

# ACTS OF 2024 LEGISLATURE

## Acts 211-320

### ACT No. 211

#### HOUSE BILL NO. 264

BY REPRESENTATIVES HUGHES, BAYHAM, BOYD, BUTLER, CARLSON,  
ROBBY CARTER, CARVER, DEWITT, FISHER, GREEN, LAFLEUR,  
JACOB LANDRY, LARVADAIN, MENA, SELDERS, TAYLOR, THOMPSON,  
WALTERS, AND WYBLE

#### AN ACT

To amend and reenact R.S. 17:183.3(B)(2)(b), (c), and (f), 5025(2)(b), (3)(c),(5), and (8), and 5026(A)(2)(c), (3)(b), and (5) and to enact R.S. 17:7.2(A)(9), 280.3, 3996(B) (82), 5025(9), 5025.7, and 5026(F), relative to curricula; to revise the courses required in the high school career major program; to add Computer Science as a required high school course; to require teacher education programs include computer science education; to provide for alignment with the core curriculum required for qualification for TOPS awards; to provide relative to the powers and duties of the State Board of Elementary and Secondary Education; to provide for applicability; to provide for effectiveness; and to provide for related matters.

Be it enacted by the Legislature of Louisiana:

Section 1. This Act may be known and shall be cited as the "Computer Science Education Advancement Act".

Section 2. R.S. 17:183.3(B)(2)(b), (c), and (f), 5025(2)(b), (3)(c),(5), and (8), and 5026(A)(2)(c), (3)(b), and (5) are hereby amended and reenacted and R.S. 17:3996(B)(82), 5025(9), 5025.7, and 5026(F) are hereby enacted to read as follows:

§183.3. Career major; description; curriculum and graduation requirements

B.

(2) The course requirements for the career major shall consist of the following:

(b) At least four mathematics credits, including Algebra I, Algebra I Part One and Algebra I Part Two, or an applied or hybrid Algebra course; Geometry or an applied Geometry course; Financial Literacy as provided for in R.S. 17:270; and one additional mathematics course from among the following: Math Essentials, Business Math, Algebra II, Algebra III, Advanced Math - Functions and Statistics, Advanced Math - Pre-Calculus, Pre-Calculus, ~~Computer Science~~, or comparable Louisiana Technical College courses offered by Jump Start regional teams as approved by the State Board of Elementary and Secondary Education. Integrated Mathematics I, II, and III may be substituted for Algebra I, Geometry, and Algebra II and shall equal three mathematics credits.

(c) At least two science credits, including one credit of Biology and one additional course from among the following: Chemistry I, Earth Science, Environmental Science, Physical Science, Agriscience I and Agriscience II (one credit combined), Physics, ~~Computer Science~~, or AP or IB Science courses.

(f) At least nine credits in Jump Start course sequences, workplace experiences, and credentials. A student shall complete a regionally designed series of Career and Technical Education Jump Start coursework and workplace-based learning experiences leading to a statewide or regional Jump Start credential. This shall include courses and workplace experiences specific to the credential, courses related to foundational career skills requirements in Jump Start, and other courses, including career electives, that the Jump Start regional team determines are appropriate for the career major. One of these credits shall be Computer Science, unless Computer Science is taken to fulfill one credit as provided in Subparagraph (b) or (c) of this Paragraph.

§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) Computer Science; required instruction, R.S. 17:280.3.

§5025. High school core curriculum requirements; Opportunity, Performance, Honors Awards

To be eligible for an Opportunity, Performance, or Honors Award pursuant to this Chapter, a student shall have successfully completed a core curriculum which consists of twenty units of high school course work as follows:

(2) Mathematics - Four Units

(b) One unit chosen from the following: Algebra III; Advanced Math Functions and Statistics, Advanced Math-Pre-Calculus, Pre-Calculus, or Math Methods I IB (Mathematical Studies SL); Calculus, AP Calculus AB, or Math Methods II IB (Mathematics SL); AP Calculus BC; Probability and Statistics or AP Statistics; IB Further Mathematics HL; ~~IB Mathematics HL~~; IB Mathematics HL; Computer Science.

(3) Science - Four Units

(c) Two units chosen from the following: Earth Science; Environmental Science; Physical Science; Agriscience I and Agriscience II (one unit combined); Chemistry II, AP Chemistry, or IB Chemistry II; AP Environmental Science, or IB Environmental Systems; Physics I, AP Physics I, AP Physics B, or IB Physics I; AP Physics C: Electricity and Magnetism, AP Physics C: Mechanics, IB Physics II, or AP Physics II; Biology II, AP Biology, or ~~IB Biology II~~; IB Biology II; Computer Science.

(5) Foreign Language or Computer Science - two units

(a) Foreign Language - the two units shall be in the same language, which may include the following: AP Chinese Language and Culture, AP French Language and Culture, AP German Language and Culture, AP Italian Language and Culture, AP Japanese Language and Culture, AP Latin, AP Spanish Language and Culture, French IV IB, French V IB, Spanish IV IB, and Spanish V IB.

(b) ~~Computer Science - the two units, shall be in principles, coding, and programming, which may include the following: Computer Science I, Computer Science II, Fundamentals of HTML, CSS, and JavaScript (Level 1), Advanced JavaScript, Functional Programming, and Web Development (Level 2), AP Computer Science A, AP Computer Science Principles, Computer Science Year One IB, and Computer Science Year Two IB.~~

(8) Computer Science - one unit. This requirement shall be satisfied as provided in Paragraph (2), (3), or (5) of this Section.

(9) For the purposes of this Section, any core curriculum course that is taken by a student who has been identified as gifted pursuant to State Board of Elementary and Secondary Education policy and that is taken in fulfillment of the student's Individualized Education Program shall be considered a gifted course and shall fulfill the core curriculum requirement in its given subject area.

§5025.7. High school core curriculum requirements; Opportunity, Performance, and Honors Awards; students graduating in the 2027-2028 school year

To be eligible for an Opportunity, Performance, or Honors Award pursuant to this Chapter, a student shall have successfully completed a core curriculum which consists of twenty units of high school course work as follows:

(1) English - Four Units

(a) English I.

(b) English II.

(c) One unit chosen from the following: English III, AP English Language Arts and Composition, or English III IB (Language A or Literature and Performance).

(d) One unit chosen from the following: English IV, AP English Literature and Composition, or English IV IB (Language A or Literature and Performance).

(2) Mathematics - Four Units

(a) Algebra I (one unit), Geometry (one unit), and Algebra II (one unit). Integrated Mathematics I, Integrated Mathematics II, and Integrated Mathematics III may be substituted for the Algebra I, Geometry, and Algebra II sequence.

(b) One unit chosen from the following: Algebra III; Advanced Math Functions and Statistics, Advanced Math-Pre-Calculus, Pre-Calculus, or Math Methods I IB (Mathematical Studies SL); Calculus, AP Calculus AB, or Math Methods II IB (Mathematics SL); AP Calculus BC; Probability and Statistics or AP Statistics; IB Further Mathematics HL; IB Mathematics HL.

(3) Science - Four Units

(a) Biology I.

(b) Chemistry I.

(c) Two units chosen from the following: Earth Science; Environmental Science; Physical Science; Agriscience I and Agriscience II (one unit combined); Chemistry II, AP Chemistry, or IB Chemistry II; AP Environmental Science, or IB Environmental Systems; Physics I, AP Physics I, AP Physics B, or IB Physics I; AP Physics C: Electricity and Magnetism, AP Physics C: Mechanics, IB Physics II, or AP Physics II; Biology II, AP Biology, or IB Biology II.

(4) Social Studies - Four Units

(a) One unit chosen from the following: U.S. History, AP US History, or IB US History.

(b) One unit chosen from the following: Civics, Government, AP US Government and Politics: Comparative, AP US Government and Politics: United States.

(c) Two units chosen from the following: Western Civilization, European History, or AP European History; World Geography, AP Human Geography, or IB Geography; World History, AP World History, or World History IB; History of Religion; IB Economics, Economics, AP Macroeconomics, or AP Microeconomics; African American History.

(5) Foreign Language or Computer Science - Two Units

(a) Foreign Language - the two units shall be in the same language, which may include the following: AP Chinese Language and Culture, AP French Language and Culture, AP German Language and Culture, AP Italian Language and Culture, AP Japanese Language and Culture, AP Latin, AP Spanish Language and Culture, French IV IB, French V IB, Spanish IV IB, and Spanish V IB.

(b) Computer Science - the two units shall be in principles, coding, and programming, which may include the following: Computer Science I; Computer Science II; Fundamentals of HTML, CSS, and JavaScript (Level 1); Advanced JavaScript, Functional Programming, and Web Development (Level 2); AP Computer Science A; AP Computer Science Principles; Computer Science Year One IB; and Computer Science Year Two IB.

(6) Art - one unit chosen from the following: Performance course in Music, Dance, or Theatre; Fine Arts Survey; Art I, II, III, and IV; Talented Art I, II, III, and IV; Talented Music I, II, III, and IV; Talented Theater Arts I, II, III, and IV; Speech III and Speech IV (one unit combined); AP Art History; AP Studio Art: 2-D Design; AP Studio Art: 3-D Design; AP Studio Art: Drawing; AP Music Theory; Film Study I IB; Film Study II IB; Music I IB; Music II IB; Art Design III IB; Art Design IV IB; Theatre I IB; or Drafting.

(7) Financial Literacy - one unit.

(8) For the purposes of this Section, any core curriculum course that is taken by a student who has been identified as gifted pursuant to State Board of Elementary and Secondary Education policy and that is taken in fulfillment of the student's Individualized Education Program shall be considered a gifted course and shall fulfill the core curriculum requirement in its given subject area.

§5026. High school core curriculum requirements; TOPS-Tech

A. To be eligible for a TOPS-Tech Award pursuant to this Chapter, the student shall have successfully completed the core curriculum requirements of R.S. 17:5025 or the core curriculum defined as follows:

(2) Math - Four Units

(c) One or more units from the following: Algebra II, Math Essentials, Business Math, Algebra III, Advanced Math - Functions and Statistics, Advanced Math - Pre-Calculus, Pre-Calculus, Computer Science, or comparable Louisiana Technical College courses offered by Jump Start regional teams as approved by the State Board of Elementary and Secondary Education. Integrated Mathematics I, II, and III may be substituted for Algebra I, Geometry, and Algebra II, and shall equal three mathematics credits.

(3) Science - Two Units

(b) One unit from the following: Chemistry I, Earth Science, Environmental Science, Agriscience I and Agriscience II (both for one unit), Physical Science, Physics, Computer Science, or AP or IB science courses.

(5) At least nine credits in Jump Start course sequences, workplace experiences, and credentials. A student shall complete a regionally designed series of Career and Technical Education Jump Start coursework and workplace-based learning experiences leading to a statewide or regional Jump Start credential. This shall include courses and workplace experiences specific to the credential, courses related to foundational career skills requirements in Jump Start, and other courses, including career electives, that the Jump Start regional team determines are appropriate for the career major. One of these credits shall be Computer Science, unless Computer Science is taken to fulfill one credit as provided in Paragraph (2) or (3) of this Subsection.

F. For a student graduating during the 2027-2028 school year to be eligible for a TOPS-Tech Award pursuant to this Chapter, the student shall have successfully completed the core curriculum requirements of R.S. 17:5025 or the core curriculum defined as follows:

(1) English - Four Units

(a) English I.

(b) English II.

(c) Two or more units from the following: English III, English IV, AP or IB English courses, Business English, Technical Writing, or comparable Louisiana Technical College courses offered by Jump Start regional teams as approved by the State Board of Elementary and Secondary Education.

(2) Math - Four Units

(a) Algebra I, Algebra I Part One and Algebra I Part Two, or an applied or hybrid algebra course (one unit), and Geometry or an applied Geometry course (one unit).

(b) Financial Literacy (one unit).

(c) One or more units from the following: Algebra II, Math Essentials, Business Math, Algebra III, Advanced Math - Functions and Statistics, Advanced Math - Pre-Calculus, Pre-Calculus, or comparable Louisiana

Technical College courses offered by Jump Start regional teams as approved by the State Board of Elementary and Secondary Education. Integrated Mathematics I, II, and III may be substituted for Algebra I, Geometry, and Algebra II, and shall equal three mathematics credits.

(3) Science - Two Units

(a) Biology.

(b) One unit from the following: Chemistry I, Earth Science, Environmental Science, Agriscience I and Agriscience II (both for one unit), Physical Science, Physics, or AP or IB science courses.

(4) Social Studies - Two Units

(a) One unit from the following: U.S. History, AP U.S. History, or IB U.S. History.

(b) One unit from the following: Civics, Government, AP U.S. Government and Politics: Comparative, or AP U.S. Government and Politics: United States.

(5) At least nine credits in Jump Start course sequences, workplace experiences, and credentials. A student shall complete a regionally designed series of Career and Technical Education Jump Start coursework and workplace-based learning experiences leading to a statewide or regional Jump Start credential. This shall include courses and workplace experiences specific to the credential, courses related to foundational career skills requirements in Jump Start, and other courses, including career electives, that the Jump Start regional team determines are appropriate for the career major.

Section 3. R.S. 17:7.2(A)(9) is hereby enacted to read as follows:

§7.2. Approved teacher education programs

A. In carrying out its responsibility to prescribe the qualifications and provide for the certification of teachers under authority of R.S. 17:7(6), the State Board of Elementary and Secondary Education, subject to the constitutional power and authority of the Board of Regents, the Board of Supervisors for the University of Louisiana System, the Board of Supervisors of Louisiana State University and Agricultural and Mechanical College, and the Board of Supervisors of Southern University and Agricultural and Mechanical College, shall establish qualifications and requirements for the approval of teacher education programs from which graduates may be certified. The qualifications and requirements established by the State Board of Elementary and Secondary Education for an approved teacher education program shall include but not be limited to the following:

(9) That the program include instruction on teaching students computer science, which may be incorporated into an existing course of study.

Section 4. R.S. 17:280.3 is hereby enacted to read as follows:

§280.3. Computer science; required instruction

A. (1) Each public high school shall provide computer science instruction to its students. Each public high school student shall successfully complete a one credit Computer Science course as a requirement for high school graduation.

(2) Each public school with students in grades six through eight shall provide instruction in exploratory computer science to its students.

(3) Each public elementary school shall provide instruction in the basics of computer science and computational thinking.

B. The state Department of Education shall approve the computer science courses required by this Section.

C. The State Board of Elementary and Secondary Education shall promulgate rules and regulations to implement the provisions of this Section.

Section 5. By June 30, 2024, the state Department of Education shall publish on its website and enact a plan to ensure sufficient computer science teacher capacity to carry out the provisions of this Act. The plan shall:

(1) Be initially based on the recommendations of the Louisiana Computer Science Education Advisory Commission.

(2) Provide options, including but not limited to online options, for alternative endorsement pathways for certificated teachers and teacher preparation program students to demonstrate competency that may result in a certification to teach computer science.

(3) Outline scholarship or state-funded training opportunities for teachers to gain certification or endorsement in computer science.

(4) Be updated by the state department as necessary.

Section 6.(A) The provisions of R.S. 17:183.3(B)(2)(b), (c), and (f) as amended by Section 2 of this Act shall apply to students who enter the ninth grade during the 2025-2026 school year and thereafter.

(B) R.S. 17:3996(B)(82) as enacted by Section 2 of this Act shall be implemented beginning with the 2026-2027 school year.

(C) R.S. 17:7.2(A)(9) as enacted by Section 3 of this Act shall be implemented beginning on June 30, 2026.

(D) The provisions of R.S. 17:280.3(A) as enacted by Section 4 of this Act shall be implemented as follows:

(1) R.S. 17:280.3(A)(1) and (2) shall be initially implemented prior to the 2026-2027 school year and shall apply to students who enter the ninth grade during the 2026-2027 school year and thereafter.

(2) R.S. 17:280.3(A)(3) shall be initially implemented prior to the 2027-2028 school year.

Approved by the Governor, May 23, 2024.

A true copy:

Nancy Landry  
Secretary of State

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**ACT No. 212**

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HOUSE BILL NO. 278  
BY REPRESENTATIVE ROMERO  
AN ACT

To amend and reenact Section 1 of Act No. 50 of the 2023 Regular Session of the Legislature, relative to the designation of Louisiana Highway 383 in Jefferson Davis Parish; to change the mile marker identifiers for the designation of the memorial highway; and to provide for related matters.

Be it enacted by the Legislature of Louisiana:

Section 1. Section 1 of Act No. 50 of the 2023 Regular Session of the Legislature is hereby amended and reenacted to read as follows:

Section 1. The portion of Louisiana Highway 383 from mile marker ~~seventeen six~~ to mile marker ~~nineteen eight~~ shall be known and is hereby designated as the "Sergeant Major William Arlen Marcantel Memorial Highway".

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Approved by the Governor, May 23, 2024.

A true copy:

Nancy Landry  
Secretary of State

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**ACT No. 213**

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HOUSE BILL NO. 284  
BY REPRESENTATIVE TURNER  
AN ACT

To amend and reenact R.S. 3:264(B)(2) and to repeal R.S. 3:264(B)(5), relative to the Louisiana Agricultural Finance Authority; to provide for membership of the authority; to require certain appointments by the governor; to remove a member appointed from a list provided by the Community Bankers of Louisiana; to provide for an effective date; and to provide for related matters.

Be it enacted by the Legislature of Louisiana:

Section 1. R.S. 3:264(B)(2) is hereby amended and reenacted to read as follows:

§264. Louisiana Agricultural Finance Authority

\* \* \*

B. The authority shall be composed of nine members. The commissioner of agriculture and forestry shall serve ex officio with the same rights and privileges, including voting rights, as other members. The chair of the Senate Committee on Agriculture, Forestry, Aquaculture and Rural Development or his designee, the chair of the House Committee on Agriculture, Forestry, Aquaculture and Rural Development or his designee, and the secretary of the Department of Economic Development or his designee, shall serve in an advisory capacity, without voting rights, to the authority, and shall not be counted for the purpose of constituting a quorum for the transaction of official business. The other eight members shall be appointed by the governor in the following manner:

\* \* \*

(2) ~~One member~~ **Two members** appointed from a list of six persons nominated by the Louisiana Bankers Association.

\* \* \*

Section 2. R.S. 3:264(B)(5) 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, May 23, 2024.

A true copy:

Nancy Landry  
Secretary of State

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**ACT No. 214**

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HOUSE BILL NO. 327  
BY REPRESENTATIVE MCFARLAND  
AN ACT

To enact R.S. 3:4278.6, relative to timber harvesting operations; to require a written contract or agreement to conduct certain timber harvesting operations; to require the commissioner of agriculture and forestry to adopt rules and regulations; to authorize the commissioner to impose penalties after an adjudicatory hearing; and to provide for related matters.

Be it enacted by the Legislature of Louisiana:

Section 1. R.S. 3:4278.6 is hereby enacted to read as follows:

§4278.6. Timber harvesting; rules; regulations; penalty

A. In addition to any other requirements provided by law, any person conducting timber harvesting operations with the intent to cut five acres or more of timberland shall enter into a written contract or agreement with the owner, purchaser, or an agent or representative of either the owner or the purchaser of such timberland.

**THE ADVOCATE**  
**PAGE 3**

\* As it appears in the enrolled bill

B. The commissioner of agriculture and forestry, with the advice of the Louisiana Forestry Commission, shall adopt rules and regulations in accordance with the Administrative Procedure Act to implement the provisions of this Section.

C.(1) The commissioner may impose a civil penalty of not more than five thousand dollars for each instance of failure to comply with the provisions of this Section.

(2) Each day on which a violation occurs shall be considered a separate offense.

(3) Civil penalties may be assessed only by a ruling of the commissioner based on an adjudicatory hearing held in accordance with the Administrative Procedure Act.

Approved by the Governor, May 23, 2024.

A true copy:

Nancy Landry  
Secretary of State

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**ACT No. 215**

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HOUSE BILL NO. 331  
BY REPRESENTATIVES KNOX AND MANDIE LANDRY  
AN ACT

To enact Part XIV of Chapter 6 of Title 33 of the Louisiana Revised Statutes of 1950, to be comprised of R.S. 33:3121, relative to ad valorem property taxes in Orleans Parish; to require certain notifications when ad valorem property taxes in Orleans Parish are the subject of certain agreements; to provide for requirements and limitations; 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. Part XIV of Chapter 6 of Title 33 of the Louisiana Revised Statutes of 1950, comprised of R.S. 33:3121, is hereby enacted to read as follows:

PART XIV. NOTICE REQUIREMENTS FOR AD VALOREM PROPERTY TAX AGREEMENTS IN ORLEANS PARISH

§3121. Ad valorem property tax agreements in Orleans Parish; abatement, payment in lieu of tax, and other cooperative endeavor agreements; notice requirements; limitations

A. An applicant entering into a tax abatement, payment in lieu of tax, or other cooperative endeavor agreement, hereinafter "abatement agreement", that affects the ad valorem property taxes levied and collected in Orleans Parish shall send written notice, by certified mail, to the president of the Orleans Parish School Board of the abatement agreement. The notice shall be sent no less than thirty days prior to applying for the abatement agreement and shall include the following information:

(1) An estimate of the Orleans Parish School Board ad valorem property taxes to be affected by the abatement agreement.

(2) The name and contact information of the party applying for the abatement agreement.

(3) The term of the abatement agreement.

B.(1) The provisions of this Section shall be applicable to abatement agreements with a term of two or more years or to abatement agreements that will affect ad valorem property taxes of one million dollars or more.

(2) The provisions of this Section shall not be applicable to any ad valorem property tax exemptions or other abatement agreements approved by the State Board of Commerce and Industry or any ad valorem property tax exemptions established pursuant to the provisions of Article VII, Section 21 of the Constitution of Louisiana.

Section 2. The provisions of this Act shall become effective July 1, 2024, and shall be applicable to any tax abatement, payment in lieu of tax, or other cooperative endeavor agreement that will affect ad valorem property taxes in Orleans Parish entered into on or after July 1, 2024.

Approved by the Governor, May 23, 2024.

A true copy:

Nancy Landry  
Secretary of State

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**ACT No. 216**

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HOUSE BILL NO. 335  
BY REPRESENTATIVES CARVER, ADAMS, AMEDEE, BERAULT, BILLINGS, BRAUD, BRYANT, CARLSON, CHASSION, CHENEVERT, COX, DAVIS, DEWITT, DICKERSON, EGAN, FISHER, FREIBERG, GLORIOSO, HILFERTY, HUGHES, MIKE JOHNSON, KNOX, LARVADAIN, LYONS, MOORE, NEWELL, SELDERS, STAGNI, TAYLOR, THOMPSON, AND WYBLE AND SENATOR MCMATH  
AN ACT

To amend and reenact Children's Code Articles 603(17)(d) and (e) and 610(A), relative to mandatory reporting of child abuse or neglect; to provide for definitions; to provide for mandatory reporters who are teaching or child care providers and police officers or law enforcement officials; to provide for mandatory reporting procedures and training requirements; to prohibit employers from preventing mandatory reporters from complying with the law; to provide for penalties for employers who prevent mandatory

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

reporters from complying with the law; to provide for an effective date; and to provide for related matters.

Be it enacted by the Legislature of Louisiana:

Section 1. Children's Code Articles 603(17)(d) and (e) and 610(A) are hereby amended and reenacted to read as follows:

Art. 603. Definitions  
As used in this Title:

\* \* \*

(17) "Mandatory reporter" is any of the following individuals:

\* \* \*

(d) "Teaching or child care provider" is any person who provides or assists in the teaching, training and supervision of a child, including any public or private teacher, teacher's aide, instructional aide, school principal, school staff member, school resource officer, bus driver, coach, professor, technical or vocational instructor, technical or vocational school staff member, college or university administrator, college or university staff member, social worker, probation officer, foster home parent, group home or other child care institutional staff member, personnel of residential home facilities, a licensed or unlicensed day care provider, or any individual who provides ~~such these~~ services to a child in a voluntary or professional capacity.

(e) Police officers or law enforcement officials. Any police officer or law enforcement official who works as a school resource officer shall be considered a mandatory reporter. A school resource officer shall not receive information from another mandatory reporter or commence or oversee any investigation into the report.

\* \* \*

Art. 610. Reporting procedure; reports to the legislature and the United States Department of Defense Family Advocacy Program

A.(1) ~~Reports of A reporter shall immediately report suspected child abuse or neglect or that such child abuse or neglect was a contributing factor in a child's death; in the following ways: where the abuser is believed to be~~

~~(a) To the Department of Children and Family Services if the reporter has reason to believe that the perpetrator is a parent or caretaker, a person who maintains an interpersonal dating or engagement relationship with the parent or caretaker, or a person living in the same residence with the parent or caretaker as a spouse whether married or not. , shall be made immediately to the department. A permitted reporter shall make a report through the designated state child protection reporting hotline telephone number or in person at any child welfare office. A mandatory reporter shall make a report through the designated state child protection reporting hotline telephone number, via the Louisiana Department of Children and Family Services Mandated Reporter Portal online, or in person at any child welfare office. Reports in which~~

~~(b) To a local or state law enforcement agency if the reporter has reason to believe that the abuse or neglect is believed to be being perpetrated by someone other than a caretaker, a person who maintains an interpersonal dating or engagement relationship with the parent or caretaker, or a person living in the same residence with the parent or caretaker as a spouse whether married or not, and the caretaker is not believed to have any responsibility for the abuse or neglect shall be made immediately to a local or state law enforcement agency the individuals provided for in Subparagraph (a) of this Paragraph. Abuse or neglect perpetrated on a student by a teaching or child care provider, as defined by Article 603, shall be immediately reported to local or state law enforcement.~~

(c) Dual reporting to both the department and the local or state law enforcement agency is permitted.

(2) Reports to the department shall be made as follows:

~~(a) A mandatory reporter shall make a report of suspected abuse or neglect requiring immediate assistance via the designated state child protection reporting hotline telephone number. A report of suspected abuse or neglect which is of a non-emergency nature may be reported via the Louisiana Department of Children and Family Services Mandated Reporter Portal online. Reports may also be made in person at any child welfare office.~~

~~(b) If a report involves alleged sex trafficking, all mandatory reporters shall report via the hotline telephone number to the department regardless of whether there is alleged parental or caretaker culpability.~~

~~(c) A permitted reporter shall make a report through the designated state child protection reporting hotline telephone number or in person at any child welfare office.~~

~~(3) If a mandatory reporter is prohibited from immediately making the report required by this Chapter to the department or local or state law enforcement because of an employer's policies or employee manual, the mandatory reporter shall file a complaint with local or state law enforcement. Local or state law enforcement shall investigate the complaint and an employer violating this Chapter shall be subject to the penalties provided for in R.S. 14:131.1 and 403. An employer shall not discriminate or retaliate against an employee who is a mandatory reporter for complying with this Article. If an employer is found discriminating or retaliating against an employee for complying with this Article, the employer shall be subject to double the fines provided for in R.S. 14:131.1 and 403.~~

~~(2) (4) In an investigation of a report of abuse or neglect allegedly committed by a person responsible for a child's care, custody, or welfare, parent or caretaker, the department shall determine whether the person is an active duty member of the United States Armed Forces or the spouse of a member on active duty. If the department determines the person is an active duty member of the United States Armed Forces or the spouse of a member~~

on active duty, the department shall notify the United States Department of Defense Family Advocacy Program at the closest active duty military installation of the investigation.

~~(3) A report made to the department by facsimile does not relieve the reporter of his duty to report in accordance with the applicable requirements of this Article.~~

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

Approved by the Governor, May 23, 2024.

A true copy:

Nancy Landry  
Secretary of State

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ACT No. 217

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HOUSE BILL NO. 346  
BY REPRESENTATIVE BUTLER  
AN ACT

To amend and reenact R.S. 3:3807(B)(1) and 3808(A)(2) and (O)(2), relative to arborists; to provide for arboricultural examination requirements; to provide for utility arboricultural examination requirements; to provide for license renewal requirements for arborists and utility arborists; and to provide for related matters.

Be it enacted by the Legislature of Louisiana:

Section 1. R.S. 3:3807(B)(1) and 3808(A)(2) and (O)(2) are hereby amended and reenacted to read as follows:

§3807. Examinations

\* \* \*

B. The examination for each profession shall be compiled from lists of questions submitted by the following organizations:

(1) The arboricultural examination shall be compiled from a list of questions submitted by the Louisiana Arborist Association, the Louisiana State University Agricultural Center, the Southern University Agricultural Research and Extension Center, and the Louisiana Department of Agriculture and Forestry. The utility arboricultural examination shall be a separate examination pertaining to utility tree work and shall be compiled from a list of questions submitted by the Louisiana Arborist Association, the Louisiana State University Agricultural Center, the Southern University Agricultural Research and Extension Center, and the Louisiana Department of Agriculture and Forestry.

\* \* \*

§3808. Terms and conditions of licenses and permits

A. A person who presents himself as, or advertises as, engaging in the arborist profession shall be required to obtain a license which shall subject that person to the following provisions:

\* \* \*

(2) For license renewal, each arborist ~~is required to shall do the following:~~  
(a) attend Complete a continuing training seminar that may be administered by the Louisiana Arborist Association or any other entity as determined by rule by the commission.

(b) Show proof of current and sufficient general liability and workers compensation insurance, if applicable.

\* \* \*

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

\* \* \*

(2) For license renewal, each utility arborist ~~is required to shall do the following:~~

(a) attend Complete a continuing training seminar that may be administered by the Louisiana Arborist Association or any other entity as determined by rule by the commission.

(b) Show proof of current and sufficient general liability and workers compensation insurance, if applicable.

\* \* \*

Approved by the Governor, May 23, 2024.

A true copy:

Nancy Landry  
Secretary of State

-----  
ACT No. 218

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HOUSE BILL NO. 361  
BY REPRESENTATIVES STAGNI, BROWN, WILFORD CARTER, FISHER,  
HUGHES, JACKSON, LACOMBE, LARVADAIN, LYONS, MARCELLE,  
NEWELL, OWEN, AND TAYLOR  
AN ACT

To amend and reenact R.S. 22:1029(B), relative to colorectal cancer screening; to provide for insurance coverage of routine colorectal cancer screening; to establish sources of recommended testing and screening; and to provide for related matters.

Be it enacted by the Legislature of Louisiana:  
Section 1. R.S. 22:1029(B) is hereby amended and reenacted to read as follows:

§1029. Requirement for coverage of colorectal cancer screening

\* \* \*

B. As used in this Section, “routine colorectal cancer screening” ~~shall mean means a fecal occult blood test, flexible sigmoidoscopy, or colonoscopy any test or screening~~ provided in accordance with the most recently published recommendations established by the ~~American College of Gastroenterology, in consultation with the American Cancer Society, or the National Comprehensive Cancer Network~~ for the ages, family histories, and frequencies referenced in such recommendations. “Routine colorectal cancer screening” ~~shall~~ does not mean services otherwise excluded from coverage because they are deemed by a health coverage plan to be experimental or investigational.

\* \* \*

Approved by the Governor, May 23, 2024.

A true copy:

Nancy Landry  
Secretary of State

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**ACT No. 219**

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HOUSE BILL NO. 367

BY REPRESENTATIVES FREEMAN, ECHOLS, BAYHAM, BILLINGS,  
BOYD, COATES, FISHER, FREIBERG, MANDIE LANDRY, LYONS,  
MYERS, ORGERON, RISER, TAYLOR, WALTERS, WYBLE, AND HEBERT  
AN ACT

To enact R.S. 49:170.23, relative to state symbols; to provide relative to Native Plant Month; to designate the month of April as Native Plant Month; and to provide for related matters.

Be it enacted by the Legislature of Louisiana:

Section 1. R.S. 49:170.23 is hereby enacted to read as follows:

§170.23. Native Plant Month

A. The legislature does hereby recognize and acknowledge the following:

(1) Louisiana is home to nearly two thousand five hundred native plant species including large shade trees, such as our state tree, Taxodium distichum or bald cypress, and state flower, Magnolia grandiflora or southern magnolia, as well as shrubs, perennials, vines, grasses, and wildflowers.

(2) Native plants play an important role in all of Louisiana’s diverse ecosystems, from the coastal marshes and prairies to the bluff forests of the Tunica Hills, from the bottomland hardwood forests and swamps to the longleaf pine savannas and the oak and hickory woodlands.

(3) It is the policy of this state to encourage public awareness about the benefits of Louisiana’s native plants to pollinators and other wildlife, to the economy, and to the health and sustainability of Louisiana’s fragile ecosystems.

B. In observance and recognition of the indigenous species of native plants which are essential to maintain Louisiana’s diverse ecosystem, the legislature hereby designates the month of April of each year as “Native Plant Month” in Louisiana.

Approved by the Governor, May 23, 2024.

A true copy:

Nancy Landry  
Secretary of State

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**ACT No. 220**

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HOUSE BILL NO. 409

BY REPRESENTATIVE FIRMENT  
AN ACT

To amend and reenact R.S. 56:648(2) and 648.1(introductory paragraph), relative to harassment and disturbance of hunters, trappers, and fishermen; to provide definitions; to expand the state lands and waters on which the prohibition against harassment and disturbance applies; and to provide for related matters.

Be it enacted by the Legislature of Louisiana:

Section 1. R.S. 56:648(2) and 648.1(introductory paragraph) is hereby amended and reenacted to read as follows:

§648. Definitions

As used in this Subpart, the following definitions shall apply:

\* \* \*

(2) “Process of taking” means any act directed at the lawful taking of a wild animal, including the acts of travel, camping, or other activity occurring in preparation for the taking which occurs on state-managed lands or waters governed by the provisions of R.S. 56:781-R.S. 56:787 or which occurs on private lands or waters with the permission of the owner or his agent.

§648.1. Harassment and disturbance prohibited

No person shall engage in any of the following activities on lands or waters managed by the state pursuant to R.S. 56:781 through R.S. 56:787, or upon private lands or waters where a hunter, trapper, or fisherman has been given permission by the owner or his agent to take wild animals:

\* \* \*

Approved by the Governor, May 23, 2024.

A true copy:

THE ADVOCATE  
PAGE 5

\* As it appears in the enrolled bill

Nancy Landry  
Secretary of State

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**ACT No. 221**

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HOUSE BILL NO. 445

BY REPRESENTATIVE FONTENOT  
AN ACT

To amend and reenact Code of Criminal Procedure Article 335, relative to bond forfeitures; to provide relative to procedures for bond forfeiture; to provide time periods for filing; and to provide for related matters.

Be it enacted by the Legislature of Louisiana:

Section 1. Code of Criminal Procedure Article 335 is hereby amended and reenacted to read as follows:

Art. 335. Rule to show cause; bond forfeiture

If the defendant fails to make an appearance and has not been surrendered or constructively surrendered within one hundred eighty days of the execution of the certificate that notice of warrant for arrest was sent, the prosecuting attorney may file a rule to show cause requesting that a bond forfeiture judgment be rendered. The rule to show cause shall be mailed to the defendant and served on all other parties against whom a judgment is sought. The rule to show cause shall be set for a contradictory hearing. The time period for filing a rule to show cause to obtain a judgment of bond forfeiture ~~does not begin until~~ shall be within five years after the notice of warrant for arrest is sent.

Approved by the Governor, May 23, 2024.

A true copy:

Nancy Landry  
Secretary of State

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**ACT No. 222**

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HOUSE BILL NO. 497

BY REPRESENTATIVE FONTENOT  
AN ACT

To amend and reenact Code of Criminal Procedure Article 311(4)(c), relative to constructive surrender; to provide for the payment of certain costs; and to provide for related matters.

Be it enacted by the Legislature of Louisiana:

Section 1. Code of Criminal Procedure Article 311(4)(c) is hereby amended and reenacted to read as follows:

Art. 311. Definitions

For the purpose of this Title, the following definitions shall apply:

\* \* \*

(4) A constructive surrender is the detention of the defendant in another parish of the state of Louisiana or a foreign jurisdiction under the following circumstances:

\* \* \*

(c) The surety ~~has paid~~ agrees to pay reasonable or actual costs of returning the defendant to the jurisdiction where the warrant for arrest was issued ~~by one of the following methods: If the surety fails to pay a set amount of the reasonable or actual costs, the recovery shall be through a summary proceeding against both the principal and the surety, as provided in Code of Civil Procedure Article 2592(4).~~

(i) ~~Upon presentation of proof of the defendant’s current incarceration in a foreign jurisdiction to the officer originally charged with the defendant’s detention, the officer shall provide the surety with the reasonable or actual costs of returning the defendant to the jurisdiction where the warrant for arrest was issued when the costs are immediately known or can be estimated.~~

(ii) ~~The surety tenders to the officer originally charged with the defendant’s detention the reasonable or actual costs of returning the defendant to the jurisdiction where the warrant for arrest was issued.~~

(iii) ~~The surety provides proof of payment to the court and to the prosecuting attorney.~~

(iv)(aa) ~~In cases where the reasonable or actual costs of returning the defendant to the jurisdiction where the warrant for arrest was issued are not immediately known, the officer originally charged with the defendant’s detention shall accept the surety’s tender of reasonable costs as provided in R.S. 13:5535 for in-state transfers or for estimated costs for out-of-state transfers.~~

(bb) ~~The surety shall provide proof of payment to the court and the prosecuting attorney.~~

(cc) ~~If the actual costs of returning the defendant to the jurisdiction where the warrant for arrest was issued are more than the estimated costs tendered by the surety, the officer originally charged with the defendant’s detention may file a rule to show cause with the court to recover the difference.~~

\* \* \*

Approved by the Governor, May 23, 2024.

A true copy:

Nancy Landry  
Secretary of State

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**ACT No. 223**

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

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HOUSE BILL NO. 503  
BY REPRESENTATIVE CARLSON  
AN ACT

To amend and reenact R.S. 42:1113(B) and (C), relative to prohibited transactions; to apply certain prohibitions on transactions with a public servant's agency when those public servants and related persons have a substantial economic interest; to provide for an effective date; and to provide for related matters.

