal share of a Medicaid ~~base rate payment~~ payment for the benefit of hospitals in the parish; except that the amount of revenue from local hospital assessment payments used for administrative expenses of the parish for activities provided for in this Subpart in a year may not exceed five percent of the total revenue generated from the local hospital assessment payment or twenty thousand dollars, whichever is lower greater.

* * *

Section 2. R.S. 40:1248.11 and 1248.12 are repealed in their 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 3, 2024.

A true copy:

Nancy Landry
Secretary of State

ACT No. 433

HOUSE BILL NO. 563

BY REPRESENTATIVE CARPENTER

AN ACT

To amend and reenact R.S. 40:539(C)(8)(a), relative to employees of housing authorities; to provide relative to civil service status of a housing authority; to provide with respect to the authorization to elect to not be in the state civil service; to provide relative to process and procedure; 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. 40:539(C)(8)(a) is hereby amended and reenacted to read as follows:
§539. Selection of chairman and vice chairman; executive director; hiring of employees

C. * * *

(8)(a)(i) Except as provided in the Constitution of Louisiana and Item (ii) of this Subparagraph and as may otherwise be authorized by the State Civil Service Commission, all employees of the authority, except authority members, the executive director, and one other employee whom the authority shall designate and employ, and except professional employees employed on a contract basis, shall be in the classified state civil service.

(ii) Notwithstanding any provision law to the contrary, a housing authority may, upon determining that it should not be considered to be an instrumentality of the state for purposes of Article X, Section 1(A) of the Constitution of Louisiana and therefore that the employees of such authority shall not be included in the state civil service, adopt a resolution to that effect and transmit a certified copy of the resolution by certified mail to the director of the Department of State Civil Service. The resolution shall be given effect upon the director's receipt.

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. 434

HOUSE BILL NO. 570
BY REPRESENTATIVE BILLINGS
AN ACT

To amend and reenact R.S. 18:521(B)(2), relative to the qualification of a voter to vote on a candidate for membership on a political party committee; to provide for the change of party registration prior to the close of registration; and to provide for related matters.

Be it enacted by the Legislature of Louisiana:

Section 1. R.S. 18:521(B)(2) is hereby amended and reenacted to read as follows:

§521. Qualifications of voters

B. (2) The qualification of a voter to vote on a candidate for membership on a political party committee shall be subject to the following provisions:

(a) A change of party affiliation in his registration shall ~~not permit qualify~~ the registrant to vote for any candidate for membership on a committee of the political party to which he has thus affiliated ~~within thirty days after the date on which the registrar notes the change on the original application form. During this same period he may not~~ only if the change in the registrant's party affiliation is made prior to the close of registration as provided in R.S. 18:135. ~~vote for any candidate for membership on a party committee for the political party which he has renounced and abandoned, and the registrar shall so inform him;~~

(b) A designation of party affiliation by a registrant previously not affiliated with a party renders the registrant eligible to vote in the election next following the designation ~~which is at least thirty days after the date on which the registrar notes the party affiliation on the original application form; and only if the change in the registrant's party affiliation is made prior to the close of registration as provided in R.S. 18:135.~~

(c) A designation of no party affiliation by a registrant previously affiliated with a party shall be effective for elections ~~held at least thirty days after the date on which the registrar notes the no party affiliation on the original application form. During this same period he may not~~ an election only if the change in the registrant's party affiliation is made prior to the close of registration as provided in R.S. 18:135. ~~vote for any candidate for membership on a party committee for the political party which he has renounced and abandoned, and the registrar shall so inform him.~~

Approved by the Governor, June 3, 2024.

A true copy:
Nancy Landry
Secretary of State

ACT No. 435

HOUSE BILL NO. 578
BY REPRESENTATIVES LYONS, BOYD, BRYANT, ROBBY CARTER,

WILFORD CARTER, CHASSION, COX, GREEN, KNOX, LAFLEUR,
MOORE, NEWELL, SELDERS, TAYLOR, THOMPSON, WALTERS, AND
WILLARD
AN ACT

To enact Part V-B of Title 15 of the Louisiana Revised Statutes of 1950, to be comprised of R.S. 15:956, relative to children; to establish the Back on Track Youth Pilot Program; to provide for a purpose; to provide for a curriculum; to provide for administration of the program; to provide for eligibility; and to provide for related matters.

Be it enacted by the Legislature of Louisiana:

Section 1. Part V-B of Title 15 of the Louisiana Revised Statutes of 1950, comprised of R.S. 15:956, is hereby enacted to read as follows:

PART V-B. BACK ON TRACK YOUTH PILOT PROGRAM

§956. Back on Track Youth Pilot Program

A. The Back on Track Youth Pilot Program is hereby established with the express purpose of giving youths an option other than some form of criminal activity.

B. Within this program, youths shall be able to participate in programs that include but are not limited to the following curriculum:

- (1) Occupational or vocational training.
- (2) Life skills.
- (3) Healthy choices.
- (4) Literacy instruction.

C. This program shall be administered by selected nonprofit groups as well as the Department of Public Safety and Corrections, the Department of Children and Family Services, the Department of Education, and the Louisiana Workforce Commission.

D. Eligibility shall be established based on a variety of criteria including but not limited to any of the following:

- (1) The income of the youth's family.
- (2) Whether the youth is considered at risk with behavior that indicates aggression or disruption, disciplinary problems, or delinquency.
- (3) Demographic locations in the state.

E. For the purposes of this Section, "youth or youths" shall mean a person who has not attained eighteen years of age.

Approved by the Governor, June 3, 2024.