Be it enacted by the Legislature of Louisiana:

Section 1. R.S. 42:1113(B) and (C) are hereby amended and reenacted to read as follows:

§1113. Prohibited contractual arrangements; exceptions; reports

\* \* \*

B. Other than a legislator, no appointed member of any board or commission, member of his immediate family, or legal entity in which he has a substantial economic interest shall bid on or enter into or ~~be in any way interested~~ have a substantial economic interest in any contract, subcontract, or other transaction which is under the supervision or jurisdiction of the agency of such appointed member.

C. No legislator, member of his immediate family, or legal entity in which he has a controlling interest shall bid on or enter into or ~~be in any way interested~~ have a substantial economic interest in any contract, subcontract, or other transaction involving the legislator's agency.

\* \* \*

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

Approved by the Governor, May 23, 2024.

A true copy:

Nancy Landry  
Secretary of State

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**ACT No. 224**

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HOUSE BILL NO. 521  
BY REPRESENTATIVE FREEMAN  
AN ACT

To amend and reenact R.S. 22:918(B)(1) and (C)(1) and (2), relative to the use of genetic testing with respect to life and long-term care insurance; to provide relative to prohibited actions regarding policies; and to provide for related matters.

Be it enacted by the Legislature of Louisiana:

Section 1. R.S. 22:918(B)(1) and (C)(1) and (2) are hereby amended and reenacted to read as follows:

§918. Prohibited discrimination; genetic information derived from participation in genetic research or testing or clinical research; definitions

\* \* \*

B. An insurer, in determining eligibility for coverage, establishing premiums, limiting coverage, or making any other underwriting decisions, shall not do either of the following:

(1) Take into consideration the fact that an individual or a family member of the individual participated in genetic research or testing, including any request for or receipt of genetic services or participation by an individual or family member in clinical research or testing that includes genetic services, unless the results of that genetic research or test are included in the individual's medical record or provided by the individual for consideration by the insurer.

\* \* \*

C. An insurer shall not do any of the following:

(1) ~~Cancel or refuse to renew~~ Cancel, limit, refuse to renew, deny coverage, or increase premium rates with respect to an existing policy based on the fact that an individual or a family member of the individual requested or received genetic services.

(2) ~~Cancel or refuse to renew~~ Cancel, limit, refuse to renew, deny coverage, or increase premium rates with respect to an existing policy based on the fact that an individual or a family member of the individual participated in genetic research, including clinical research that includes genetic services.

\* \* \*

Approved by the Governor, May 23, 2024.

A true copy:

Nancy Landry  
Secretary of State

-----  
**ACT No. 225**

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HOUSE BILL NO. 557  
BY REPRESENTATIVE MCMAKIN  
AN ACT

To amend and reenact R.S. 46:2136.2(A) and (B), relative to the Louisiana Protective Order Registry; to provide for the purpose of the registry; to

provide for the contents of the registry; and to provide for related matters. Be it enacted by the Legislature of Louisiana:

Section 1. R.S. 46:2136.2(A) and (B) are hereby amended and reenacted to read as follows:

§2136.2. Louisiana Protective Order Registry

A. In order to provide a statewide registry for abuse prevention orders to protect victims and witnesses and to prevent domestic abuse, dating violence, stalking, and sexual assault, and crimes of violence and to aid law enforcement, prosecutors, and the courts in handling such matters, there shall be created a Louisiana Protective Order Registry administered by the judicial administrator's office, Louisiana Supreme Court. The judicial administrator's office shall collect the data transmitted to it from the courts, law enforcement, and private process servers of the state and enter it into the Louisiana Protective Order Registry as expeditiously as possible.

B. The Louisiana Protective Order Registry encompasses temporary restraining orders, protective orders, preliminary injunctions, permanent injunctions, and court-approved consent agreements resulting from actions brought pursuant to R.S. 46:2131 et seq., R.S. 46:2151, R.S. 46:2171 et seq., R.S. 46:2181 et seq., R.S. 9:361 et seq., R.S. 9:372, Children's Code Article 1564 et seq., Code of Civil Procedure Article 3607.1, or peace bonds pursuant to Code of Criminal Procedure Article 30(B), or as part of the disposition, sentence, or bail condition, or other issue ancillary to ~~of a criminal matter pursuant to R.S. 46:1846, Code of Criminal Procedure Articles 327.1, 335.1, 335.2, or Article 320 or 871.1 as long as such order is issued for the purpose of preventing violent or threatening acts or harassment against, contact or communication with, or physical proximity to, another person to prevent domestic abuse, stalking, dating violence, or sexual assault, or any other lawfully issued Uniform Abuse Prevention Order.~~

\* \* \*

Approved by the Governor, May 23, 2024.

A true copy:

Nancy Landry  
Secretary of State

-----  
**ACT No. 226**

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HOUSE BILL NO. 589  
BY REPRESENTATIVE GALLE  
AN ACT

To amend and reenact R.S. 32:409.1(A)(6)(d), relative to a commercial learner's permit or driver's license; to provide for the denial of issuance, renewal, upgrade, or transfer of a permit or license if not cleared through a certain federal clearinghouse; to provide an effective date; and to provide for related matters.

Be it enacted by the Legislature of Louisiana:

Section 1. R.S. 32:409.1(A)(6)(d) is hereby amended and reenacted to read as follows:

§409.1. Application or special certificate applications; penalties for false information

A.

\* \* \*

(6) The department shall initiate and complete a check of the applicant's driving record to ensure that the person is not subject to any disqualifications, suspensions, revocations, or cancellations and that the driver does not have a driver's license from more than one state. The record check for a commercial driver's license shall include:

\* \* \*

(d) ~~Beginning on or after January 6, 2023~~ November 18, 2024, a check with the Federal Motor Carrier Safety Administration, Drug and Alcohol Clearinghouse, on all ~~applicants~~ applications for the transfer, issuance, renewal, or upgrade of a commercial driver's license or a commercial learner's permit. If the department receives notification that the applicant is prohibited from operating a commercial motor vehicle, the department shall not issue, renew, upgrade, or transfer a commercial learner's permit. In the event the department receives such notification from the Drug and Alcohol Clearinghouse separate from any applicant made pursuant to this Paragraph, the department shall downgrade or disqualify the commercial driver's license or learner's permit in accordance with the suspension, revocation, or denial of a driver's license as provided in R.S. 32:414. An inadvertent issuance of a commercial driver's license or learner's permit to such an applicant shall not be considered a breach of duty on the part of the department to the public or the individual.

\* \* \*

Approved by the Governor, May 23, 2024.

A true copy:

Nancy Landry  
Secretary of State

-----  
**ACT No. 227**

---  
HOUSE BILL NO. 623  
BY REPRESENTATIVE ROMERO  
AN ACT

To amend and reenact R.S. 37:2151(B)(5), relative to the State Licensing

Board for Contractors; to provide for board membership; to provide for nominations; to provide for appointments; to provide for qualifications of members; and to provide for related matters.

Be it enacted by the Legislature of Louisiana:

Section 1. R.S.37:2151(B)(5) is hereby amended and reenacted to read as follows:

§2151. State licensing board for contractors; membership; qualifications; tenure; vacancies

\* \* \*

B. The members shall be selected and appointed as follows:

\* \* \*

~~(5) At least two members shall have had the greater part of their experience as a subcontractor in the construction industry in fields other than electrical or mechanical construction, and shall be appointed from a list of four names submitted by the American Subcontractors Association of Louisiana.~~

~~(a) There shall be one member with the greater part of his experience as a licensed concrete contractor. The speaker of the House of Representatives shall submit to the governor a list of three members of the Louisiana Concrete Association, and the governor shall appoint this member.~~

~~(b) There shall be one member with the greater part of his experience as a subcontractor. The president of the Senate shall submit to the governor a list of three members of the American Subcontractors Association of Louisiana, and the governor shall appoint this member.~~

\* \* \*

Approved by the Governor, May 23, 2024.

A true copy:

Nancy Landry  
Secretary of State

-----  
**ACT No. 228**

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HOUSE BILL NO. 643  
BY REPRESENTATIVE HUGHES  
AN ACT

To amend and reenact R.S. 40:531(B)(2)(a), relative to the Housing Authority of New Orleans; to provide relative to the appointment of commissioners to the authority; and to provide for related matters.

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

Be it enacted by the Legislature of Louisiana:

Section 1. R.S. 40:531(B)(2)(a) is hereby amended and reenacted to read as follows:

§531. Appointment of commissioners to local housing authority

\* \* \*

B.

\* \* \*

(2)(a) ~~Eight~~ Six commissioners, excluding the landlord commissioner, shall be appointed by the mayor of the city of New Orleans. The two tenant commissioners shall be ~~chosen~~ appointed by the president of the New Orleans city council from a list of names submitted to the mayor by the Citywide Tenants Council, Inc., of the housing authority. The number of names submitted shall be three for each vacancy to be filled by a tenant commissioner.

\* \* \*

Approved by the Governor, May 23, 2024.

A true copy:

Nancy Landry  
Secretary of State

-----  
**ACT No. 229**

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HOUSE BILL NO. 701  
BY REPRESENTATIVE CARVER  
AN ACT

To enact Subpart M-1 of Part IV of Chapter 4 of Title 22 of the Louisiana Revised Statutes of 1950, to be comprised of R.S. 22:1430.1 through 1430.4, relative to the regulation of insurance; to create the Insurance Regulatory Sandbox Act; to provide for a short title; to provide for innovation waivers; to provide for requirements of applicants; to provide relative to the authority of the commissioner of insurance; to provide for consumer protections; to provide for disclosures; to provide for extensions of time; to provide for rulemaking; to require reporting; to provide for reciprocity; to provide for a termination date; to provide for an effective date; to provide for redesignation of laws; and to provide for related matters.

Be it enacted by the Legislature of Louisiana:

Section 1. Subpart M-1 of Part IV of Chapter 4 of Title 22 of the Louisiana Revised Statutes of 1950, comprised of R.S. 22:1430.1 through 1430.4, is hereby enacted to read as follows:

SUBPART M-1. INSURANCE REGULATORY SANDBOX ACT

§1430.1. Short Title

This Act shall be known and may be cited as the "Insurance Regulatory Sandbox Act."

§1430.2. Regulatory sandbox and innovation waivers; application requirements; fees; disclosures; prohibitions; rules; extensions

A. The commissioner may grant a variance or waiver with respect to the specific requirements of any insurance law, regulation, directive, or bulletin if a person subject to that law, regulation, directive, or bulletin demonstrates all of the following to the commissioner's satisfaction:

(1) The application of the law, regulation, directive, or bulletin would prohibit the introduction of an innovative or more efficient insurance product or service that the applicant intends to offer during the period for which the proposed waiver is granted.

(2) The public policy goals of the law, regulation, directive, or bulletin will be or have been achieved by other means.

(3) The waiver will not substantially or unreasonably increase any risk to consumers.

(4) The waiver is in the public interest.

B. A person shall include in an application for innovation waiver all of the following:

(1) The identity of the person applying for the waiver.

(2) The identity of the directors and executive officers of the applicant, any persons who are beneficial owners of ten percent or more of the voting securities of the applicant, and any individuals with power to direct the management and policies of the applicant.

(3) A description of the product or service to be offered if the waiver is granted, including how the product or service functions, and the manner and terms on which it will be offered.

(4) A description of the potential benefits to consumers of the product or service.

(5) A description of the potential risks to consumers posed by the product or service or the approval of the proposed waiver and how the applicant proposes to mitigate such risks.

(6) An identification of the statutory or regulatory provision that prohibits the introduction, sale, or offering of the product or service.

(7) A filing fee in an amount determined by the commissioner.

(8) Any additional information required by the commissioner.

C.(1) If approved by the commissioner, an innovation waiver shall be granted for an initial period of up to three years.

(2) Prior to the end of the initial waiver period, the commissioner may grant a one-time extension for up to an additional three years. If a person requests to extend a waiver, the person shall make an extension request to the commissioner at least thirty days prior to the end of the initial waiver period, and shall include the length of the extension period requested and specific reasons why the extension is necessary. The commissioner shall grant or deny an extension request before the end of the initial waiver period.

D. The commissioner shall include in an innovation waiver any terms, conditions, and limitations deemed appropriate by the commissioner, including limits on the amount of premium that may be written in relation to the underlying product or service and the number of consumers that may purchase or utilize the underlying product or service, provided that in no event shall a product or service subject to an innovation waiver be purchased or utilized by more than ten thousand consumers.

E. A person offering a product or service pursuant to an innovation waiver shall clearly and conspicuously disclose to consumers all of the following:

(1) The name and contact information of the person providing the product or service.

(2) That the product or service is authorized pursuant to an innovation waiver for a temporary period of time and may be discontinued at the end of the waiver period, the date of which shall be specified.

(3) Contact information for the department, including how a consumer may file a complaint with the department regarding the product or service.

(4) Any additional disclosures required by the commissioner.

F. The commissioner's decision to grant or deny a waiver or extension is not subject to the contested-case provisions of the Administrative Procedure Act.

G.(1) The commissioner shall not grant a waiver with respect to any of the following:

(a) Any law, regulation, directive, bulletin, or other provision that is not subject to the commissioner's jurisdiction pursuant to this Title.

(b) Any law, regulation, directive, bulletin, or other provision concerning the assets, deposits, investments, capital, surplus, or other solvency requirements applicable to insurers.

(c) The required participation in any assigned risk plan, residual market, or guaranty fund.

(d) Requirements with respect to insurance licensing, insurance trade practices, or particular lines of insurance or insurance products.

(e) Any law, regulation, or bulletin required for the department to maintain its accreditation by the National Association of Insurance Commissioners unless the law or regulation permits variances or waivers.

(f) The application of any taxes or fees.

(g) Any other law, regulation, directive, or bulletin deemed ineligible by the commissioner.

(2) The commissioner shall not grant or extend a waiver that would abridge the recovery rights of consumers.

H. A person who receives a waiver pursuant to this Section shall possess or obtain one or a combination of the following in an amount subject to conditions and purposes the commissioner determines necessary for the protection of consumers:

(1) A contractual liability insurance policy.

(2) A surety bond issued by an authorized surety.

(3) Securities of the type eligible for deposit by authorized insurers in this

state.

(4) Evidence that the applicant has established an account payable to the commissioner in a federally insured financial institution in this state and has deposited money of the United States in an amount equal to an amount required by the commissioner that is not available for withdrawal except by direct order of the commissioner.

(5) A letter of credit issued by a qualified financial institution as defined in R.S. 22:512.

(6) Another form of security authorized by the commissioner

I.(1) At least thirty days prior to granting an innovation waiver, the commissioner shall provide public notice of the draft waiver by publishing all of the following information:

(a) The specific statute, regulation, directive, or bulletin to which the draft waiver applies.

(b) The proposed terms, conditions, and limitations of the draft waiver.

(c) The proposed duration of the draft waiver.

(d) Any additional information deemed appropriate by the commissioner.

(2) The commissioner may satisfy the notice requirement of this Subsection by publication on the department's website.

J.(1) If a waiver is granted pursuant to this Section, the commissioner shall provide public notice of the existence of the waiver by providing all of the following information:

(a) The specific statute, regulation, directive, or bulletin to which the waiver applies.

(b) The name of the person who applied for and received the waiver.

(c) The duration of and any other terms, conditions, or limitations of the waiver.

(d) Any additional information deemed appropriate by the commissioner.

(2) The commissioner may satisfy the notice requirement of this Subsection by publication on the department's website.

K.(1) The commissioner may revoke a waiver if the person who obtains the waiver fails to comply with any terms, conditions, or limitations established by the commissioner or the requirements of this Section or if the waiver is causing consumer harm.

(2) In addition to any other penalties permitted by law, the commissioner may impose a fine of not more than one thousand dollars on any person who obtains a waiver who fails to comply with any terms, conditions, or limitations established by the commissioner or the requirements of this Section.

L.(1) In accordance with the Administrative Procedure Act, the commissioner shall adopt rules and procedures for the submission, granting, denying, monitoring, and revocation of petitions for a waiver pursuant to this Section. The commissioner shall set forth in the procedures all of the following:

(a) The requirements for the ongoing monitoring, examination, supervision of, and reporting by, each person granted a waiver pursuant to this Section.

(b) An expedited application process for a product or service that is substantially similar to one for which a waiver has previously been granted by the commissioner.

(c) Procedure that provides an opportunity for public comment on draft waivers under consideration by the commissioner.

(2) The commissioner may attach reasonable conditions or limitations on the conduct permitted pursuant to a waiver.

(3) The commissioner may adopt any other rules necessary to effectuate the purposes of this Subpart.

M. Upon expiration of an innovation waiver, the person who obtained the waiver shall cease all activities that were only permitted as a result of the waiver and comply with all generally applicable laws and regulations.

N. The commissioner's authority to grant a waiver pursuant to this Section does not limit or otherwise affect his authority to exercise discretion to waive or enforce any provision of this Title or applicable administrative regulations.

O. On or before January first of each calendar year, the commissioner shall submit a report for the previous calendar year to the Senate Committee on Insurance and the House Committee on Insurance providing all of the following information:

(1) The total number of applications for waivers that have been received, granted, and denied by the commissioner.

(2) For each waiver granted by the commissioner, the information specified pursuant to Paragraph (J)(1) of this Section.

(3) A list of any regulations, directives, or bulletins that have been adopted or amended as a result of or in connection with a waiver granted pursuant to this Section.

(4) With respect to each statute to which a waiver applies, the commissioner's recommendation as to whether such statute should be continued, eliminated, or amended in order to promote innovation and establish a uniform regulatory system for all regulated entities.

(5) A list of any waivers that have lapsed or been revoked and, if revoked, a description of other regulatory or disciplinary actions, if any, that resulted in, accompanied, or resulted from such revocation.

P. The commissioner shall not grant new waivers or extensions after June 30, 2029.

#### §1430.3. Reciprocity

The commissioner may enter into agreements with other states that have enacted laws substantially similar to this Subpart in order to advance the purposes of this Subpart and to facilitate the consideration of applications for innovation waivers from persons who have satisfied the requirements of this Subpart and received similar waivers in other states.

#### §1430.4. Effectiveness of Subpart

This Subpart shall terminate on June 30, 2032.

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.

Section 3. The Louisiana State Law Institute is hereby directed to redesignate Subpart M of Part IV of Chapter 4 of Title 22 of the Louisiana Revised Statutes of 1950, comprised of R.S. 22:1431, as "Subpart M-2. Portable Electronics".

Approved by the Governor, May 23, 2024.

A true copy:

Nancy Landry  
Secretary of State

### ACT No. 230

#### HOUSE BILL NO. 739 BY REPRESENTATIVE FONTENOT AN ACT

To amend and reenact R.S. 33:2481.4(C)(1), 2491(introductory paragraph) and (1), 2492(2) and (11), 2494(A) and (D), 2496(1)(a)(i) and (iii), 2541.1(C)(1)(b)(i), 2551(introductory paragraph) and (9), 2552(1)(a) and (c), (2), and (11), 2554(A) and (D), and 2556(1)(a)(i) and (iii) and to enact R.S. 33:2481(B)(7) and 2541(B)(6), relative to the municipal fire and police civil service; to provide relative to certain positions in the classified service; to provide relative to the establishment and maintenance of employment lists; to provide relative to tests administered by the state examiner; to provide relative to the certification and appointment of eligible persons; to provide that certain officers, employees, and positions are in the unclassified service; and to provide for related matters.

Be it enacted by the Legislature of Louisiana:

Section 1. R.S. 33:2481.4(C)(1), 2491(introductory paragraph) and (1), 2492(2) and (11), 2494(A) and (D), 2496(1)(a)(i) and (iii), 2541.1(C)(1)(b)(i), 2551(introductory paragraph) and (9), 2552(1)(a) and (c), (2), and (11), 2554(A) and (D), and 2556(1)(a)(i) and (iii) are hereby amended and reenacted and R.S. 33:2481(B)(7) and 2541(B)(6) are hereby enacted to read as follows:

§2481. Classified and unclassified service

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B. The unclassified service shall comprise the following:

\* \* \*

(7) All officers, employees, and positions with primary duties that include wellness, mental health, or physical fitness.

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§2481.4. Deputy chief of police; competitive appointment

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C.(1)(a) Any person who is appointed from a position in the classified police service to serve as deputy chief of police shall not forfeit his departmental or promotional seniority accumulated to the date of his appointment, and he shall continue to accumulate departmental or promotional seniority in accordance with the provisions of this Part during the time he holds the position of deputy chief of police.

(b) ~~The deputy chief of police shall serve indefinitely in the classified competitive position and shall be evaluated every three years by the chief of police. After each evaluation by the chief of police, the chief may reconfirm the deputy chief for another three year period, or may, at his discretion, demote the deputy chief to his former class of positions. The deputy chief of police shall serve indefinitely in the classified competitive position and shall be evaluated three years from the date of his initial appointment by the chief of police. Thereafter, the deputy chief of police shall be evaluated every year by the chief of police. After each and every evaluation by the chief of police, the chief may reconfirm the deputy chief for another one-year period, or may at his discretion, demote the deputy chief to his former class of position. The demotion described in this Subparagraph shall not constitute corrective or disciplinary action and the classified employee shall not have appeal rights in regards to such action.~~

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§2491. Establishment and maintenance of employment lists

Except for the positions of entrance firefighter, and entrance police officer, entrance jailer, secretary to the chief, departmental records clerk, and for the entrance classes for which the operation and maintenance of radio, alarm, or signal systems for the respective fire or police service is the primary duty, the board shall establish and maintain employment lists containing names of persons eligible for appointment to the various classes of positions in the classified service, as follows:

\* \* \*

I.(4) For purposes of entrance firefighter, ~~and~~ entrance police officer, ~~positions~~ entrance jailer, secretary to the chief, departmental records clerk, and for the entrance classes for which the operation and maintenance of radio, alarm, or signal systems for the respective fire or police service is the primary duty, the state examiner shall establish and maintain a statewide eligibility list containing names of persons eligible for appointment to these classes by any municipality, parish, or fire protection district under the



municipal fire and police civil service system.

~~(2) A person who has attained a passing score on an examination administered by the state examiner for entrance jailer, secretary to the chief, departmental records clerk, or for the entrance classes for which the operation and maintenance of radio, alarm, or signal systems for the respective fire or police services is the primary duty may have his name placed on the employment list of any municipality, parish, or fire protection district under the Municipal Fire and Police Civil Service System, provided the person's application and score are accepted by the board of the municipality, parish, or fire protection district in which he seeks employment. In order that his name may be placed upon the employment eligibility list, a person shall be required to meet the minimum qualifications adopted as rules of the respective civil service board, as if making original application for admission to the test. The eligibility of such an applicant shall not continue past the date on which his original eligibility expired.~~

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§2492. Tests

Tests to determine the eligibility of applicants for entry upon the promotional and competitive employment lists shall be provided, as follows:

\* \* \*

~~(2)(a) For the testing of entrance firefighter, and the entrance police officer, entrance jailer, secretary to the chief, departmental records clerk, and for the entrance classes for which the operation and maintenance of radio, alarm, or signal systems for the respective fire or police service is the primary duty testing, the state examiner shall publish notice on his website for ten-day notice of ten days regarding the location for where such tests are to be held and the final date on which applications for admission to the test will be received. This notice of examination shall reveal the exact date on which the test shall be administered. However, all applicants shall be advised of the time and place to report for an announced test at least five days in advance in any manner the state examiner may prescribe. The state examiner shall provide for online entrance firefighter and entrance police testing as provided for in this Section by Fiscal Year 2022.~~

~~(b) As may be necessary from time to time, the state examiner may call for and administer examinations for the entrance classifications of firefighter, police officer, secretary to the chief, departmental records clerk, jailer, and for the entrance classes for positions of which the operation and maintenance of a radio, alarm, or signal system for the fire or police service is the primary duty. Tests may be administered at the discretion of the state examiner in any municipality, parish, or fire protection district to which this Part applies. Official notification shall not be made to the extent required under Paragraph (1) of this Section; however, public notice shall be published at least four times during a thirty-day period in the official journal of the state of Louisiana and may be posted on the bulletin board in each station of the respective department. This notice of examination need not state the exact date on which tests shall be administered, but all applicants shall be advised of the date, place, and time to report for an announced test at least five days in advance thereof in any manner the state examiner may prescribe.~~

\* \* \*

~~(11) Each applicant who makes a passing score on a test administered by the state examiner under the provisions of Paragraph (2) of this Section shall be advised, in any manner the state examiner prescribes, of his final score. Except for the positions of entrance firefighter and entrance police officer, such score may be reported and approved by the board under the provisions of R.S. 33:2491(D). The original eligibility of an applicant under the provisions of this Paragraph shall be the period of not more than eighteen months after the date on which the signature of the state examiner was affixed to his notification of score.~~

\* \* \*

§2494. Certification and appointment

~~A.(1) Except for the positions of entrance firefighter, and entrance police officer, entrance jailer, secretary to the chief, departmental records clerk, and for the entrance classes for which the operation and maintenance of radio, alarm, or signal systems for the respective fire or police service is the primary duty, whenever the appointing authority proposes to fill a vacancy in the classified service, except by demotion, transfer, emergency appointment, or by substitute employment not to exceed thirty days, he shall request the board to certify names of persons eligible for appointment to the vacant position. The board shall thereupon certify in writing the names of eligible persons from the appropriate employment list, and the appointing authority shall, if he fills the vacancy, make the appointment as provided by this Section.~~

~~(2) Whenever the appointing authority proposes to fill a vacancy in entrance level firefighter, and entrance level police officer, entrance jailer, secretary to the chief, departmental records clerk, and for the entrance classes for which the operation and maintenance of radio, alarm, or signal systems for the respective fire or police service is the primary duty, he shall request the state examiner to certify names of persons eligible for appointments to the vacant position. The state examiner shall certify in writing the names of eligible persons from the appropriate list, and the appointing authority shall, if he fills the vacancy, make the appointment as provided by this Section.~~

\* \* \*

~~D. Certification and appointment from the competitive list shall be limited to those conditions and classifications for which the competitive test may be given as provided by R.S. 33:2492. Upon the appointing authority's request for the certification of eligible persons from which he may fill a vacancy, and if the competitive list is the appropriate list from which the names of eligible~~

persons shall be certified, the board or the state examiner shall certify the names of the persons upon that list, in the order in which they appear thereon, for the class in which the vacancy is to be filled. The appointing authority shall select and appoint to the first vacancy to be filled; any one of the persons so certified to him for the vacancy. In making appointments to entrance firefighter, and entrance police officer, entrance jailer, secretary to the chief, departmental records clerk, and for the entrance classes for which the operation and maintenance of radio, alarm, or signal systems for the respective fire or police service is the primary duty, the appointing authority shall verify the applicant meets the minimum qualifications as established by the board. Additionally, in making such appointment to entry-level positions, the appointing authority shall give a preference to Louisiana residents. If any one or more persons so certified should refuse the appointment, the appointing authority shall then select and appoint any one of the remaining persons certified by the board or the state examiner. This procedure shall be followed until the position has been filled by appointment of one of the persons certified from the list and willing to accept the appointment, or until each person whose name appears upon the list has in this manner been certified for the vacancy.

\* \* \*

§2496. Temporary appointments

Temporary appointments may be made to positions in the classified service without the appointees acquiring any permanent status therein, as follows:

~~(1)(a)(i) Except for a vacancy in the classes of entrance firefighter, or entrance police officer, entrance jailer, secretary to the chief, departmental records clerk, and for the entrance classes for which the operation and maintenance of radio, alarm, or signal systems for the respective fire or police service is the primary duty, when a vacancy is to be filled in a position of a class for which the board is unable to certify names of persons eligible for regular and permanent, or substitute, appointment, the appointing authority may make a provisional appointment of any person considered qualified. Whenever practicable, the appointment should be made by the provisional promotion of an employee of a lower class. A provisional appointment shall not continue for more than three months. No position in the classified service shall be filled by one or more provisional appointments for a period in excess of three consecutive months and successive like periods shall not be permissible. The board may, however, authorize the renewal of such appointment, or authorize such successive appointments for a period not to exceed three additional months whenever it has been impracticable or impossible to establish a list of persons eligible for certification and appointment to the vacancy. Except as provided in Subparagraph (b) of this Paragraph, any provisional appointment, if not terminated sooner, shall terminate upon the regular filling of the vacancy in any manner authorized under this Part and, in any event, within fifteen days after a certification from which a regular, or substitute, appointment, as the case may be, can be made under the provisions of this Part. A provisional appointment shall be reported to the board within fifteen days following the appointment.~~

\* \* \*

~~(iii) When a vacancy is to be filled in the classes of entrance firefighter, or entrance police officer, entrance jailer, secretary to the chief, departmental records clerk, and for the entrance classes for which the operation and maintenance of radio, alarm, or signal systems for the respective fire or police service is the primary duty, the appointing authority may make a provisional appointment of any person considered qualified. A provisional appointment shall not exceed sixty days. Successive appointments in the classes of entrance firefighter, entrance police officer, entrance jailer, secretary to the chief, departmental records clerk, and for the entrance classes for which the operation and maintenance of radio, alarm, or signal systems for the respective fire or police service is the primary duty shall be prohibited.~~

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§2541. Classified and unclassified service

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B. The unclassified service shall comprise the following:

\* \* \*

~~6. All officers, employees and positions with primary duties that include wellness, mental health, or physical fitness.~~

\* \* \*

§2541.1. Deputy chief of police; competitive appointment

\* \* \*

C.(1)

\* \* \*

~~(b)(i) The deputy chief of police shall serve indefinitely in the classified competitive position and shall be evaluated every three years by the chief of police. After each evaluation by the chief of police, the chief may reconfirm the deputy chief for another three-year period, or may, at his discretion, demote the deputy chief to his former class of positions. The deputy chief of police shall serve indefinitely in the classified competitive position and shall be evaluated three years from the date of his initial appointment by the chief of police. Thereafter, the deputy chief of police shall be evaluated every year by the chief of police. After each and every evaluation by the chief of police, the chief may reconfirm the deputy chief for another one-year period, or may at his discretion, demote the deputy chief to his former class of position. The demotion described in this Item shall not constitute corrective or disciplinary action and the classified employee shall not have appeal rights in regards to such action.~~

\* \* \*

§2551. Establishment and maintenance of employment lists

Except for the positions of entrance firefighter, ~~and~~ entrance police officer, entrance jailer, secretary to the chief, departmental records clerk, and for the entrance classes for which the operation and maintenance of radio, alarm, or signal systems for the respective fire or police service is the primary duty, the board shall establish and maintain lists containing names of persons eligible for appointment to the various classes of positions in the classified service as follows:

\* \* \*

(9)(a) For purposes of ~~entry level~~ entrance firefighter, ~~and~~ ~~entry level~~ entrance police officer positions, entrance jailer, secretary to the chief, departmental records clerk, and for the entrance classes for which the operation and maintenance of radio, alarm, or signal systems for the respective fire or police service is the primary duty, the state examiner shall establish and maintain a statewide eligibility list containing the names of persons eligible for appointment to these classes by any municipality, parish, or fire protection district under the municipal fire and police civil service system.

(b) ~~A person who has attained a passing score on an examination administered by the state examiner for entrance police officer, entrance firefighter, entrance jailer, secretary to the chief, departmental records clerk, or for the entrance classes for which the operation and maintenance of radio, alarm, or signal systems for the respective fire or police services is the primary duty may have his name placed on the employment list of any municipality, parish, or fire protection district under the Municipal Fire and Police Civil Service System, provided the person's application and score are accepted by the board of the municipality, parish, or fire protection district in which he seeks employment. In order that his name may be placed upon the employment eligibility list, a person shall be required to meet the minimum qualifications adopted as rules of the respective civil service board, as if making original application for admission to the test. The eligibility of such an applicant shall not continue past the date on which his original eligibility expired.~~

\* \* \*

§2552. Tests

Tests to determine the eligibility of applicants for entry upon the promotional and competitive employment lists shall be provided, as follows:

(1)(a) Except for entrance firefighter, ~~and~~ entrance police officer, entrance jailer, secretary to the chief, departmental records clerk, and for the entrance classes for which the operation and maintenance of radio, alarm, or signal systems for the respective fire or police service is the primary duty, the board shall provide through the state examiner for promotional or competitive tests. Official notice of examination shall be posted on the bulletin board in each station of the respective department. The notice shall state (i) class of positions for which tests will be given, (ii) whether the tests will be given on a promotional or competitive basis, and (iii) the final date on which applications for admission to the tests will be received. The notice shall be posted for a continuous period of ten days preceding the date for administering the tests.

\* \* \*

(c) For the testing of entrance firefighter, ~~and~~ the entrance police officer, entrance jailer, secretary to the chief, departmental records clerk, and for the entrance classes for which the operation and maintenance of radio, alarm, or signal systems for the respective fire or police service is the primary duty testing, the state examiner shall publish notice on his website for ten-day notice of ten days regarding the location for where such tests are to be held and the final date on which applications for admission to the test will be received. This notice of examination shall reveal the exact date on which the test shall be administered. However, all applicants shall be advised of the place and time to report for an announced test at least five days in advance in any manner the state examiner may prescribe. ~~The state examiner shall provide for online entrance firefighter and entrance police testing as provided for in this Section by Fiscal Year 2022.~~

(2) As may be necessary from time to time, the state examiner may call for and administer examinations for the entrance classifications of firefighter, police officer, secretary to the chief, departmental records clerk, jailer, and for the entrance classes for positions of which the operation and maintenance of a radio, alarm, or signal system for the fire or police service is the primary duty. Tests may be administered at the discretion of the state examiner in any municipality, parish, or fire protection district to which this Part applies. ~~Official notification shall not be made to the extent required under Paragraph (1) of this Section; however, public notice shall be published at least four times during a thirty-day period in the official journal of the state of Louisiana and may be posted on the bulletin board in each station of the respective department. This notice of examination need not state the exact date on which tests shall be administered, but all applicants shall be advised of the date, place, and time to report for an announced test at least five days in advance thereof in any manner the state examiner may prescribe.~~

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(11) Each applicant who makes a passing score on a test administered by the state examiner pursuant to Subparagraph (1)(c) or Paragraph (2) of this Section shall be advised, in any manner the state examiner prescribes, of his final score. ~~Except for the positions of entrance firefighter and entrance police officer, such score may be reported and approved by the board under the provisions of R.S. 33:2551(9). The original eligibility of an applicant under the provisions of this Paragraph shall be the period of not more than eighteen months after the date on which the signature of the state examiner was affixed~~

\* As it appears in the enrolled bill

to his notification of score:

\* \* \*

§2554. Certification and appointment

A.(1) Except for entrance firefighter, ~~and~~ entrance police officer, entrance jailer, secretary to the chief, departmental records clerk, and for the entrance classes for which the operation and maintenance of radio, alarm, or signal systems for the respective fire or police service is the primary duty, whenever the appointing authority proposes to fill a vacancy in the classified service, except by demotion, transfer, emergency appointment, or by substitute employment not to exceed thirty days, he shall request the board to certify names of persons eligible for appointment to the vacant position. The board thereupon shall certify in writing the names of eligible persons from the appropriate employment list, and the appointing authority shall, if it fills the vacancy, make the appointment as provided by this Section.

(2) Whenever the appointing authority proposes to fill a vacancy in entrance level firefighter, ~~or~~ entrance level police officer, entrance jailer, secretary to the chief, departmental records clerk, and for the entrance classes for which the operation and maintenance of radio, alarm, or signal systems for the respective fire or police service is the primary duty, he shall request the state examiner to certify names of persons eligible for appointments to the vacant position. The state examiner shall certify in writing the names of eligible persons from the appropriate list, and the appointing authority shall, if he fills the vacancy, make the appointment as provided by this Section.

\* \* \*

D. Certification and appointment from the competitive list shall be limited to those conditions and classifications for which the competitive test may be given as provided by R.S. 33:2552(7). Upon the appointing authority's request for the certification of eligible persons from which it may fill a vacancy, and if the competitive list is the appropriate list from which the names of eligible persons shall be certified, the board or the state examiner shall certify the names of the persons upon that list, in the order in which they appear thereon, for the class in which the vacancy is to be filled. The appointing authority shall select and appoint to the first vacancy to be filled any one of the persons so certified to it for the vacancy. In making appointments to the positions of entrance firefighter, ~~and~~ entrance police officer, entrance jailer, secretary to the chief, departmental records clerk, and for the entrance classes for which the operation and maintenance of radio, alarm, or signal systems for the respective fire or police service is the primary duty, the appointing authority shall verify the applicant meets the minimum qualifications as established by the board. Additionally, in making such appointment to entry-level positions, the appointing authority shall give a preference to Louisiana residents. If any one or more persons so certified refuses the appointment, the appointing authority then shall select and appoint any one of the remaining persons certified by the board or the state examiner. This procedure shall be followed until the position has been filled by appointment of one of the persons certified from the list and willing to accept the appointment, or until each person whose name appears upon the list has in this manner been certified for the vacancy.