A true copy:
Nancy Landry
Secretary of State

ACT No. 436

HOUSE BILL NO. 608
BY REPRESENTATIVES WILDER, AMEDEE, BACALA, BAMBURG,
BAYHAM, BEAULLIEU, BERAULT, BILLINGS, BOURRIQUE, BOYER,
BUTLER, CARLSON, CARRIER, CARVER, CHENEVERT, COATES, COX,
CREWS, DESHOTEL, DEWITT, DICKERSON, DOMANGUE, ECHOLS,
EDMONSTON, EGAN, EMERSON, FARNUM, FIRMENT, FONTENOT,
GADBERRY, GALLE, GEYMAN, GLORIOSO, HEBERT, HORTON,
ILLG, MIKE JOHNSON, TRAVIS JOHNSON, KERNER, JACOB LANDRY,
MACK, MCCORMICK, MCFARLAND, ORGERON, OWEN, RISER,
ROMERO, SCHAMERHORN, SCHLEGEL, ST. BLANC, TARVER, THOMAS,
THOMPSON, TURNER, VENTRELLA, VILLIO, WILEY, AND WYBLE AND
SENATORS BASS, CATHEY, CLOUD, CONNICK, EDMONDS, FESI, FOIL,
HENRY, HENSGENS, HODGES, JACKSON-ANDREWS, KLEINPETER,
LAMBERT, MIGUEZ, MIZELL, OWEN, REESE, SEABAUGH, STINE,
TALBOT, AND WOMACK
AN ACT

To enact Part I-A of Chapter 1 of Code Title I of Code Book I of Title 9 of the Louisiana Revised Statutes of 1950, to be comprised of R.S. 9:55 through 65, relative to women; to provide for the safety and protection of women; to provide relative to distinctions between sexes; to provide for legislative intent; to provide for purposes; to provide for definitions; to provide for a standard of review; to provide for causes of action; to provide for application; to provide for remedies; and to provide for related matters.

Be it enacted by the Legislature of Louisiana:

Section 1. Part I-A of Chapter 1 of Code Title I of Code Book I of Title 9 of the Louisiana Revised Statutes of 1950, comprised of R.S. 9:55 through 65 is hereby enacted to read as follows:

PART I-A. WOMEN'S SAFETY AND PROTECTION ACT

§55. Short title

This Part shall be known as and may be cited as the "Women's Safety and Protection Act".

§56. Purpose

The purpose of this Part is all of the following:

- (1) To clarify and reconcile the meaning of sex, male, female, and related terms in state law.
- (2) To provide protections for women and girls against sexual assault, harassment, and violence in correctional facilities, juvenile detention facilities, domestic violence shelters, dormitories, and restrooms, or where women have been traditionally afforded safety and protection from acts of abuse committed by biological men.

§57. Legislative findings

The legislature finds and declares that:

- (1) "Physical differences between men and women, however, are enduring:

[T]he two sexes are not fungible; a community made up exclusively of one [sex] is different from a community composed of both.” United States v. Virginia, et al., 518 U.S. 515, 533 (1996), citing Ballard v. United States, 329 U.S. 187, 193 (1946).

(2) The United States Supreme Court has recognized that there are “[i]nherent differences’ between men and women”, and that these differences “remain cause for celebration, but not for denigration of the members of either sex or for artificial constraints on an individual’s opportunity” in United States v. Virginia, et al., 518 U.S. 515, 533 (1996).

(3) The equal protection clause of the Fourteenth Amendment of the Constitution of the United States of America allows for legislatures to enact facially neutral laws of general applicability, such as biologically based definitions of sex.

(4) Biologically based definitions of sex have been consistently applied since our nation’s founding.

(5) Decades of opinions from the Supreme Court of the United States have upheld the argument that biological distinctions between male and female are a matter of scientific fact, and biological sex is an objectively defined category that has obvious, immutable, and distinguishable characteristics.

§58. Definitions

For purposes of this Part:

(1) “Boy” means a human male who is a minor.

(2) “Changing room” means a room or area in which a person may be in a state of undress in the presence of others, including a locker room or shower room.

(3) “Correctional facilities” means a correctional facility owned and operated by the state or the Correctional Facilities Corporation housing prisoners committed to the custody of the Department of Public Safety and Corrections.

(4) “Domestic violence shelter” means a community-based shelter for victims of domestic violence that is managed by the Department of Children and Family Services.

(5) “Father” means a parent who is of the male sex.

(6) “Female” means an individual whose biological reproductive system is developed to produce ova; who has, had, will have or would have, but for a developmental or genetic anomaly or historical accident, the reproductive system that at some point produces, transports, and utilizes eggs for fertilization.

(7) “Girl” means a human female who is a minor.

(8) “Juvenile detention facilities” means a correctional facility that houses minor prisoners including the Louisiana Training Institute for Juveniles and its extension locations.

(9) “Male” means an individual whose biological reproductive system is developed to fertilize the ova of a female who has, had, will have or would have, but for a developmental or genetic anomaly or historical accident, the reproductive system that at some point produces, transports, and utilizes sperm for fertilization.

(10) “Man” means a human male that has reached the age of majority.

(11) “Mother” means a parent who is a member of the female sex.

(12) “Public school” means a school which is created pursuant to R.S. 17:1371 and R.S. 17:3971, et seq.

(13) “Restroom” means a room that includes one or more toilets or urinals.

(14) “Sex” means an individual’s biological sex, either male or female, as observed or clinically verified at birth. Gender identity and other subjective terms shall not apply to this Part and shall not be used as synonyms or substitutes for sex.

(15) “Sleeping quarters” means a room with more than one bed and in which more than one individual is housed overnight.

(16) “Woman” means a human female who has reached the age of majority.

§59. Application of definitions; distinctions between the sexes

Notwithstanding any other provision of law to the contrary, any provision of law enacted by the legislature or any rule adopted by a state agency or other entity subject to the Administrative Procedure Act when applicable to an individual’s sex shall apply those definitions provided in R.S. 9:58.

§60. Safety and privacy of women and girls in facilities designated for biological females

Notwithstanding any other provision of law to the contrary, no governmental agency, as defined in R.S. 42:1102(2), shall prohibit distinctions between the sexes with respect to athletics, correctional facilities, juvenile detention facilities, domestic violence shelters, or other accommodation where biology, safety, or privacy are implicated and that result in separate accommodations that are substantially related to the important government interest of protecting the health, safety, and privacy of individuals in such circumstances. Nothing in this Part shall prohibit a domestic violence shelter, public school, correctional facility, or juvenile detention facility from:

(1) Establishing single-occupancy restrooms, changing rooms, or sleeping quarters that are not designated by sex.

(2) Redesignating a multi-occupancy restroom or sleeping quarters for the exclusive use of another group authorized under this Part as needed.

§61. Safety and privacy in domestic violence shelters

A. A domestic violence shelter shall designate each multi-occupancy restroom, changing room, and sleeping quarters for the exclusive use of any one of the following:

(1) Females.

(2) Males.

(3) Members of the same family.

B. A restroom, changing room, or sleeping quarters within a domestic violence shelter that is designated for females or males shall be used only by members of that sex. No individual shall enter a restroom, changing room, or sleeping quarters that is designated for females or males unless he or she is a member of that sex.