\* \* \*

§2556. Temporary appointments

Temporary appointments may be made to positions in the classified service without the appointees acquiring any permanent status therein, as follows:

(1)(a)(i) Except for a vacancy in the classes of entrance firefighter, ~~or~~ entrance police officer, entrance jailer, secretary to the chief, departmental records clerk, and for the entrance classes for which the operation and maintenance of radio, alarm, or signal systems for the respective fire or police service is the primary duty, when a vacancy is to be filled in a position of a class for which the board is unable to certify names of persons eligible for regular and permanent or substitute appointment, the appointing authority may make a provisional appointment of any person considered qualified. When practicable, the appointment shall be made by the provisional promotion of any employee of a lower class. A provisional appointment shall not continue for more than three months. No position in the classified service shall be filled by one or more provisional appointments for a period in excess of three consecutive months and successive like periods shall not be permissible. The board may, however, authorize the renewal of such appointment, or authorize such successive appointments for a period not to exceed three additional months whenever it has been impracticable or impossible to establish a list of persons eligible for certification and appointment to a vacancy. Except as provided in Item (ii) of this Subparagraph, any provisional appointment, if not terminated sooner, shall terminate upon the regular filling of the vacancy in any manner authorized under this Part and, in any event, within fifteen days after a certification from which a regular or substitute appointment, as the case may be, can be made under the provisions of this Part. A provisional appointment shall be reported to the board within fifteen days following the appointment.

\* \* \*

(iii) When a vacancy is to be filled in the classes of entrance firefighter, ~~or~~ entrance police officer, entrance jailer, secretary to the chief, departmental records clerk, and for the entrance classes for which the operation and maintenance of radio, alarm, or signal systems for the respective fire or police service is the primary duty, the appointing authority may make a provisional appointment of any person considered qualified. A provisional appointment shall not exceed sixty days. Successive appointments in the classes of entrance firefighter, ~~and~~ entrance police officer, entrance jailer, secretary to the chief, departmental records clerk, and for the entrance classes for which

the operation and maintenance of radio, alarm, or signal systems for the respective fire or police service is the primary duty shall be prohibited.

Approved by the Governor, May 23, 2024.  
A true copy:  
Nancy Landry  
Secretary of State

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**ACT No. 231**

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HOUSE BILL NO. 754  
BY REPRESENTATIVE LAFLEUR  
AN ACT

To enact R.S. 13:842.4, relative to the establishment of the Complex Litigation Section Pilot Program in the Nineteenth Judicial District Court; to provide for definitions; to authorize the clerk of court of East Baton Rouge Parish to establish the Complex Litigation Section Pilot Program; to provide for additional filing fees in certain civil suits; to establish the Complex Litigation Section Fund; and to provide for related matters.

Be it enacted by the Legislature of Louisiana:

Section 1. R.S. 13:842.4 is hereby enacted to read as follows:

§842.4. Complex Litigation Section Pilot Program; filing fees; Nineteenth Judicial District Court

A. As used in this Section, the term “complex litigation” shall mean a type of civil case that involves multifaceted legal and case management issues requiring all-encompassing judicial management to expedite litigation and promote effective decision-making by all parties and the court. In order to determine if a case may be referred to the Complex Litigation Section, the court shall consider certain factors including but not limited to the following:

(1) The need for a high degree of case management, including the handling of discovery disputes and motion practice.

(2) The expectation of numerous pre-trial or discovery motions raising difficult, novel, inextricably intertwined, or time consuming legal issues.

(3) The expectation of extensive and intensive document review or in camera inspection by the court.

(4) The presence of a large number of parties represented by separate counsel on the principal action or any cross-claims, reconventional demands, or third-person interventions.

(5) The need to manage a large amount of physical and electronic documents during the pendency of the suit and at a trial.

(6) The need to manage a large number of expert witnesses.

(7) The anticipation of a lengthy trial duration.

(8) The action satisfies the prerequisites of a class action and may be maintained as a class action under Code of Civil Procedure Article 591, including mass tort actions.

(9) The need for an appointment of a special master.

(10) Any other criteria deemed complex by the court.

B. The Nineteenth Judicial District Court may establish the Complex Litigation Section Fund to provide for additional filing fees for complex litigation cases. Pursuant to this program, and notwithstanding any other provision of law to the contrary, the clerk of court may demand and receive a filing fee of two hundred dollars for each case referred to the Complex Litigation Section.

C. The clerk of court shall collect all monies generated pursuant to this Section and forward them to the Nineteenth Judicial District Court for placement in a separate account to be designated as the Complex Litigation Section Fund for the Nineteenth Judicial District Court. The Complex Litigation Section Fund may be used for any operating expenses of the section, including salaries. The court shall keep accurate records, shall cause to be conducted an annual audit of the fund and the books and accounts relating to the fund, and shall file the audit with the office of the legislative auditor where it shall be available for public inspection.

D. The pilot program authorized by this Section shall be effective for a period of two years, unless extended by the legislature.

Approved by the Governor, May 23, 2024.

A true copy:  
Nancy Landry  
Secretary of State

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**ACT No. 232**

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HOUSE BILL NO. 755  
(Substitute for House Bill No. 401 by Representative Zeringue)  
BY REPRESENTATIVE ZERINGUE  
AN ACT

To enact R.S. 2:604.3, relative to the Houma-Terrebonne Airport Commission; to authorize the Houma-Terrebonne Airport Commission to appoint and commission peace officers to enforce laws, rules, and regulations to secure the protection of persons, properties, or interests relating to the commission within the jurisdictional boundaries of the Houma-Terrebonne airport; 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. 2:604.3 is hereby enacted to read as follows:  
§604.3. Houma-Terrebonne Airport Commission; peace officers; appointment, duties, and powers

A. The Houma-Terrebonne Airport Commission may, in its discretion, appoint and commission peace officers who shall enforce laws, rules, and regulations to secure the protection of persons, properties, or interests relating to the commission, and only within the commission's jurisdiction. Such jurisdiction shall consist of the physical boundaries of the Houma-Terrebonne airport as defined within the Code of Ordinances of the parish of Terrebonne and any immovable properties owned by the commission.

B. Peace officers so commissioned and appointed by the commission shall be employees of the commission and meet the following requirements:

(1) Be citizens of the state of Louisiana.

(2) Have attained the age of twenty-one. (3) Be P.O.S.T. certified in accordance with the Peace Officers Standard and Training law.

C. Under the direction and control of the commission, the commission's peace officers shall exercise regular police powers of the state granted to law enforcement officers with respect to criminal and other offenses affecting the protection of persons, properties, or interests, but only as it relates to the commission, the airport, or to the performance of their duties for the commission, and only within the commission's jurisdiction.

D. Nothing in this Section shall prevent municipal, parish, or state law enforcement agencies with jurisdiction in Terrebonne Parish from maintaining and exercising their police powers within the commission's jurisdiction. In the event of a serious incident or contested scene, final authority shall be deferred to the police chief or his proxy.

E. Except for exigent circumstances, the commission's peace officers shall report and refer to a municipal, parish, or state law enforcement agency any suspected criminal activity within the commission's jurisdiction which may result in felony charges. A municipal, parish, or state law enforcement agency having concurrent jurisdiction with the commission, may, at its discretion, take the lead in or take over any investigation originating with the commission. The commission peace officers shall cooperate with such agency.

F. Any persons arrested by the commission's peace officers, and the return of all warrants or processes served by said officers, shall be surrendered or delivered to the appropriate law enforcement agency within the parish of Terrebonne.

G. The commission shall adopt rules and regulations for the conduct, management, training, and control of its peace officers, and may, from time to time, amend such rules and regulations in its discretion. The commission shall ensure its peace officers maintain proper and regular law enforcement training.

H. Nothing in this Section shall be deemed, nor is it intended, to alter the assessment, collection, and administration of ad valorem tax revenues within the commission's jurisdiction.

Approved by the Governor, May 23, 2024.

A true copy:  
Nancy Landry  
Secretary of State

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**ACT No. 233**

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HOUSE BILL NO. 757  
BY REPRESENTATIVE LAFLEUR  
AN ACT

To amend and reenact R.S. 13:991(A), relative to court costs; to provide relative to judicial expense funds of district courts; to provide relative to the judicial expense fund for the Nineteenth Judicial District Court; to increase filing fees and court costs in civil suits; and to provide for related matters.

Be it enacted by the Legislature of Louisiana:

Section 1. R.S. 13:991(A) is hereby amended and reenacted to read as follows:

§991. Judicial expense fund for ~~nineteenth judicial district~~ Nineteenth Judicial District; established

A. In addition to all other fees or costs now or hereafter provided by law, the clerk of court of the Nineteenth Judicial District shall collect from every person filing any type of civil suit or proceeding and who is not otherwise exempted by law from the payment of court costs, a sum to be determined by the judges of said district, sitting en banc, which sum shall not exceed fifteen of sixty dollars, subject, however, to the provisions of Louisiana Code of Civil Procedure, Article 5181, et seq.; and, in all criminal cases over which the Nineteenth Judicial District Court has jurisdiction, there shall be taxed as costs against every defendant who is convicted after trial or after plea of guilty or who forfeits his bond, a sum likewise determined but which shall not exceed five dollars, shall be in addition to all other fines, costs or forfeitures lawfully imposed and which shall be transmitted to the said clerk for further disposition in accordance herewith.

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Approved by the Governor, May 23, 2024.

A true copy:  
Nancy Landry  
Secretary of State

ACT No. 234

HOUSE BILL NO. 789
BY REPRESENTATIVE BOURRIQUE
AN ACT

To amend and reenact R.S. 13:964(H), relative to court reporters for the Fourteenth Judicial District Court; to extend application of fees to all reported and transcribed cases; and to provide for related matters.

Be it enacted by the Legislature of Louisiana:

Section 1. R.S. 13:964(H) is hereby amended and reenacted to read as follows:

§964. Court reporters for Fourteenth Judicial District

H. In all cases which are reported and transcribed for appeal, a fee of three dollars and twenty-five cents per page for originals, and seventy-five cents per page for each copy, shall be charged by and paid to the reporter. In those cases which are reported but not transcribed, one-half of the fees provided in this Subsection for originals shall be charged by and paid to the reporter. Such fees shall be retained by a majority of the judges shall determine the amount of the fee which shall be paid to the court reporter for the transcription of each page of all testimony reported and transcribed and the amount of the fee per copy of each page of transcribed testimony. The provisions of this Subsection shall also apply to cases which are reported but not transcribed. Such fees shall be retained by the reporter as compensation, in addition to the salary provided for in Subsection G of this Section, and shall be taxed as costs of the suit in which the testimony is taken.

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 23, 2024.

A true copy:
Nancy Landry
Secretary of State

ACT No. 235

HOUSE BILL NO. 790
(Substitute for House Bill No. 196 by Representative Bamburg)
BY REPRESENTATIVE BAMBURG
AN ACT

To repeal R.S. 40:1429, relative to the insurance fraud investigation unit within the Department of Public Safety and Corrections; to repeal the effectiveness provision of the insurance fraud investigation unit; and to provide for an effective date.

Be it enacted by the Legislature of Louisiana:

Section 1. R.S. 40:1429 is hereby repealed in its entirety.

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

Approved by the Governor, May 23, 2024.

A true copy:
Nancy Landry
Secretary of State

ACT No. 236

HOUSE BILL NO. 791
(Substitute for House Bill No. 304 by Representative Braud)
BY REPRESENTATIVE BRAUD
AN ACT

To repeal R.S. 22:1931.13, relative to the Sledge Jeanson Louisiana Insurance Fraud Prevention Act; to repeal the termination provision of the Act; and to provide for an effective date.

Be it enacted by the Legislature of Louisiana:

Section 1. R.S. 22:1931.13 is hereby repealed in its entirety.

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

Approved by the Governor, May 23, 2024.

A true copy:
Nancy Landry
Secretary of State

ACT No. 237

HOUSE BILL NO. 799
BY REPRESENTATIVE ST. BLANC
AN ACT

To amend and reenact the heading of Chapter 23 of Title 25 of the Revised Statutes of 1950 and R.S. 25:1011, 1012, 1013(A)(3) and (5) and (B), and 1014 and R.S. 36:4(B)(36), to enact R.S. 42:17(E) and R.S. 44:4.1(B)(40), and to repeal R.S. 25:1016, relative to the Louisiana Governor's Mansion Advisory Commission; to provide for the jurisdictional area of the commission; to provide for membership; to provide for the term of membership for certain members; to provide for the powers, duties, and responsibilities of the commission; to provide for exceptions to the Public Records Law and Open Meetings Law; to provide for an effective date; and to provide for related matters.

Be it enacted by the Legislature of Louisiana:

Section 1. The heading of Chapter 23 of Title 25 of the Revised Statutes of 1950 and R.S. 25:1011, 1012, 1013(A)(3) and (5) and (B), and 1014 are hereby amended and reenacted to read as follows:

CHAPTER 23. LOUISIANA GOVERNOR'S MANSION ADVISORY COMMISSION

§1011. Establishment; purpose

The Louisiana Governor's Mansion Advisory Commission, hereafter in this Chapter referred to as the commission, is hereby created and established as an agency in the office of the governor, for purposes of providing recommendations on the protection and enhancement of the governor's mansion, its contents, furnishings, and grounds. The purpose of the commission is to ensure a continuum in the appearance, the preservation of contents, furnishings, and surrounding areas of the governor's mansion consistent with the historical significance and importance of the governor's mansion.

§1012. Jurisdictional area

The commission shall have jurisdiction over the public as well as private areas of the governor's mansion and grounds. Public areas shall consist of the first floor, the stairwell in the rotunda, the state wing of the second floor, and all grounds in front and on each side of the mansion. The private areas of the governor's mansion and grounds shall be all other areas within the mansion and grounds not specifically described as a public area in this Section.

§1013. Membership; appointment; terms; officers; compensation

A. The commission shall be composed as follows:

(3) The chief of staff of the governor's spouse or, if the governor has no spouse, the person employed at the governor's mansion in the position known as the executive residence director.

(5) Three members appointed by the governor after consultation with staff employed at the governor's mansion.

B. (1) The initial terms of the members appointed pursuant to Paragraphs (A)(2), (4), and (5) of this Section shall be as determined by lot at the first meeting of the commission as follows: one member shall serve an initial term of one year; one member shall serve an initial term of two years; one member shall serve an initial term of three years; one member shall serve an initial term of four years; and one member shall serve an initial term of five years.

(2) After the initial term of office, the term of each of the members appointed pursuant to Paragraphs (A)(2), (4), and (5) of this Section shall be five years. The members appointed pursuant to Paragraphs (A)(2), (4), and (5) shall serve at the pleasure of the appointing authority.

§1014. Commission powers, duties, and responsibilities; approval of changes required

A. No improvement, renovation, redecoration, or enhancement of the public or private areas and grounds of the governor's mansion shall be made without the prior approval of the commission. Commission approval shall be required prior to any painting, renovation, non-appliance repair, redecoration, or significant movement of or rearrangement of furniture, artwork, antique pieces, vases, or other items in the public areas.

B. In addition, the The commission shall have the following powers, duties, functions, and responsibilities:

(1) To make recommendations relative to improvements, renovation, redecoration, or enhancement of the governor's mansion.

(2) To hold meetings as necessary, which shall be held at the governor's mansion.

(3) To promote a greater understanding and awareness of the importance and significance of the governor's mansion and enhance and maintain the appearance, furnishings, and surroundings thereof so that it may serve as a symbol and actual representation of the history and cultural heritage of the state.

(2) (4) To assist in research for and promote the publication of appropriate materials concerning the governor's mansion and its contents and grounds and the history and significance thereof, and to coordinate and guide any such activity by other state and local agencies.

(3) (5)(a) To enter into loan agreements, subject to the approval of the governor, for the loan of any item that is not owned by the state and that is to be housed in the governor's mansion or located on its grounds and for the loan of any item owned or controlled by another state agency which is to be housed in the governor's mansion or located on its grounds.

(b) Any item that is the subject of a loan agreement shall be included in the property inventory of the governor's mansion as required by R.S. 39:324.

~~(c) Any item that is the subject of a loan agreement shall be covered by adequate insurance through the office of risk management to insure repair or replacement. The commission shall participate in the state's risk management program and provide for such coverage through the program.~~

~~(4) (6) To create a program for annual audit, spot-check inventory, and post-audit functions for the protection of all items contained in the inventory that are owned by the state or on loan to the state and that are housed in the governor's mansion or located on its grounds.~~

~~(7) To provide the office of risk management in the division of administration with a property inventory for the assessment of adequate insurance through the office of risk management to insure the repair or replacement of items housed in the governor's mansion or located on its grounds, including items that are not owned by the state.~~

~~(5) (8) To provide a procedure for receiving inventory items at the end of a governor's term and for turning over the inventory items to the incoming governor's spouse or designee.~~

~~(9) To assist and advise in the orderly transition from one governor to his successor with respect to all matters within the jurisdiction of the commission.~~

~~(6) (10) To monitor public and private areas and grounds of the governor's mansion to ensure proper maintenance and repair.~~

B.(1) Meetings of the commission shall be exempt from the provisions of R.S. 42:11 et seq.

(2) Records of the commission shall be exempt from the provisions of R.S. 44:1 et seq.

Section 2. R.S. 36:4(B)(36) is hereby amended and reenacted to read as follows:

§4. Structure of executive branch of state government

B. The office of the governor shall be in the executive branch of state government. The governor may allocate within his office the powers, duties, funds, functions, appropriations, responsibilities, and personnel of the agencies within his office and provide for the administration thereof and for the organization of his office. The following agencies and their powers, duties, functions, and responsibilities are hereby transferred to the office of the governor:

\* \* \*

(36) Louisiana Governor's Mansion Advisory Commission (R.S. 25:1011 et seq.).

\* \* \*

Section 3. R.S. 42:17(E) is hereby enacted to read as follows:

§17. Exceptions to open meetings

\* \* \*

E. The provisions of this Chapter shall not apply to meetings of the Louisiana Governor's Mansion Advisory Commission.

Section 4. R.S. 44:4.1(B)(40) is hereby enacted to read as follows:

§4.1. Exceptions

\* \* \*

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

\* \* \*

(40) R.S. 25:1014.

Section 5. R.S. 25:1016 is hereby repealed.

Section 6. The Louisiana State Law Institute is hereby authorized and directed to arrange in numerical order the provisions of R.S. 44:4.1(B) as amended by this Act.

Section 7. This Act shall become effective upon signature by the governor or, if not signed by the governor, upon expiration of the time for bills to become law without signature by the governor, as provided by Article III, Section 18 of the Constitution of Louisiana. If vetoed by the governor and subsequently approved by the legislature, this Act shall become effective on the day following such approval.

Approved by the Governor, May 23, 2024.

A true copy:  
Nancy Landry  
Secretary of State

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**ACT No. 238**

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HOUSE BILL NO. 807  
BY REPRESENTATIVE FONTENOT  
AN ACT

To amend and reenact R.S. 40:1510(A)(3), relative to fire protection districts and fire departments; to allow expenditure of public funds for awards and recognition; to establish service award eligibility for firefighters; and to provide for related matters.

Be it enacted by the Legislature of Louisiana:

Section 1. R.S. 40:1510(A)(3) is hereby amended and reenacted to read as follows:

§1510. Expenditure of public funds for awards, recognition, and meals

A. Notwithstanding any provision of law to the contrary, a fire protection district, municipal fire department, or volunteer fire department may expend public funds in connection with the following activities:

\* \* \*

(3) The implementation and execution of a length of service awards program. For the purposes of this Paragraph, a length of service awards program shall ~~mean~~ means a program established by the fire protection district, municipal fire department, or volunteer fire department that provides a monetary benefit, based upon service, to eligible ~~volunteer~~ firefighters as determined by the fire protection district, municipal fire department, or volunteer fire department. The length of service awards program shall not be considered a vested right nor entitle the recipient to any other benefit not directly related to the program's monetary benefit. The length of service award shall not be considered permanent and may be discontinued at any time.

\* \* \*

Approved by the Governor, May 23, 2024.

A true copy:  
Nancy Landry  
Secretary of State

-----  
**ACT No. 239**

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HOUSE BILL NO. 825  
BY REPRESENTATIVE ROMERO  
AN ACT

To amend and reenact R.S. 32:388(B)(4)(b)(introductory paragraph) and to enact R.S. 32:388(B)(1)(b)(v) and (4)(b)(xvi) through (xviii), relative to trucks hauling construction aggregates; to provide that such authorization to exceed the maximum gross vehicle weight limit shall not apply in certain circumstances; to provide for exceptions; to provide for definitions; and to provide for related matters.

Be it enacted by the Legislature of Louisiana:

Section 1. R.S. 32:388(B)(4)(b)(introductory paragraph) is hereby amended and reenacted and R.S. 32:388(B)(1)(b)(v) and (4)(b)(xvi) through (xviii) are hereby enacted to read as follows:

§388. Penalties; payments

\* \* \*

B.(1)

\* \* \*

(b)

\* \* \*

(v) No dump truck hauling concrete or construction aggregates shall be assessed a penalty for exceeding its maximum permissible axle weight, as determined by law, provided the total excess gross weight is five percent or less of the truck's maximum permissible gross weight, the truck does not exceed the posted load while crossing a posted bridge, the truck is not operating on the interstate system, and no tire on the truck exceeds its tire weight rating. However, the maximum gross vehicle weight of any such vehicle shall not exceed eighty thousand pounds plus a tolerance thereon of not more than two percent. If the truck's total excess gross weight is greater than five percent of its maximum permissible gross weight, as determined by law, the truck shall be assessed a penalty calculated on the total amount by which the truck's weight exceeds its maximum permissible gross weight, as determined by law, and shall not exceed eighty thousand pounds plus a tolerance thereon of not more than two percent. For the purposes of this Section, "dump truck" shall mean a vehicle designed exclusively to transport construction aggregates.

\* \* \*

(4)

\* \* \*

(b) When used in this Paragraph Section, "construction aggregates" means any of the following:

\* \* \*

(xvi) Bulk rock.

(xvii) Sand rock.

(xviii) Asphalt millings.

\* \* \*

Approved by the Governor, May 23, 2024.

A true copy:  
Nancy Landry  
Secretary of State

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**ACT No. 240**

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HOUSE BILL NO. 829  
BY REPRESENTATIVE LYONS  
AN ACT

To amend and reenact R.S. 28:470(A) and (D), to enact R.S. 36:259(D)(9), and to repeal R.S. 36:4(B)(30), relative to the Louisiana State Agency Interagency Coordinating Council for EarlySteps: Louisiana's Early Intervention Program for Infants and Toddlers with Disabilities and Their Families; to transfer the powers, duties, functions, and responsibilities of the EarlySteps Program to the Louisiana Department of Health; to transfer the EarlySteps Program to the Louisiana Department of Health; to assign certain duties to the administrator of the program; to provide for an effective date; and to provide for related matters.

Be it enacted by the Legislature of Louisiana:

Section 1. R.S. 28:470(A) and (D) are hereby amended and reenacted to read

as follows:

§470. Louisiana State Interagency Coordinating Council for EarlySteps: Louisiana's Early Intervention Program for Infants and Toddlers with Disabilities and Their Families

A. The Louisiana State Interagency Coordinating Council for EarlySteps: Louisiana's Early Intervention Program for Infants and Toddlers with Disabilities and Their Families is hereby created within the Louisiana Department of Health. All council members shall be appointed by the governor who shall also appoint the chairperson. No member of the council who is a representative of the department may serve as the chairperson of the council. At least twenty percent of the members shall be parents of infants or toddlers with disabilities or children with disabilities age twelve or younger, with knowledge of or experience with programs for infants and toddlers with disabilities; and at least twenty percent of the members shall be public or private providers of early intervention services.

\* \* \*

D.(1) Subject to the approval of the ~~governor~~ secretary of the Louisiana Department of Health, the council may prepare and approve a budget using funds provided pursuant to the provisions of this Chapter to conduct hearings and forums; to reimburse members of the council for reasonable and necessary expenses, including child care for parent representatives, for attending council meetings, and performing council duties; and to pay compensation to a member of the council if the member is not employed or must forfeit wages from other employment when performing official council business.

(2) The council shall use funds provided pursuant to this Chapter to hire an executive director who shall be responsible to and report directly to the council and the ~~governor or his designee~~ secretary of the Louisiana Department of Health to carry out its functions pursuant to this Chapter. The executive director shall be hired as an unclassified employee of the ~~office of the governor Louisiana Department of Health, office for citizens with developmental disabilities~~. The cost of maintaining the functions of the executive director and council shall be specified by an interagency agreement ~~between the department and the office of the governor~~. The executive director shall provide administrative support to the state interagency council and shall act as a resource to the state interagency coordinating council regarding the EarlySteps Program. The council may also use funds provided pursuant to this Chapter to obtain the services of other such professional, technical, and clerical personnel as may be necessary to carry out its functions as provided in this Chapter.

\* \* \*

Section 2. R.S. 36:259(D)(9) is hereby enacted to read as follows:  
§259. Transfer of agencies and functions to Louisiana Department of Health

\* \* \*

D. The following agencies are placed within the Louisiana Department of Health and shall exercise and perform their powers, duties, functions, and responsibilities in accordance with the provisions of R.S. 36:802:

\* \* \*

(9) Louisiana State Interagency Coordinating Council for EarlySteps: Louisiana's Early Intervention Program for Infants and Toddlers with Disabilities and Their Families (R.S. 28:470), except that it shall have any other powers, duties, functions, and responsibilities specifically provided in R.S. 28:470.

\* \* \*

Section 3. R.S. 36:4(B)(30) is hereby repealed in its entirety.

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

Approved by the Governor, May 23, 2024.

A true copy:  
Nancy Landry  
Secretary of State

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**ACT No. 241**

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HOUSE BILL NO. 837  
BY REPRESENTATIVE EMERSON  
AN ACT

To amend and reenact R.S. 47:1483(A) and (B)(1), relative to the Board of Tax Appeals; to provide relative to claims approved by the board; to provide for payment of such claims; to raise the limit on the individual value of such claims that may be paid from current tax collections; to provide for an effective date; and to provide for related matters.

Be it enacted by the Legislature of Louisiana:

Section 1. R.S. 47:1483(A) and (B)(1) are hereby amended and reenacted to read as follows:

§1483. Payment of approved claims; notification to the legislature; offset of certain claims

A. If a claim that ~~exceeds twenty thousand dollars~~ equals or exceeds one hundred thousand dollars is approved by the Board of Tax Appeals, the chairman of the board, giving all the facts and circumstances in connection with the approved claim, shall report the judgment to the legislature for its

consideration as provided for in this Part. ~~Claims~~ Any claim approved by the Board of Tax Appeals that does not exceed twenty thousand dollars is less than one hundred thousand dollars shall be paid in accordance with the provisions of Subsection B of this Section. If a claim accrues to more than one person, and the claim is determined by the board to be properly due and owing, payment to the party or parties asserting the claim before the board shall not be denied because of the failure or refusal of others to join in and assert the claim; however, only the portion due the claimant or claimants shall be paid.

B.(1) Any judgment issued by the board for the payment of an approved claim when the amount approved ~~does not exceed twenty thousand dollars~~ is less than one hundred thousand dollars shall be paid out of current collections without interest following submission to the secretary. The total amount of judgments paid in a fiscal year from current collections pursuant to this Subsection shall not exceed two million dollars, unless a higher amount for that fiscal year is approved by the commissioner of administration and the Joint Legislative Committee on the Budget.

\* \* \*

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

Approved by the Governor, May 23, 2024.

A true copy:  
Nancy Landry  
Secretary of State

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**ACT No. 242**

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HOUSE BILL NO. 905  
BY REPRESENTATIVES FREIBERG, BAYHAM, BEAULLIEU, BERAULT, BILLINGS, BOYD, CARVER, CHASSION, COX, DAVIS, DEWITT, DOMANGUE, FISHER, GREEN, HILFERTY, HUGHES, ILLG, JACKSON, MIKE JOHNSON, TRAVIS JOHNSON, JORDAN, LAFLEUR, LARVADAIN, LYONS, MILLER, MOORE, MYERS, RISER, SELDERS, STAGNI, TAYLOR, WALTERS, WYBLE, AND ZERINGUE  
AN ACT

To enact R.S. 13:3049.2, relative to juror per diem compensation in the Nineteenth Judicial District Court; to establish a two-year pilot program that enables jurors to voluntarily donate their per diem compensation to certain organizations; to provide for the use of donations; to exempt certain information from public records; and to provide for related matters.

Be it enacted by the Legislature of Louisiana:

Section 1. R.S. 13:3049.2 is hereby enacted to read as follows:  
§3049.2. ~~Nineteenth Judicial District; pilot program; donation of juror per diem; procedures~~

A. Notwithstanding any provision of law to the contrary, any person serving as a juror in the Nineteenth Judicial District Court may elect to donate their entire juror per diem compensation to an organization that meets either of the following criteria:

(1) Formally recognized under Children's Code Article 424 for its role in advocating for the best interests of abused and neglected children in the court system.

(2) Specifically designated as the Capital Area Court Appointed Special Advocates (CASA).

B. The clerk of court for the Nineteenth Judicial District Court shall provide each juror with an option to donate their per diem compensation to the designated organization as described in Subsection A of this Section at the time of juror orientation or at another appropriate time during the juror service process. The option to donate shall be voluntary and presented in a manner that ensures informed consent of the juror.

C. The clerk of court shall establish procedures for the collection and timely distribution of donated per diem compensations to the designated organization. These procedures shall include provisions for donor acknowledgment and compliance with financial management standards. A form shall be presented to each person registered for the jury pool which provides the mission of CASA and offers the jurors the voluntary option to assign all fees due them as a tax-deductible donation to CASA.

D. The pilot program in the Nineteenth Judicial District Court is established as a voluntary option for jurors to support a court-related nonprofit organization with the Nineteenth Judicial District Court Jury Office facilitating the consolidation of individual juror payments into a monthly payment to CASA. The Juror Office shall send a monthly check to CASA and provide the list of the names, addresses, and amounts for participating jurors to allow CASA to mail a tax-deductible receipt for their donation. Information provided by the Juror Office to CASA shall remain confidential and not subject to disclosure under the public records law.

E.(1) CASA shall be designated exclusively for donations due to its court-related advocacy and purpose during the two-year pilot program.

(2) A designated organization receiving donations under this Section shall utilize the donations exclusively for supporting its mission within the jurisdiction of the Nineteenth Judicial District.

Approved by the Governor, May 23, 2024.

A true copy:  
Nancy Landry  
Secretary of State

HOUSE BILL NO. 968  
(Substitute for House Bill No. 587 by Representative Bryant)  
BY REPRESENTATIVE BRYANT  
AN ACT

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**ACT No. 243**  
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HOUSE BILL NO. 910  
BY REPRESENTATIVE ROMERO  
AN ACT

To amend and reenact R.S. 3:3801(F)(introductory paragraph) and 3802(A), relative to the Horticulture Commission; to transfer the authority to adopt rules and regulations from the commission to the commissioner of agriculture and forestry; to require the commission to enforce the rules and regulations adopted pursuant to law; to require the commissioner to employ personnel for the commission; to provide for an effective date; and to provide for related matters.

Be it enacted by the Legislature of Louisiana:

Section 1. R.S. 3:3801(F)(introductory paragraph) and 3802(A) are hereby amended and reenacted to read as follows:

§3801. Horticulture Commission

\* \* \*

F. The ~~commission~~ commissioner is hereby authorized to adopt such rules and regulations as are necessary to enforce the provisions of this Chapter, ~~and The commission is hereby authorized to carry out the intent of the laws contained therein in this Chapter, including; but not limited to; rules and regulations for the following purposes:~~

\* \* \*

§3802. Chairman, secretary

A. The commissioner of agriculture and forestry shall be the chairman of the commission. The ~~chairman~~ commissioner shall enforce the provisions of this Chapter and the rules and regulations adopted ~~by the commission pursuant to this Chapter. The commissioner and~~ shall employ such personnel, other than the director and assistant director, as may be necessary to administer the provisions of this Chapter.

\* \* \*

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

Approved by the Governor, May 23, 2024.

A true copy:

Nancy Landry  
Secretary of State

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**ACT No. 244**  
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HOUSE BILL NO. 964 (Substitute for House Bill No. 359 by Representative Deshotel)  
BY REPRESENTATIVE DESHOTEL  
AN ACT

To enact R.S. 13:2586(C)(7) and (8), relative to justice of the peace courts in Avoyelles Parish and Evangeline Parish; to provide relative to jurisdiction and procedures; to provide for jurisdiction over property standards and nuisance violations; to provide relative to summons and subpoenas by constables; and to provide for related matters.

Be it enacted by the Legislature of Louisiana:

Section 1. R.S. 13:2586(C)(7) and (8) are hereby enacted to read as follows:

§2586. Jurisdiction and procedure

\* \* \*

C.

\* \* \*

(7) A justice of the peace court in Avoyelles Parish shall have concurrent jurisdiction over property standards and nuisance violations anywhere in the parish in which the court is situated, pursuant to local ordinance. In addition, a constable of a justice of the peace court in Avoyelles Parish may issue summons and serve subpoenas for such violations occurring anywhere within the territorial jurisdiction of the justice of the peace court.

(8) A justice of the peace court in Evangeline Parish shall have concurrent jurisdiction over property standards and nuisance violations anywhere in the parish in which the court is situated, pursuant to local ordinance. In addition, a constable of a justice of the peace court in Evangeline Parish may issue summons and serve subpoenas for such violations occurring anywhere within the territorial jurisdiction of the justice of the peace court.

\* \* \*

Approved by the Governor, May 23, 2024.

A true copy:

Nancy Landry  
Secretary of State

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**ACT No. 245**  
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To enact R.S. 3:3810(A)(9), relative to insurance for arborists; to require an arborist license for obtaining liability insurance; to provide for violations; and to provide for related matters.

Be it enacted by the Legislature of Louisiana:

Section 1. R.S. 3:3810(A)(9) is hereby enacted to read as follows:

§3810. Violations

A. Failure to comply with any provision of this Chapter or of any rule or regulation adopted pursuant to this Chapter shall constitute a violation. Violations include but are not limited to:

\* \* \*

(9) Obtaining the insurance required for arborists pursuant to LAC 7:XXIX.117(E)(2) without obtaining an arborist license to perform work pursuant to the provisions of this Chapter.

\* \* \*

Approved by the Governor, May 23, 2024.

A true copy:

Nancy Landry  
Secretary of State

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**ACT No. 246**  
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SENATE BILL NO. 276

BY SENATORS PRESSLY, ABRAHAM, ALLAIN, BARROW, BASS, CATHEY, CLOUD, CONNICK, EDMONDS, FESI, HENRY, HODGES, KLEINPETER, LAMBERT, MCMATH, MIGUEZ, MILLER, MIZELL, MORRIS, REESE, SEABAUGH, STINE, TALBOT AND WOMACK AND REPRESENTATIVES AMEDEE, BAMBURG, BAYHAM, BERAULT, BUTLER, CHENEVERT, CREWS, DICKERSON, EGAN, EMERSON, FIRMENT, GLORIOSO, HORTON, MACK, OWEN, SCHAMERHORN, THOMPSON AND WYBLE

AN ACT

To amend and reenact R.S. 14:87.1(1)(a) and R.S. 40:969(C) and to enact R.S. 14:87.6.1, R.S. 15:1352(A)(71), and R.S. 40:964(Schedule IV)(F), relative to abortion; to create the crime of coerced criminal abortion by means of fraud; to provide relative to the crime of criminal abortion by means of abortion-inducing drugs; to provide penalties; to provide relative to the definition of crime racketeering activity; to add certain substances to Schedule IV of the Uniform Controlled Dangerous Substances Law; and to provide for related matters.

Be it enacted by the Legislature of Louisiana:

Section 1. R.S. 14:87.1(1)(a) is hereby amended and reenacted and R.S. 14:87.6.1 is hereby enacted to read as follows:

§87.1. Definitions

Wherever used in this Subpart, unless a different meaning clearly appears in the context, the following terms, whether used in the singular or plural, shall have the following meanings:

(1)(a) "Abortion" or "induced abortion" means the performance of any act with the intent to terminate a clinically diagnosable pregnancy with knowledge that the termination by those means will, with reasonable likelihood, cause the death of the unborn child, ~~whether or not the child survives~~, by one or more of the following means:

\* \* \*

**§87.6.1. Coerced criminal abortion by means of fraud**

**A. Coerced criminal abortion by means of fraud is committed when a person knowingly and intentionally engages in the use of an abortion-inducing drug on a pregnant woman, without her knowledge or consent, with the intent to cause an abortion.**

**B.(1) Except as provided in Paragraph (2) of this Subsection, whoever commits the crime of coerced criminal abortion by means of fraud shall be imprisoned at hard labor for not less than five nor more than ten years, fined not less than ten thousand nor more than seventy-five thousand dollars, or both.**

**(2) Whoever commits the crime of coerced criminal abortion by means of fraud when the unborn child is more than three months of gestational age shall be imprisoned at hard labor for not less than ten nor more than twenty years, fined not less than fifty thousand nor more than one hundred thousand dollars, or both.**

**C. The prosecution of a person pursuant to this Section shall not be a defense against the prosecution under any other provision of law, including murder or attempted murder, should the person commit the crime of coerced criminal abortion by means of fraud and the use of an abortion-inducing drug results in the death or serious bodily injury of the pregnant woman.**

Section 2. R.S. 15:1352(A)(71) is hereby enacted to read as follows:

§1352. Definitions

A. As used in this Chapter, "racketeering activity" means committing, attempting to commit, conspiring to commit, or soliciting, coercing, or intimidating another person to commit any crime that is punishable under the following provisions of Title 14 of the Louisiana Revised Statutes of 1950, the Uniform Controlled Dangerous Substances Law, or the Louisiana Securities Law:

\* \* \*

**(71) R.S. 14:87.9 (Criminal abortion by means of abortion-inducing drug)**

\* \* \*

Section 3. R.S.40:969(C) is hereby amended and reenacted and R.S. 40:964(Schedule IV)(F) is hereby enacted to read as follows:

§964. Composition of schedules  
Schedules I, II, III, IV, and V shall, unless and until added pursuant to R.S. 40:962, consist of the following drugs or other substances, by whatever official name, common or usual name, chemical name, or brand name designated:

\* \* \*  
SCHEDULE IV  
\* \* \*

**F. Mifepristone, Misoprostol. Unless listed in another schedule, any material, compound, mixture, or preparation containing any detectable quantity of mifepristone or misoprostol.**

§969. Prohibited acts--Schedule IV; penalties

C.(1) Possession. It is unlawful for any person knowingly or intentionally to possess a controlled dangerous substance classified in Schedule IV unless such substance was obtained directly or pursuant to a valid prescription or order from a practitioner, or as provided in R.S. 40:978, while acting in the course of his professional practice or except as otherwise authorized by this Part. Any person who violates this Subsection with respect to:

(1)(a) Flunitrazepam shall be imprisoned, with or without hard labor, for not less than one year nor more than ten years, and may, in addition, be required to pay a fine of not more than five thousand dollars.