C. The domestic violence shelter shall take reasonable steps to provide individuals with privacy in restrooms, changing rooms, and sleeping quarters from members of the opposite sex.

D. This Section shall not apply to an individual who enters a restroom, changing room, or sleeping quarters designated for the opposite sex in any of the following circumstances:

(1) To perform custodial services or maintenance of a restroom, changing room, or sleeping quarters that is normally used by the opposite sex.

(2) To render medical assistance.

(3) To render assistance by law enforcement.

(4) To provide services or render aid during a natural disaster, a declared emergency, or when necessary to prevent a serious threat to good order or safety.

E. Nothing in this Section shall be construed to prohibit a domestic violence shelter from adopting policies necessary to accommodate persons protected under the Americans with Disabilities Act or young children in need of physical assistance when using restrooms, changing facilities, or sleeping quarters.

§62. Safety and privacy in restrooms of public schools

A. A public school shall designate each multi-occupancy restroom or changing room for the exclusive use of either females, males, or members of the same family.

B.(1) A restroom or changing room within a public school that is designated for males or females shall be used only by members of that same sex. No individual shall enter a restroom or changing room that is designated for one sex unless he or she is a member of that sex.

(2) The public school shall take reasonable steps to provide individuals with privacy in restrooms and changing rooms from members of the opposite sex.

C. During any public school authorized activity or event where students share sleeping quarters, no student shall share sleeping quarters with a member of the opposite sex, unless such persons are members of the same family, such as a parent, legal guardian, sibling, or grandparent and the student has received approval from the parent or legal guardian to do so.

D. In any other public school facility or setting where a person may be in a state of undress in the presence of others, school personnel shall provide separate, private areas designated for use by persons based on their sex, and no person shall enter these private areas unless he or she is a member of the designated sex.

E. This Section shall not apply to an individual who enters a restroom, changing room, or sleeping quarters designated for the opposite sex in any of the following circumstances:

(1) To perform custodial services or maintenance of a restroom, changing room, or sleeping quarters that is normally used by the opposite sex.

(2) To render medical assistance.

(3) To render assistance by law enforcement.

(4) To provide services or render aid during a natural disaster, a declared emergency, or when necessary to prevent a serious threat to good order or safety.

F. Nothing in this Section shall be construed to prohibit a public school from adopting policies necessary to accommodate persons protected under the Americans with Disabilities Act or young children in need of physical assistance when using restrooms, changing facilities, or sleeping quarters.

§63. Safety and privacy in correctional facilities and juvenile detention facilities

A. A correctional facility or juvenile detention facility shall designate each multi-occupancy restroom, changing room, and sleeping quarters for the exclusive use of either females, males, or members of the same family.

B.(1) A restroom, changing room, or sleeping quarters within a correctional facility or juvenile detention facility that is designated for females or males shall be used only by members of that sex. No individual shall enter a restroom, changing room, or sleeping quarter that is designated for females or males unless he or she is a member of that sex.

(2) A correctional facility or juvenile detention facility shall take reasonable steps to provide individuals with privacy in restrooms, changing rooms, and sleeping quarters from members of the opposite sex.

C. This Section shall not apply to an individual who enters a restroom, changing room, or sleeping quarters designated for the opposite sex in any of the following circumstances:

(1) To perform custodial services or maintenance of a restroom, changing room, or sleeping quarters that is normally used by the opposite sex.

(2) To render medical assistance.

(3) To render assistance by law enforcement.

(4) To provide services or render aid during a natural disaster, a declared emergency, or when necessary to prevent a serious threat to good order or safety.

D. Nothing in this Section shall be construed to prohibit a correctional facility or juvenile detention facility from adopting policies necessary to accommodate persons protected under the Americans with Disabilities Act or young children in need of physical assistance when using restrooms, changing facilities, or sleeping quarters.

§64. Standard of review
Any law that distinguishes between the sexes in furtherance of the provisions of this Part is subject to intermediate scrutiny which forbids discrimination against similarly situated individuals, but allows the law to distinguish between the sexes when there is an important governmental interest.

§65. Remedies; rebuttable presumption; cause of action
A. An individual who suffers, or is likely to suffer, from any direct or indirect harm as a result of a violation of this Part may assert that violation as a cause of action for remedies provided for in Subsection E of this Section.
B. Any person who contracts with an agency, as defined in R.S. 42:1102(2), of government to provide services for biological females at a domestic violence shelter, juvenile detention center, corrections facility, or public school that is operated at the direction of, and receives funding from, the state, a local governmental subdivision, or a political subdivision shall have a cause of action against the agency of the public servant who directed the contractor to violate the provisions of this Part.
C. A person who is subjected to retaliation or other adverse action by asserting rights that are affirmed by this Part shall have a cause of action for remedies provided for in Subsection E of this Section.
D. It is a rebuttable presumption that requiring an individual to be housed with members of the opposite sex at a domestic violence shelter, juvenile detention center, corrections facility, or public school that is subject to the provisions of this Part is inherently discriminatory and is a cognizable harm to biological women under this Part.
E. Any person who brings a cause of action pursuant to this Part may obtain appropriate relief, including but not limited to:
(1)(a) Injunctive relief, protective order, writ of mandamus or a prohibition, or declaratory relief to prevent any violation of this Part.
(b) The court may waive the requirement that the petitioner post bond for good cause shown.
(2) Actual damages, reasonable attorney fees, and costs.
F. All civil actions under this Part shall be initiated within two years from the date that the harm occurred.

Section 2. If any provision or item of this Act, or the application thereof, is held invalid, such invalidity shall not affect other provisions, items, or applications of the Act which can be given effect without the invalid provision, item, or application and to this end the provisions of this Act are hereby declared severable.
Approved by the Governor, June 3, 2024.

A true copy:
Nancy Landry
Secretary of State

ACT No. 437

HOUSE BILL NO. 617
BY REPRESENTATIVE DESHOTEL
AN ACT

To enact R.S. 51:2370.17, relative to broadband; to provide for Granting Unserved Municipalities Broadband Opportunities 1.0; to provide for unobligated funds; to authorize the promulgation of rules; and to provide for related matters.
Be it enacted by the Legislature of Louisiana:
Section 1. R.S. 51:2370.17 is hereby enacted to read as follows:

§2370.17. Unobligated funds
A. The office may use any unobligated funds from GUMBO 1.0 as of June 3, 2024, for eligible nonbroadband infrastructure project uses defined in the United States Department of the Treasury document titled “Guidance for the Coronavirus Capital Project Fund for States, Territories and Freely Associated States”.
B. The office may promulgate necessary rules and scoring criteria for the use of these funds.