(2)(b) Any other controlled dangerous substance shall be imprisoned with or without hard labor for not less than one year nor more than five years and, in addition, may be required to pay a fine of not more than five thousand dollars.

**(2) It shall not be a violation of this Subsection for a pregnant woman to possess mifepristone or misoprostol for her own consumption.**

Section 4. This Act shall become effective on October 1, 2024.

Section 5. This Act shall be cited and referred to as "The Catherine and Josephine Herring Act".

Section 6. The Board of Pharmacy is directed to notify all pharmacists in Louisiana about the provisions of this law and that lawful prescriptions for mifepristone and misoprostol may be filled in accordance with R.S. 14:87.9(C) (6).

Section 7. The Louisiana Department of Health is directed to notify all healthcare practitioners and providers in Louisiana about the provisions of this law and that mifepristone and misoprostol may be prescribed and administered in accordance with R.S. 14:87.9(C)(6).

Section 8. If any provision of this Act or the application thereof is held invalid, such invalidity shall not affect other provisions or applications of this Act which can be given effect without the invalid provisions or applications, and to this end the provisions of this Act are hereby declared severable.

Approved by the Governor, May 24, 2024.

A true copy:  
Nancy Landry  
Secretary of State

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ACT No. 247

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HOUSE BILL NO. 8  
BY REPRESENTATIVES MELERINE AND HUGHES  
AN ACT

To enact R.S. 17:24.4(F)(1)(g), relative to high school graduation; to prohibit the use of an appeals process for high school graduation for students who have not met certain achievement levels on state assessments; to provide exceptions; and to provide for related matters.

Be it enacted by the Legislature of Louisiana:

Section 1. R.S. 17:24.4(F)(1)(g) is hereby enacted to read as follows:

§24.4. Louisiana Competency-Based Education Program; statewide standards for required subjects; Louisiana Educational Assessment Program; parish or city school board comprehensive pupil progression plans; waivers

F.(1)

\* \* \*

**(g) Neither the state board nor the department may approve or implement an appeals process allowing a student who has not met the achievement level required to pass the state-administered end-of-course assessments required for high school graduation to become eligible for graduation through the submission of a portfolio.**

\* \* \*

Section 2. The provisions of this Act do not affect students pursuing graduation eligibility pursuant to the provisions of Act No. 833 of the 2014 Regular Session of the Legislature, which is known as the "April Dunn Act" pursuant to Act No. 1 of the 2020 Regular Session of the Legislature.

Approved by the Governor, May 23, 2024.

A true copy:  
Nancy Landry  
Secretary of State

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ACT No. 248

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HOUSE BILL NO. 64

BY REPRESENTATIVES STAGNI, ADAMS, BACALA, BAGLEY, BAYHAM, BILLINGS, BOYER, BRASS, BRAUD, BRYANT, BUTLER, CARRIER, CHASSION, COX, DEWITT, DOMANGUE, EGAN, FISHER, FONTENOT, FREEMAN, FREIBERG, GREEN, HILFERTY, HORTON, HUGHES, ILLG, JACKSON, KNOX, LAFLEUR, MCMAKIN, MOORE, MYERS, OWEN, PHELPS, SELDERS, TAYLOR, THOMPSON, VENTRELLA, VILLIO, WALTERS, WILDER, WILEY, AND WYBLE

AN ACT

To amend and reenact R.S. 40:989, relative to dangerous chemical substances; to provide relative to the elements of unlawful inhalation, ingestion, use, or possession of certain substances; to provide for an exception; to provide for penalties; to provide for enforcement; to provide for the promulgation of rules and regulations; and to provide for related matters.

Be it enacted by the Legislature of Louisiana:

Section 1. R.S. 40:989 is hereby amended and reenacted to read as follows:  
§989. Dangerous chemical substances; butyl nitrite, nitrous oxide, and amyl nitrite; use and transference; penalties

A.(1) It shall be unlawful for any person to inhale, ingest, use, or possess any compound, liquid, gas, or chemical which contains butyl nitrite, isobutyl nitrite, secondary butyl nitrite, tertiary butyl nitrite, and mixtures containing butyl nitrite, isobutyl nitrite, secondary butyl nitrite, or tertiary butyl nitrite.

(2) It shall be unlawful for any person to inhale, ingest, use, or possess any compound, liquid, gas, or chemical which contains nitrous oxide, commonly known as "laughing gas" and any amyl nitrite, commonly known as "poppers" or "snappers".

(3) ~~B.~~ The provisions hereof do of Subsection A of this Section shall not apply to any of the following:

(1) ~~the~~ The possession and use of these substances prescribed as part of the care or treatment of a disease, condition, or injury by a licensed medical or dental practitioner.

(2) ~~or to the~~ The possession and use of these substances by a manufacturer as part of a manufacturing process or industrial operation.

(4) (3) ~~The provisions of this Section do not apply to the possession, use, or sale of nitrous oxide as a propellant in food preparation for restaurant, food service, or houseware products.~~

(4) The possession, use, or sale of nitrous oxide for automotive purposes.

~~B. C.~~ It shall be unlawful for any person to, entity, business, or corporation to produce, manufacture, possess, buy, sell, or otherwise transfer any substance specified in Subsection A of this Section for the purpose of inducing or aiding any other person to inhale or ingest such substance or otherwise violate the provisions of Subsection A.

~~E. D.~~ Whoever violates the provisions of this Section shall be fined not more than two thousand five hundred dollars or imprisoned with or without hard labor for not more than six months one year, or both.

~~D. E.~~ Any person who violates any of the provisions of this Section may, in the discretion of the trial judge, be required to participate in an approved drug rehabilitation program, as a condition of probation.

F.(1) The office of alcohol and tobacco control may conduct any investigation as necessary to regulate and enforce the provisions of this Section.

(2) The provisions of this Subsection shall not prohibit a law enforcement agency of the state or its political subdivisions with appropriate jurisdiction from enforcing the provisions of this Section.

G. The office of alcohol and tobacco control shall promulgate rules and regulations in accordance with the Administrative Procedure Act to provide for the regulation and enforcement of this Section.

Approved by the Governor, May 23, 2024.

A true copy:  
Nancy Landry  
Secretary of State

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ACT No. 249

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HOUSE BILL NO. 148  
BY REPRESENTATIVE GLORIOSO  
AN ACT

To amend and reenact R.S. 48:720, relative to the disposal of immovable property by the governing authority of Slidell; to remove certain restrictions on the disposal of immovable property by the governing authority of Slidell; 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. 48:720 is hereby amended and reenacted to read as follows:  
§720. Disposal of immovable property by the governing authority of St. Tammany Parish ~~or Slidell~~

A. The governing authority of St. Tammany Parish ~~and the governing authority of the city of Slidell~~ shall not dispose of any immovable property pursuant to this Part unless such property has been held by said governing authority for at least ten years.

B. The disposition of any immovable property by the governing authority of St. Tammany Parish ~~or the governing authority of the city of Slidell~~ pursuant to this Part shall not have the effect of denying access to such property to any person.



Approved by the Governor, May 23, 2024.

A true copy:  
Nancy Landry  
Secretary of State

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**ACT No. 250**

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HOUSE BILL NO. 311  
BY REPRESENTATIVE HEBERT  
AN ACT

To amend and reenact R.S. 22:1981(D), relative to examinations; to modify relative to guidelines used for examinations authorized by the commissioner of insurance; and to provide for related matters.

Be it enacted by the Legislature of Louisiana:

Section 1. R.S. 22:1981(D) is hereby amended and reenacted to read as follows:

§1981. Commissioner of insurance to examine insurers and producers

\* \* \*

D. Upon determining that an examination should be conducted, the commissioner shall appoint one or more examiners to perform the examination and instruct them as to the scope of the examination. In conducting the examination, the examiner or examiners shall observe those guidelines and procedures set forth in the Examiners' Handbook and the Market Regulation Handbook adopted by the National Association of Insurance Commissioners. The commissioner may also employ such other guidelines or procedures as the commissioner may deem appropriate.

\* \* \*

Approved by the Governor, May 23, 2024.

A true copy:  
Nancy Landry  
Secretary of State

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**ACT No. 251**

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HOUSE BILL NO. 515  
BY REPRESENTATIVES HORTON, AMEDEE, BAYHAM, BERAULT,  
BILLINGS, BUTLER, CARLSON, COX, ECHOLS, EDMONSTON,  
EMERSON, FIRMENT, GLORIOSO, OWEN, SCHAMERHORN, TARVER,  
AND WILDER  
AN ACT

To enact R.S. 39:364.1, relative to combustion engine vehicles; to provide for freedom of choice for private individuals in the selection of vehicles; to specify that air quality challenges cannot restrict a citizen's ability to purchase a vehicle; and to provide for related matters.

Be it enacted by the Legislature of Louisiana:

Section 1. R.S. 39:364.1 is hereby enacted to read as follows:

§364.1. Preservation of choice in vehicle purchases; combustion engine vehicles

A. For purposes of this Section, "combustion engine vehicle" shall mean the component of a motor vehicle that converts the chemical energy in fuel into mechanical energy for power.

B. No state agency shall restrict the use or sale of a motor vehicle by any citizen based on the energy source used to power the motor vehicle, including the energy source used for propulsion or use of powering other functions of the motor vehicle.

C. No state agency shall limit or prohibit the use or sale of a new motor vehicle with an internal combustion engine. Further, any air quality challenges in R.S. 30:2060(L), relative to "Louisiana's Toxic Air Pollutant Emission Control Program" shall not restrict the ability of Louisiana citizens to purchase any vehicle.

Approved by the Governor, May 23, 2024.

A true copy:  
Nancy Landry  
Secretary of State

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**ACT No. 252**

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HOUSE BILL NO. 784  
BY REPRESENTATIVES SCHAMERHORN, BOURRIAQUE, EGAN,  
FIRMENT, FISHER, GADBERRY, HORTON, TRAVIS JOHNSON,  
LAFLEUR, JACOB LANDRY, MACK, MCMAHEN, ORGERON, OWEN,  
ROMERO, SELDERS, TAYLOR, THOMPSON, TURNER, VENTRELLA,  
AND WALTERS AND SENATORS BARROW, CATHEY, EDMONDS,  
HENSGENS, KLEINPETER, MIGUEZ, MIZELL, MORRIS, REESE, AND  
WOMACK  
AN ACT

To amend and reenact Civil Code Article 2321, relative to liability for damages caused by livestock; to provide for strict liability under certain circumstances; to provide for exceptions; and to provide for related matters. Be it enacted by the Legislature of Louisiana:

Section 1. Civil Code Article 2321 is hereby amended and reenacted to read as follows:

Art. 2321. Damage caused by animals; livestock

A. The owner of an animal, including livestock, is answerable for the damage caused by the animal. However, he is answerable for the damage only upon a showing that he knew or, in the exercise of reasonable care, should have known that his animal's behavior would cause damage, that the damage could have been prevented by the exercise of reasonable care, and that he failed to exercise such reasonable care.

B. Nonetheless, the owner of a dog is strictly liable for damages for injuries to persons or property caused by the dog and which the owner could have prevented and which did not result from the injured person's provocation of the dog.

C. The owner of livestock is liable for damages for injuries to persons or property caused by the livestock that escape an enclosure and the owner could have prevented by an exercise of reasonable care. The owner of livestock is not liable for damages for injuries to person or property for livestock that escape an enclosure due to any of the following:

- (1) A fortuitous event.
- (2) No fault of the owner.
- (3) Third-party provocation of the livestock.

D. Nothing in this Article shall preclude the court from the application of the doctrine of res ipsa loquitur in an appropriate case.

Approved by the Governor, May 23, 2024.

A true copy:  
Nancy Landry  
Secretary of State

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**ACT No. 253**

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SENATE BILL NO. 60  
BY SENATOR PRESSLY  
AN ACT

To enact Chapter 1-E of Title 37 of the Louisiana Revised Statutes of 1950, to be comprised of R.S. 37:51 through 59, relative to universal occupational license recognition; to provide for definitions; to provide for conditions for application; to provide for occupational licensing requirements; to require proof of residency; to provide for jurisprudential examination; to provide for board decisions on applications; to provide for appeals of a board decision on applications; to provide for state law and jurisdiction; to provide for exemptions; to provide for limitations; and to provide for related matters.

Be it enacted by the Legislature of Louisiana:

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

**CHAPTER 1-E. WELCOME HOME ACT**

**§51. Definitions**

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

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

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

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

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

**§52. Occupational license or certification**

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

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

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

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

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

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

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

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

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

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

**C. Notwithstanding any other provision of law to the contrary, the Louisiana State Board of Medical Examiners and the Louisiana Board of Veterinary**

Medicine shall issue a conditional license or certification, pending normal licensure, to an applicant who otherwise satisfies Subsection A of this Section.

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

**E. A license issued under this Chapter may contain the following statement: "Licensed by Endorsement, R.S. 37:51 et seq."**

**§53. Residency**

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

**(1) A current state-issued identification card.**

**(2) A state-issued voter registration card.**

**(3) Documentation of current in-state employment or notarized letter of promise of employment of the applicant or his spouse. If an applicant uses this method to obtain licensure, a board shall require another form of proof of residency listed in this Section, six months after licensure is granted.**

**(4) A current homestead exemption for this state.**

**§54. Examination**

**A. A board may require an applicant to pass a jurisprudential examination specific to relevant state laws that regulate the occupation if an occupational license or certification in this state requires an applicant to pass a jurisprudential examination specific to relevant state statutes and administrative rules that regulate the occupation or certification.**

**B. If the Horticulture Commission of Louisiana administers an examination as part of the licensure process, it may require applicants to take and pass all or part of the examination as may be necessary to demonstrate competence regarding Louisiana specific flora or Louisiana specific environmental issues.**

**§55. Decision**

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

**§56. Appeal**

**A. An applicant may appeal a board's decision to a court of general jurisdiction. B. An applicant may appeal any of the following:**

**(1) The board's denial of an occupational license or certification.**

**(2) The board's determination of the occupation or certification.**

**(3) The board's determination of the similarity of the scope of practice of the occupational license or certification issued.**

**§57. State laws and jurisdiction**

**A person who obtains an occupational license or certification pursuant to this Chapter is subject to the laws regulating the occupation in this state and the jurisdiction of the board in this state.**

**§58. Exceptions**

**A. This Chapter does not apply to an occupation regulated by the state supreme court.**

**B. This Chapter shall not apply to peace officers, as defined in R.S. 40:2402.**

**§59. Limitations**

**A. Nothing in this Chapter shall be construed to prohibit a person from applying for an occupational license or certification under another statute or rule in state law.**

**B. An occupational license or certification issued pursuant to this Chapter is valid only in this state. It does not make the person eligible to work in another state under an interstate compact or reciprocity agreement unless otherwise provided by law.**

**C. Nothing in this Chapter shall be construed to prevent the state from entering into a licensing compact, professional national mobility agreement, or reciprocity agreement with another state, foreign province, foreign country, international organization, or other entity. A person may apply for licensure under this Chapter or may apply for licensure pursuant to the terms of the applicable licensing compact, professional national mobility agreement, or reciprocity agreement.**

**D. Nothing in this Chapter shall be construed to prevent the state from recognizing occupational credentials issued by a private certification organization, foreign province, foreign country, international organization, or other entity.**

**E. Nothing in this Chapter shall be construed to require a private certification organization to grant or deny private certification to any individual.**

Approved by the Governor, May 23, 2024.

A true copy:

Nancy Landry  
Secretary of State

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**ACT No. 254**

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**SENATE BILL NO. 326**

BY SENATORS REESE, ABRAHAM, ALLAIN, BARROW, BASS, BOUDREAUX, BOUIE, CATHEY, CLOUD, DUPLESSIS, EDMONDS, FESI, FIELDS, HARRIS, HENRY, HENSGENS, JACKSON-ANDREWS, JENKINS, MILLER, MIZELL, MORRIS, PRICE, SEABAUGH, STINE, WHEAT AND WOMACK AND REPRESENTATIVES ADAMS, BAYHAM, BERAULT, BILLINGS, BROWN, BUTLER, CARPENTER, CARRIER, ROBBY CARTER, WILFORD CARTER, CHASSION, DESHOTEL, DEWITT, DICKERSON, EGAN, FISHER, ILLG, MIKE JOHNSON, KNOX, LARVADAIN, MARCELLE, MCFARLAND, SCHAMERHORN, TAYLOR, THOMPSON, WILDER, WYBLE AND ZERINGUE

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 training and education related to certain circumstances; to provide relative to post-traumatic stress and emotional support; 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 an educational training program to address post-traumatic stress and to provide emotional support for wildland firefighters to cope with the stress of their jobs.**

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

Approved by the Governor, May 23, 2024.

A true copy:

Nancy Landry  
Secretary of State

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**ACT No. 255**

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**HOUSE BILL NO. 59**  
**BY REPRESENTATIVE BROWN**

AN ACT

To amend and reenact R.S. 40:2403(B)(1)(f), relative to law enforcement officers; to provide relative to the membership of the Council on Peace Officer Standards and Training under the Louisiana Commission on Law Enforcement and Administration of Criminal Justice; to change the name of a member of the council; and to provide for related matters.

Be it enacted by the Legislature of Louisiana:

Section 1. R.S. 40:2403(B)(1)(f) is hereby amended and reenacted to read as follows:

§2403. Council on Peace Officer Standards and Training

\* \* \*

B.(1) The council shall consist of the attorney general and eleven members of the Louisiana Commission on Law Enforcement and Administration of Criminal Justice, as follows:

\* \* \*

~~(f) The president/director of the Louisiana Chapter of the National Constables Association. The president of the Louisiana City Marshals and City Constables Association or his designee.~~

\* \* \*

Approved by the Governor, May 24, 2024.

A true copy:

Nancy Landry  
Secretary of State

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**ACT No. 256**

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**HOUSE BILL NO. 60**

BY REPRESENTATIVES EDMONSTON, AMEDEE, WILFORD CARTER, COX, CREWS, DAVIS, EGAN, LAFLEUR, MCCORMICK, MELERINE, MOORE, NEWELL, SELDERS, THOMPSON, AND WALTERS

AN ACT

To amend and reenact R.S. 14:101.2(D), relative to the unauthorized use of sperm, ovum, or embryo; to provide for an exception; to provide for an effective date; and to provide for related matters.

Be it enacted by the Legislature of Louisiana:

Section 1. R.S. 14:101.2(D) is hereby amended and reenacted to read as follows:

§101.2. Unauthorized use of sperm, ovum, or embryo

\* \* \*

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

~~(1) The use by a surviving spouse of the human ova or sperm of the deceased spouse in order to conceive a child, provided that prior to his death the deceased spouse signed a consent form authorizing such a donation.~~

~~(2) The use by a spouse of the human ova or sperm of the other spouse in order to conceive a child.~~

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 24, 2024.

A true copy:

Nancy Landry  
Secretary of State

ACT No. 257

HOUSE BILL NO. 93
BY REPRESENTATIVE WILLARD
AN ACT

To amend and reenact R.S. 40:38 and 41(C)(2)(a), relative to vital records in the custody of the state registry; to provide access for certain persons to vital records; to require the state registrar to issue records under certain circumstances; to provide for an effective date; and to provide for related matters.

Be it enacted by the Legislature of Louisiana:

Section 1. R.S. 40:38 and 41(C)(2)(a) are hereby amended and reenacted to read as follows:

§38. Certified copies, issuance

A certified copy of a vital record in the custody of the vital records registry shall be issued in accordance with other provisions of law governing disclosure of records under this Title and regulations duly promulgated in accordance with the Administrative Procedure Act.

§41. Disclosure of records

C.

(2)(a) The credentials of an attorney, together with a written declaration of the record in which he is interested and a written declaration or oral statement that he is a legal representative of one of the named parties referenced in Paragraph (1) of this Subsection, including parties under the age of eighteen, shall constitute sufficient proof of a direct interest in the matter recorded. The state registrar shall accept and fulfill requests for birth certificates upon submission of such a written declaration with a copy of the credentials of the attorney, whether the request is submitted by the attorney or by a nonlawyer employed or retained by or associated with that attorney.

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 24, 2024.

A true copy:
Nancy Landry
Secretary of State

ACT No. 258

HOUSE BILL NO. 94
BY REPRESENTATIVES WILLARD, ADAMS, BACALA, BOYER, HORTON,
KNOX, AND MOORE
AN ACT

To amend and reenact Children's Code Article 908(C) and (D) and to enact Children's Code Article 908(E), relative to birth certificates and state identification for children in custody of the office of juvenile justice; to require the Department of Public Safety and Corrections to ensure children in custody have certain records; to provide for an effective date; and to provide for related matters.

Be it enacted by the Legislature of Louisiana:

Section 1. Children's Code Article 908(C) and (D) are hereby amended and reenacted and Children's Code Article 908(E) is hereby enacted to read as follows:

Art. 908. Care and treatment by department

C. The department shall ensure that a child has a certified birth certificate and valid six-year identification card or submit all necessary applications, records, and fees to obtain those records within thirty days from when a child is committed to the custody of the department. The department shall ensure that a child has both a certified copy of the child's birth certificate and a valid state identification card upon release from custody. Failure of the department to obtain these records shall not prevent a child's release from custody.

D. At least six months prior to the release of the child, the department shall prepare a written, individualized, and thorough transitional plan developed in collaboration with the child and any agency or department assuming his custody, care, or responsibility.

(1) The plan shall identify the programs, services, and facilities that will be used to assist the child in achieving a successful release from the department's custody.

(2) A copy of the transitional plan shall be provided to the court, counsel for the child, and the district attorney.

(3) The transitional plan shall address the needs of the child, including but not limited to education, health, permanent connections, living arrangements, independent living skills, and employment.

(4) The department shall ensure that all records in its files relevant to securing needed services in the community in which the child will live shall

be immediately transmitted to the appropriate service provider.

D. E. The court shall not divide legal and physical custody of a child when assigning custody to the department in accordance with this Article or in accordance with any other statute or provision of law.

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

Approved by the Governor, May 24, 2024.

A true copy:
Nancy Landry
Secretary of State

ACT No. 259

HOUSE BILL NO. 173
BY REPRESENTATIVES FONTENOT, MIKE JOHNSON, AND WILDER
AN ACT

To enact R.S. 14:109, relative to offenses affecting law enforcement; to create the crime of approaching a peace officer lawfully engaged in law enforcement duties; to provide for a definition; to provide for an affirmative defense; to provide for penalties; and to provide for related matters.

Be it enacted by the Legislature of Louisiana:

Section 1. R.S. 14:109 is hereby enacted to read as follows:

§109. Approaching a peace officer lawfully engaged in law enforcement duties

A. No person shall knowingly or intentionally approach within twenty-five feet of a peace officer who is lawfully engaged in the execution of his official duties after the peace officer has ordered the person to stop approaching or to retreat.

B. For the purposes of this Section, "peace officer" shall include all individuals as defined in R.S. 14:112.4(B)(2) and R.S. 40:2402(3).

C. It shall be an affirmative defense to this crime if the defendant can establish that the lawful order or command was neither received nor understood by the defendant nor capable of being received or understood under the conditions and circumstances that existed at the time of the issuance of the order.

D. Whoever violates the provisions of this Section shall be fined not more than five hundred dollars, imprisoned for not more than sixty days, or both.

Approved by the Governor, May 24, 2024.

A true copy:
Nancy Landry
Secretary of State

ACT No. 260

HOUSE BILL NO. 190
BY REPRESENTATIVES FREIBERG, BAYHAM, WILFORD CARTER,
COX, DAVIS, FREEMAN, HILFERTY, JACKSON, LACOMBE, STAGNI,
THOMPSON, WALTERS, AND WYBLE
AN ACT

To amend and reenact R.S. 17:407.101(C)(1)(introductory paragraph) and (H) and to enact R.S. 17:407.101(C)(1)(mm) through (pp) and (5), relative to early childhood care and education; to increase the membership of the Early Childhood Care and Education Commission; to provide for membership terms; to provide relative to the quorum of the commission; to provide relative to voting procedures; and to provide for related matters.

Be it enacted by the Legislature of Louisiana:

Section 1. R.S. 17:407.101(C)(1)(introductory paragraph) and (H) are hereby amended and reenacted and R.S. 17:407.101(C)(1)(mm) through (pp) and (5) are hereby enacted to read as follows:

§407.101. Early Childhood Care and Education Commission

C.(1) The commission is composed of forty-one forty-five members as follows:

(mm) One representative of a nongovernmental economic development organization, appointed by the chief executive officer of the Committee of 100 for Economic Development, Inc.

(nn) One representative of a child advocacy organization, appointed by the executive director of the Louisiana Policy Institute for Children.

(oo) The president and chief executive officer of the Louisiana Association of Business and Industry, or his designee.

(pp) The executive director of the Child Care Association of Louisiana, or his designee.

(5) Members shall serve a term of four years from the date of appointment. However, the term of a member appointed by an elected official shall not extend beyond the term of the appointing authority.

H. A majority of the members of the commission shall constitute a quorum for the transaction of business. The affirmative vote of a majority of the

commission members present and voting shall be necessary for any action taken by the commission. The commission shall be domiciled in Baton Rouge but may hold public hearings elsewhere in the state.

Approved by the Governor, May 24, 2024.

A true copy:  
Nancy Landry  
Secretary of State

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**ACT No. 261**

---  
HOUSE BILL NO. 213  
BY REPRESENTATIVE HILFERTY  
AN ACT

To amend and reenact R.S. 14:32(C)(1), (2)(a), and (3), relative to the crime of negligent homicide; to provide for penalties; to provide relative to the elements of this offense when the victim is killed by a dog or other animal; to provide for increased penalties; and to provide for related matters.

Be it enacted by the Legislature of Louisiana:

Section 1. R.S. 14:32(C)(1), (2)(a), and (3) are hereby amended and reenacted to read as follows:

§32. Negligent homicide

\* \* \*

C.(1) Except as provided for in Paragraph (2) of this Subsection, whoever commits the crime of negligent homicide shall be imprisoned with or without hard labor for not more than ~~five~~ ten years, fined not more than five thousand dollars, or both.

(2)(a) If the victim killed was under the age of ten years, the offender shall be imprisoned at hard labor, without benefit of probation, parole, or suspension of sentence, for not less than two nor more than ~~five~~ ten years.

\* \* \*

(3) If the victim was killed by a dog or other animal and the owner of the dog or other animal was criminally negligent, the owner of the dog or other animal shall be imprisoned with or without hard labor for not more than ~~five~~ ten years or fined not more than five thousand dollars, or both.

\* \* \*

Approved by the Governor, May 24, 2024.

A true copy:  
Nancy Landry  
Secretary of State

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**ACT No. 262**

---  
HOUSE BILL NO. 255  
BY REPRESENTATIVE OWEN  
AN ACT

To enact R.S. 33:2554(C)(4), relative to the city of Leesville; to provide relative to the classified police service; to provide relative to the certification and appointment of eligible persons in the police department; 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 Leesville, 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, May 24, 2024.

A true copy:  
Nancy Landry  
Secretary of State

-----  
**ACT No. 263**

---  
HOUSE BILL NO. 269  
BY REPRESENTATIVE MUSCARELLO  
AN ACT

To amend and reenact Code of Criminal Procedure Article 611(C) and R.S. 14:110(A)(2), (B)(3), and (E) and to enact Code of Criminal Procedure Article 611(E) and R.S. 14:110(A)(4), relative to the crime of simple escape; to provide relative to venue; to provide for an alternative element of the offense; to

**THE ADVOCATE**  
**PAGE 20**

\* As it appears in the enrolled bill

provide for a violation of this offense; to provide relative to a penalty; and to provide for related matters.

Be it enacted by the Legislature of Louisiana:

Section 1. Code of Criminal Procedure Article 611(C) is hereby amended and Code of Criminal Procedure Article 611(E) is hereby enacted to read as follows:

Art. 611. Venue; trial where offense committed

\* \* \*

C. If the offender is charged with any of the following offenses, the offense is deemed to have been committed either in the parish where the offense occurred or where the victim resides:

(1) ~~R.S. 14:67.3, unauthorized use of an access card.~~

(2) R.S. 14:67.16, identity theft.

(3) ~~(2)~~ R.S. 14:70.4, access device fraud.

(4) ~~(3)~~ R.S. 14:70.8, illegal transmission of monetary funds.

(5) ~~(4)~~ R.S. 14:71.1, bank fraud.

(6) ~~(5)~~ R.S. 14:72, forgery.

(7) ~~(6)~~ R.S. 14:72.2, monetary instrument abuse.

\* \* \*

E. If the offender is charged with a violation of R.S. 14:110, the offense is deemed to have been committed in either of the following:

(1) The parish of the court that ordered or sentenced home incarceration, confinement, or any other legal restraint.

(2) The parish where any act or element occurs in violation of R.S. 14:110.

Section 2. R.S. 14:110(A)(2), (B)(3), and (E) are hereby amended and reenacted and R.S. 14:110(A)(4) is hereby enacted to read as follows:

§110. Simple escape; aggravated escape

A. Simple escape shall mean any of the following:

\* \* \*

(2) The failure of a ~~criminal person~~ person serving a sentence and participating in a work release program authorized by law to report or return from his planned employment or other activity under the program at the appointed time.

\* \* \*

(4) The intentional alteration, destruction, removal, or disabling of electronic monitoring equipment while participating in a home incarceration program.

B.

\* \* \*

(3) A person participating in a home incarceration program ~~under the jurisdiction and control of the sheriffs of the respective parishes who commits the crime of simple escape~~ violates the provisions of Paragraph (A) (4) of this Section shall be imprisoned with or without hard labor for not less than six months nor more than five years, and such sentence shall not run concurrently with any other sentence.

\* \* \*

E. The provisions of this Section shall be applicable to all penal, correctional, rehabilitational, and work release centers and any and all prison facilities under the control of the ~~sheriffs law enforcement~~ law enforcement of the respective parishes of the state of Louisiana. The prison facilities shall include but are not limited to parish jails, correctional centers, home incarceration, work release centers, and rehabilitation centers, hospitals, clinics, and any and all facilities where inmates are confined under the jurisdiction and control of the ~~sheriffs law enforcement~~ law enforcement of the respective parishes.

Approved by the Governor, May 24, 2024.

A true copy:  
Nancy Landry  
Secretary of State

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**ACT No. 264**

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HOUSE BILL NO. 285  
BY REPRESENTATIVE WRIGHT  
AN ACT

To amend and reenact Part V of Chapter 2 of Title 18 of the Louisiana Revised Statutes of 1950, comprised of R.S. 18:49.1, relative to the Department of State; to provide relative to investigations of election irregularities; to change the name of the elections compliance unit to the division of election integrity; and to provide for related matters.

Be it enacted by the Legislature of Louisiana:

Section 1. Part V of Chapter 2 of Title 18 of the Louisiana Revised Statutes of 1950, comprised of R.S. 18:49.1, is hereby amended and reenacted to read as follows:

**PART V. ELECTIONS COMPLIANCE UNIT**  
**DIVISION OF ELECTION INTEGRITY**

§49.1. ~~Elections compliance unit~~ Division of election integrity; powers and duties

A. ~~An elections compliance unit~~ The division of election integrity is created in the Department of State. The purposes of the ~~unit division~~ division shall be to:

(1) Initiate independent inquiries and conduct independent investigations into allegations of election irregularities in any municipality or parish of the state.

(2) Respond to notifications or complaints alleging election irregularities generated by election officials or any other person.

(3) Review notices and reports of election irregularities and conduct

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

investigations of any incidents that it determines require further investigation.

B. For purposes of investigation, the ~~elections compliance unit~~ division shall have the authority to:

(1) Issue subpoenas to compel the production of records and other documents from any registrar of voters.

(2) Receive sworn statements.

C. Notwithstanding any other provision of law to the contrary, ~~a member of the Elections Compliance Unit~~ an employee of the division, upon the receipt of a complaint of any election irregularity, may enter a polling place during early voting or on election day for the purposes of checking the overall operations of the polling place or investigating any potential violation of the Louisiana Election Code.

D. If during the course of investigation, the ~~elections compliance unit~~ division determines that there may be a violation of any criminal law or provision of the Louisiana Election Code, the findings of the investigation shall be turned over to the appropriate prosecutorial agency for further investigation or prosecution.

Approved by the Governor, May 24, 2024.

A true copy:

Nancy Landry  
Secretary of State

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**ACT No. 265**

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HOUSE BILL NO. 301

BY REPRESENTATIVES AMEDEE AND CHASSION

AN ACT

To amend and reenact R.S. 37:582(A)(2) and 594.1(1), relative to qualification for cosmetologist, esthetician, or manicurist certificate; to provide for education qualifications; to provide for postsecondary school requirements; and to provide for related matters.

Be it enacted by the Legislature of Louisiana:

Section 1. R.S. 37:582(A)(2) and 594.1(1) are hereby amended and reenacted to read as follows:

§582. Qualifications for certificate as a registered cosmetologist, esthetician, or manicurist; out-of-state licensees

A. In order to receive a certificate of registration as a registered cosmetologist, esthetician, or manicurist, a person shall, in addition to the requirements set forth in Subsection B of this Section, meet all of the following requirements:

\* \* \*

(2) Have, at the time of completion of the required schooling, the equivalent training as would be contemplated in the satisfactory completion of the tenth grade from an approved high school; or have earned the equivalent of a high school diploma from a nonpublic school not seeking state approval.

\* \* \*

§594.1. Postsecondary schools

The board is authorized to license by name any registered cosmetology school as an educational institution authorized to operate educational programs beyond postsecondary education provided the school meets the following requirements:

(1) The school enrolls as students only individuals who have earned a high school diploma from an approved high school, a general equivalency diploma, the equivalent of a high school diploma from a nonpublic school not seeking state approval, or education equivalent of a diploma from an approved high school.

\* \* \*

Approved by the Governor, May 24, 2024.

A true copy:

Nancy Landry  
Secretary of State

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**ACT No. 266**

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HOUSE BILL NO. 382

BY REPRESENTATIVE DEWITT

AN ACT

To repeal R.S. 56:103(B) and (C)(2), relative to hunting license provisions.

Be it enacted by the Legislature of Louisiana:

Section 1. R.S. 56:103(B) and (C)(2) are hereby repealed in their entirety.

Approved by the Governor, May 24, 2024.

A true copy:

Nancy Landry  
Secretary of State

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**ACT No. 267**

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HOUSE BILL NO. 451

BY REPRESENTATIVE SCHLEGEL

AN ACT

To amend and reenact R.S. 14:67(B)(4), (C) and (D) and to enact R.S. 14:67(E), relative to the crime of theft; provides for theft of a package delivered to an inhabited dwelling; provides for assault on a store employee during the

commission or attempted commission of theft; and to provide for related matters.

Be it enacted by the Legislature of Louisiana:

Section 1. R.S. 14:67(B)(4), (C) and (D) are hereby amended and reenacted and R.S. 14:67(E) is hereby enacted to read as follows:

§67. Theft

\* \* \*

B.

\* \* \*

(4) When the misappropriation or taking amounts to less than a value of one thousand dollars, the offender shall be imprisoned for not more than six months, or may be fined not more than one thousand dollars, or both.

(a) If the offender in such cases has been convicted of theft two or more times previously, upon any subsequent conviction he 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.

(b) If the offender in such cases commits the crime of theft of a package that has been delivered to an inhabited dwelling owned by another, he 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.

C. If the offender commits an assault upon a store or merchant's employee who is acting in the course and scope of his employment duties, during the commission or attempted commission of theft, at least fifteen days of the sentence imposed under this Section shall be served without benefit of probation or suspension of sentence.

~~E. D.~~ When there has been a misappropriation or taking by a number of distinct acts of the offender, the aggregate of the amount of the misappropriations or taking shall determine the grade of the offense.

~~D. E.~~ In a prosecution under this Section where the property allegedly misappropriated or taken was held for sale by a merchant, an intent to permanently deprive the merchant of the property held for sale may be inferred when the defendant:

(1) Intentionally conceals, on his person or otherwise, goods held for sale.

(2) Alters or transfers any price marking reflecting the actual retail price of the goods.

(3) Transfers goods from one container or package to another or places goods in any container, package, or wrapping in a manner to avoid detection.

(4) Willfully causes the cash register or other sales recording device to reflect less than the actual retail price of the goods.

(5) Removes any price marking with the intent to deceive the merchant as to the actual retail price of the goods.

Approved by the Governor, May 24, 2024.

A true copy:

Nancy Landry  
Secretary of State

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**ACT No. 268**

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HOUSE BILL NO. 458

BY REPRESENTATIVE FONTENOT

AN ACT

To amend and reenact R.S. 32:361.1(C)(4), relative to vehicle window tinting regulations; to add patrol vehicles owned by the Department of Wildlife and Fisheries to window tint exemption; and to provide for related matters.

Be it enacted by the Legislature of Louisiana:

Section 1. R.S. 32:361.1(C)(4) is hereby amended and reenacted to read as follows:

§361.1. View outward or inward through windshield or windows; obscuring prohibited

\* \* \*

C. The provisions of this Section do not apply to any of the following:

\* \* \*

(4) Publicly owned law enforcement vehicles ~~other than~~ including those vehicles owned or used by the Department of Wildlife and Fisheries for enforcement operation.

\* \* \*

Approved by the Governor, May 24, 2024.

A true copy:

Nancy Landry  
Secretary of State

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**ACT No. 269**

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HOUSE BILL NO. 542

BY REPRESENTATIVE COX

AN ACT

To enact R.S. 32:232(3)(e), (f), and (g), relative to penalties for certain traffic-control signal violations; to provide for increased penalties for red light indication violations; and to provide for related matters.

Be it enacted by the Legislature of Louisiana:

Section 1. R.S. 32:232(3)(e), (f), and (g) are hereby enacted to read as follows:

§232. Traffic-control signals

Whenever traffic is controlled by traffic-control signals exhibiting different colored lights, or colored lighted arrows, successively one at a time or in

combination, only the colors green, red, and yellow shall be used, except for special pedestrian signals carrying a word legend, and said lights shall indicate and apply to drivers of vehicles and pedestrians as follows:

\* \* \*  
(3) Steady RED indication:  
\* \* \*

(e) Notwithstanding any provision contained in this Section to the contrary, for red indications or signal infractions, if the violation results in the injury of another person, the offender shall be fined not less than two hundred dollars nor more than five hundred dollars and may be subjected to a driver's license suspension for a period of ninety days, or both.

(f) If the violation results in the serious bodily injury of another person, the offender shall be fined not less than five hundred dollars nor more than one thousand dollars, imprisoned for not more than six months, or both. The offender may also be subjected to a driver's license suspension for a period of one hundred eighty days.

(g) If the violation results in the death of another person, the offender shall be fined not less than one thousand dollars nor more than five thousand dollars, imprisoned for not more than one year, or both. The offender may also be subjected to a driver's license suspension for a period up to three hundred and sixty-five days.

\* \* \*

Approved by the Governor, May 24, 2024.

A true copy:  
Nancy Landry  
Secretary of State

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**ACT No. 270**

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**HOUSE BILL NO. 553**

BY REPRESENTATIVES BRYANT, BOYD, CARPENTER, WILFORD  
CARTER, CHASSION, FISHER, GREEN, JACKSON, TRAVIS JOHNSON,  
KNOX, LAFLEUR, MARCELLE, MENA, MOORE, NEWELL, SELTERS,  
TAYLOR, AND WALTERS

**AN ACT**

To amend and reenact Code of Criminal Procedure Articles 972 and 983(G) and to enact Code of Criminal Procedure Articles 999 and 999.1, relative to expungement; to provide for the expungement of arrest records for certain individuals; to provide for a definition; to provide relative to criteria to receive an expungement; to provide for exceptions; to provide for duties; to provide for exemption from processing fees; to provide for an expungement form; and to provide for related matters.

Be it enacted by the Legislature of Louisiana:

Section 1. Code of Criminal Procedure Articles 972 and 983(G) are hereby amended and reenacted and Code of Criminal Procedure Articles 999 and 999.1 are hereby enacted to read as follows:

Art. 972. Definitions

As used in this Title:

(1) "Expedited expungement" means an order of expungement that a judge may sign pursuant to Article 999 without the individual filing a motion to expunge with the clerk of court.

(2) "Expunge a record" means to remove a record of arrest or conviction, photographs, fingerprints, disposition, or any other information of any kind from public access pursuant to the provisions of this Title. "Expunge a record" does not mean destruction of the record.

(3) "Expungement by redaction" provides for the expungement of records of a person who is arrested or convicted with other persons who are not entitled to expungement and involves the removal of the name or any other identifying information of the person entitled to the expungement and otherwise retains the records of the incident as they relate to the other persons.

(4) "Interim expungement" means to expunge a felony arrest from the criminal history of a person who was convicted of a misdemeanor offense arising out of the original felony arrest. Only the original felony arrest may be expunged in an interim expungement.

(5) "Records" includes any incident reports, photographs, fingerprints, disposition, or any other such information of any kind in relation to a single arrest event in the possession of the clerk of court, any criminal justice agency, and local and state law enforcement agencies but shall not include DNA records. Records shall also include records of an arrest based on a warrant or attachment for failure to appear in court for the same offense or offenses for which the person is seeking an expungement.

\* \* \*

Art. 983. Costs of expungement of a record; fees; collection; exemptions; disbursements

\* \* \*

G. Notwithstanding any other provision of law to the contrary, the following individuals shall be exempt from the payment of the processing fees otherwise authorized by this Article:

(1) A juvenile who has successfully completed any juvenile drug court program operated by a court of this state shall be exempt from payment of the processing fees otherwise authorized by this Article.

(2) A person eligible for an expedited expungement pursuant to Article 999.

\* \* \*

Art. 999. Expungement of arrest records for certain individuals

A. A person shall be entitled to the expedited expungement of his arrest, at no cost to him, if he meets all of the following:

(1) He is seventeen years of age when he is arrested or charged with any criminal offense as provided in Title 14 or 40 of the Louisiana Revised Statutes of 1950.

(2) The district attorney, for any reason, declined to prosecute all offenses arising out of that arrest, including the reason that the person successfully completed a pretrial diversion program.

(3) Prosecution was instituted and such proceedings have been finally disposed of by dismissal, sustaining of a motion to quash, or acquittal.

B. The provisions of this Article shall not apply to any misdemeanor or felony conviction arising from the incident of arrest.

C. The expedited expungement shall be served pursuant to the provisions of Article 982.

Art. 999.1. Order form to be used; expedited expungement

**JUDICIAL DISTRICT FOR THE PARISH OF**

No.: \_\_\_\_\_ Division: "\_\_\_\_\_"  
State of Louisiana  
vs.

**ORDER OF EXPUNGEMENT UNDER  
CODE OF CRIMINAL PROCEDURE ARTICLE 999**

Pursuant to Code of Criminal Procedure Article 999, wherein all of the following applies,

(1) The defendant was seventeen years of age when he was arrested or charged with any criminal offense as provided in Title 14 or 40 of the Louisiana Revised Statutes of 1950.

(2) The district attorney, for any reason, declined to prosecute all offenses arising out of that arrest, including the reason that the person successfully completed a pretrial diversion program.

(3) Prosecution was instituted and such proceedings have been finally disposed of by dismissal, sustaining of a motion to quash, or acquittal.

**IT IS HEREBY ORDERED, ADJUDGED, AND DECREED** that the following charges and arrest on the dates provided herein be expunged.

**THUS ORDERED AND SIGNED, ADJUDGED, AND DECREED** this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_ at \_\_\_\_\_, Louisiana,

\_\_\_\_\_  
**JUDGE**

**DEFENDANT INFORMATION:**

NAME: \_\_\_\_\_

First \_\_\_\_\_ Middle \_\_\_\_\_ Last \_\_\_\_\_

DATE OF BIRTH: \_\_\_\_\_

GENDER: \_\_\_\_\_

SS# \_\_\_\_\_

RACE \_\_\_\_\_

DRIVERS LICENSE# \_\_\_\_\_

ARRESTING AGENCY \_\_\_\_\_

SID# \_\_\_\_\_

ARREST NUMBER (ATN) \_\_\_\_\_

AGENCY ITEM NO: \_\_\_\_\_

**PLEASE SERVE:**

1. District Attorney: \_\_\_\_\_

2. Arresting Agency: \_\_\_\_\_

3. Parish Sheriff: \_\_\_\_\_

4. Louisiana Bureau of Criminal Identification and Information \_\_\_\_\_

5. Attorney for Defendant (or defendant) \_\_\_\_\_

6. Clerk of Court \_\_\_\_\_

Approved by the Governor, May 24, 2024.

A true copy:

Nancy Landry  
Secretary of State

-----  
**ACT No. 271**

---  
**HOUSE BILL NO. 752**  
BY REPRESENTATIVE CARRIER  
**AN ACT**

To enact R.S. 11:2174(B)(1)(b)(v), relative to the Sheriffs' Pension and Relief Fund; to provide relative to membership in the fund; to provide for an effective date; and to provide for related matters.

Notice of intention to introduce this Act has been published as provided by Article X, Section 29(C) of the Constitution of Louisiana.

Be it enacted by the Legislature of Louisiana:

Section 1. R.S. 11:2174(B)(1)(b)(v) is hereby enacted to read as follows:  
§2174. Remittance of percentage of taxes collected to fund; membership; salary deductions; deficiency in fund; credit

\* \* \*

B. Membership.

(1)(a)

\* \* \*

(b) Each deputy, including the criminal and civil deputies of the parish

of Orleans, and the criers of the several divisions of the Civil District Court for the parish of Orleans, who, on the date of the filing of the application to become a member, is age eighteen or over, shall become a member of this fund, provided his monthly salary including state supplemental pay, is not less than the following:

\* \* \*

(v) One thousand two hundred fifty dollars, if employed subsequent to June 30, 2024.

\* \* \*

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

Approved by the Governor, May 24, 2024.

A true copy:

Nancy Landry  
Secretary of State

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**ACT No. 272**

---  
**HOUSE BILL NO. 802**  
**BY REPRESENTATIVE DEWITT**  
**AN ACT**

To amend and reenact R.S. 56:116.3(G), relative to use of dogs while hunting; to provide for use of dogs to retrieve mortally wounded deer; to provide for the use of handguns on wounded deer; and to provide for related matters.

Be it enacted by the Legislature of Louisiana:

Section 1. R.S. 56:116.3(G) is hereby amended and reenacted to read as follows:

§116.3 Special provisions applicable to deer and bear; times and methods of taking; penalties

\* \* \*

G. A licensed hunter or tracker may pursue a deer that was legally shot and mortally wounded and dispatch the deer if the deer is found alive. Except in wildlife management areas, the licensed hunter or tracker pursuing the mortally wounded deer may utilize lights and a blood-trailing or tracking dog. No more than one dog may be used per tracking party in pursuit of the wounded deer, however a second dog may be utilized for the purpose of deer retrieval training. Tracking dogs shall be on a handheld leash or utilize a GPS tracking collar. Any mortally wounded deer, discovered alive after legal hunting hours, may be dispatched by the licensed hunter or tracker by using a centerfire handgun with a barrel no longer than six inches, caliber no larger than .45 or smaller than .25. The licensed hunter or tracker may pursue a mortally wounded deer onto private property only if he has received verbal or written permission from the landowner. Except in wildlife management areas, a leashed dog may be used to trail and retrieve wounded or unrecovered deer during legal hunting hours. Any dog used to trail or retrieve wounded or unrecovered deer shall have on a collar with the owner's name, address, and phone number. In addition, a leashed dog may be used to trail and retrieve unrecovered deer after legal hunting hours; however, no person accompanying a dog after legal hunting hours may carry a firearm of any sort.

\* \* \*

Approved by the Governor, May 24, 2024.

A true copy:

Nancy Landry  
Secretary of State

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**ACT No. 273**

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**SENATE BILL NO. 165**  
**BY SENATORS MCMATH, BASS, BOUDREAU, HENRY, MILLER,**  
**MIZELL, MORRIS, OWEN, PRESSLY AND TALBOT AND**  
**REPRESENTATIVES BAYHAM, BERAULT, CARRIER, WILFORD**  
**CARTER, CHENEVERT, CREWS, EGAN, HORTON, JACKSON,**  
**LACOMBE, SELDERS, WRIGHT AND WYBLE**  
**AN ACT**

To enact R.S. 23:921(M), (N), and (O), relative to noncompetition agreements; to provide relative to contracts and agreements restraining business; to provide relative to exceptions to prohibitions to the contracts and agreements; to provide for contracts and agreements restraining certain physicians; and to provide for related matters.

Be it enacted by the Legislature of Louisiana:

Section 1. R.S. 23:921(M), (N), and (O) are hereby enacted to read as follows:  
§921. Restraint of business prohibited; restraint on forum prohibited; competing business; contracts against engaging in; provisions for

\* \* \*

M.(1) Any provision in a contract or agreement which restrains a primary care physician from practicing medicine shall not exceed three years from the effective date of the initial contract or agreement. Any subsequent contract or agreement between the employer and primary care physician executed after the initial three-year term shall not include noncompete provisions.

(2) If the contract or agreement provided for in Paragraph (1) of this Subsection

is terminated by the primary care physician prior to the initial three-year term, the primary care physician may be prohibited from carrying on or engaging in a business similar to that of the employer in the parish in which the primary care physician's principal practice is located and no more than two contiguous parishes in which the employer carries on a like business. The parishes shall be specified in the contract or agreement. The prohibition authorized in this Paragraph shall not exceed a period of more than two years from termination of employment.

(3) For purposes of this Subsection, "primary care physician" means a physician who predominantly practices general family medicine, general internal medicine, general pediatrics, general obstetrics, or general gynecology. For any other physician, the provisions of Subsection N of this Section shall apply.

N.(1) For any physician other than a primary care physician as defined in Subsection M of this Section, any provision in a contract or agreement which restrains the physician from practicing medicine shall not exceed five years from the effective date of the initial contract or agreement. Any subsequent contract or agreement executed between the employer and the physician after the initial five-year term shall not include noncompete provisions.

(2) If the contract or agreement provided for in Paragraph (1) of this Subsection is terminated by the physician prior to the initial five-year term, the physician may be prohibited from carrying on or engaging in a business similar to that of the employer in the parish in which the physician's principal practice is located and no more than two contiguous parishes in which the employer carries on a like business. The parishes shall be specified in the contract or agreement. The prohibition authorized in this Paragraph shall not exceed a period of more than two years from termination of employment.

O.(1) The provisions of Subsections M and N of this Section shall not apply to the following physicians:

(a) Any physician who is employed by or under contract with a rural hospital as provided for in the Rural Hospital Preservation Act, R.S. 40:1189.1 et seq.

(b) Any physician who is employed by or under contract with a federally qualified healthcare center as defined in R.S. 40:1183.3 and which operates in a rural parish as designated by the federal Office of Management and Budget at the time the physician is hired.

(2) For any physician exempted in this Subsection, the provisions of Subsections C, J, K, or L of this Section shall apply.

Section 2.(A) The provisions of this Act shall apply to any contract or agreement entered into on or after the effective date of this Act.

(B) For any contract or agreement in existence as of the effective date of this Act, the initial three- or five-year term provided for in this Act shall commence on the effective date of this Act.

(C) For any contract or agreement in existence as of the effective date of this Act, the geographic provisions provided for in this Act shall be applicable on the effective date of this Act.

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

Approved by the Governor, May 23, 2024.

A true copy:

Nancy Landry  
Secretary of State

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**ACT No. 274**

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**SENATE BILL NO. 498**  
**BY SENATOR FOIL**  
**AN ACT**

To enact Chapter 2-B of Code Title II of Code Book III of Title 9 of the Louisiana Revised Statutes of 1950, to be comprised of R.S. 9:2348 through 2350.2, and R.S. 9:2792.1.1, relative to special charitable trusts; to provide for the creation and purpose of special charitable trusts; to provide with respect to terms, conditions, and procedures; to provide for duties, functions, limitations, and restrictions; to provide with respect to trustees and officers of the special charitable trusts; to provide for indemnification and insurance; to provide for limitation of liability; to provide for an effective date; and to provide for related matters.

Be it enacted by the Legislature of Louisiana:

Section 1. Chapter 2-B of Code Title II of Code Book III of Title 9 of the Louisiana Revised Statutes of 1950, comprised of R.S. 9:2348 through 2350.2, and R.S. 9:2792.1.1 are hereby enacted to read as follows:

**CHAPTER 2-B. SPECIAL CHARITABLE TRUSTS**

**§2348. Special charitable trust; purpose**

A special charitable trust may be created when a person makes a donation inter vivos to the trust in an amount not less than fifty million dollars for purposes of improving the health and lives of the people of Louisiana and forms the trust pursuant to the provisions of this Chapter. The special charitable trust may provide for any type of beneficiary, including an institutional beneficiary as defined in R.S. 9:2271.

**§2349. Duties and liabilities; indemnity; delegating performance**

A. Subject to any limitations, restrictions, reservations in the trust, resolution of the trustees, or applicable law, the special charitable trust shall be managed by the trustees. The trustee has a fiduciary duty to act in the best interest of the special charitable trust and its beneficiaries, and shall exercise due diligence in the performance of his duties pursuant to the provisions of R.S. 9:2090. A trustee, an immediate family member of a trustee, or a business associated with either, shall not do business with or receive remuneration from the trust

except for reasonable compensation for services as a trustee as provided for in this Chapter. A trustee shall not engage in conduct or activity that would be prohibited pursuant to R.S. 42:1112 and R.S. 42:1113 as though the trust were a governmental entity.

B. Notwithstanding the provisions of R.S. 9:2087, the trustee of a special charitable trust shall be authorized to delegate the performance of his duties to one or more trustees, or to an officer, employee, or agent of the trust by resolution of the trustees without requiring a power of attorney. The delegation of authority shall not relieve the trustee of any responsibility imposed by law. The president or equivalent officer, or the trustee, may delegate powers or duties if an officer is absent or for any other reason deemed sufficient. The officer, employee, or agent is authorized to perform the delegated duties of the special charitable trust as prescribed by the trustee, and shall be subject to a court of competent jurisdiction on all matters relating to the performance of his duties.

C. The trustee shall exercise reasonable care, skill, and caution in selecting an officer, employee, or agent, and in establishing the scope and terms of the delegation consistent with the purposes of the special charitable trust when delegating performance of his duties authorized pursuant to this Section. In the event the trustee discovers a breach of duty, reasonable action under the circumstances shall be taken to remedy the breach.

D. In performing a delegated function, an officer, employee, or agent of a special charitable trust shall have the same fiduciary duty as the delegating trustee to the special charitable trust, act in the best interest of the special charitable trust and its beneficiaries, and exercise due diligence in the performance of his duties within the scope and terms of his delegation.

E. The liability of trustees and officers of a special charitable trust shall be as provided in R.S. 9:2792.1.1.

F. A trustee shall not be held liable under the provisions of this Section if he acted in good faith reliance on any of the following:

- (1) A report made by a representative of the special charitable trust.
- (2) A report made by an appraiser selected with reasonable care by the trustees.
- (3) A financial statement or other record represented as accurate by the president or officer in charge of the financial accounts or records of the special charitable trust.
- (4) A written report by a certified public accountant fairly reflecting the financial condition of the special charitable trust.

G. Nothing contained in this Section shall derogate from the indemnification authorized pursuant to R.S. 9:2350.

H. The trustees, officers, employees, or agents of a special charitable trust shall be entitled to reasonable compensation as determined by the trustees for services performed on behalf of the special charitable trust.

#### §2349.1. Limitation on political and lobbying activities

A special charitable trust shall comply with the provisions of Section 501(c) of the Internal Revenue Code of 1986, as amended, including but not limited to restrictions on influencing legislation and participating in political campaign activity, and limitations of substantial activities promoting propaganda. A special charitable trust shall not publish or distribute statements or provide funding, directly or indirectly, relating to, supporting, or opposing a political campaign regarding any candidate for public office or any campaign regarding a political issue.

#### §2350. Indemnification of trustees, officers, employees, and agents of a special charitable trust; insurance

A. (1) A special charitable trust may indemnify a party to any action or proceeding, including any action by the special charitable trust, and as set forth in R.S. 9:2191 and R.S. 9:2196, in either of the following circumstances:

(a) The party is a past or present trustee, officer, employee, or agent of the special charitable trust.

(b) The party is or was serving, at the request of the special charitable trust, as a trustee, officer, employee, or agent of another nonprofit, business or foreign special charitable trust, partnership, joint venture or other enterprise.

(2) The trustee, officer, employee, or agent shall be entitled to indemnification of each of the following:

(a) Expenses, reasonable attorney fees, settlements and judgments, and fines.

(b) The amounts provided herein shall be reasonably incurred in connection with the action or proceeding.

(c) The provisions of this Paragraph shall apply only if the party both:

(i) Acted in good faith and exercised reasonable care and skill in a manner he reasonably believed to be in the best interests of the special charitable trust.

(ii) Had reasonable cause to believe his conduct was lawful.

(3) In a criminal action or proceeding by the special charitable trust or its trustees, the indemnification shall be limited to expenses, attorney fees, settlements and judgments, and the estimated cost of the litigation and shall be reasonably incurred in connection with the defense of the action.

(4) The trustee shall not be entitled to indemnification if found by a court of competent jurisdiction to be liable for negligence or willful misconduct in the performance of his duty to the special charitable trust. The court may find based upon the facts and circumstances that, notwithstanding the adjudication of liability, the trustee shall be entitled to indemnification for reasonable expenses as determined by the court.

(5) A settlement or judgment, order, conviction, or plea of nolo contendere shall not create a presumption that the person acted in bad faith and not in the best interest of the special charitable trust, or, in a criminal action, had reasonable cause to believe that his conduct was unlawful.

B. A trustee, officer, employee, or agent of a special charitable trust who has prevailed in any action or proceeding, or in defense of any claim shall be entitled to indemnification of actual expenses, and reasonable attorney fees

which he incurred.

C. Indemnification pursuant to Subsection A of this Section, unless ordered by the court, shall be made by the special charitable trust only as authorized and upon a determination that the person meets the applicable standard. The determination shall be made by a majority vote of a quorum consisting of trustees who were not parties to the action or proceeding, or by independent legal counsel, if a quorum of trustees is not obtainable or if directed by a quorum of disinterested trustees.

D. Expenses incurred in defense of an action or proceeding may be paid by the special charitable trust in advance of the final disposition if authorized by the trustees in the manner provided in Subsection C of this Section, upon receipt of an undertaking by or on behalf of the trustee, officer, employee, or agent to repay such amount unless determined that he is entitled to indemnification by the special charitable trust as authorized in this Section.

E. The indemnification provided by this Section shall not be deemed exclusive of any rights the person otherwise may be entitled by law, agreement, by-laws, or authorization of disinterested trustees, both, acting in his official capacity or in another capacity while holding office. The indemnification shall continue to a person who is no longer a trustee, officer, employee, or agent and shall inure to the benefit of his heirs and legal representative.

F. A special charitable trust may procure liability insurance on behalf of a past or present trustee, officer, employee, or agent of the special charitable trust, or a person who is or was serving at the request of a special charitable trust as a trustee, officer, employee, or agent of another nonprofit, business or foreign corporation, partnership, joint venture or other enterprise, acting in a prudent manner in the performance of his duties, notwithstanding the indemnification provided by a special charitable trust authorized under the provisions of this Chapter.

#### §2350.1. Indemnification of third party by special charitable trust

A special charitable trust may be subject to indemnification, reimbursement claims, assumption of obligations, and liabilities of another entity to incentivize donations or contributions to the special charitable trust. This provision shall be broadly construed.

#### §2350.2. Application of other Louisiana Trust Code provisions

A. Whenever the provisions of this Chapter are silent and except as otherwise provided in this Chapter, the provisions of Chapter 2 of Code Title II of Code Book III of Title 9 of the Louisiana Revised Statutes shall apply, and whenever the provisions of Chapter 2 are silent then the provisions of the Louisiana Trust Code shall apply. The Louisiana Trust Code shall not be applied in a contradictory manner to Chapter 2 of Code Title II of Code Book III of Title 9 of the Louisiana Revised Statutes. The provisions of neither the Louisiana Trust Code nor Chapter 2 shall be applied in a contradictory manner to the provisions of this Chapter, to invalidate a trust authorized pursuant to this Chapter, to adversely affect the tax-exempt status of a special charitable trust, nor to prevent any tax deduction for contributions to the trust.

B. Notwithstanding any provision to the contrary, a special charitable trust shall be subject to the provisions of the Louisiana Uniform Prudent Management of Institutional Funds Act. A special charitable trust shall be considered an "institution" for purposes of R.S. 9:2337.2(4) and the trust assets shall not be considered funds "held for an institution by a trustee that is not an institution" pursuant to R.S. 9:2337.2(5)(b) although the special charitable trust has "individuals" as trustees.

C. The trust may be amended only with court approval. The trust shall not be amended to relieve a trustee of his fiduciary obligations or to waive a conflict of interest or ethical rules.

\* \* \*

#### §2792.1.1. Limitation of liability of trustee and officer of special charitable trust

A person who serves as a trustee or officer of a special charitable trust qualified as a tax-exempt organization under Section 501(c) of the Internal Revenue Code of 1986, as amended, and who is compensated for such services shall not be individually liable for any act or omission resulting in damage or injury, arising out of the exercise of his judgment in the formation and implementation of policy while acting as a trustee or officer of the special charitable trust, or arising out of the management of the affairs of the special charitable trust, provided he was acting in good faith and within the scope of his official functions and duties, unless such damage or injury was caused by his willful or wanton misconduct.

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 23, 2024.

A true copy:

Nancy Landry  
Secretary of State

ACT No. 275

HOUSE BILL NO. 337

BY REPRESENTATIVES MCFARLAND, AMEDEE, BERAULT, BILLINGS, BUTLER, CARRIER, CARVER, COX, DAVIS, DEWITT, DICKERSON, EGAN, EMERSON, FIRMENT, MELERINE, OWEN, SCHAMERHORN, WILDER, AND WYBLE AND SENATORS BASS, CLOUD, EDMONDS,



FESI, HENRY, MIGUEZ, SEABAUGH, STINE, AND WOMACK  
AN ACT

To amend and reenact R.S. 22:1269(B)(1) and (D), to enact R.S. 22:1269(B)(3) and (4), (E), and (F), and to repeal Code of Evidence Art. 411(D), relative to direct actions against an insurer; to provide for direct action against the insured; to provide for direct action against the insurer in limited circumstances; to provide relative to case captions and disclosures to jurors; to provide for intent; and to provide for related matters.

Be it enacted by the Legislature of Louisiana:

Section 1. R.S. 22:1269(B)(1) and (D) are hereby amended and reenacted and R.S. 22:1269(B)(3) and (4), (E), and (F) are hereby enacted to read as follows:

§1269. Liability policy; insolvency or bankruptcy of insured and inability to effect service of citation or other process; direct action against insurer

\* \* \*

~~B.(1) The injured person or, if deceased, the persons identified in Civil Code Arts. 2315.1 and 2315.2, his survivors or heirs mentioned in Subsection A of this Section, at their option, shall have a no right of direct action against the insurer unless at least one of the following applies: within the terms and limits of the policy; and, such action may be brought against the insurer alone, or against both the insured and insurer jointly and in solido, in the parish in which the accident or injury occurred or in the parish in which an action could be brought against either the insured or the insurer under the general rules of venue prescribed by Code of Civil Procedure Art. 42 only; however, such action may be brought against the insurer alone only when at least one of the following applies:~~

~~(a) The insured has been adjudged bankrupt by files for bankruptcy in a court of competent jurisdiction or when proceedings to adjudge an insured bankrupt have been commenced before a court of competent jurisdiction.~~

~~(b) The insured is insolvent.~~

~~(c) Service of citation or other process cannot be made on the insured has been attempted without success or the insured defendant refuses to answer or otherwise defend the action within one hundred eighty days of service.~~

~~(d) When the cause of action is for damages as a result of an offense or quasi-offense between children and their parents or between married persons.~~

~~(e) When the insurer is an uninsured motorist carrier.~~

~~(f) The insured is deceased.~~

~~(g) When the insurer is defending the lawsuit under a reservation of rights, or the insurer denies coverage to the insured, but only for the purpose of establishing coverage.~~

\* \* \*

~~(3) The filing of an action against the insured shall interrupt prescription as to all insurers whose policies provide coverage for the claims asserted in the action.~~

~~(4)(a) An insurer shall not be included in the caption of any action brought against the insurer pursuant to this Section. The action shall instead be captioned only against the insured defendant or other noninsurance defendants.~~

~~(b) A court shall not disclose the existence of insurance coverage to the jury or mention such coverage in the jury's presence unless required by Code of Evidence Article 411.~~

~~(c) A court may dismiss the action against any insured or other defendant if the action cannot proceed due to any of the circumstances in Paragraph (2) of this Subsection.~~

\* \* \*

~~D. It is also the intent of this Section that all liability policies within their terms and limits are executed for the benefit of all injured persons and their survivors or heirs to whom the insured is liable; and, that it is the purpose of all liability policies to give protection and coverage to all insureds, whether they are named insured or additional insureds under the omnibus clause, for any legal liability the insured may have as or for a tortfeasor within the terms and limits of the policy.~~

~~(1)(a) In those instances where direct action is not otherwise authorized by law, at the time a judgment is to be entered, or a settlement is reached during the pendency of litigation, a liability insurer may be joined on motion of any party as a party defendant for the purposes of entering final judgment or enforcing the settlement.~~

~~(b) The provisions of Subparagraph (a) of this Paragraph are subject to the terms and limits of the policy and do not apply if the insurer timely denied coverage or reserved rights under the provisions of Subsection E of this Section unless there has been an adjudication in favor of coverage.~~

~~(c) Subject to the provisions of this Subsection, any judgment entered against an insured shall also be rendered against any nonparty insurer that is joined post-verdict pursuant to this Subsection. If a judgment is reversed or remanded on appeal, the insurer's presence shall not be disclosed to the jury in a subsequent trial.~~

~~(2)(a) With the first responsive pleading filed on behalf of the insured defendant, counsel for the insured defendant who is authorized by an insurer shall certify to the plaintiff the name and address of any insurers for whom he is authorized to confirm that they waive any further notice related to the cause of action other than that provided to the counsel for the insured. The insurer is deemed to have all notice provided to the counsel for the insured who has entered this waiver unless it provides written notice to the parties instructing notice be additionally sent to another counsel. If an insurer has waived notice of the cause of action pursuant to this Subparagraph, then an order to join the defendant post-verdict may be issued ex parte when filed.~~

~~(b) Notice of the commencement of a civil action may be provided by~~

plaintiff or its counsel to the nonparty insurer by service of the citation on the nonparty insurer by any method of service on a defendant provided by law. Any copy of a motion to join the insurer post-verdict transmitted pursuant to this Subparagraph may be granted in chambers fifteen days following service pursuant to this Subparagraph unless a contradictory hearing is requested prior to that date.

E. In addition to any other restriction provided by law, a liability insurer denying coverage shall do the following:

(1) Within ninety days after the liability insurer makes a determination of the existence of a coverage defense, but in no case later than thirty days before trial, provide written notice of reservation of rights to assert a coverage defense to the named insured by United States postal proof of mailing, registered or certified mail, or other similar tracking method used or approved by the United State Postal Service or commercial courier sent to the last known address of the insured or by hand delivery.

(2) Within sixty days of the later of compliance with Paragraph (1) of this Subsection and after receipt or waiver of notice pursuant to Paragraph (D)(2) of this Section, but in no case later than thirty days before trial, the insured shall give notice to all counsel of record in a cause of action against the insured that a reservation of rights has been issued and also give notice to its named insurer in the same manner as provided for in Paragraph (1) of this Subsection that either:

(a) The insurer refuses to defend the insured.

(b) The insurer provides independent counsel at the expense of the insurer.

F. The legislature finds that the purpose of all liability policies is to provide protection and coverage to all insureds, whether the insured is a named insured or an additional insured under the omnibus clause, for all legal liability the insured may have within the terms and limits of the policy.

Section 2. Code of Evidence Art. 411(D) is hereby repealed.

Section 3. The Louisiana State Law Institute is hereby authorized and directed to change the reference in Code of Evidence Art. 411(B) from R.S. 22:1269(B)(1)(a) through (f) to R.S. 22:1269(B)(1)(a) through (g).

Section 4. Nothing in this Act shall prevent a plaintiff from resolving a claim of coverage against one insurer while preserving a claim against another insurer of the same defendant in the same cause of action, as contemplated by Gasquet vs. Commercial Union Insurance Company, 391 So. 2d 466 (La. 1981) and its progeny.

Approved by the Governor, May 23, 2024.

A true copy:

Nancy Landry  
Secretary of State

ACT No. 276

HOUSE BILL NO. 639  
BY REPRESENTATIVE FONTENOT  
AN ACT

To enact R.S. 14:108(B)(1)(f), relative to the crime of resisting an officer; to provide relative to the definition of "obstruction of" an officer; and to provide for related matters.

Be it enacted by the Legislature of Louisiana:

Section 1. R.S. 14:108(B)(1)(f) is hereby enacted to read as follows:

§108. Resisting an officer

\* \* \*

B.(1) The phrase "obstruction of" as used herein shall, in addition to its common meaning, signification, and connotation mean the following:

\* \* \*

(f) Failure to provide or display the person's state issued driver's license or identification on the officer's request when the person is an operator of a motor vehicle, the person has been lawfully detained for an alleged violation of a law, and the officer has exhausted all resources at his disposal to verify the identity of the person.

\* \* \*

Approved by the Governor, May 24, 2024.

A true copy:

Nancy Landry  
Secretary of State

ACT No. 277

SENATE BILL NO. 10  
BY SENATOR PRESSLY  
AN ACT

To enact R.S. 12:1705, relative to commercial regulations; to provide relative to separate juridical personalities of a business organization; to provide for definitions; to provide for an exception; to provide for applicability; and to provide for related matters.

Be it enacted by the Legislature of Louisiana:

Section 1. R.S. 12:1705 is hereby enacted to read as follows:

**§1705. Business organizations; juridical personalities**

**A. The separate juridical personality of a business organization shall not be disregarded as between one business organization and another except on grounds that would justify disregarding the separate personality of a business organization as between the business organization and a natural person.**

**B. Notwithstanding Subsection A of this Section, the separate juridical personality of a business organization may not be disregarded merely because one or more of the following circumstances exist:**

- (1) They control one another or are under the common control of the same person or business organization.**
- (2) They have common directors, officers, shareholders, members, managers, partners, or employees.**
- (3) They have common offices.**
- (4) They are subject to unified administrative control.**
- (5) They utilize a centralized accounting system.**
- (6) One business organization finances, incorporates, or organizes another.**
- (7) One business organization makes properly documented payments on behalf of another or makes properly documented use of the property of another.**
- (8) The employees of one business organization provide properly documented services for another.**
- (9) One business organization receives no business other than that given to it by another.**

**C. For purposes of this Section, the term "business organization" means a business corporation, nonprofit corporation, limited liability company, partnership, trust, or other form of business organization that is treated as a juridical person or legal entity pursuant to the laws of the state or country under which it is incorporated or organized.**

**D.(1) This Section shall not affect any legal or regulatory action taken by the commissioner of insurance pursuant to the Louisiana Insurance Code, Chapter 9 of Title 22 of the Louisiana Revised Statutes of 1950.**

**(2) This Section shall not affect any law or administrative rule that permits or requires a group of business organizations to be consolidated, unified, or disregarded for the purposes provided in the applicable law or administrative rule.**

Section 2. The provisions of this Act shall apply prospectively to all business organizations including those in existence on the effective date of this Act.

Approved by the Governor, May 28, 2024.

A true copy:  
Nancy Landry  
Secretary of State

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**ACT No. 278**

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SENATE BILL NO. 11  
BY SENATOR FOIL  
AN ACT

To amend and reenact R.S. 36:258(F) and 259(F)(1), R.S. 36:258(F) as amended and reenacted by Section 3 of Act No. 384 of the 2013 Regular Session of the Legislature, and R.S. 46:2631, 2632(1), (3), and (5), 2633(A), (C), (D)(1), and (E) (4), 2634(A), the introductory paragraph of 2634(B), 2634(B)(2), (5), and (7), and (H), and 2635(A) through (D), relative to the Louisiana Traumatic Head and Spinal Cord Injury Trust Fund; to rename the fund; to provide for purposes and uses of the fund; and to provide for related matters.

Be it enacted by the Legislature of Louisiana:

Section 1. R.S. 36:258(F) and 259(F)(1) are hereby amended and reenacted to read as follows:

§258. Offices; purposes and functions

\* \* \*

F. The office of aging and adult services shall be responsible for the programs and functions of the Louisiana Department of Health related to the long-term care of the elderly and the protection and long-term care of persons with adult onset disabilities. It shall administer the residential state-operated nursing homes, the Villa Feliciana Medical Complex, the protection services program of adults from ages eighteen to fifty-nine, the department's long-term support and services programs, the State Personal Assistance Services program, the Community and Family Support Program, the Traumatic **Head Brain** and Spinal Cord Injury Trust Fund, as well as other related programs within the department.

\* \* \*

§259. Transfer of agencies and functions to Louisiana Department of Health

\* \* \*

F. The following agencies are hereby placed within the Louisiana Department of Health and shall exercise and perform their powers, duties, functions, and responsibilities in accordance with the provisions of R.S. 36:901 et seq.:

(1) Traumatic **Head Brain** and Spinal Cord Injury Trust Fund Advisory Board (R.S. 46:2631 et seq.).

\* \* \*

Section 2. R.S. 46:2631, 2632(1), (3), and (5), 2633(A), (C), (D)(1), and (E)(4), 2634(A), the introductory paragraph of 2634(B), 2634(B)(2), (5), and (7), and (H), and 2635(A) through (D) are hereby amended and reenacted to read as follows:

**CHAPTER 48. LOUISIANA TRAUMATIC **HEAD BRAIN** AND SPINAL CORD INJURY TRUST FUND**

§2631. Purpose

The purpose of this Chapter is to provide for the development of a rehabilitation program for persons disabled by traumatic **head brain** and spinal cord injuries through the establishment of a trust fund in the state treasury to be funded by additional fees imposed on motor vehicle violations in this state for the offenses of driving under the influence, reckless operation, and speeding. The purpose of the Traumatic **Head Brain** and Spinal Cord

Injury Trust Fund is to provide Louisiana citizens who survive traumatic **head brain** or spinal cord injuries a source of funds for services enabling them with assistance to return to a reasonable level of functioning and independent living in their communities.

§2632. Definitions

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

(1) "Board" means the Traumatic **Head Brain** and Spinal Cord Injury Trust Fund Advisory Board.

\* \* \*

(3) "Fund" means the Traumatic **Head Brain** and Spinal Cord Injury Trust Fund.