Approved by the Governor, June 3, 2024.
A true copy:
Nancy Landry
Secretary of State

ACT No. 438

HOUSE BILL NO. 638
BY REPRESENTATIVE MUSCARELLO
AN ACT

To enact R.S. 37:3294(C), relative to licensed private security business entities; to provide for licensure for businesses; to provide for exceptions; and to provide for related matters.
Be it enacted by the Legislature of Louisiana:
Section 1. R.S. 37:3294(C) is hereby enacted to read as follows:
§3294. Sole proprietorship, partnership, corporation, association with licensed business

* * *

C. Nothing in this Section shall be construed to render inapplicable any other provisions of this Chapter.
Approved by the Governor, June 3, 2024.
A true copy:

Nancy Landry
Secretary of State

ACT No. 439

HOUSE BILL NO. 641
BY REPRESENTATIVES KNOX, BAYHAM, BOYD, BRAUD, BRYANT,
CHASSION, COX, DEWITT, GREEN, JACKSON, LAFLEUR, LYONS,
MUSCARELLO, NEWELL, SELTERS, THOMPSON, WALTERS, OWEN,
ROMERO, TAYLOR, AND BUTLER
AN ACT

To enact R.S. 47:463.230 through 463.236, relative to motor vehicle special prestige license plates; to provide for the establishment of the “3’ for Cyclists”, “Support Wildlife Rehabilitation”, “St. Thomas Aquinas”, “Evangel Christian Academy”, “United States Submarine Veterans”, “Leesville High School Alumni”, and “Humane Society of Louisiana” specialty license plates; to provide for the creation, issuance, design, fees, implementation, distribution, and rule promulgation applicable to such license plates; and to provide for related matters.

Be it enacted by the Legislature of Louisiana:
Section 1. R.S. 47:463.230 through 463.236 are hereby enacted to read as follows:

§463.230. Special prestige license plate: “3’ for Cyclists”
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 “3’ for Cyclists” 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 Metro Bicycle Coalition of New Orleans, otherwise known as Bike Easy, 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 “3’ for Cyclists”.
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 Metro Bicycle Coalition of New Orleans. The monies received from the royalty fees shall be used to assist the Metro Bicycle Coalition of New Orleans.

F. The secretary shall promulgate and adopt rules and regulations as are necessary to implement the provisions of this Section.
§463.231. Special prestige license plate: “Support Wildlife Rehabilitation”
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 “Support Wildlife Rehabilitation” 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 NOLA Wildlife Center 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 “Support Wildlife Rehabilitation” and an image or logo of a wild animal.
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 NOLA Wildlife Center. The monies received from the royalty fees shall be used to assist with the costs of wildlife rehabilitation and may be distributed by the NOLA Wildlife Center in the form of grants to licensed wildlife rehabilitators or licensed wildlife rehabilitation centers.
F. The secretary shall promulgate and adopt rules and regulations as are necessary to implement the provisions of this Section.

§463.232. Special prestige license plate: “St. Thomas Aquinas”
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 “St. Thomas Aquinas” plate provided that there is a minimum of one hundred 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 St. Thomas Aquinas Regional Catholic High School, 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 “St. Thomas Aquinas”.
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 St. Thomas Aquinas Regional Catholic High School. The monies received from the royalty fees shall be used to assist the administration of the school.

F. The secretary shall promulgate and adopt rules and regulations as are necessary to implement the provisions of this Section.

§463.233. Special prestige license plate: “Evangel Christian Academy”

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 “Evangel Christian Academy” 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 Evangel Christian Academy administration, 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 “Evangel Christian Academy”.

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 Evangel Christian Academy’s administration. The monies received from the royalty fees shall be used to assist the school.

F. The secretary shall promulgate and adopt rules and regulations as are necessary to implement the provisions of this Section.

§463.234. Special prestige license plate: “United States Submarine Veterans”

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 “United States Submarine Veterans” 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 United States Submarine Veterans Charitable Foundation, Inc., 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 “United States Submarine Veterans”.

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 treasurer of the United States Submarine Veterans Charitable Foundation, Inc. The monies received from the royalty fees shall be used to provide scholarships for children.

F. The secretary shall promulgate and adopt rules and regulations as are necessary to implement the provisions of this Section.

§463.235. Special prestige license plate: “Leesville High School Alumni”

A. The secretary of the Department of Public Safety and Corrections shall establish a special prestige motor vehicle license plate to be the “Leesville High School Alumni “ 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 Alumni Association Executive Board, 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 “Leesville High School Alumni”.

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 Leesville High School Alumni Association. The monies received from the royalty fees shall be used to provide scholarships.

F. The secretary shall promulgate and adopt rules and regulations as are necessary to implement the provisions of this Section.

§463.236. Special prestige license plate: “Humane Society of Louisiana”

A. The secretary of the Department of Public Safety and Corrections shall establish a special prestige motor vehicle license plate to be the “Humane Society of Louisiana” 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 Humane Society of Louisiana, 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 “Humane Society of Louisiana”.

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 treasurer of the Humane Society of Louisiana. The monies received from the royalty fees shall be used to fund spay and neuter programs to help with current overpopulation of animals.

F. The secretary shall promulgate and adopt rules and regulations as are necessary to implement the provisions of this Section.

Section 2. The Department of Public Safety and Corrections, office of motor vehicles, is hereby directed to create these special prestige license plates 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. 440

HOUSE BILL NO. 653

**BY REPRESENTATIVES VENTRELLA, MCMAHEN, AND THOMPSON
AN ACT**

To enact Subpart B of Part VI of Chapter 17 of Title 3 of the Louisiana Revised Statutes of 1950, to be comprised of R.S. 3:2481 through 2484, relative to the Louisiana Commemorative Pet Stamp Program and its purposes; to provide for definitions; to provide for the design, sale, and marketing of commemorative pet stamps and prints; to provide for the annual creation of commemorative pet stamps by regulation; to provide for the creation of the Commemorative Pet Stamp Fund; to provide relative to transfer and distribution of funds; to provide for maintenance of financial records; to provide for uses and expenditures; and to provide for related matters.