\* \* \*

(5) "Traumatic **head brain** injury" means an insult to the head, affecting the brain, not of a degenerative or congenital nature, but caused by an external physical force that may produce a diminished or altered state of consciousness which results in an impairment of cognitive abilities or physical functioning. These impairments may be either temporary or permanent and cause partial or total functional disability or psychological maladjustment.

§2633. Traumatic **Head Brain** and Spinal Cord Injury Trust Fund

A. There is hereby established a special fund in the state treasury to be known as the Traumatic **Head Brain** and Spinal Cord Injury Trust Fund which shall consist of monies collected from an additional fee imposed on all motor vehicle violations for driving under the influence, reckless operation, and speeding in this state. In addition, the legislature may make annual appropriations to the trust fund for the purpose set forth in this Chapter to the extent that state general funds are available.

\* \* \*

C. All monies collected under this Chapter shall be forwarded by the officer of the court who collects the same to the state treasurer within thirty days after the penalty or forfeiture is collected. After deposit in the Bond Security and Redemption Fund as required by Article VII, Section 9(B) of the Constitution of Louisiana, an amount equal to that deposited as required by Subsection A of this Section shall be credited to the Traumatic **Head Brain** and Spinal Cord Injury Trust Fund account under the Louisiana Department of Health, office of aging and adult services. All unexpended and unencumbered monies in the fund at the end of the fiscal year shall remain in the fund. The monies in this fund shall be invested by the state treasurer in the same manner as monies in the state general fund, and interest earned on the investment of these monies shall be credited to the fund, following compliance with the requirement of Article VII, Section 9(B) relative to the Bond Security and Redemption Fund.

D.(1) The monies in the fund shall be used solely for programs designed to provide services to Louisiana citizens disabled by traumatic **head brain** and spinal cord injuries, for the administrative costs of the programs, reimbursement of travel expenses of members of the Traumatic **Head Brain** and Spinal Cord Injury Trust Fund Advisory Board which are incurred in the discharge of their duties, and as provided in Paragraph (2) of this Subsection. Disbursement of the amount appropriated to the department each year shall be made as determined by the department. In determining disbursement of monies in the fund, the department shall take into account any recommendations of the board.

\* \* \*

E. The department shall:

\* \* \*

(4) Investigate the needs of the ~~head-injured~~ **brain-injured** and spinal cord-injured, identify any gaps in services, and prepare and submit an annual report with recommendations to the legislature and the governor sixty days prior to each regular session of the legislature.

\* \* \*

§2634. Traumatic **Head Brain** and Spinal Cord Injury Trust Fund Advisory Board; creation; membership

A. There is hereby created the Traumatic **Head Brain** and Spinal Cord Injury Trust Fund Advisory Board within the Louisiana Department of Health, office of aging and adult services.

B. The Traumatic **Head Brain** and Spinal Cord Injury Trust Fund Advisory Board shall be composed of thirteen members as follows:

\* \* \*

(2) A representative of an organization recognized for its work in advocacy programs for persons with traumatic **head brain** injury, appointed by the governor from a list of names submitted by such organization.

\* \* \*

(5) A survivor of a traumatic **head brain** injury appointed by the governor.

\* \* \*

(7) A family member of a survivor of a traumatic **head brain** injury appointed by the governor.

\* \* \*

H. The board shall serve in an advisory capacity to the office of aging and adult services of the department in all phases of administration by the department of the Traumatic **Head Brain** and Spinal Cord Injury Trust Fund.

§2635. Expenditures

A. Except as provided in R.S. 46:2633(D)(2), money in the trust fund shall be distributed for the sole purpose of funding the cost of care or supportive services for traumatic **head brain** and spinal cord injury, including the administrative costs attributable to services provided by the trust fund program. The fund shall be considered as a source of last resort after

Medicare and Medicaid sources have been expended for Louisiana citizens.

B. Authorization of expenditures for spinal cord injury care and ~~head brain~~ injury care shall be made by the office of aging and adult services, within the Louisiana Department of Health, according to criteria established by the department through administrative rule.

C. Expenditures may include but are not limited to post-acute medical care rehabilitation, therapies, medication, attendant care, home or vehicle accessibility modifications, and equipment necessary for activities of daily living, provided that such expenses are related to the spinal cord injury or traumatic ~~head brain~~ injury.

D.(1) Except as provided in Paragraph (2) of this Subsection, expenditures on behalf of any one traumatic ~~head brain~~ or spinal cord injury survivor shall not exceed fifteen thousand dollars for any twelve-month period nor fifty thousand dollars in total expenditures.

(2) If the total expenditures on behalf of any one traumatic ~~head brain~~ or spinal cord injury survivor exceed fifty thousand dollars, the survivor may be eligible for additional expenditures on behalf of the survivor if funds are appropriated specifically for that purpose in addition to the funds collected pursuant to R.S. 46:2633(B), provided that the total amount of expenditures on behalf of any one traumatic ~~head brain~~ or spinal cord injury survivor shall not exceed fifteen thousand dollars per year nor one hundred thousand dollars in total expenditures.

\* \* \*

Section 3. R.S. 36:258(F) as amended and reenacted by Section 3 of Act No. 384 of the 2013 Regular Session of the Legislature is hereby amended and reenacted to read as follows:

F. The office of aging and adult services shall be responsible for the programs and functions of the Louisiana Department of Health related to the long-term care of the elderly and the protection and long-term care of persons with adult onset disabilities. It shall administer the residential state-operated nursing homes, the Villa Feliciana Medical Complex, the protection services program of adults from ages eighteen to fifty-nine, the department's long-term support and services programs, the State Personal Assistance Services program, the Community and Family Support Program, the Traumatic ~~Head Brain~~ and Spinal Cord Injury Trust Fund, as well as other related programs within the department. The office shall have no responsibility or authority for any programs or functions assigned by the Louisiana Revised Statutes of 1950 to the Department of Elderly Affairs.

Section 4.(A) This Section and Sections 1 and 2 of this Act shall become effective on February 1, 2025.

(B) Section 3 of this Act shall become effective upon the effective date of the abolition of one or more of the twenty departments in the executive branch of state government or upon the effective date of a constitutional amendment that authorizes creation of an executive branch department in addition to the twenty departments authorized by Constitution Article IV, Section 1(B), whichever such effective date is earlier.

Approved by the Governor, May 28, 2024.

A true copy:  
Nancy Landry  
Secretary of State

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**ACT No. 279**

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SENATE BILL NO. 13  
BY SENATOR SEABAUGH  
AN ACT

To amend and reenact R.S. 18:586, relative to vacancies in an elected office; to provide relative to the removal from office of an elected official; to provide relative to appointments and elections to fill such a vacancy; to provide for a prohibition; and to provide for related matters.

Be it enacted by the Legislature of Louisiana:

Section 1. R.S. 18:586 is hereby amended and reenacted to read as follows:  
§586. Vacancies caused by retirement, ~~or resignation,~~ or removal; prohibitions

A. No elected official who has ~~retired or resigned~~ retired, resigned, or been removed from state or local elective office shall be appointed to succeed himself in the office from which the official retired, ~~or resigned,~~ or was removed, unless the removal was due to a defect that is capable of being legally cured prior to qualifying for the election to fill the vacancy.

B. No elected official who has ~~retired or resigned~~ retired, resigned, or been removed from state or local elective office shall be eligible as a candidate at an election called to fill the vacancy created by the retirement, ~~or resignation,~~ or removal of the elected official, unless the removal was due to a defect that is capable of being legally cured prior to qualifying for the election to fill the vacancy.

Approved by the Governor, May 28, 2024.

A true copy:  
Nancy Landry  
Secretary of State

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**ACT No. 280**

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SENATE BILL NO. 22  
BY SENATOR WHEAT AND REPRESENTATIVES ADAMS, BILLINGS,

BRAUD, BRYANT, CARRIER, ROBBY CARTER, WILFORD CARTER, CHASSION, COX, FONTENOT, GREEN, MIKE JOHNSON, KERNER, KNOX, MELERINE, MILLER, NEWELL, SELDERS, ST. BLANC, TAYLOR, THOMPSON AND WYBLE

AN ACT

To enact R.S. 17:1681(G) and 1681.2, relative to scholarships; to provide for scholarships for police officers injured in the performance of duty; to provide for scholarships for spouses of police officers killed or disabled in performance of duty; to provide for definitions; to provide for scholarship requirements; and to provide for related matters.

Be it enacted by the Legislature of Louisiana:

Section 1. R.S. 17:1681(G) and 1681.2 are hereby enacted to read as follows:  
§1681. Children and spouses of police officers and deputy sheriffs; definitions

\* \* \*

G. "Spouse" means the wife or husband of the police officer or deputy sheriff who is living in the same household and who is dependent upon the police officer or deputy sheriff for support if the police officer or deputy sheriff is alive and permanently disabled. Spouse also means the wife or husband of a police officer or deputy sheriff who is deceased and who was living in the same household and was dependent upon the police officer or deputy sheriff for support at the time of the injury which resulted in the police officer or deputy sheriff's death.

\* \* \*

§1681.2. Scholarships for spouses of police officers killed or disabled in performance of duty and for police officers injured in the performance of duty

A. The spouse of a police officer who is injured in the course and scope of the performance of his duties and the injury causes death or serious injury resulting in an inability to be employed, which spouse is otherwise eligible and meets all of the entrance requirements of a college or university, shall be admitted to a college or university without the payment of any fees, tuition, or other charges, including room and board charges. As long as the spouse meets the academic requirements and maintains a "C" average for each semester and complies with the rules and regulations of the college or university required for attendance, as a full-time student, the spouse shall receive the exemption. The exemption shall exist for the spouse for the number of semesters required of a full-time student to obtain one bachelor degree offered by the college or university. In addition, the spouse shall be entitled to a cash grant of two hundred fifty dollars per semester from the college or university as an allowance for books and all of the above sums shall be paid out of funds appropriated from the general fund of the state of Louisiana.

B. In no event shall any spouse be allowed more than ten semesters under the provisions of this Section.

C. Any police officer who is injured in the performance of duties as a police officer and such injury results in an inability to be employed, and the police officer is otherwise eligible and meets all of the entrance requirements of a college or university, such police officer shall be admitted to such college or university without the payment of any fees, tuition, or other charges, including room and board charges, as long as such police officer meets the academic requirements and maintains a "C" average for each semester and complies with the rules and regulations of such college or university required for attendance therein as a full-time student. Such exemption shall exist for such police officer for the number of semesters required of a full-time student to obtain one bachelor degree offered by such college or university. In addition thereto, such police officer shall be entitled to a cash grant of two hundred fifty dollars per semester from such college or university as an allowance for books and all of the above sums shall be paid out of funds appropriated from the general fund of the state of Louisiana.

D. In no event shall any injured police officer be allowed more than ten semesters under the provisions of this Section.

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

Approved by the Governor, May 28, 2024.

A true copy:  
Nancy Landry  
Secretary of State

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**ACT No. 281**

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SENATE BILL NO. 24  
BY SENATOR SEABAUGH AND REPRESENTATIVES BACALA, FONTENOT, ROMERO, SCHAMERHORN AND THOMPSON  
AN ACT

To amend and reenact Code of Criminal Procedure Art. 234, relative to booking photographs; to remove certain limitations on the release and dissemination of booking photographs; and to provide for related matters.

Be it enacted by the Legislature of Louisiana:

Section 1. Code of Criminal Procedure Art. 234 is hereby amended and reenacted to read as follows:

Art. 234. Booking photographs

A. As used in this Article:

(1) "Booking photograph" means a photograph or still, non-video image of an individual generated by a law enforcement agency for identification

purposes after arrest or while in the agency's custody.

(2) "Remove-for-pay publication or website" means a publication that requires the payment of a fee or other valuable consideration in order to remove or delete a booking photograph from the publication or which primarily utilizes the publication of booking photographs for profit or to obtain advertising revenue.

~~B. Except as provided in this Article, a law enforcement officer or agency shall not provide a copy of a booking photograph in any format to a person requesting a copy of that photograph.~~

~~C.(1) No law enforcement officer or agency shall publish, release, or disseminate in any format a booking photograph to the public or to a private person or entity unless any of the following occurs:~~

~~(a) The individual is a fugitive, and a law enforcement officer or agency determines that releasing or disseminating the booking photograph will assist in apprehending the individual.~~

~~(b) A law enforcement officer or agency determines that the individual is an imminent threat to an individual or to public safety and determines that releasing or disseminating the booking photograph will assist in reducing or eliminating the threat.~~

~~(c) A judge of a court of competent jurisdiction orders the release or dissemination of the booking photograph based on a finding that the release or dissemination is in furtherance of a legitimate interest.~~

~~(d) The individual is convicted of or pleads guilty or nolo contendere to a crime, lesser crime, or lesser included offense as defined in Article 558 in response to the same crime for which he was arrested or if there is criminal litigation related to the same crime that is pending or reasonably anticipated.~~

~~(e) The individual is charged with a crime of violence as defined in R.S. 14:2(B), except stalking, or charged with any of the following offenses:~~

- ~~(i) Sex offenses as defined in R.S. 15:541.~~
- ~~(ii) Human trafficking offenses as defined in R.S. 14:46.2 and 46.3.~~
- ~~(iii) Offenses affecting the health and morals of minors, R.S. 14:91 et seq.~~
- ~~(iv) Offenses affecting the health and safety of persons with infirmities, R.S. 14:93.3 et seq.~~
- ~~(v) Video voyeurism.~~
- ~~(vi) Cruelty to animals.~~
- ~~(vii) Dogfighting.~~

~~(f) The individual is released on a bail undertaking and the law enforcement officer or agency is requested to release or disseminate the booking photograph to the individual's surety agent.~~

~~(g) A law enforcement officer or agency determines that releasing or disseminating the booking photograph is necessary for investigative purposes.~~

~~(2) Notwithstanding the provisions of Subparagraph (1) of this Paragraph, a law enforcement officer or agency shall provide a copy of a booking photograph to the individual who is the subject of the booking photograph or to the counsel of record for the individual upon request.~~

~~(3) A booking photograph published, released, or disseminated by a law enforcement officer or agency, except after the subject of the booking photograph being found guilty or pleading guilty or nolo contendere as provided in Subsubparagraph (1)(d) of this Paragraph, shall include a disclaimer that states "all persons are presumed innocent until proven guilty."~~

~~(4) No law enforcement agency or employee thereof shall be subject to civil action or be held liable when the publication, release, or dissemination was made by mistake of fact or error, or was inadvertent and made in good faith.~~

~~D. The publication of a booking photograph of a Louisiana resident constitutes minimum contact with the state and by doing so, the party shall be subject to the jurisdiction of Louisiana courts.~~

~~E. B.(1) A remove-for-pay publication or website shall remove and destroy a booking photograph of an individual who submits a request for removal and destruction within seven calendar days from the day that the individual makes the request if both of the following conditions exist:~~

~~(a) The individual in the booking photograph was acquitted of the criminal charge or not prosecuted, or the individual had the criminal charge expunged, vacated, or pardoned.~~

~~(b) The individual submits, in relation to the request, evidence of a disposition described in Subsubparagraph (a) of this Subparagraph.~~

~~(2)(a) A remove-for-pay publication or website shall not require payment for removal or destruction of the booking photograph.~~

~~(b) Any remove-for-pay publication or website that seeks any fee or other valuable consideration for the removal or destruction of a booking photograph shall be subject to prosecution under R.S. 14:66.~~

~~(3) If the remove-for-pay publication or website does not remove and destroy the booking photograph, the remove-for-pay publication or website shall be liable for all costs, including reasonable attorney fees, resulting from any legal action that the individual brings in relation to the failure of the remove-for-pay publication or remove-for-pay website to remove and destroy the booking photograph.~~

Approved by the Governor, May 28, 2024.

A true copy:  
Nancy Landry  
Secretary of State

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ACT No. 282

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SENATE BILL NO. 30

BY SENATOR MILLER  
AN ACT

To amend and reenact R.S. 42:1124(C)(7 through 9) and 1124.2(C)(6 through 8), relative to annual financial disclosure statements by certain elected officials; to provide relative to the disclosure requirement for interests in immovable property; to provide relative to the disclosure requirement for the purchase or sale of immovable property; to provide relative to the disclosure requirement for investment securities; to provide relative to disclosure requirements of mutual funds and exchange-traded funds; and to provide for related matters.

Be it enacted by the Legislature of Louisiana:

Section 1. R.S. 42:1124(C)(7 through 9) and 1124.2(C)(6 through 8) are hereby amended and reenacted to read as follows:

§1124. Financial disclosure; statewide elected officials; certain public servants

\* \* \*

C. The financial statement required by this Section shall be filed on a form prescribed by the Board of Ethics and shall include the following information:

\* \* \*

(7) A brief description, fair market value or use value as determined by the assessor for purposes of ad valorem taxes, and the address, if any, and if no address, the location by state and parish or county, of each parcel of immovable property in which the individual or spouse, either individually or collectively, has an interest, provided that the value of the interest the individual or spouse, either individually or collectively, has in the parcel of immovable property exceeds ~~two~~ **five** thousand dollars.

(8) A brief description, amount, and date of any purchase or sale by the individual or spouse, in excess of ~~one~~ **five** thousand dollars, of any immovable property, and of any personally owned tax credit certificates, stocks, bonds, or commodities futures, including any option to acquire or dispose of any immovable property or of any personally owned tax credit certificates, stocks, bonds, or commodities futures. Nothing in this Paragraph shall require the reporting of information concerning **mutual funds, exchange-traded funds**, variable annuities, variable life insurance, or variable universal life insurance.

(9) The name, brief description, and amount of each investment security having a value exceeding ~~one~~ **five** thousand dollars held by the individual or spouse, excluding variable annuities, variable life insurance, variable universal life insurance, whole life insurance, any other life insurance product, mutual funds, **exchange-traded funds**, education investment accounts, retirement investment accounts, government bonds, and cash or cash equivalent investments. This Paragraph shall not be deemed to require disclosure of information concerning any property held and administered for any person other than the individual or spouse under a trust, tutorship, curatorship, or other custodial instrument.

\* \* \*

§1124.2. Financial disclosure; certain elected officials; members of certain boards and commissions; ethics administrator

\* \* \*

C. The financial statement required by this Section shall be filed on a form prescribed by the Board of Ethics and shall include the following information:

\* \* \*

(6) A brief description, fair market value or use value as determined by the assessor for purposes of ad valorem taxes, and the location by state and parish or county of each parcel of immovable property in which the individual or spouse, either individually or collectively, has an interest, provided that the value of the interest the individual or spouse, either individually or collectively, has in the parcel of immovable property exceeds ~~two~~ **five** thousand dollars.

(7) The name and a brief description of each investment security having a value exceeding five thousand dollars held by the individual or spouse excluding variable annuities, variable life insurance, variable universal life insurance, whole life insurance, any other life insurance product, mutual funds, **exchange-traded funds**, education investment accounts, retirement investment accounts, government bonds, and cash or cash equivalent investments. This Paragraph shall not be deemed to require disclosure of information concerning any property held and administered for any person other than the individual or spouse under a trust, tutorship, curatorship, or other custodial instrument.

(8) A brief description, amount, and date of any purchase or sale by the individual or spouse, in excess of five thousand dollars, of any immovable property and of any personally owned tax credit certificates, stocks, bonds, or commodities futures, including any option to acquire or dispose of any immovable property or of any personally owned tax credit certificates, stocks, bonds, or commodities futures. This Paragraph shall not be deemed to require disclosure of information concerning variable annuities, variable life insurance, variable universal life insurance, whole life insurance, any other life insurance product, mutual funds, **exchange-traded funds**, education investment accounts, retirement investment accounts, government bonds, cash, or cash equivalent investments.

\* \* \*

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

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ACT No. 283

SENATE BILL NO. 31

BY SENATOR WHEAT AND REPRESENTATIVES BACALA, BRYANT,  
CHASSION, GREEN, HILFERTY, KNOX, LACOMBE, STAGNI,  
THOMPSON AND VILLIO  
AN ACT

To amend and reenact R.S. 40:1665(C)(1) and 1665.2(C)(1), relative to survivor benefits; to provide for survivor benefits for dependent children of firemen and law enforcement officers; to provide for terms and conditions; and to provide for related matters.

Be it enacted by the Legislature of Louisiana:

Section 1. R.S. 40:1665(C)(1) and 1665.2(C)(1) are hereby amended and reenacted to read as follows:

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

\* \* \*

C.(1) In any case in which a fireman suffers death as a result of an injury arising out of and in the course of the performance of his official duties as a fireman, or arising out of any activity while on or off duty, in his capacity as a fireman, in the protection of life and property, the sum of two hundred fifty thousand dollars shall be paid to the surviving spouse of the fireman or, if not survived by a spouse, the sum of two hundred fifty thousand dollars shall be paid to the surviving child or children or, if not survived by a spouse nor a child or children, then the sum of two hundred fifty thousand dollars shall be paid to the named beneficiary listed on the fireman's designation form or, if there is no beneficiary designation form at the time of the fireman's death, and no surviving spouse nor a child or children, then the sum of two hundred fifty thousand dollars shall be paid to the fireman's estate. Each fireman shall complete a beneficiary designation form. In addition, if the fireman is survived by a dependent child or children, the sum of ~~twenty-five~~ **fifty** thousand dollars shall be paid for each of the dependent children, such sums to be paid to the duly appointed and qualified tutor or the legal representative of the child or children. Payment shall be made by the state risk manager out of the Self-Insurance Fund created in R.S. 39:1533(A).

\* \* \*

§1665.2. Financial security for surviving spouses and children of law enforcement officers in certain cases

\* \* \*

C.(1) In any case in which a law enforcement officer suffers death as a result of any injury arising out of and in the course of the performance of his official duties as such officer, or arising out of any activity, while on or off duty, in his capacity as a law enforcement officer, in the protection of life or property, the sum of two hundred fifty thousand dollars shall be paid to the surviving spouse of each officer or, if not survived by a spouse, the sum of two hundred fifty thousand dollars shall be paid to the surviving child or children or, if not survived by a spouse nor a child or children, then the sum of two hundred fifty thousand dollars shall be paid to the named beneficiary listed on the officer's beneficiary designation form or, if there is no designation form at the time of the officer's death, and no surviving spouse nor a child or children, then the sum of two hundred fifty thousand dollars shall be paid to the officer's estate. Each officer shall complete a beneficiary designation form. In addition, if the officer is survived by a dependent child or children, the sum of ~~twenty-five~~ **fifty** thousand dollars shall be paid for each of the dependent children, such sums to be paid to the duly appointed and qualified tutor or the legal representative of the child or children. Payment shall be made by the state risk manager out of the Self-Insurance Fund created in R.S. 39:1533(A).

\* \* \*

Approved by the Governor, May 28, 2024.

A true copy:  
Nancy Landry  
Secretary of State

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ACT No. 284

SENATE BILL NO. 50

BY SENATOR REESE  
AN ACT

To enact R.S. 14:90.8, relative to sports wagering; to prohibit certain persons from wagering on sports events; to provide for definitions; to provide for penalties; to provide for exceptions; and to provide for related matters.

Be it enacted by the Legislature of Louisiana:

Section 1. R.S. 14:90.8 is hereby enacted to read as follows:

**§90.8. Unlawful wagering; prohibited player**

**A.(1) It is unlawful for a prohibited player to wager on a sports event, personally or through another individual or proxy.**

**(2) It is unlawful for a person or entity to facilitate or place a sports wager on behalf of a prohibited player.**

**B. For purposes of this Section, "prohibited player" means a person who is prohibited from placing a wager on a sports event by any of the following:**

**(1) Chapter 10 of Title 27 of the Louisiana Revised Statutes of 1950, particularly R.S. 27:608, or Louisiana Administrative Code Title 42, Part VI.**

**(2) Participation in a self-restriction or self-exclusion program in accordance**

THE ADVOCATE  
PAGE 29

\* As it appears in the enrolled bill

**with R.S. 27:27.1 or Louisiana Administrative Code Title 42, Part III, Chapter 3. (3) Any other law, administrative rule, or policy of any jurisdiction, the sports wagering operator, the sports book, or a sports governing body.**

**C. Whoever violates the provisions of this Section shall be fined not more than five hundred dollars, or imprisoned for not more than six months, or both. Upon a second or subsequent conviction for a violation of this Section, the penalty shall be a fine of one thousand dollars, or imprisonment with or without hard labor for not more than one year, or both.**

**D. Whoever conducts, finances, manages, supervises, directs, leases, or owns all or part of a business when the person knowingly allows a prohibited player to wager on a sports event shall be fined not more than twenty thousand dollars, or imprisoned, with or without hard labor, for not more than five years, or both.**

**E.(1) A person, business, or entity licensed or sports wagering operator permitted pursuant to the provisions of Chapter 10 of Title 27 of the Louisiana Revised Statutes of 1950 shall not be subject to the penalty contained in Subsection D of this Section if the licensee or permittee has taken commercially reasonable methods to prevent a prohibited player from placing a wager on a sports event in person, on a sports wagering mechanism, or through a mobile application.**

**(2) A sports wagering platform provider permitted pursuant to the provisions of Chapter 10 of Subtitle XI of Title 47 of the Louisiana Revised Statutes of 1950 shall not be subject to the penalty contained in Subsection D of this Section if the permittee has taken commercially reasonable methods to prevent a prohibited player from placing a wager on a sports event on a sports wagering mechanism or through a mobile application.**

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

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ACT No. 285

SENATE BILL NO. 52

BY SENATOR MILLER AND REPRESENTATIVES BILLINGS AND  
MARCELLE  
AN ACT

To amend and reenact R.S. 18:1495.7(A)(1), relative to financial disclosure statements; to provide for the filing of a financial disclosure statement after qualifying for office; and to provide for related matters.

Be it enacted by the Legislature of Louisiana:

Section 1. R.S. 18:1495.7(A)(1) is hereby amended and reenacted to read as follows:

**§1495.7. Financial disclosure statements**

**A.(1)(a) Any person who becomes a candidate for an office for which the holder of the office is required to file financial disclosure statements pursuant to R.S. 42:1124, 1124.2, or 1124.3 shall file a financial disclosure statement as required by R.S. 42:1124, 1124.2, or 1124.3 for the office for which he is a candidate. The statement required by this Section shall be filed within three business days after the close of the qualifying period during which the candidate files his notice of candidacy for the office.**

**(b) If the person holds an office or position that requires filing of the same disclosure required of him by this Section, is required by R.S. 42:1124, 1124.2, or 1124.3 to file a statement for the office for which he is a candidate, such filing shall satisfy the requirements of this Section.**

\* \* \*

Approved by the Governor, May 28, 2024.

A true copy:  
Nancy Landry  
Secretary of State

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ACT No. 286

SENATE BILL NO. 57

BY SENATOR LAMBERT  
AN ACT

To amend and reenact R.S. 37:2354(D), 2355(B), 2359(A), the introductory paragraph of 2359(B), (E), and (G), and 2363(A), (B), and (D) and to enact R.S. 37:2352(12), 2354(B)(5) and (C)(5), 2356.4, and 2357(C), relative to licensed psychological associates; to create a licensed psychological associate license; to provide for qualifications and requirements for licensure; to provide for limitations of licensure; to provide for powers and duties of the State Board of Examiners of Psychologists; to provide for licensing fees; to provide for issuance, renewal, suspension, and revocation of a psychological associate's license; to establish patient-provider confidentiality; and to provide for related matters.

Be it enacted by the Legislature of Louisiana:

Section 1. R.S. 37:2354(D), 2355(B), 2359(A), the introductory paragraph of 2359(B), (E), and (G), and 2363(A), (B), and (D) are hereby amended and

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

reenacted and R.S. 37:2352(12), 2354(B)(5) and (C)(5), 2356.4, and 2357(C) are hereby enacted to read as follows:

§2352. Definition of terms

As used in this Chapter, the following terms have the meaning ascribed in this Section:

\* \* \*

(12) “Licensed psychological associate” means any person licensed as a psychological associate who applies his knowledge of psychology during consultation and collaboration with others and engages in specific services in accordance with this Chapter.

\* \* \*

§2354. Fees

\* \* \*

B.

\* \* \*

(5) The board shall charge an application fee to any person applying for licensure as a licensed psychological associate that shall not exceed two hundred dollars. The board shall adopt rules in accordance with the Administrative Procedure Act to implement the provisions of this Paragraph.

C.

\* \* \*

(5)(a) Every licensed psychological associate in this state shall annually pay to the board during the month of July of each year, beginning in the year immediately subsequent to his initial license, a renewal fee that shall not exceed three hundred dollars.

(b) Failure to renew the license as provided in Subparagraph (a) of this Paragraph shall cause the license to lapse. For a period of two years from the date of lapse of the license, such license may be renewed upon payment of a reinstatement fee equal to the application fee and renewal fee combined.

(c) The board shall adopt rules in accordance with the Administrative Procedure Act to implement the provisions of this Paragraph.

D. The board shall annually send a renewal notice to all licensed psychologists, provisional licensed psychologists, licensed psychological associate, and specialists in school psychology.

\* \* \*

§2355. Records

\* \* \*

B. The board shall publish or cause to be published annually a list of psychologists, ~~or licensed psychological associates~~, and licensed specialists in school psychology licensed in accordance with the provisions of this Chapter.

\* \* \*

§2356.4. Licensed psychological associate; licensure

A.(1) The board shall issue a license as a licensed psychological associate to any person who files an application upon a form and in such a manner as the board prescribes, accompanied by the fee required by this Chapter, and who furnishes evidence to the board that, except as otherwise required by law, the person meets all of the following criteria:

(a) Is at least twenty-one years of age.

(b) Is of good moral character.

(c) Has completed a master's degree in health service psychology from a psychology program approved by the board.

(d) Has completed supervised practice, as defined by the board, under the supervision of a licensed psychologist or medical psychologist licensed in accordance with R.S. 37:1360.51 et seq., with the post-graduate supervision occurring over a period of no less than two years and not more than six years from the original date the supervision was initiated.

(e) Has passed validated assessments and examinations approved by the board.

(f) Has demonstrated professional knowledge of laws, rules, and standards regarding the practice of psychology in this state.

(2) If the board reasonably believes that a person applying for a license or for a renewal of a license is not physically and mentally competent to render psychological services with reasonable skill and safety to his patients, or is afflicted with a disease or condition, either physical or mental, that would impair his competency to render psychological services, the board may request that the person submit to a physical examination by a medical doctor approved by the board or a mental health examination by a psychologist, a medical psychologist, or psychiatrist approved by the board. If the person refuses to submit to the examination, the board, after contradictory hearing and upon finding reasonable cause, may issue an order requiring the person to submit to the physical or mental health examination. A person who is ordered to submit to a physical or mental health examination shall not be eligible for licensure or renewal of license prior to such examination. Proceedings pursuant to this Paragraph shall be conducted in compliance with the Administrative Procedure Act.

B. A licensed psychological associate may practice independently.

C. The practice of a licensed psychological associate includes rendering psychological services to individuals, groups, or families including diagnosis for the purpose of offering mental health counseling and psychotherapy services for treatment and prevention of mental, emotional, behavioral, and addiction disorders.

D. A licensed psychological associate shall only practice within boundaries of his established competence and shall be able to demonstrate such competence as required by the board.

E.(1) A licensed psychological associate may perform independent administration and scoring of single dimensional symptom scales and check lists.

(2) A licensed psychological associate shall not perform any of the following:

THE ADVOCATE  
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\* As it appears in the enrolled bill

(a) The independent administration, scoring, or interpretation of:

(i) Psychological tests.

(ii) Personality.

(iii) Psychopathology.

(iv) Intellectual functioning.

(v) Academic achievement.

(vi) Neuropsychological functioning.

(vii) Forensic assessments.

(b) Diagnoses of severe mental illness, major disorders, or mental disorders as defined by the board.

(c) Treatments, tests, or practices prohibited by the board.

F. A licensed psychological associate shall maintain malpractice insurance.

\* \* \*

§2357. Renewal of license

\* \* \*

C.(1) Persons licensed as a licensed psychological associate in accordance with the provisions of this Chapter shall be eligible for renewal of licensure without regard to any subsequent changes in the requirements for licensure upon payment of fees required by this Chapter and compliance with the provisions of this Subsection.

(2)(a) The board shall establish continuing education requirements to be fulfilled by the licensed psychological associate prior to license renewal.

(b) Failure to fulfill the continuing education requirements shall cause the license to lapse. For a period of two years from the date of lapse of the license, the license may be renewed upon proof of fulfilling all continuing education requirements applicable through the date of reinstatement and upon payment of all fees required by this Chapter.

(c) The board may adopt rules in accordance with the Administrative Procedure Act to implement the provisions of this Chapter.

\* \* \*

§2359. Denial, revocation, or suspension of license; psychologist; provisional license; psychological associate; specialist in school psychology

A. A ~~psychologist~~ psychologist, a specialist in school psychology, a psychological associate, and anyone under the supervision of a psychologist shall conduct his activities in conformity with ethical and professional standards promulgated by the board pursuant to its current rules and regulations.

B. The board shall have the power and duty to suspend, place on probation, require remediation for a specified time, revoke any license to practice psychology, any provisional license to practice psychology, any license to practice as a psychological associate, or any license to practice as a specialist in school psychology issued by the board, or take any other action specified in the rules and regulations whenever the board, by affirmative vote of at least four members of a five-member hearing panel, shall find by a preponderance of the evidence that a psychologist, provisional licensed psychologist, or specialist in school psychology has engaged in any of the following acts or offenses:

\* \* \*

E. Suspension by the board of the license of a psychologist, a provisional license of a psychologist, a license of a psychological associate, or a license of a specialist in school psychology shall be for a period not exceeding two years.

\* \* \*

G. The board shall notify all licensed psychologists, provisional licensed psychologists, licensed psychological associate, and licensed specialists in school psychology of any disciplinary action taken against a licensed psychologist, a provisional licensed psychologist, a provisional licensed psychologist, or a licensed specialist in school psychology.

\* \* \*

§2363. Privileged communications

A. In judicial proceedings, whether civil, criminal, or juvenile, legislative and administrative proceedings, and proceedings preliminary and ancillary thereto, a patient or client, or his legal representative, may refuse to disclose or prevent the disclosure of confidential information, including information contained in administrative records, communicated to a ~~psychologist~~ psychologist, a licensed psychological associate, or a licensed specialist in school psychology licensed in accordance with the provisions of this Chapter, or persons reasonably believed by the patient or client to be so licensed, or to their employees or other persons under their supervision, for the purpose of diagnosis, evaluation, or treatment of any mental or emotional condition or disorder.

B. In the absence of evidence to the contrary, the ~~psychologist~~ psychologist, the licensed psychological associate, or the licensed specialist in school psychology is presumed to be authorized to claim the privilege on behalf of the patient or client.

\* \* \*

D. Notwithstanding the provisions of this Section, testimonial privileges, exceptions, and waiver with respect to communications between ~~psychologist~~ or a psychologist, a licensed psychological associate, or a licensed specialist in school psychology and patient are governed by the Louisiana Code of Evidence.

Approved by the Governor, May 28, 2024.

A true copy:

Nancy Landry  
Secretary of State

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

ACT No. 287

SENATE BILL NO. 63  
BY SENATOR COUSSAN

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

To amend and reenact R.S. 6:969.6(14)(b), (21)(b), (22), and (23)(a), 969.18(A)(6), 969.20(C)(1)(c), and 1083(6)(introductory paragraph), R.S. 9:374(B) and (C), Part IV of Chapter 1 of Code Title I of Code Book II of Title 9 of the Louisiana Revised Statutes of 1950, to be comprised of R.S. 9:1149.1 through 1149.7, R.S. 9:3259.1(A), (B), (E), and (F), 3259.3, and 5363.1, R.S. 10:9-102(a)(53), R.S. 22:1485, R.S. 32:1(introductory paragraph) and (44), 412.1(A)(introductory paragraph) and (25), 702(16), and 707(A), R.S. 33:3081(A)(2), 4562.1(A), and 9053.1(C), and R.S. 40:1502.1(A)(2), 1502.2(A), 1502.3(A), 1502.4(A), 1502.5(A), 1502.6(A), 1502.7(A), 1502.8(A), 1502.9(A), 1502.10(A), 1502.11(A), 1502.12(A)(2), 1502.13(A)(2), 1502.15(A), and 1502.16(A), relative to factory-built homes; to provide for the Factory-Built Home Property Act; to provide definitions; to provide for the classification of factory-built homes; to provide for the transfer of factory-built homes; to provide for security interests; to provide for immobilization; to provide for deimmobilization; to provide technical corrections for the use of the term "factory-built home"; and to provide for related matters.

Be it enacted by the Legislature of Louisiana:

Section 1. R.S. 6:969.6(14)(b), (21)(b), (22), and (23)(a), 969.18(A)(6), 969.20(C)(1)(c), and 1083(6)(introductory paragraph) are hereby amended and reenacted to read as follows:

§969.6. Definitions

As used in this Chapter:

(14) \* \* \*

\* \* \*

(b) The term does not include default charges; delinquency charges; charges for checks returned for having nonsufficient funds; documentation fees; ~~manufactured housing~~ **factory-built home** appraisal and title search fees; other fees and charges permitted ~~under in accordance with~~ **in accordance with** this Chapter; and any additional fees and charges that the seller agrees to finance under the transaction that are not considered to be a finance charge ~~under in accordance with~~ **12 C.F.R. CFR 226.4.**

(21) \* \* \*

\* \* \*

(b) The term does not include fees paid to a ~~non-affiliated~~ **nonaffiliated** loan broker, default charges, deferral charges, delinquency charges, charges for checks returned for having nonsufficient funds, ~~manufactured housing~~ **factory-built home** appraisal, title search fees and closing costs, other fees and charges permitted ~~under in accordance with~~ **in accordance with** this Chapter, and any additional fees and charges that the lender agrees to finance under the transaction that are not considered to be a finance charge ~~under in accordance with~~ **12 C.F.R. CFR 226.4.**

(22) ~~"Manufactured home" means a structure, transportable in one or more sections, which, in the traveling mode, is eight body feet or more in width or forty body feet or more in length, or, when erected on site, is three hundred twenty or more square feet, and which is built on a permanent chassis and designed to be used as a dwelling with or without a permanent foundation when connected to the required utilities, and includes the plumbing, heating, air conditioning, and electrical systems contained therein. The term includes any structure meeting all of the requirements of this Subsection except the size requirements and with respect to which the manufacturer voluntarily files a certificate required by the United States Secretary of Housing and Urban Development and complies with the standards established under Title 42 of the United States Code. "Factory-built home" has the meaning given to that term in R.S. 9:1149.2.~~

(23)(a) "Motor vehicle" means any new or used transportation device, including automobiles, motorcycles, trucks, and other vehicles that are operated over the public highways and the streets of this state, but does not include traction engines, boat trailers, road rollers, implements of husbandry, and other agricultural vehicles. A ~~manufactured~~ **factory-built** home is deemed to be a "motor vehicle" for purposes of this Chapter only if it is anticipated at the time of the transaction that the ~~manufactured~~ **factory-built** home will not be immobilized pursuant to R.S. ~~9:1149.4~~ **9:1149.6.**

\* \* \*

§969.18. Documentation and compliance fees; notary fees; transfer of equity and other fees; disclosure

A. \* \* \*

(6) The extender of credit may charge for any fees and expenses incurred for flood determination and flood zone monitoring services in connection with the financing of a ~~manufactured~~ **factory-built** home.

\* \* \*

§969.20. Rebates upon prepayment; prepayment charges; return of lien documents upon payment in full of the balance due

\* \* \*

C.(1) There is no requirement that prepaid finance charges be rebated upon prepayment in full of a simple interest transaction, provided that all of the following conditions are satisfied:

(c) Other than in connection with a credit transaction involving a ~~manufactured~~ **factory-built** home, prepaid finance charges assessed under the transaction did not exceed five percent of the original amount financed or amount deferred.

\* \* \*

§1083. Definitions

As used in this Chapter:

\* \* \*

(6) "Federally related mortgage loan" means an extension of credit to a consumer secured by a first mortgage on residential immovable property located in this state, including: a ~~mobile~~ **factory-built** home which ~~that~~ will be immobilized pursuant to R.S. ~~9:1149.4~~ **9:1149.6** and is designed principally for the occupancy of from one to four families; and which ~~that~~ is one of the following:

\* \* \*

Section 2. R.S. 9:374(B) and (C), Part IV of Chapter 1 of Code Title I of Code Book II of Title 9 of the Louisiana Revised Statutes of 1950, comprised of R.S. 9:1149.1 through 1149.7, R.S. 9:3259.1(A), (B), (E), and (F), 3259.3, and 5363.1 are hereby amended and reenacted to read as follows:

§374. Possession and use of family residence or community movables or immovables

\* \* \*

B. When the family residence is community property or is owned by the spouses in indivision, or the spouses own community immovables or a community ~~manufactured~~ **factory-built** home as defined in R.S. 9:1149.2 and occupied as a residence, regardless of whether it has been immobilized, after or in conjunction with the filing of a petition for divorce, either spouse may petition for, and a court may award to one of the spouses, after a contradictory hearing, the use and occupancy of the family residence and use of community immovables or the community ~~manufactured~~ **factory-built** home pending partition of the property or further order of the court, whichever occurs first. In these cases, the court shall inquire into the relative economic status of the spouses, including both community and separate property, and the needs of the children, if any, and shall award the use and occupancy of the family residence and the use of any community immovables or the community ~~manufactured~~ **factory-built** home to the spouse in accordance with the best interest of the family. If applicable, the court shall consider the granting of the occupancy of the family residence and the use of community immovables or the community ~~manufactured~~ **factory-built** home in awarding spousal support.

C. A spouse who, in accordance with the provisions of Subsection A or B of this Section, uses and occupies or is awarded by the court the use and occupancy of the family residence, a community immovable occupied as a residence, or a community ~~manufactured~~ **factory-built** home as defined in R.S. 9:1149.2 and occupied as a residence, regardless of whether it has been immobilized, shall not be liable to the other spouse for rental for the use and occupancy, except as hereafter provided.

\* \* \*

PART IV. MANUFACTURED **FACTORY-BUILT** HOME PROPERTY ACT

§1149.1. Short title

This Part shall be known and may be cited as the "~~Manufactured~~ **Factory-Built** Home Property Act."

§1149.2. Definitions

In this Chapter ~~Part~~, the following words and phrases ~~terms~~ shall have the meaning ascribed to them ~~following meanings~~ unless the content or subject matter ~~context~~ clearly indicates otherwise:

(1) ~~"Person" means any individual, firm, corporation, partnership or association.~~

(2) ~~"Manufactured home" means a mobile home or residential mobile home.~~

(3) ~~"Mobile home" means a factory assembled structure or structures transportable in one or more sections, with or without a permanent foundation, and includes the plumbing, heating, air conditioning, and electrical systems contained therein.~~

(4) ~~"Manufacturer" means any person regularly engaged in the business of assembling manufactured homes, either within or without this state.~~

(5) ~~"Dealer" means any person engaged in the business of buying, selling, or exchanging manufactured homes which are subject to license under Chapter 4 of the Subtitle II of Title 47 of the Louisiana Revised Statutes of 1950.~~

(6) ~~"Commissioner" means the director of public safety or his duly assigned assistants, as provided for in R.S. 40:1301, who, in addition to all other powers, shall have all powers granted and perform such duties as are imposed on the commissioner by this Chapter.~~

(7) ~~"Vehicle" means mobile homes and residential mobile homes.~~

(8) ~~"Mortgage" shall include any rights under a retail installment contract, a chattel mortgage, a security agreement under Chapter 9 of the Louisiana Commercial Laws (R.S. 10:9-101, et seq.), and mortgages upon immovable property.~~

(9) ~~"Certificate of title" means a vehicle certificate of title as provided for in R.S. 32:701.~~

(10) ~~"Residential mobile home" means a manufactured home designed to be used as a dwelling, and may include a mobile home or a residential mobile home that has been declared to be a part of the realty as provided in R.S. 9:1149.4.~~

(11) ~~"Retail installment contract" means an agreement entered into pursuant to Chapter 10 of Title 6 of the Louisiana Revised Statutes of 1950.~~

(12) “Manufacturer’s certificate of origin” means a certificate on a form to be prescribed by the commissioner, and furnished by the manufacturer, showing the original transfer of a new vehicle from the manufacturer to the original purchaser, and each subsequent transfer between distributor and dealer, dealer and dealer, and dealer to owner, through and including the transfer to the title applicant.

(1) “Certificate of title” means a vehicle certificate of title as provided for in R.S. 32:701 et seq.

(2) “Commissioner” means the director of public safety or any duly assigned assistants, as provided for in R.S. 40:1301 et seq., who, in addition to all other powers, shall have all powers granted and perform the duties imposed on the commissioner by this Part.

(3) “Dealer” means any person engaged in the business of buying, selling, or exchanging factory-built homes that are subject to license in accordance with Chapter 4 of Subtitle II of Title 47 of the Louisiana Revised Statutes of 1950.

(4) “Factory-built home” means a manufactured home, mobile home, or modular home as defined in this Part.

(5) “Manufactured home” means a residential dwelling unit that is factory-built and is constructed to standards and codes as promulgated by the United States Department of Housing and Urban Development, or HUD, under the National Manufactured Housing Construction and Safety Standards Act of 1974, 42 U.S.C. 5401 et seq., as amended, and that bears the permanently affixed seal of the United States Department of Housing and Urban Development.

(6) “Manufacturer” means any person regularly engaged in the business of building or constructing factory-built homes, whether in or outside of this state.

(7) “Manufacturer’s certificate of origin” means a certificate on a form to be prescribed by the commissioner, and furnished by the manufacturer, showing the original transfer of a factory-built home from the manufacturer to the original purchaser, and each subsequent transfer through and including the transfer to the title applicant.

(8) “Mobile home” means a residential dwelling unit that is factory-built and is constructed to voluntary standards or constructed prior to the passage of the National Manufactured Housing Construction and Safety Standards Act of 1974.

(9) “Modular home” means a residential dwelling unit that is factory-built and is constructed to the International Residential Code standards as adopted by the Louisiana State Uniform Construction Code Council.

Revision Comments – 2024

(a) This Section does not change the law but clarifies that the Factory-Built Home Property Act applies to all forms of factory-built homes, while aligning the definitions of factory-built homes with the Uniform Standards Code for Manufactured and Modular Housing, R.S. 51:911.21 et seq.

(b) The terms “manufactured home”, “mobile home”, and “modular home” refer to any home that is built in a factory even if the factory-built components of that home will be assembled on the land where the factory-built home will be located.

(c) A factory-built addition, such as an individual room, incorporated into a building may be a component part of that building pursuant to Civil Code Article 466.

#### §1149.3. Classification

~~Except as otherwise provided in R.S. 9:1149.4, when any manufactured home shall be moved to and located in or upon any immovable property, or installed therein or thereon in a manner which, under any law, might make the manufactured home an immovable or component part thereof, the manufactured home shall be and will remain a movable subject to the provisions of Chapter 4 of Title 32 of the Louisiana Revised Statutes of 1950 governing its mortgage or sale and subject to the provisions of Chapter 9 of Title 10 of the Louisiana Revised Statutes and Chapter 10 of Title 6 of the Louisiana Revised Statutes of 1950 and Code Book III, Code Title XII, Chapter 2 of Title 9 of the Louisiana Revised Statutes of 1950 governing its financing. Title to the vehicle shall not pass by the sale of the immovable property to which it has been actually or fictitiously attached, whether such sale be conventional or judicial. No sale or mortgage of or lien upon the immovable property shall in any manner affect or impair the rank or privilege of a chattel mortgage or security interest under Chapter 9 of the Louisiana Commercial Laws on such manufactured home, or the remedies of the holder thereof for its enforcement.~~

~~Except as otherwise provided in R.S. 9:1149.6, when any factory-built home is moved to and located upon immovable property, the factory-built home shall remain movable.~~

Revision Comments – 2024

(a) This provision does not change the law. Before the passage of the Manufactured Home Property Act in 1982, a factory-built home was considered a building under general provisions in the Civil Code and accordingly was classified as immovable. See Civil Code Articles 463 and 464; Ellis v. Dillon, 345 So. 2d 1241, 1243 (La. App. 1 Cir. 1977). The Manufactured Home Property Act altered the default classification of manufactured homes to movable. This provision retains the classification of manufactured homes as movables and clarifies that all factory-built homes, including modular homes and mobile homes, are classified as movables.

(b) This provision maintains the classification of a factory-built home placed on land or another foundational structure, such as a concrete slab, as a movable. Nevertheless, this provision does not alter the classification provided in the Civil Code for factory-built components incorporated into an existing building. Such components may be component parts of that building pursuant to Civil Code Article 466.

(c) As a movable, a factory-built home is subject to all provisions of law

relating to movable property, such as provisions pertaining to sales, security interests, and taxes. Accordingly, ownership of the factory-built home does not automatically transfer by the sale of the immovable on which the factory-built home is located. Similarly, a sale or mortgage of the immovable on which the factory-built home is located does not affect any security interest attached to the factory-built home.

#### §1149.4. Presumption of grant of interest

~~It shall be presumed that any transfer of an immovable on which a nonimmobilized factory-built home is located includes all of the transferor’s interest in the factory-built home, subject to the rights of third persons in the factory-built home.~~

Revision Comments – 2024

(a) This provision is new. It is modeled after R.S. 9:2971 and 2981, which provide that the transfer of land presumptively includes any interest the transferor has in any water bodies or roads contiguous to the land. The presumption in this Section, like the presumptions in those statutes, applies only to the transferor’s interest in the factory-built home.

(b) The presumption in this provision applies subject to the rights of third persons in the factory-built home. See Civil Code Article 3343, defining third persons. When a third person, such as a lender, has an interest in a factory-built home, and the land on which the factory-built home is transferred, the presumption that the transferor’s interest in the factory-built home has also been transferred applies, but any rights the transferee acquires in that factory-built home remain subject to the rights of the third person.

(c) The law of acquisitive prescription of movables applies to factory-built homes, given their classification as movables. See Civil Code Articles 3489, 3490, and 3491. The presumption provided in this Section does not alter the classification of the factory-built home as movable.

(d) The presumption provided in this Section applies only to nonimmobilized homes. Immobilized homes that have become component parts of an immovable transfer with the immovable pursuant to general provisions of the Civil Code. For that reason, no presumption of transfer is required. See Civil Code Articles 469 and 493.1.

#### §1149.5. Security devices interests

~~A. Every retail installment contract, chattel mortgage, or security agreement entered into for the purchase or the refinance of a manufactured home or its contents, or both, shall be effective as against third persons and shall take its rank and priority as provided in Chapter 9 of the Louisiana Commercial Laws, R.S. 10:9-101 et seq. A retail installment contract, chattel mortgage, security agreement or a financing statement in the form approved by the commissioner is filed when received provided the receipt is subsequently validated by the office of the commissioner. A security interest in a factory-built home shall be effective as to third persons and shall take its rank and priority as provided in Uniform Commercial Code - Secured Transactions, R.S. 10:9-101 et seq.~~

~~B. Validation of the receipt of the retail installment contract or chattel mortgage, security agreement or financing statement by the commissioner shall affect third persons wherever the manufactured home or the contents thereof are located.~~

#### ~~§1149.4-§1149.6. Immobilization; declaration~~

~~A. A manufactured home placed upon a lot or tract of land shall be an immovable when there is recorded in the appropriate conveyance or mortgage records of the parish where the said lot or tract of land is situated an authentic act or a validly executed and acknowledged sale or mortgage or sale with mortgage which contains a description of the manufactured home as described in the certificate of title or manufacturer’s certificate of origin and a description of the lot or tract of land upon which the manufactured home is placed, and contains a declaration by the owner of the manufactured home and, when applicable, the holder of a mortgage or security interest under Chapter 9 of the Louisiana Commercial Laws on the manufactured home, that it shall remain permanently attached to the lot or tract of land described in the instrument. A factory-built home shall be immovable when there is a declaration by the owner of the factory-built home filed for registry in the conveyance records of the parish in which the immovable to which the factory-built home is attached is located.~~

~~B. The declaration shall contain all of the following:~~

~~(1) A description of the factory-built home as described in the certificate of title or manufacturer’s certificate of origin and a description of the immovable upon which the factory-built home is located, including the name of a record owner of the immovable.~~

~~(2) A declaration that the factory-built home shall remain permanently attached to the immovable.~~

~~(3) The concurrence of the holder of any perfected security interest in the factory-built home.~~

~~C. Upon recordation of the act described above the filing of the declaration, the manufactured factory-built home shall cease to be subject to the application of Chapter 4 of Title 32 of the Louisiana Revised Statutes of 1950 and the taxes applicable to movables and shall thereafter be subject to all laws concerning immovable property; however, nothing herein. Nothing in this Section shall be construed to affect the rights of the holder of a validly recorded chattel mortgage or previously perfected security interest under Chapter 9 of the Louisiana Commercial Laws duly noted on the certificate of title in the factory-built home. A previously perfected security interest in the factory-built home at the time of immobilization has the same priority over existing and subsequent mortgages and other encumbrances on the immovable as would a properly and timely perfected purchase-money security interest in fixtures.~~



C.(1) Notwithstanding any other law to the contrary, no action to collect a tax applicable to movables which is purported to be due or became due on any purchase made on or after September 1, 2005, through December 31, 2006, of any manufactured home used solely as residential housing in the following parishes which have been severely impacted by Hurricanes Katrina and Rita shall be initiated or continued, if the basis of such action is the date upon which the declaration of immovability provided for in Subsection A of this Section is recorded in the conveyance or mortgage records:

- (a) The parishes of St. Helena and Cameron.
- (b) The parish of West Feliciana.
- (c) The parish of St. James.
- (d) The parishes of East Feliciana, Point Coupee, and West Baton Rouge.
- (e) The parishes of Allen, Assumption, and Sabine.
- (f) The parish of Plaquemines.
- (g) The parishes of Beauregard, Evangeline, Iberville, and Jefferson Davis.
- (h) The parishes of Acadia, Ascension, Iberia, Lafourche, Livingston, St. Bernard, St. Charles, St. John the Baptist, St. Landry, St. Martin, St. Mary, Vermilion, Vernon, and Washington.

(i) The parishes of Tangipahoa and Terrebonne.  
(j) The parishes of Calcasieu, Lafayette, and St. Tammany.  
(k) The parishes of East Baton Rouge, Jefferson, and Orleans.  
(2) With respect to actions to collect a tax applicable to movables which is purported to be due or became due on those manufactured homes specified in Paragraph (1) of this Subsection, if the basis of such action is the date upon which the declaration of immovability was filed, then the date of immobilization shall relate back to the twentieth day of the month following the month of the delivery of the manufactured home.

(3) The purchaser of a manufactured home who formerly lived at a physical address on or after September 1, 2004, within one of the parishes as provided for in Paragraph (1) of this Subsection, who bought a manufactured home on or after September 1, 2005, through December 31, 2006, for use solely as residential housing, shall also be eligible for the relief provided for in this Subsection if the purchaser submits an Affidavit of Displacement to the Department of Revenue attesting that the purchaser resided in one of the parishes as provided for in Paragraph (1) of this Subsection on or after September 1, 2004.

D.(1) Upon recordation of the act of immobilization ~~the filing of the declaration~~ provided by this Section, the owner of the ~~manufactured factory-built home~~ or his agent shall file with the secretary of the Department of Public Safety and Corrections a certified copy of the ~~act declaration~~. The secretary of the Department of Public Safety and Corrections shall create an ~~Internet internet~~ accessible searchable database providing a public record of each ~~such filing~~, indicating the name of the owner of the ~~manufactured factory-built home~~, the date of recording of the ~~act of immobilization filing of the declaration~~ in accordance with Subsection A of this Section, the parish where the ~~act declaration~~ is recorded ~~filed~~, the year of manufacture, the name of the manufacturer, the dimensions and the vehicle identification number or numbers of the ~~manufactured factory-built home~~, and the date of the secretary's filing of a copy of the ~~act declaration~~ of immobilization.

(2) ~~E.~~ The secretary shall return to the owner or his agent an acknowledgment that the ~~act declaration~~ has been received and the public record ~~has been~~ created. This acknowledgment shall contain information sufficient to allow the location of the public record to be ascertained. For creating this public record, the secretary of the Department of Public Safety and Corrections is authorized to charge and collect the fee provided in R.S. 32:412.1(A)(3) ~~(3)~~ **32:412.1(A)(25)**. The failure of the owner or his agent to file a certified copy of the ~~declaration of immobilization~~ as provided in this Subsection ~~D of this Section~~ shall not impair the validity or enforceability of the ~~act of immobilization declaration~~ as provided by this Section.

Revision Comments - 2024

(a) This provision changes the law in that it does not require a declaration of immobilization to be in the form of an authentic act. In requiring that the owner file a declaration of immobilization for the factory-built home in the conveyance records, this provision follows general provisions on immobilization. See Civil Code Article 467.

(b) This provision changes the law in that it requires the declaration of immobilization to be filed in the conveyance records, rather than either the conveyance records or the mortgage records. A declaration filed only in the mortgage records would be ineffective to immobilize the factory-built home.

(c) This provision maintains current law by providing that if a secured party has a perfected security interest in a factory-built home at the time a declaration of immobilization is filed, the secured party does not lose its security interest in the factory-built home upon immobilization. The secured party must concur in the immobilization, but the secured party's security interest in the factory-built home remains intact after the immobilization. The provision states the priority that the secured party has against those holding mortgages and other security rights in the immovable by analogizing to the priority established in R.S. 10:9-334(d) and (e) for properly and timely perfected purchase-money security interests in fixtures.

~~§1149.6. §1149.7. Deimmobilization; declaration; detachment or removal~~

A. The owner may deimmobilize a manufactured home by detachment or removal. However, to affect third persons, an authentic act or sale or mortgage or sale with mortgage containing a description of the manufactured home as described in the previous certificate of title or manufacturer's certificate of origin, a description of the lot or tract of land upon which the manufactured home has been placed, a statement of intent by the owner that he no longer

intends the manufactured home to be an immovable and a description of the document by which the manufactured home was immobilized, including the recording information, must be filed in the appropriate conveyance or mortgage records of the parish where the said lot or tract of land is situated. **The owner of the immovable upon which a factory-built home is immobilized may deimmobilize the factory-built home by filing a declaration of deimmobilization in the conveyance records of the parish in which the immovable is located.**

**B. The declaration shall contain all of the following:**

**(1) A description of the factory-built home as described in the previous certificate of title or manufacturer's certificate of origin.**

**(2) A description of the immovable upon which the factory-built home has been located.**

**(3) A statement that the owner no longer desires for the factory-built home to be immovable.**

**(4) A description of the declaration of immobilization, including the recording information.**

**(5) The concurrence of the holder of any perfected security interest, recorded mortgages, or other real security encumbering the factory-built home.**

C. Thereafter the ~~The~~ owner may apply to the commissioner for a certificate of title according to the provisions of Chapter 4 of Title 32 of the Louisiana Revised Statutes of 1950. The commissioner shall issue a certificate of title upon the furnishing of **all of the following:**

(a) a **(1) A** certificate of mortgages;

(b) a **(2) A** certified copy of the ~~act declaration~~ of deimmobilization as provided in R.S. 9:1149.6(A); and **Subsections A and B of this Section.**

(c) a **(3) A** release ~~or cancellation~~ of all mortgages previously secured by ~~encumbering the manufactured home and/or factory-built home or the immovable property upon which the manufactured factory-built home was located.~~

~~E.D.~~ Upon the issuance of a certificate of title by the commissioner, the manufactured ~~factory-built~~ home shall be deemed a movable, and shall be subject to all laws concerning movable property.

**E. In the absence of rights of a third person in the factory-built home, the owner of an immovable upon which a factory-built home is located may deimmobilize the factory-built home by detachment or removal.**

Revision Comments - 2024

(a) Subsection E of this provision clarifies that deimmobilization by detachment or removal can occur only in the absence of the rights of third persons. It is modeled after the general rules on deimmobilization. See Civil Code Article 468. While deimmobilization by detachment or removal alone is allowed in the absence of any third-party rights in the immobilized factory-built home, for clarity of title, the owner of an immobilized factory-built home who deimmobilizes it through detachment or removal would be wise also to file a declaration of deimmobilization.

(b) If a third person has a security interest, mortgage, or other real security encumbering the immobilized factory-built home, the owner of the immovable on which the factory-built home is located must file a declaration of deimmobilization that includes the concurrence of the third person in order to deimmobilize the factory-built home.

~~§1149.7. Reference to prior law~~

The provisions of this Part shall replace the provisions of R.S. 32:710(N) and whenever any reference is made in any law to R.S. 32:710(N), said law or laws shall be deemed to refer to the provisions of this Part.

\* \* \*

~~§3259.1. Unpaid rent; mobile homes or manufactured housing factory-built homes; notification by lessor~~

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

(1) "Lessor" shall mean the owner of the unsubdivided immovable property on which three or more lots are available for rent for locating a mobile home or manufactured housing. **"Factory-built home" shall have the meaning given to that term in R.S. 9:1149.2.**

(2) "Lessee" shall mean **means** the person leasing the immovable property on which a mobile home or manufactured housing **factory-built home** is located.

(3) "Mobile home" and "manufactured housing" means a structure, transportable in one or more sections, which, in the traveling mode, is eight body feet or more in width or forty body feet or more in length or, when erected on site, is three hundred twenty or more square feet and which, is built on a permanent chassis and designed to be used as a dwelling with or without a permanent foundation when connected to the required utilities and includes the plumbing, heating, and air conditioning, and electrical systems contained therein; except that such term shall include any structure which meets all the requirements of this Paragraph except the size requirements and with respect to which the manufacturer voluntarily files a certification required by the fire marshal and complies with the standards established by this Part. The terms "mobile home" and "manufactured housing" shall include a manufactured home, a modular home, and a residential mobile home that is no longer declared to be a part of the realty pursuant to R.S. 9:1149.6. **"Lessor" means the owner of the unsubdivided immovable property on which three or more lots are available for rent for locating a factory-built home.**

(4) "Mortgagor" shall mean **means** the person executing the security device as the obligor or the transferee if the mobile home or manufactured housing **factory-built home** has been transferred and the obligations under the security device **have been** assumed by another person with written consent of the holder of the security device.

(5) "Secured party" shall mean **means** the holder of a security interest

under Chapter 9 of the Louisiana Commercial Laws (R.S. 10:9-101, et seq.) **in accordance with Uniform Commercial Code - Secured Transactions, R.S. 10:9-101 et seq.**, or a chattel mortgage, the pledgee or assignee of a chattel mortgage or security agreement, or the agent of the holder, assignee, or pledgee of a chattel mortgage or security agreement, or the holder of a promissory note executed for the sale of a **factory-built home** if that note is sold with recourse against the holder of the note, or the vendor of a retail installment contract as defined in R.S. ~~6:951~~ **6:969.6** when such ~~the~~ retail installment contract is sold with recourse against the vendor.

(6) "Security device" means a security interest ~~under Chapter 9 of the Louisiana Commercial Laws (R.S. 10:9-101, et seq.) pursuant to Uniform Commercial Code - Secured Transactions, R.S. 10:9-101 et seq.~~, a chattel mortgage, or a promissory note executed for the sale of a ~~mobile home or for manufactured housing factory-built home~~ or a retail installment contract entered into pursuant to Chapter 10-B of Title 6 of the Louisiana Revised Statutes of 1950 for the sale of a ~~mobile home or for manufactured housing factory-built home~~.

B. When the rental payments for immovable property on which a ~~mobile home or manufactured housing factory-built home~~ is located are sixty days past the due date for the payment, the lessor shall notify the secured parties and the mortgagor, if the mortgagor is not the lessee or occupant of the ~~mobile home or manufactured housing factory-built home~~, in writing by mail that the rental payments are sixty days past the due date. The notice shall include the following information if known or readily available to the lessor or if available from the office of motor vehicles of the Department of Public Safety and Corrections:

- (1) The lessor's name.
- (2) The lessee's name.
- (3) The mortgagor's name.
- (4) The location of the ~~mobile home or manufactured housing factory-built home~~.
- (5) The number of days that the rental payments are overdue, the monthly rental payment, and the total amount past due.
- (6) The vehicle identification number of the ~~mobile home or manufactured housing factory-built home~~.
- (7) A description of the ~~mobile home or manufactured housing factory-built home~~ including the make, model, year, dimensions, and any identification numbers or marks.

\* \* \*

E. The lessor shall be entitled to collect a fee of twenty-five dollars from the secured parties in addition to all rental or storage payments due at the time the ~~mobile home or manufactured housing factory-built home~~ is repossessed when such notification is made and the secured party subsequently obtains possession of the ~~mobile home or manufactured housing factory-built home~~.

F. The office of motor vehicles in the Department of Public Safety and Corrections shall maintain a record of ~~all mobile homes and manufactured housing each factory-built home~~ for which a vehicle certificate of title has been issued pursuant to Chapter 4 of Title 32 of the Louisiana Revised Statutes of 1950 and which is subject to a security device for a period of ten years or for the period stated for the termination of the security device. The record shall include, if available:

- (1) The name and address of the mortgagor or vendee of the ~~mobile home or manufactured housing factory-built home~~.
- (2) The names and addresses of the primary secured party and any secondary secured party on any security device.
- (3) The vehicle identification number of the ~~mobile home or manufactured housing factory-built home~~.
- (4) A description of the ~~mobile home or manufactured housing factory-built home~~ including the make, model, year, dimensions, and any identification numbers.

\* \* \*

§3259.3. Privilege for unpaid lease payments; abandoned ~~manufactured factory-built~~ homes and abandoned movable property; enforcement of privilege by owner of immovable property; definitions

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

- (1) "Abandoned ~~manufactured factory-built~~ home" means a ~~manufactured factory-built~~ home that has a current fair market value not exceeding five thousand dollars that is not encumbered by a mortgage, lien, privilege, or security interest, that is placed upon immovable property of another subject to a lease agreement, when the lessee has notified the owner of the immovable property that the lessee no longer intends to remain in the ~~manufactured factory-built~~ home and intends to abandon the remaining movable property, or when a reasonable person would conclude from all appearances that the lessee no longer intends to occupy the ~~manufactured factory-built~~ home or claim ownership to any of the remaining movable property.
- (2) "Abandoned movable property" means contents, personal items, or other movable property as defined by Civil Code Article 475 of the lessee left in the abandoned ~~manufactured factory-built~~ home.
- (3) "~~Manufactured home~~" means a ~~mobile home or residential mobile home~~ as defined by "**Factory-built home**" shall have the meaning given to that term in R.S. 9:1149.2.

B.(1) The owner of immovable property to secure the payment of rent and other obligations arising under the lease shall have a privilege on any abandoned ~~manufactured factory-built~~ home that is not encumbered by a mortgage, lien, privilege, or security interest, and on any abandoned movable

property that is placed upon the immovable property pursuant to a lease agreement.

(2) Notwithstanding any other provision to the contrary, the provisions of this Section shall not apply to any ~~manufactured factory-built~~ home or abandoned ~~manufactured factory-built~~ home that is encumbered by a mortgage, lien, privilege, or security interest.

C. In the event of default by the lessee and abandonment of the ~~manufactured factory-built~~ home and after compliance with the provisions of R.S. 9:3259.1, if applicable, the owner of the immovable property may enforce judicially all of his rights under the lease agreement, and to enforce his ~~the~~ privilege for the debt due him, as follows:

(1) The owner of the immovable property shall be authorized to remove any lock on the abandoned ~~manufactured factory-built~~ home located on the immovable property in order to compile a brief and general description of the abandoned ~~manufactured factory-built~~ home and abandoned movable property, including the serial number and vehicle identification number of the ~~manufactured factory-built~~ home, if available, upon which a privilege is claimed and shall be entitled to place his own lock upon such ~~manufactured the factory-built~~ home until his ~~the~~ privilege is satisfied.

(2) The lessee shall be notified of the owner's intention to enforce his ~~the~~ privilege.

(3) The notice shall be delivered in person to the lessee or sent by certified mail to the last known address of the lessee.

(4) The notice shall include:

(a) A copy of any written lease agreement between the owner and defaulting lessee, or, if the lease agreement is verbal, a summary of its terms and conditions.

(b) An itemized statement of the owner's claim, showing the sum due at the time of the notice and the date when the sum became due.

(c) The name of the owner of the abandoned ~~manufactured factory-built~~ home, if known, and a brief and general description of the abandoned ~~manufactured factory-built~~ home and abandoned movable property, including the serial and vehicle identification numbers of the abandoned ~~manufactured factory-built~~ home, if known, upon which a privilege is claimed. The description shall be reasonably adequate to permit the person notified to identify it, except that any container, including but not limited to a trunk, valise, or box that is locked, fastened, sealed, or tied in a manner which ~~that~~ deters immediate access to its contents, may be described as such without describing its contents.

(d) Notification that the lessee has been or shall be denied access to the abandoned ~~manufactured factory-built~~ home and abandoned movable property, if such denial is permitted under the terms of the lease agreement, with the name, street address, and telephone number of the owner or his designated agent whom the lessee may contact to respond to the notice.

(e) A demand for payment within a specified time not less than fifteen days after the date of mailing or delivery of the notice.

(f) A statement that the abandoned ~~manufactured factory-built~~ home, its contents, and any other abandoned movable property on the immovable property are subject to the owner's privilege, and that, unless the claim is paid within the time stated in the notice, the abandoned ~~manufactured factory-built~~ home and abandoned movable property are to be advertised for sale or other disposition and to be sold or otherwise disposed of to satisfy the owner's privilege for lease payments due and other charges at a specified time and place.

(5) Actual receipt of the notice made pursuant to this Section shall not be required. Within fourteen days after mailing of the notice, an advertisement of the sale or other disposition of movable property subject to the privilege shall be published on at least one occasion in a newspaper of general circulation where the abandoned ~~manufactured factory-built~~ home is located. The advertisement shall include:

(a) The name of the owner of the abandoned ~~manufactured factory-built~~ home, if known, and a brief and general description of the abandoned ~~manufactured factory-built~~ home and abandoned movable property, including the serial and vehicle identification numbers of the abandoned ~~manufactured factory-built~~ home, if known, reasonably adequate to permit its identification as provided by Subparagraph (4)(c) of this Subsection.

(b) The address of the immovable property upon which the abandoned ~~manufactured factory-built~~ home is located and the name of the lessee.

(c) The time, place, and manner of the sale or other disposition.

(6) The sale or other disposition of the abandoned ~~manufactured factory-built~~ home and abandoned movable property shall take place not sooner than thirty days following publication as required by this Section.

D.(1) Upon completion of the procedures required by Subsection C of this Section, the owner of the immovable property may file suit for possession or ownership of the abandoned ~~manufactured factory-built~~ home and abandoned movable property pursuant to Code of Civil Procedure Article 4912.

(2) The owner of the immovable property shall attach to the petition evidence of the lease agreement, copies of the notice and advertisement required by Subsection C of this Section, and evidence that the abandoned ~~manufactured factory-built~~ home is valued at less than five thousand dollars. If the serial or vehicle identification numbers are not known, the owner of the immovable property shall provide certification of a physical inspection of the abandoned ~~manufactured factory-built~~ home for the purpose of vehicle identification number verification by a law enforcement officer trained and certified by the Department of Public Safety and Corrections to inspect motor vehicles as provided in Chapter 4 of Title 32 of the Louisiana Revised Statutes of 1950. The certification shall certify that the serial or vehicle identification

numbers are not known. The owner of the immovable property shall certify in his the petition, or attach an affidavit of the owner of the immovable property attesting, that there is no mortgage, lien, privilege, or security interest encumbering the abandoned ~~manufactured~~ **factory-built** home based on a search of the parish mortgage records and records of the Department of Public Safety and Corrections, office of motor vehicles.

(3) Upon finding that the owner of the immovable property has satisfied the requirements of this Section, the court shall authorize the sale of the abandoned ~~manufactured~~ **factory-built** home and abandoned movable property by the petitioner.

E.(1) Upon obtaining approval from the court, the owner of the immovable property may proceed to sell the abandoned ~~manufactured~~ **factory-built** home and abandoned movable property. Any sale or other disposition of the abandoned ~~manufactured~~ **factory-built** home and abandoned movable property shall conform to the terms of the notification as provided by this Section.

(2) Any sale or other disposition of the abandoned ~~manufactured~~ **factory-built** home and abandoned movable property shall be held at the address of the immovable property where the abandoned ~~manufactured~~ **factory-built** home is located, as indicated in the notice required by this Section. The owner shall sell the abandoned ~~manufactured~~ **factory-built** home and abandoned movable property to the highest bidder, if any. If there are no bidders, the owner may purchase the movable property for a price at least sufficient to satisfy his the claim for lease payments due and all other charges; or he may donate the abandoned ~~manufactured~~ **factory-built** home and abandoned movable property to charity.

(3) Prior to any sale or other disposition of the abandoned ~~manufactured~~ **factory-built** home or abandoned movable property to enforce the privilege granted by this Section, the lessee may pay the amount necessary to satisfy the privilege, including all reasonable expenses incurred in accordance with this Section, and thereby redeem the movable property. Upon receipt of such payment, the owner shall have no liability to any person with respect to such the movable property.

(4) A purchaser in good faith of the abandoned ~~manufactured~~ **factory-built** home or abandoned movable property sold by an owner to enforce the privilege granted by this Section takes the property free of any claims or rights of persons against whom the privilege was valid, despite noncompliance by the owner with the requirements of this Section, but takes subject to any mortgages, liens, privileges, and security interests that encumber the abandoned ~~manufactured~~ **factory-built** home at the time of the sale.

(5) In the event of a sale held pursuant to the provisions of this Section, the owner may satisfy his the privilege from the proceeds of the sale; but shall hold the balance, if any, as a credit in the name of the lessee whose property was sold. The lessee may claim the balance of the proceeds within two years of the date of sale, without any interest thereon, and if unclaimed within the two-year period, the credit shall become the property of the owner, without further recourse by the lessee. If the sale or other disposition of the abandoned ~~manufactured~~ **factory-built** home and abandoned movable property made pursuant to the provisions of this Section does not satisfy the owner's claim for lease payments due and other charges, the owner may proceed by ordinary proceedings to collect the balance owed.

(6) After conclusion of the sale, the act of sale of the abandoned ~~manufactured~~ **factory-built** home may be filed with the court, and a judgment recognizing the sale shall be rendered by the court and recognized by the Department of Public Safety and Corrections pursuant to Code of Civil Procedure Article 4912.

\* \* \*

#### §5363.1. Abandoned ~~mobile~~ **factory-built** homes; secured parties

##### A. Definitions

(1) "Mobile home" means a structure, transportable in one or more sections, which is eight body feet or more in width and is thirty-two body feet or more in length, designed to be used as a dwelling with or without a permanent foundation when connected to the required utilities, and includes the plumbing, heating, air conditioning, and electrical systems contained therein. The term "mobile home" shall include a modular home, a mobile home, and a residential mobile home that is no longer declared to be part of the realty pursuant to R.S. 9:1149.6.

(2) "Abandoned" or "abandonment" shall ~~mean~~ **means** that the secured party has been notified by the mortgagor or by the owner of the immovable property on which the ~~mobile~~ **factory-built** home is located that the mortgagor no longer intends to remain in the ~~mobile~~ **factory-built** home, or when a reasonable person would conclude that the ~~mobile~~ **factory-built** home is no longer being occupied and from all appearances substantially all of the mortgagor's personal belongings have been removed from the ~~mobile~~ **factory-built** home.