Be it enacted by the Legislature of Louisiana:

Section 1. Subpart B of Part VI of Chapter 17 of Title 3 of the Louisiana Revised Statutes of 1950, comprised of R.S. 3:2481 through 2484, is hereby enacted to read as follows:

SUBPART B. LOUISIANA COMMEMORATIVE PET STAMP PROGRAM

§2481. Purpose

The primary purpose of the Louisiana Commemorative Stamp Program is to generate revenue to support the spay and neuter programs of the Louisiana Pet Overpopulation Advisory Council and its related projects.

§2482. Definitions

For the purposes of this Subpart, the following definitions shall apply:

(1) “Council” means the Louisiana Pet Overpopulation Advisory Council.

(2) “Fund” means the Commemorative Pet Stamp Fund.

(3) “Program” means the Louisiana Commemorative Pet Stamp Program.

(4) “Qualified entities” means any veterinarian licensed in this state, veterinary hospital, or organization qualified as a tax-exempt organization under Section 501(c)(3) of the Internal Revenue Code of 1954, as amended.

§2483. Design, marketing, and sale of commemorative pet stamps and prints; regulations

The council or its agents shall provide by regulation for the annual creation of commemorative pet stamps and prints, the manner of selection of art and artist, the submission process, the manner of reproduction, distribution, marketing and sale of such stamps and prints, and the criteria for its annual contests. The council may sell such stamps and prints by any method and platform it deems to be most beneficial to the council, including public or private auction or direct sale to an individual, group, or organization. The cost for a commemorative pet stamp shall be no less than fifteen dollars for residents and nonresidents. The council shall retain exclusive ownership and production rights to the design for reproduction of commemorative pet stamps and prints to sell to interested persons. Upon completion of this process, the original artwork shall be returned to the artist.

§2484. Commemorative Pet Stamp Fund; distribution of funds

A. There is hereby created in the state treasury as a special fund the Commemorative Pet Stamp Fund. Monies shall be deposited into the fund by the state treasurer after compliance with the requirements of Article VII,

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

Section 9(B) of the Constitution of Louisiana relative to the Bond Security and Redemption Fund. In addition to revenues otherwise provided in this Section, the source of monies deposited into the fund shall be any monies appropriated or transferred to the fund, monies collected by the council pursuant to the program, and any monies designated for the fund and received by the state treasurer from donations, gifts, or grants for the program. Monies in the fund shall be invested in the same manner as monies in the state general fund and unexpended and unencumbered monies in the fund at the end of the fiscal year shall remain in the fund. Interest earned on the investment of monies in the fund shall be deposited in and credited to the fund. The state treasurer shall prepare and submit to the council on a quarterly basis a printed report showing the balance of the fund.

B. Monies in the fund shall be used solely by the council for programs and purposes as provided in this Subpart. The council may distribute monies from the fund to qualified entities and may award such monies in the form of a grant and in the amount it deems appropriate. The council may use up to fifteen percent of the revenues received annually pursuant to the program for promotion, marketing, and administrative costs associated with the program.

Section 2. The Louisiana State Law Institute is hereby authorized and directed to redesignate R.S. 3:2471 through 2476 as “SUBPART A. ADOPTION AND STERILIZATION”

Approved by the Governor, June 3, 2024.

A true copy:
Nancy Landry
Secretary of State

ACT No. 441

HOUSE BILL NO. 660
BY REPRESENTATIVE BAYHAM
AN ACT

To enact R.S. 38:327.1, relative to the naming of a flood control structure; to provide for the naming of a surge barrier to honor a former president; and to provide for related matters.

Be it enacted by the Legislature of Louisiana:

Section 1. R.S. 38:327.1 is hereby enacted to read as follows:

§327.1. Lake Borgne Surge Barrier; memorial
Notwithstanding the provisions of R.S. 42:267 or any other law to the contrary, the Lake Borgne Surge Barrier, otherwise known as the “Great Wall of Louisiana” shall be named the President George W. Bush Surge Barrier.

Approved by the Governor, June 3, 2024.

A true copy:
Nancy Landry
Secretary of State

ACT No. 442

HOUSE BILL NO. 661
BY REPRESENTATIVE BRYANT
AN ACT

To amend and reenact R.S. 56:302.9(A)(1) and (2) and (J)(1) and to enact R.S. 56:301.10(B)(10) and (11), relative to charter boat fishing guides; to require commercial marine insurance for charter boat fishing guides; to provide for penalties; to provide for the membership of the Louisiana Finfish Task Force; and to provide for related matters.

Be it enacted by the Legislature of Louisiana:

Section 1. R.S. 56:302.9(A)(1) and (2) and (J)(1) are hereby amended and reenacted and R.S. 56:301.10(B)(10) and (11) are hereby enacted to read as follows:

§301.10. Louisiana Finfish Task Force
* * *

B. The task force shall be composed as follows:
* * *

(10) One member appointed by the governor to be selected from a list of two nominees submitted by the Louisiana Charter Boat Association.

(11) One member appointed by the governor to be selected from a list of two nominees submitted by the Women’s Southern Fisheries Alliance.
* * *

§302.9. Charter boat fishing guide license; nonresident fee

A.(1)(a) No person shall act as nor represent himself to be a saltwater charter boat fishing guide unless that person possesses a valid state charter boat fishing guide license, a valid captain’s license issued by the United States Coast Guard, proof of ~~liability commercial marine~~ insurance, and a valid state recreational fishing license that grants fishing privileges appropriate for his charter activity. In addition, any person acting as a saltwater charter boat fishing guide who is in charge of the operation of a vessel shall have his required licenses and proof of ~~liability commercial marine~~ insurance on his person while on the water. It shall not be a violation of this Section for a person to represent himself as a charter boat fishing guide if that person held a valid license during the previous thirty days but has not renewed the license.

(b) No person shall act as or represent himself to be a freshwater charter boat fishing guide unless that person possesses a valid state charter boat fishing guide license, proof of ~~liability commercial marine~~ insurance, and a valid

state recreational fishing license that grants fishing privileges appropriate for his charter activity. In addition, any person acting as a freshwater charter boat fishing guide who is in charge of the operation of a vessel shall have his required licenses and proof of ~~liability commercial marine~~ insurance on his person while on the water. It shall not be a violation of this Section for a person to represent himself as a charter boat fishing guide if that person held a valid license during the previous thirty days but has not renewed the license. The department shall provide written notification to the holder of a license issued pursuant to this Subparagraph that the holder may be subject to other requirements of law, including holding a valid captain’s license issued by the United States Coast Guard.

(2) The ~~liability commercial marine~~ insurance required by this Subsection shall be written by an insurance company with at least an A- rating in the latest printing of the A.M. Best’s Key Rating Guide and in a sufficient amount to protect the public as determined by the commission.
* * *

J.(1) In addition to any other penalty provided for in ~~the this~~ Section, for ~~any person convicted of a first offense of violating Subsection A or B of this Section, the offender shall pay a fine of no less than one thousand dollars to the Department of Wildlife and Fisheries.~~ For ~~for~~ any person convicted of a second offense of violating Subsection A or B of this Section, the offender may only operate a vessel that employs a vessel monitoring system for the three years after the date of the conviction. For any person convicted of a third or subsequent offense of violating Subsection A or B of this Section, the offender may only operate a vessel that employs a vessel monitoring system for ten years after the date of the conviction.
* * *

Approved by the Governor, June 3, 2024.

A true copy:
Nancy Landry
Secretary of State

ACT No. 443

HOUSE BILL NO. 684
BY REPRESENTATIVES RISER, COX, DEWITT, FIRMENT, FISHER,
LACOMBE, THOMPSON, AND TURNER
AN ACT

To amend and reenact R.S. 47:463.45(C)(1) and R.S. 56:10(B)(9) and 291 and to enact R.S. 56:103(D), 116.3(I), 3002(A)(6), and 3007(H), relative to bear hunting; to provide for the use of funds in the Conservation Fund black bear account; to provide relative to bear hunting licenses; to establish fees for bear hunting licenses; to authorize the Wildlife and Fisheries Commission to create a bear harvest permit lottery; to authorize the secretary of the Department of Wildlife and Fisheries to auction one bear harvest permit; to establish a lottery application fee; to dedicate funds to the black bear account; to allow the feeding of wild bears for purposes of baiting; and to provide for related matters.

Be it enacted by the Legislature of Louisiana:

Section 1. R.S. 47:463.45(C)(1) is hereby amended and reenacted to read as follows:

§463.45. Special prestige license plates; Louisiana black bear
* * *

C.(1) Except as provided in Paragraph (2) of this Subsection, the revenues realized from the additional twenty-six dollar fee imposed by Subsection B of this Section shall be remitted to the state as provided by law. The state treasurer shall place an amount equal to those revenues in the Conservation Fund, after complying with the requirements of R.S. 56:10(B), and shall credit that amount to the “black bear account” which is created within the Conservation Fund through the provisions of R.S. 56:10(B)(9). ~~The funds raised from the license plate sales shall be used solely for nongame purposes.~~
* * *

Section 2. R.S. 56:10(B)(9) and 291 are hereby amended and reenacted and R.S. 56:103(D), 116.3(I), 3002(A)(6), and 3007(H) are hereby enacted to read as follows:

§10. Annual report to governor; estimate of proposed expenditures; particular funds; limitations on purposes for use of monies in particular funds and accounts; warrants; vouchers; surplus funds
* * *

B.

* * *

(9) There is hereby created within the Conservation Fund a special account known as the “black bear account”. The revenues shall be subject to the same requirements as provided for other revenues placed in the Conservation Fund in Paragraph (1) of this Subsection. The funds in this account shall be used solely for the purpose of managing, conserving, restoring, and enhancing black bear ~~habitat~~ in Louisiana.
* * *

§103. License required
* * *

D. In order to hunt, take, possess, or transport black bear in Louisiana, in addition to a basic hunting license, a resident shall be required to purchase and have on his person a black bear hunting license.
* * *

§116.3. Special provisions applicable to deer and bear; times and methods

of taking; penalties

I.(1) No person shall hunt or take bear without a bear hunting license and a bear harvest permit. The commission shall promulgate and adopt rules and regulations to establish a lottery for the selection and issuance of bear harvest permits. There shall be a fifty dollar nonrefundable entry fee for bear harvest permit lottery applications. Bear harvest permits and tags may be issued to successful and eligible lottery applicants at no cost.

(2) In addition to the lottery provided for in Paragraph (1) of this Subsection, the secretary may provide for the issuance of a single bear harvest permit to be subject to auction by the department, or by an incorporated nonprofit organization dedicated to the conservation of fish and wildlife resources, as determined by the department, which may be sold to the highest eligible bidder.

(3) All revenues derived from lottery applications and auction proceeds shall be deposited into the black bear account created within the Conservation Fund through the provisions of R.S. 56:10(B)(9) and be used exclusively for managing, conserving, restoring, and enhancing black bear in Louisiana.

§291. Feeding of wild bears prohibited
No person shall intentionally feed or attempt to feed a wild bear. The provisions of this Section shall not apply to baiting of bears by properly licensed hunters in possession of a bear harvest permit and shall not prohibit legal baiting of deer. The first violation of this Section by any person shall result in the issuance of a warning ticket only. Any subsequent violation by the same person shall be a class two violation. The Wildlife and Fisheries Commission is authorized to promulgate, under the Administrative Procedure Act, rules and regulations for the administration and enforcement of this Section.

§3002. Recreational hunting licenses; fees	
A. Resident licenses:	
(6) Bear hunting license	\$25.00/year
§3007. Dedication of license revenue	

H. All funds received from the sale of bear hunting licenses shall be deposited into the black bear account created within the Conservation Fund through the provisions of R.S. 56:10(B)(9).
Approved by the Governor, June 3, 2024.

A true copy:
Nancy Landry
Secretary of State

ACT No. 444

HOUSE BILL NO. 687
BY REPRESENTATIVE BUTLER
AN ACT

To enact R.S. 40:1203.1(4)(aa) and Part II-J of Chapter 11 of Title 40 of the Louisiana Revised Statutes of 1950, to be comprised of R.S. 40:2120.61 through 2120.70, relative to the licensing of the Program for All-Inclusive Care of the Elderly (PACE) providers; to provide for definitions; to provide for licensure requirements; to provide for rules and regulations; to provide for licensing fees; and to provide for related matters.

Be it enacted by the Legislature of Louisiana:
Section 1. R.S. 40:1203.1(4)(aa) and Part II-J of Chapter 11 of Title 40 of the Louisiana Revised Statutes of 1950, comprised of R.S. 40:2120.61 through 2120.70, are hereby enacted to read as follows:

§1203.1. Definitions
For the purposes of this Part, the following terms have the meaning ascribed in this Section:

(4) “Employer” means any of the following facilities, agencies, providers, or programs:

(aa) A Program for All-Inclusive Care of the Elderly (PACE), as defined in R.S. 40:2120.63.

Part II-J. LICENSING PROGRAM FOR ALL-INCLUSIVE CARE OF THE ELDERLY (PACE)

§2120.61. Short title
This Part shall be known and may be cited as the “Licensing Program for All-Inclusive Care of the Elderly (PACE)”.

§2120.62. Purpose
A. The purpose of this Part is to authorize the Louisiana Department of Health to promulgate and publish rules and regulations to provide for the licensing of the Program of All-Inclusive Care for the Elderly (PACE) providers, to provide for the health, safety, welfare, well-being, and comfort of persons receiving services from PACE providers, and to provide for the safe operation and maintenance of PACE providers.
B. The purpose of a PACE provider is to provide prepaid, capitated, comprehensive healthcare service to Medicare and Medicaid recipients or other qualified individuals who are enrolled in PACE services.

§2120.63. Definitions
For the purposes of this Part, the following terms shall have the following meanings:

(1) “Department” means the Louisiana Department of Health or any agency or office designated by the secretary to administer the provisions of this Part.

(2) “License” means a license issued by the department to a PACE provider.

(3) “PACE enrollee” means a recipient or participant that has been approved by Medicare or the Louisiana Medicaid Program or is otherwise qualified to enroll as a PACE participant for PACE services provided by an approved and licensed PACE provider.

(4) “PACE services” means those healthcare and related services approved by the Centers for Medicare and Medicaid Services for Medicare and Louisiana Medicaid programs as PACE services, including but not limited to primary care, social work services, restorative therapies, personal care and support services, nutrition counseling, recreational therapy, transportation, meals, medical specialists services, laboratory tests, x-rays, durable medical equipment, and other services determined necessary by an interdisciplinary team to improve and maintain the participant’s overall health status.

(5) “Program for All-Inclusive Care of the Elderly (PACE) provider” means a facility, place, center, agency, person, institution, corporation, partnership, unincorporated association, group, organization, or other legal entity that meets the requirements of 42 CFR 460 et seq., and is approved and enrolled or intends to be approved and enrolled as a PACE organization by the Centers for Medicare and Medicaid Services for the Medicare and Louisiana Medicaid programs to provide services to Medicare and Medicaid recipients, or other qualified individuals, who choose PACE services.

(6) “Secretary” means the secretary of the Louisiana Department of Health or his designee.

(7) “Standards” means policies, procedures, rules, and other guidelines or standards of current practice contained in this Part, in addition to those rules and standards promulgated by the department for the licensing and operation of PACE providers.

§2120.64. Licensure of PACE providers
A. All PACE providers shall be licensed by the Louisiana Department of Health. No facility, place, center, agency, person, institution, corporation, partnership, unincorporated association, group, organization, or other legal entity providing PACE services may be established, operated, or be reimbursed under the Medicaid program, unless licensed as a PACE provider to perform services by the department.

B. A license issued to a PACE provider shall be all of the following:
(1) Issued only for the entity or person and premises named in the license application.

(2) Valid for only the geographic location listed on the license. The geographic service location for a PACE provider shall be a single geographic administrative region of the Louisiana Department of Health as defined in the licensing rules for the PACE provider.

(3) Valid for twelve months beginning the month of issuance, unless revoked or otherwise suspended prior to that date. The license shall expire on the last day of the twelfth month after the date of issuance, unless otherwise renewed, or as set forth in rules promulgated by the department.

(4) On a form prescribed by the department.
C. A license issued pursuant to this Part shall not be transferrable or assignable.

(1) When a PACE provider is sold or ownership is transferred, the new owner or transferee shall notify the department and apply for a new license at least forty-five days prior to the transfer.

(2) The transferor shall remain responsible for the operation of the PACE provider until such time as a license has been issued to the transferee.

D. A license issued to a PACE provider shall be posted in a conspicuous place on the licensed premises.

§2120.65. PACE provider participants; restrictions
A PACE provider shall provide services only to those participants who have chosen PACE services and who have been approved by Medicare or the Louisiana Medicaid Program or is otherwise qualified to become a PACE enrollee. A PACE provider shall not provide services to any person that is not an approved PACE enrollee.

§2120.66. PACE provider restrictions
A. A PACE provider may provide all of the following services to approved PACE enrollees:

(1) Home- and community-based services, as defined in R.S. 40:2120.1 et seq., if the PACE provider is in compliance with state licensing laws, rules and regulations for home- and community-based services providers, unless otherwise exempted pursuant to promulgated PACE provider licensing regulations.

(2) Adult day healthcare facility services, as defined in R.S. 40:2120.41 et seq., if the PACE provider is in compliance with federal and state licensing laws, rules and regulations for adult day healthcare facility services, unless otherwise exempted pursuant to promulgated PACE provider licensing regulations.

(3) Home health agency services, as defined in R.S. 40:2116.31 et seq., if the PACE provider is in compliance with federal and state licensing laws, rules and regulations governing home health agencies, unless otherwise exempted pursuant to the promulgated PACE provider licensing regulations.

B. A PACE organization which has been issued a PACE provider license by the department shall not be required to obtain a separate home- and community-based service provider license, a separate adult day healthcare

facility license, or a separate home health agency license, in order to provide such services to approved PACE enrollees.

C. A PACE provider may contract with any of the following:
(1) A Louisiana-licensed and certified hospital, nursing facility, or hospice agency, to arrange or provide hospital, nursing facility, or hospice services to an approved PACE enrollee.

(2) Other licensed or certified medical or healthcare providers or professionals to provide approved PACE services to an approved PACE enrollee.

D. A PACE provider shall ensure that all services provided to or arranged for a PACE enrollee are provided by either of the following:

(1) Individuals who are licensed by, and in good standing with, the appropriate licensing board in this state, and who are practicing within the licensed scope of practice.

(2) Individuals who are certified by, and in good standing with, the appropriate board, authority, or agency in this state, and who are acting within the scope of practice or certification.

E. A PACE provider shall not serve any person who is not an approved PACE enrollee.

§2120.67. Rules and regulations; licensing standards

A. The department shall promulgate and publish rules, regulations, and licensing standards, in accordance with the Administrative Procedure Act, to provide for the licensure of PACE providers, to provide for the health, safety, welfare, well-being, and comfort of persons receiving services from PACE providers, and to provide for the safe operation and maintenance of PACE providers.

B. The department shall promulgate and publish rules, regulations, and licensing standards, which shall include but are not limited to the following:

(1) Licensure application, renewal, and conversion, including forms, procedures, and requirements.

(2) Operational requirements.

(3) Provision of services.

(4) Practice standards to ensure quality of care.

(5) Practice standards to ensure the health, safety, welfare, well-being, and comfort of persons receiving care and services.

(6) Confidentiality of clients' records.

(7) Criteria and protocols to ensure uniform and quality assessment, diagnosis, evaluation, and referral to appropriate level of care.

(8) Administration, personnel, and staffing requirements.

(9) Maintenance of written policies and procedures.

(10) Survey and complaint investigations, including investigations into allegations that a provider is operating without a license.

(11) License types, including provisional licenses.

(12) Denial, revocation, suspension, and nonrenewal of licenses, and any appeals.

(13) Planning, construction, and design of the provider to ensure the health, safety, welfare, well-being, and comfort of persons receiving care and services.

(14) Requirements for approval of PACE enrollees.

(15) Other regulations or standards to ensure proper care and treatment of persons receiving care and services at or from a PACE provider as may be considered necessary by the department for an effective administration of this Part.

C. No PACE organization or provider will be required to obtain a license in accordance with this Part until the initial rules, regulations, and licensing standards are promulgated by the department pursuant to the Administrative Procedures Act. Each entity that meets the definition of a PACE provider shall submit an initial licensing application and licensing fee to the department within ninety days of the promulgation of the initial rules, regulations, and licensing standards. If the entity is not licensed within one hundred eighty days after submission of its initial licensing application and fee, the entity shall cease and desist operations until such time as it is licensed as a PACE provider by the department.

§2120.68. License issuance; application; fees; onsite inspections

A. Each application for licensure as a PACE provider shall be submitted to the department on forms prescribed by the department and shall contain information as the department may require. If a PACE organization operates in more than one departmental region, the PACE organization shall obtain a separate PACE provider license for each region. At a minimum, the licensing application shall contain all of the following information:

(1) Name, address, and contact information of the person, partnership, corporation, unincorporated association, or other legal entity that is the applicant.

(2) Names and addresses of the applicant's officers, directors, managers, and administrators, if applicable.

(3) A line of credit from a federally insured, licensed lending institution in the amount of at least fifty thousand dollars.

(4) Evidence of compliance with the Louisiana Workers' Compensation Law, R.S. 23:1020.1 et seq.

(5) Evidence of general and professional liability insurance in the amount of at least three hundred thousand dollars.

(6) Any other relevant information that the department determines is necessary to properly evaluate the applicant and application as required by the department by rule.

B. Each application for initial licensure shall be accompanied by a non-refundable license fee, payable to the department, in an amount not to exceed

one thousand five hundred dollars.

C. Following receipt of the completed initial licensing application and licensing fee, the department shall perform an onsite survey and inspection. If, after the onsite survey and inspection, the department finds that the PACE provider meets the requirements of this Part and the licensing standards adopted pursuant to this Part, a license shall be issued.

D. As a condition for renewal of license, the licensee shall continue to be approved and enrolled as a PACE organization by the Centers for Medicare and Medicaid Services for the Medicare and Louisiana Medicaid programs. In addition, the licensee shall submit to the department, a completed annual renewal application on the forms prescribed by the department, which shall contain all information required by the department. Additionally, a non-refundable annual renewal licensing fee, in an amount not to exceed one thousand five hundred dollars, shall be submitted with the annual renewal application. A PACE provider shall be assessed a delinquent fee of two hundred dollars for failure to timely renew its license; the delinquent fee shall be assessed and shall become due and payable to the department at 12:01 a.m. on the first day following the expiration date of the license.

E. Upon receipt of the completed annual renewal application and the annual renewal fee, and any applicable delinquent fee, the department shall determine if the PACE provider continues to meet the requirements established under this Part and under the licensing standards adopted pursuant to this Part. The department may perform an onsite survey and inspection upon annual renewal. If the provider continues to meet the requirements established under this Part and under the licensing standards adopted pursuant to this Part, a license shall be issued, which shall be valid for up to one year, unless otherwise revoked or suspended.

F. The department may perform an onsite survey or inspection at reasonable times as necessary to ensure compliance with this Part and the licensing standards adopted pursuant to this Part.

§2120.69. Investigations; surveys

A. The department may conduct onsite licensing surveys and inspections, including complaint surveys, to determine that the PACE provider is in compliance with the laws, rules, and regulations applicable to the PACE provider. Further, a PACE provider that has applied for a license or that is licensed pursuant to this Part shall be open at reasonable times for inspection by the department, the state fire marshal, and any other authorized governmental entity.

B. Every applicant or licensee shall keep all records and make all reports as the department shall prescribe, and all necessary records shall be available for inspection by the department or other authorized governmental entity. The department may examine the premises of any PACE provider and may examine and inspect the PACE provider's books, records, documents, and other evidence in any survey or investigation. The PACE provider shall cooperate in any survey or investigation conducted by the department. Failure to cooperate with the survey or investigation may result in action up to and including license revocation.

C. The department may assess a PACE provider a survey or investigation fee, not to exceed one thousand dollars, for any complaint survey or investigation conducted by the department at which deficiencies are substantiated. This survey or inspection fee shall be imposed by the department only after the PACE provider has completed the administrative process that has upheld the deficiencies or the time for filing any administrative process or appeal has expired. The survey or investigation fee shall not exceed the cost of performing the survey or inspection. This fee shall be in addition to any other sanctions.

§2120.70. Operation without license; penalty; exception

A. Except as provided in R.S. 40:2120.67, a PACE provider shall not operate without a license issued by the department. Any provider, organization, or facility operating without a license shall be guilty of a misdemeanor and upon conviction shall be fined no less than two hundred fifty dollars nor more than one thousand dollars. Each day of violation shall constitute a separate offense. It shall be the responsibility of the department to inform the appropriate district attorney of the alleged violation to ensure enforcement.

B. If a PACE provider is operating without a license issued by the department, the department shall have the authority to issue an immediate cease and desist order to the provider. Any provider that receives a cease and desist order from the department shall immediately cease operations until the provider is issued a license by the department.

C. The department shall seek an injunction in the Nineteenth Judicial District Court against any PACE provider that receives a cease and desist order from the department in accordance with Subsection B of this Section and does not cease operations immediately. Any PACE provider against whom an injunction is granted shall be liable to the department for attorney fees, costs, and damages.

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