(2) "Factory-built home" shall have the meaning given to that term in R.S. 9:1149.2.

(3) "Mortgagor" shall ~~mean~~ **means** the person executing the chattel mortgage or security agreement under Chapter 9 of the Louisiana Commercial Laws (R.S. 10:9-101 et seq.) in accordance with Uniform Commercial Code - Secured Transactions, R.S. 10:9-101 et seq., or if the ~~mobile~~ **factory-built** home has been transferred and the chattel mortgage or security interest under Chapter 9 of the Louisiana Commercial Laws in accordance with Uniform Commercial Code - Secured Transactions has been assumed by a new purchaser with written consent of the holder of the chattel mortgage or security agreement, the transferee.

(4) "Secured party" shall ~~mean~~ **means** the holder of the chattel mortgage or security interest under Chapter 9 of the Louisiana Commercial Laws in accordance with Uniform Commercial Code - Secured Transactions, the pledgee or assignee of the chattel mortgage or security interest, or the agent of the holder, assignee, or pledgee of the chattel mortgage or security interest.

B.(1) In addition to those remedies provided in R.S. 9:5363 Uniform Commercial Code - Secured Transactions, the holder of a chattel mortgage enforceable against third parties pursuant to Chapter 4 of Title 32 of the Louisiana Revised Statutes of 1950 or pursuant to this Part or the secured party under a perfected security interest subject to Chapter 9 of the Louisiana Commercial Laws; Uniform Commercial Code - Secured Transactions shall have the right to take possession of the ~~mobile~~ **factory-built** home on default if all of the following criteria are met:

(a) The ~~mobile~~ **factory-built** home has been abandoned.

(b) The mortgagor has not paid a minimum of two consecutive monthly payments on the date due pursuant to the terms of the chattel mortgage or security agreement.

(c) A petition has been filed in a court of competent jurisdiction seeking an ex parte order authorizing the secured party to proceed pursuant to this Section. The judge shall sign the order only after the secured party has completed the following:

(i) Posted a bond in an amount fixed by the judge, which shall be the amount stated in the suit;

(ii) Executed an affidavit stating that the ~~mobile~~ **factory-built** home has been abandoned;

(iii) Presented to the court all documents necessary to prove that the secured party is the holder of the first mortgage on the ~~mobile~~ **factory-built** home.

(2) If the above criteria are satisfied, the holder or holder's agent may take possession of the ~~mobile~~ **factory-built** home only after a ten-day period following the placing of written notice on the front door of the ~~mobile~~ **factory-built** home by the sheriff; or his designee. The written notice shall contain the name of the debtor, the fact that the secured party shall take possession of the ~~mobile~~ **factory-built** home in accordance with the provisions of R.S. 9:5363.1 this Section, the citation and docket number of the case wherein a court authorized the secured party to proceed in accordance with this Section, and the name and telephone number of the secured party or his agent. In addition, the secured party shall also advertise once in the official publication or newspaper in the parish in which the ~~mobile~~ **factory-built** home is located at the time that the secured party takes possession. The advertisement only need only state the names of the debtors, the fact that the secured party shall take possession of the ~~mobile~~ **factory-built** home, and the name and telephone number of the individual to contact for further information. The sheriff shall be paid a fee of twenty-five dollars for the placing of the written notice as provided by this Paragraph.

(3) When the mortgagor has notified the secured party in writing that he the mortgagor no longer intends to occupy the ~~mobile~~ **factory-built** home and has requested that the secured party retake possession thereof, the judge may issue an order waiving the provisions of this Section and may issue an order directing the Department of Public Safety and Corrections to issue a new certificate of title to the secured party or any other person that who purchases the abandoned ~~mobile~~ **factory-built** home at a private sale. When such an order is granted by the judge, the entire indebtedness shall be cancelled.

C. A secured party who has taken possession of a ~~mobile~~ **factory-built** home pursuant to Subsection B of this Section shall immediately give notice to the debtor at such the address as specified in the chattel mortgage and at the debtor's last known address, if different, by registered or certified mail, return receipt requested.

D. The debtor shall have twenty-one calendar days from the date of the secured party's taking possession to reclaim any personal property contained in the ~~mobile~~ **factory-built** home or to redeem the ~~mobile~~ **factory-built** home by the paying to the secured party in cash the entire amount of delinquent payments, all interest and late charges due pursuant to the chattel mortgage, all costs of transporting and housing the ~~mobile~~ **factory-built** home, and all advertisement costs. Nothing herein in this Section shall prevent the secured party from reinstating the promissory note and chattel mortgage or security agreement for a lesser amount at the sole option of the secured party.

E. After the expiration of the twenty-one calendar days from the date of taking possession provided for in Subsection D of this Section:

(1) The secured party may sell the ~~mobile~~ **factory-built** home at public or private sale and apply the proceeds to the indebtedness. If there are mortgages or other security interests superior to that held by the secured party, the proceeds of the sale shall be paid first to those superior security interests; then the remaining balance, if any, shall be applied to the secured creditor's debt. Any funds received which that are in excess of the indebtedness and superior security interests, including principal, interest, costs of repossession, and costs of sale, as each is provided for in the chattel mortgage or note, shall be delivered to the debtor, or if he the debtor cannot be found, shall be deposited with the clerk of court of the parish in which the ~~mobile~~ **factory-built** home was located prior to the secured party obtaining possession of the ~~mobile~~ **factory-built** home.

(2) The secured party shall obtain two appraisals of the ~~mobile~~ **factory-built** home from two qualified appraisers, and the average of both appraisals shall be the established value of the ~~mobile~~ **factory-built** home.

(3) If the amount of the entire indebtedness due pursuant to the chattel mortgage or security agreement which that shall be deemed accelerated at the time of the sale plus the costs of transporting and storing the ~~mobile~~ **factory-**

**built** home and advertisement costs exceeds the established value of the ~~mobile~~ **factory-built** home, the secured party shall have the right to bid at any public sale, without paying cash, up to the amount of the total indebtedness, including the costs of transporting and storing the ~~mobile~~ **factory-built** home and advertisement costs, or sell the ~~mobile~~ **factory-built** home to itself for the amount of ~~said~~ **the** indebtedness.

(4) A secured party that sells the ~~mobile~~ **factory-built** home subject to a chattel mortgage entered into prior to the time Chapter 9 of the Louisiana Commercial Laws ~~becomes~~ **became** effective at either public or private sale shall not have the right to seek a deficiency judgment from any debtor or other person, including any guarantor, liable on the promissory note or chattel mortgage. ~~Provided, that nothing herein~~ **Nothing in this Section** shall be construed to affect any agreement between the mortgagee and the selling dealer.

F. A debtor or a third party seeking to recover for damages occasioned by a reclaiming of a ~~mobile~~ **factory-built** home in violation of this Section shall be entitled to recover from the seizing secured party all costs and expenses incurred in the prosecution of ~~such~~ **the** action, including reasonable ~~attorney's~~ **attorney's** attorney fees as determined by the court. If such an action for damages is dismissed by the court, the court may grant reasonable ~~attorney's~~ **attorney's** attorney fees to the creditor.

G. After the secured party has fulfilled the requirements of this Section and has taken possession of the ~~mobile~~ **factory-built** home, the court that issued the ex parte order provided for in Subparagraph (B)(1)(c) of this Section shall order the Department of Public Safety **and Corrections** to issue a new certificate of title to the party that purchases the abandoned ~~mobile~~ **factory-built** home at the sale provided for by this Section.

Section 3. R.S. 10:9-102(a)(53) is hereby amended and reenacted to read as follows:

§9-102. Definitions and index of definitions

(a) Chapter 9 definitions. In this Chapter:

\* \* \*

(53) "Manufactured home" means a ~~manufactured~~ **factory-built** home as defined in R.S. 9:1149.1 et seq.

\* \* \*

Section 4. R.S. 22:1485 is hereby amended and reenacted to read as follows:

§1485. Homeowner's insurance; premium discounts

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

(1) ~~"Mobile home", "manufactured home", and "manufactured housing" means a structure, transportable in one or more sections, which, in the traveling mode, is eight body feet or more in width or forty body feet or more in length or, when erected on site, is three hundred twenty or more square feet and which is built on a permanent chassis and designed to be used as a dwelling with or without a permanent foundation when connected to the required utilities and includes the plumbing, heating and air conditioning, and electrical systems contained therein. "Factory-built home" has the meaning given to that term in R.S. 9:1149.2.~~

(2) "Permanently structured home" means a structure with a permanent foundation that is not considered ~~manufactured or mobile~~ **factory-built**.

(3) "Security system" means a monitored security device that is wired to a local law enforcement or fire department.

B. Every insurer authorized to issue a policy of homeowner's insurance in this state who offers a policy premium discount based on the installation or existence of a security system in a permanently structured home shall provide the same or a similar premium discount for policies of homeowner's insurance covering ~~mobile homes, manufactured homes, or manufactured housing~~ **factory-built homes**.

Section 5. R.S. 32:1(introductory paragraph) and (44), 412.1(A)(introductory paragraph) and (25), 702(16), and 707(A) are hereby amended and reenacted to read as follows:

§1. Definitions

When used in this Chapter, the following words and phrases ~~terms~~ **terms** have the ~~following~~ meanings ascribed to them in this Section, unless the context clearly indicates a different meaning ~~otherwise~~:

\* \* \*

(44) ~~"Mobile home" means: (a) a trailer or semitrailer which is designed, constructed and equipped as a dwelling place, living abode, or sleeping place, either permanently or temporarily, and is equipped for use as a conveyance on highways; or, (b) a trailer or semitrailer whose chassis and exterior shell is designed and constructed for use as a mobile home, as defined in (a), but which is used instead permanently or temporarily for the advertising, sales, display, or promotion of merchandise or services, or for any other commercial purpose except the transportation of property for hire or the transportation of property for distribution by a private carrier. "Factory-built home" has the meaning given to that term in R.S. 9:1149.2.~~

\* \* \*

§412.1. Handling charges

A. Except as provided for in Subsection E of this Section, the office of motor vehicles shall collect, in addition to any fee authorized by law, a handling charge of eight dollars for vehicle titling and registration:

\* \* \*

(25) Records created by R.S. ~~9:1149.4(D)~~ **9:1149.6**.

\* \* \*

§702. Definitions

As used in this Chapter:

\* \* \*

(16) "Vehicle" shall include those devices sometimes referred to as ~~mobile~~ **factory-built** homes as defined in R.S. 9:1149.2(3), whether or not they may be required to be registered or licensed ~~under~~ **in accordance with** other laws, and except as otherwise expressly provided herein, the provisions of this Chapter shall apply to the sale and mortgaging thereof. Neither the inclusion or exclusion of any property in or from the definition of vehicle for purposes of this Chapter, nor any other provision in this Chapter, is intended to affect in any way the status, as determined ~~under~~ **in accordance with** other laws, of ~~such~~ **the** property for purposes of ad valorem property taxation, or for any other taxes presently levied, or for the purposes of insurance classification.

\* \* \*

§707. Application for certificates of title; exception; salvage title; antique vehicles; reconstructed title

A. Any purchaser of a vehicle, other than a ~~mobile~~ **factory-built** home; as defined by R.S. 9:1149.2(3), shall file an application for a new certificate of title within five days after the delivery of a previously issued certificate of title for ~~such~~ **the** vehicle, or within five days of the delivery of the vehicle, if a certificate of title has not been previously issued. ~~However, dealers~~ **Dealers** need not apply for certificates of title for any vehicle acquired for stock purposes, if upon reselling ~~such~~ **the** vehicle, the dealer complies with the requirements of R.S. 32:705. A purchaser of a ~~mobile~~ **factory-built** home; as defined by R.S. 9:1149.2(3); shall apply for a new certificate of title on or before the twentieth day of the month following the month of delivery of the ~~factory-built~~ **factory-built** home.

\* \* \*

Section 6. R.S. 33:3081(A)(2), 4562.1(A), and 9053.1(C) are hereby amended and reenacted to read as follows:

§3081. Mosquito abatement service charge; Avoyelles Parish; assessment and collection

A.

\* \* \*

(2) For purposes of this Section, each residential or commercial unit and each housing unit within a multiple dwelling structure shall be considered a separate structure, and a ~~mobile~~ **factory-built** home; as defined in R.S. 9:1149.2(3); shall be considered a structure. ~~Such~~ **The** mosquito abatement service charge or rates of service charges shall be equal for all structures, except that residential units shall be charged not less than thirty-five percent of the service charge for commercial units.

\* \* \*

§4562.1. Service charge authorized; assessment and collection; St. Mary Parish

A. The governing authority of any recreation district in the parish of St. Mary is hereby authorized to establish, by majority vote of the members of the authority, a service charge or rates of service charges for each residential or commercial structure for a term not to exceed ten years to be assessed on persons owning each ~~such~~ structure, whether occupied or unoccupied, located wholly or partly within the boundaries of the recreation district, subject to the provisions of Subsection B of this Section. For purposes of this Section, each residential or commercial unit in a structure shall be considered a separate structure, and a ~~mobile~~ **factory-built** home; as defined in R.S. 9:1149.2(3); shall be considered a structure. ~~Such~~ **The** service charges or rates of service charges shall be equal for all structures and shall be framed ~~so as to cover, and shall be used for, the costs of constructing, acquiring, maintaining, operating~~ **and/or** ~~or~~ improving recreation services and facilities for the recreation district, including property and equipment necessary for ~~such~~ **those** purposes.

\* \* \*

§9053.1. Creation of parishwide ambulance service district; Bossier Parish

\* \* \*

C. The parish governing authority may establish, with approval of a majority of the electors of the single parishwide ambulance service district voting on the proposition at an election held for ~~such~~ **that** purpose, user fees to be assessed persons owning each residential or commercial structure, whether occupied or unoccupied, located wholly or partly within the boundaries of the single parishwide ambulance service district, subject to the provisions of Subsection D of this Section. For the purposes of this Section, each residential or commercial unit in a structure and each housing unit within a multiple dwelling structure shall be considered a separate structure, and a ~~mobile~~ **factory-built** home; as defined in R.S. 9:1149.2(3); shall be considered a structure. ~~Such~~ **The** user fees shall be established by the parish governing authority and shall be used for the cost of any and all emergency medical transportation and all emergency services incidental thereto.

\* \* \*

Section 7. R.S. 40:1502.1(A)(2), 1502.2(A), 1502.3(A), 1502.4(A), 1502.5(A), 1502.6(A), 1502.7(A), 1502.8(A), 1502.9(A), 1502.10(A), 1502.11(A), 1502.12(A)(2), 1502.13(A)(2), 1502.15(A), and 1502.16(A) are hereby amended and reenacted to read as follows:

§1502.1. Service charges authorized; assessment and collection

A.

\* \* \*

(2)(a) For purposes of this Section as it relates to any fire protection district situated wholly within the geographical boundaries of either Rapides, Lincoln, Claiborne, Union, Morehouse, East Carroll, or West Carroll Parish, each residential or commercial; unit in a structure shall be considered a separate structure, and a ~~mobile~~ **factory-built** home; as defined in R.S.

9:1149.2(3); shall be considered a structure. ~~Such~~ **The** service charges or rates of service charges shall be equal for all structures of a given class and shall be framed ~~so as~~ to cover and shall be used for the costs of any or all fire protection services; however, in Lincoln, Claiborne, Union, Morehouse, East Carroll, and West Carroll parishes, ~~such the~~ service charges or rates of service charges for each class of structure shall be framed ~~so as~~ to cover and shall be used for the costs of any or all fire protection and emergency services.

(b) For purposes of this Section as it relates to any fire protection district situated wholly within the geographical boundaries of either St. Mary, East Baton Rouge, Livingston, or Caddo Parish, Fire Protection District No. 2 of St. Helena Parish, Ward One Fire Protection District No. 1 of Calcasieu Parish, and Fire Protection District No. 1 of Tangipahoa Parish, each residential, commercial, occupancy, or tenant unit in a structure shall be considered a separate structure, and a **mobile factory-built** home; as defined in R.S. 9:1149.2(3); shall be considered a structure. ~~Such The~~ service charges or rates of service charges shall be equal for all structures of a given class and shall be framed ~~so as~~ to cover and shall be used for the costs of any or all fire protection services; however, in Ward One Fire Protection District No. 1 of Calcasieu Parish, and in Fire Protection District No. 1 of Tangipahoa Parish, ~~such the~~ service charges or rates of service charges for each class of structure shall be framed ~~so as~~ to cover and shall be used for the costs of any or all fire protection and emergency services.

\* \* \*

§1502.2. Service charge authorized for Fire Protection District Number Three of Beauregard Parish; assessment and collection

A. The governing authority of Fire Protection District Number Three of Beauregard Parish is hereby authorized to establish, by majority vote of the members of the authority, a service charge of fifty dollars for each residential or commercial structure for a term not to exceed ten years to be assessed persons owning each ~~such~~ structure, whether occupied or unoccupied, located wholly or partly within the boundaries of the fire protection district, subject to the provisions of Subsection B of this Section. For purposes of this Section, each residential or commercial unit in a structure shall be considered a separate structure, and a **mobile factory-built** home; as defined in R.S. 9:1149.2(3); shall be considered a structure. ~~Such The~~ service charges shall be used for the costs of any or all fire protection services.

\* \* \*

§1502.3. Service charge authorized for Richland Parish; assessment and collection

A. The governing authority of any fire protection district situated wholly within the geographical boundaries of Richland Parish is hereby authorized to establish, by majority vote of the members of the authority, a service charge or rates of service charges to be assessed persons owning each residential or commercial structure, whether occupied or unoccupied, located wholly or partly within the boundaries of the fire protection district, subject to the provisions of Subsection B of this Section. For purposes of this Section, each residential or commercial unit and each housing unit within a multiple dwelling structure shall be considered a separate structure, and a **mobile factory-built** home; as defined in R.S. 9:1149.2(3); shall be considered a structure. ~~Such The~~ service charges or rates of service charges shall be equal for all structures, except that **mobile factory-built** homes shall be charged no less than fifty percent and no more than eighty percent of the service charge, and shall be framed ~~so as~~ to cover and shall be used for the costs of any or all fire protection services. The fire protection district shall provide a receipt to each property owner paying the service charge. All insurers and all insurance agents shall have proof of a current service charge receipt before considering any reduced rates because of fire district protection.

\* \* \*

§1502.4. Service charge authorized for Madison Parish, Caldwell Parish, and Franklin Parish

A.(1) The governing authority of any fire protection district situated wholly within the geographical boundaries of Madison Parish, the governing authority of any fire protection district situated wholly within Caldwell Parish, and the governing authority of any fire protection district situated wholly within Franklin Parish are hereby authorized to establish, by majority vote of the members of the authority, a service charge or rates of service charges to be assessed persons owning each residential or commercial structure, whether occupied or unoccupied, located wholly or partly within the boundaries of the fire protection district, subject to the provisions of Subsection B of this Section. For purposes of this Section, each residential or commercial unit and each housing unit within a multiple dwelling structure shall be considered a separate structure, and a **mobile factory-built** home; as defined in R.S. 9:1149.2(3); shall be considered a structure. ~~Such The~~ service charges or rates of service charges shall be equal for all structures, except that **mobile factory-built** homes shall be charged eighty percent of the service charge, and shall be framed ~~so as~~ to cover and shall be used for the costs of any or all fire protection services. The fire protection district shall provide a receipt to each property owner paying the service charge.

(2) The requirement in Paragraph (1) of this Subsection that **mobile factory-built** homes be charged eighty percent of the service charge is not applicable to Crowley Fire District #1.

\* \* \*

§1502.5. Service charge authorized for West Carroll Parish; assessment and collection

A. The governing authority of any fire protection district situated wholly within the geographical boundaries of West Carroll Parish is hereby

authorized to establish, by majority vote of the members of the authority, a service charge or rates of service charges to be assessed persons owning each residential or commercial structure, whether occupied or unoccupied, located wholly or partly within the boundaries of the fire protection district, subject to the provisions of Subsection B of this Section. For purposes of this Section, each residential or commercial unit and each housing unit within a multiple dwelling structure shall be considered a separate structure, and a **mobile factory-built** home; as defined in R.S. 9:1149.2(3); shall be considered a structure. ~~Such The~~ service charges or rates of service charges shall be equal for all structures, except that **mobile factory-built** homes shall be charged no less than fifty percent and no more than eighty percent of the service charge, and shall be framed ~~so as~~ to cover and shall be used for the costs of any or all fire protection services. The fire protection district shall provide a receipt to each property owner paying the service charge. All insurers and all insurance agents shall have proof of a current service charge receipt before considering any reduced rates because of fire district protection.

\* \* \*

§1502.6. Service charge authorized for Morehouse Parish; assessment and collection

A. The governing authority of any fire protection district situated wholly within the geographical boundaries of Morehouse Parish is hereby authorized to establish, by majority vote of the members of the authority, a service charge or rates of service charges to be assessed persons owning each residential or commercial structure, whether occupied or unoccupied, located wholly or partly within the boundaries of the fire protection district, subject to the provisions of Subsection B of this Section. For purposes of this Section, each residential or commercial unit and each housing unit within a multiple dwelling structure shall be considered a separate structure, and a **mobile factory-built** home; as defined in R.S. 9:1149.2(3); shall be considered a structure. ~~Such The~~ service charges or rates of service charges shall be framed by the governing authority of ~~such a the~~ district ~~so as~~ to cover and shall be used for the costs of any or all fire protection services. The fire protection district shall provide a receipt to each property owner paying the service charge. All insurers and all insurance agents shall have proof of a current service charge receipt before considering any reduced rates because of fire district protection.

\* \* \*

§1502.7. Service charge authorized for East Carroll Parish; assessment and collection

A. The governing authority of any fire protection district situated wholly within the geographical boundaries of East Carroll Parish is hereby authorized to establish, by majority vote of the members of the authority, a service charge or rates of service charges to be assessed persons owning each residential or commercial structure, whether occupied or unoccupied, located wholly or partly within the boundaries of the fire protection district, subject to the provisions of Subsection B of this Section. For purposes of this Section, each residential or commercial unit and each housing unit within a multiple dwelling structure shall be considered a separate structure, and a **mobile factory-built** home; as defined in R.S. 9:1149.2(3); shall be considered a structure. ~~Such The~~ service charges or rates of service charges shall be equal for all structures, except that **mobile factory-built** homes shall be charged no less than fifty percent and no more than eighty percent of the service charge, and shall be framed ~~so as~~ to cover and shall be used for the costs of any or all fire protection services. The fire protection district shall provide a receipt to each property owner paying the service charge. All insurers and all insurance agents shall have proof of a current service charge receipt before considering any reduced rates because of fire district protection.

\* \* \*

§1502.8. Service charge authorized for Grant Parish; assessment and collection

A. The governing authority of any fire protection district situated wholly within the geographical boundaries of Grant Parish is hereby authorized to establish, by majority vote of the members of the authority, a service charge or rates of service charges to be assessed persons owning each residential or commercial structure, whether occupied or unoccupied, located wholly or partly within the boundaries of the fire protection district, subject to the provisions of Subsection B of this Section. For purposes of this Section, each residential or commercial unit within a structure and each housing unit within a multiple dwelling structure shall be considered a separate structure, and a **mobile factory-built** home; as defined in R.S. 9:1149.2(3); shall be considered a structure. ~~Such The~~ service charges or rates of service charges shall be equal for all structures, except that **mobile factory-built** homes shall be charged no less than fifty percent and no more than eighty percent of ~~said the~~ service charge, and shall be framed ~~so as~~ to cover and shall be used for the costs of any or all fire protection services. The fire protection district shall provide a receipt to each property owner paying the service charge. All insurers and all insurance agents shall have proof of a current service charge receipt from owners so assessed before considering any reduced rates because of fire district protection.

\* \* \*

§1502.9. Service charge authorized for Red River Parish; assessment and collection

A. The governing authority of any fire protection district situated wholly within the geographical boundaries of Red River Parish is hereby authorized to establish, by majority vote of the members of the authority, a service charge or rates of service charges to be assessed persons owning each residential

structure, whether occupied or unoccupied, located wholly or partly within the boundaries of the fire protection district, subject to the provisions of Subsection B of this Section. For purposes of this Section, each residential unit and a ~~mobile factory-built~~ home; as defined in R.S. 9:1149.2(3), shall be considered a structure, and each multiple dwelling structure, regardless of the number of separate housing units contained within the structure, shall be considered as one structure and not as separate structures. ~~Such The~~ service charges or rates of service charges shall be equal for all structures, except that ~~mobile factory-built~~ homes shall be charged no less than fifty percent and no more than eighty percent of the service charge, and shall be framed so as to cover and shall be used for the costs of any or all fire protection services. The fire protection district shall provide a receipt to each property owner paying the service charge. All insurers and all insurance agents shall have proof of a current service charge receipt before considering any reduced rates because of fire district protection.

\* \* \*

§1502.10. Service charge authorized for Fire Protection District No. 1, Fire Protection District No. 3, and Fire Protection District No. 7 of Caddo Parish; assessment and collection

A. The governing authority of Fire Protection District No. 1, the governing authority of Fire Protection District No. 3, and the governing authority of Fire Protection District No. 7 of Caddo Parish are hereby authorized to establish, by majority vote of the members of the authority, a service charge or rates of service charges to be assessed persons owning each residential or commercial structure, whether occupied or unoccupied, located wholly or partly within the boundaries of the fire protection district, subject to the provisions of Subsection B of this Section. For purposes of this Section, each residential or commercial unit in a structure and each housing unit within a multiple dwelling structure shall be considered a separate structure, and a ~~mobile factory-built~~ home; as defined in R.S. 9:1149.2(3), shall be considered a structure. ~~Such The~~ service charges or rates of service charges shall be established by the governing authority of ~~such the~~ district and shall be framed so as to cover and shall be used for the costs of any or all fire protection, emergency medical transportation, and all emergency services incidental thereto.

\* \* \*

§1502.11. Springhill Fire Protection District No. 11; fire service charge

A. Notwithstanding any provision of law to the contrary, the governing authority of Springhill Fire Protection District No. 11 is hereby authorized to establish, by majority vote of the members of the authority, a fire service charge not to exceed four dollars. The person owning or occupying each residential or commercial structure located wholly or partly within the boundaries of the fire protection district who has made a deposit for the water service for the structure shall be assessed the service charge, subject to the provisions of Subsection B of this Section. ~~Such The~~ service charge shall be used for the costs of fire protection services. For purposes of this Section, each residential or commercial unit within a structure and each housing unit within a multiple dwelling structure shall be considered a separate structure, and a ~~mobile factory-built~~ home; as defined in R.S. 9:1149.2(3) shall be considered a separate structure.

\* \* \*

§1502.12. Tangipahoa Parish Rural Fire Protection District No. 2; assessment and collection

A.

\* \* \*

(2) For purposes of this Section, each residential or commercial unit in a structure shall be considered a separate structure, and a ~~mobile factory-built~~ home; as defined in R.S. 9:1149.2(3), shall be considered a structure. ~~Such The~~ fire protection tax shall be equal for all structures of a given class and shall be framed so as to cover and shall be used for the costs of any or all fire protection services or emergency services.

\* \* \*

§1502.13. Fire protection districts within East Feliciana Parish; assessment and collection

A.

\* \* \*

(2) For purposes of this Section, each residential or commercial unit and each housing unit within a multiple dwelling structure shall be considered a separate structure, and a ~~mobile factory-built~~ home; as defined in R.S. 9:1149.2(3), shall be considered a structure. ~~Such The~~ fire protection tax shall be equal for all structures, except that ~~mobile factory-built~~ homes shall be taxed as a rate no less than fifty percent and no more than ~~then~~ than eighty percent of the general tax rate, and shall be framed so as to cover and shall be used for the costs of any or all fire protection services and emergency services provided by the district, including the acquisition, maintenance, and operation of equipment and facilities therefor.

\* \* \*

§1502.15. Service charge authorized for fire protection districts in the parish of Caddo; assessment and collection

A. The governing authority of any fire protection district located within the parish of Caddo is hereby authorized to establish, by majority vote of the members of the authority, a service charge or rates of service charges to be assessed persons owning each residential or commercial structure, whether occupied or unoccupied, located wholly or partly within the boundaries of the district, subject to the provisions of Subsection B of this Section. For purposes of this Section, each residential or commercial unit in a structure

and each housing unit within a multiple dwelling structure shall be considered a separate structure, and a ~~mobile factory-built~~ home; as defined in R.S. 9:1149.2; shall be considered a structure. ~~Such The~~ service charges or rates of service charges shall be established by the governing authority of ~~such the~~ district and shall be framed so as to cover and shall be used for the costs either incurred or for contracting of any or all fire protection, emergency medical transportation, and all emergency services incidental thereto.

\* \* \*

§1502.16. Service charge authorized for DeSoto Parish; assessment and collection

A. In addition to the authority granted pursuant to R.S. 40:1502, the governing authority of DeSoto Parish Fire Protection District No. 2 and DeSoto Parish Fire Protection District No. 3 may establish a service charge or rates of service charges to be assessed persons owning each residential or commercial structure, whether occupied or unoccupied, located wholly or partly within the boundaries of the respective fire protection district, subject to the provisions of Subsection B of this Section. For purposes of this Section, each residential or commercial unit in a structure and each housing unit within a multiple dwelling structure shall be considered a separate structure, and a ~~mobile factory-built~~ home; as defined in R.S. 9:1149.2; shall be considered a structure. ~~Such The~~ service charges or rates of service charges shall be framed so as to cover and shall be used for the costs of any or all fire protection and emergency medical transportation and emergency services incidental thereto.

\* \* \*

Section 8. The Louisiana State Law Institute is hereby directed to alphabetize the definitions provided in R.S. 6:969.6 and 1083 as amended by this Act.

Approved by the Governor, May 28, 2024.

A true copy:

Nancy Landry  
Secretary of State

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ACT No. 288

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SENATE BILL NO. 81  
BY SENATOR ALLAIN  
AN ACT

To enact R.S. 3:17.1, relative to prescribed burning by non-certified prescribed burn managers; to provide relative to permits from the office of forestry; to provide for permit requirements; to provide for the authorization of the commissioner of agriculture and forestry to promulgate rules and regulations; to provide for certain fees; to provide for penalties; and to provide for related matters.

Be it enacted by the Legislature of Louisiana:

Section 1. R.S. 3:17.1 is hereby enacted to read as follows:

**§17.1. Prescribed burning by non-certified prescribed burn managers**

**A. The provisions of this Section shall only be applicable to any prescribed burning that is not conducted in accordance with the provisions of R.S. 3:17. As used in this Section, "non-certified prescribed burn manager" means an individual that has not successfully completed the certification program of the Louisiana State University Agricultural Center or other approved program and is not certified by the Department of Agriculture and Forestry.**

**B. A non-certified prescribed burn manager, prior to conducting a prescribed burn, shall provide the office of forestry with the location, date, and time of the prescribed burn. The office of forestry shall review the information and the non-certified prescribed burn manager shall agree to follow the relevant smoke management guidelines as approved by the department in order for the notification to be accepted.**

**C. The commissioner of agriculture and forestry is authorized to promulgate rules and regulations in accordance with the Administrative Procedure Act to carry out the intent and purposes of this Section.**

**D. Prescribed burning conducted in accordance with the provisions of this Section shall not entitle the non-certified prescribed burn manager with a rebuttable presumption of non-negligence.**

**E. The provisions of this Section shall not apply to the burning of leaf piles, yard debris, or hand-piled natural vegetation.**

**F. Any person who violates this Section or any rule or regulation adopted pursuant to this Section may be subject to a civil penalty not to exceed two hundred fifty dollars for a first offense and a civil penalty not to exceed five hundred dollars for a second or subsequent offense. Civil penalties may only be assessed by a ruling of the commissioner based upon an adjudicatory hearing held in accordance with the Administrative Procedure Act.**

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

Approved by the Governor, May 28, 2024.

A true copy:

Nancy Landry  
Secretary of State

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ACT No. 289

SENATE BILL NO. 88  
BY SENATOR CONNICK  
AN ACT

To amend and reenact R.S. 33:9038.31(2) and (3) and to enact R.S. 33:9038.77, relative to special districts; to authorize the creation of a special district; to provide for the governance and the powers and duties of the district, including bond and tax increment finance authority; and to provide for related matters.

Be it enacted by the Legislature of Louisiana:

Section 1. R.S. 33:9038.31(2) and (3) are hereby amended and reenacted and R.S. 33:9038.77 is hereby enacted to read as follows:

§9038.31. Definitions

As used in this Part, the following terms shall have the following meanings, unless the context requires otherwise:

\* \* \*

(2) "Issuer" means the local governmental subdivision, economic development district, industrial development board of the municipality or parish authorized and created pursuant to Chapter 7 of Title 51 of the Louisiana Revised Statutes of 1950, a public trust with the municipality or parish as the beneficiary thereof as provided in Chapter 2-A of Code Title II of Code Book III of Title 9 of the Louisiana Revised Statutes of 1950, as authorized in this Part, ~~or~~ the Walnut Street Special District, ~~or~~ any Tax Increment Development Corporation activated in a municipality with a population of not less than three thousand three hundred and not more than three thousand three hundred ninety-five persons according to the most recent federal decennial census for the purposes provided for in R.S. 33:9038.68, or any district created pursuant to R.S. 33:9038.70 ~~or 33:9038.77~~.

(3) "Local governmental subdivision" means any municipality or parish or any municipality, parish, local industrial board, a local public trust authorized pursuant to R.S. 33:9038.33(N) or 9038.34(N) having jurisdiction over the geographical area bounded by the Mississippi River, the Orleans/Jefferson parish line and the Orleans/Plaquemines parish line, ~~or~~ the Walnut Street Special District, ~~or~~ any Tax Increment Development Corporation activated in a municipality with a population of not less than three thousand three hundred and not more than three thousand three hundred ninety-five persons according to the most recent federal decennial census for the purposes provided for in R.S. 33:9038.68, or any district created pursuant to R.S. 33:9038.70 ~~or 33:9038.77~~; but the provisions of this Part shall not apply to any of the financing of construction, renovations, or improvements of any convention center, hotel complex, and ancillary facilities within the city of Shreveport. However, the provisions of this Part shall apply to the parish of Rapides, only as provided in R.S. 33:9038.41.

\* \* \*

§9038.77. Special district in certain parishes

**A. Definitions.** As used in this Section, "parish" means any parish with a population between twenty-three thousand and twenty-eight thousand persons according to the latest federal decennial census.

**B. Creation.** The governing authority of the parish may, by ordinance, create a special taxing district and political subdivision of the state, hereinafter referred to as the "district".

**C. Boundaries.** The ordinance creating the district shall establish its boundaries which shall be within the jurisdictional limits of the parish.

**D. Purpose.** The district is created to provide for cooperative economic development between the district, the parish, and the owner or owners of businesses and other property within the district in order to provide for costs related to infrastructure within the district as determined by the board of commissioners of the district.

**E. Governance.** (1) In order to provide for the orderly development of the district and effectuation of the purposes of the district, the district shall be administered and governed by a board of commissioners as follows:

(a) The parish president, or his designee.

(b) A member of the parish council appointed by the parish president.

(c) The chairman or director of a port located within the parish.

(d) An elected school board member located in the parish appointed by the superintendent.

(e) A member of the business community within the district appointed by the parish president.

(2) A majority of the members of the board shall constitute a quorum for the transaction of business. The board shall keep minutes of all meetings and shall make them available for inspection through the board's secretary. The minute books and archives of the district shall be maintained by the board's secretary. The monies, funds, and accounts of the district shall be in the official custody of the board.

(3) The board shall adopt bylaws and rules to govern its meetings. The members of the board shall serve without salary or per diem and shall be entitled to reimbursement for reasonable, actual, and necessary expenses incurred in the performance of their duties.

(4) The domicile of the board shall be established by the board at a location within the parish.

(5) The board shall elect from its own members a president and secretary, whose duties shall be common to the offices or as may be provided by bylaws adopted by the district. The board shall hold regular meetings and may hold special meetings as provided in the bylaws. All meetings shall be public meetings subject to the provisions of the Open Meetings Law.

**F. Rights and powers.** In addition to the tax increment finance and bonding authority provided for in Subsection G of this Section, the district, acting by and through its board of commissioners, shall have and exercise all powers of a political subdivision and a special district necessary or convenient for the carrying out of its objects and purposes including but not limited to the following:

(1) To sue and to be sued.

(2) To adopt bylaws and rules and regulations.

(3) To receive by gift, grant, or donation any sum of money, property, aid or assistance from the United States, the state of Louisiana, or any political subdivision thereof, or any person, firm, or corporation.

(4) For the public purposes of the district, to enter into contracts, agreements, or cooperative endeavors with the state and its political subdivisions or political corporations and with any public or private association, corporation, business entity, or individual.

(5) To appoint officers, agents, and employees, prescribe their duties, and fix their compensation.

(6) To acquire by gift, grant, purchase, or lease, but not by expropriation, such property as may be necessary or desirable for carrying out the objectives and purposes of the district and to mortgage and sell such property.

(7) In its own name and on its own behalf, to incur debt and to issue bonds, notes, certificates, and other evidences of indebtedness. For this purpose the district shall be deemed and considered to be an issuer for purposes of R.S. 33:9037 and shall, to the extent not in conflict with this Section, be subject to the provisions of R.S. 33:9037.

(8) To establish such funds or accounts as are necessary for the conduct of the affairs of the district.

(9) To do all things reasonably necessary to accomplish the purposes of this Section.

(10) To designate by ordinance any territory within the district as a subdistrict in which shall be exercised, to the exclusion of the remainder of the district, any authority provided to the district by Subsection G of this Section or any other provision of this Section or other law.

**G. Tax increment financing and bonding authority.** (1) To provide for the costs of a project to fund infrastructure within the district, the district shall have such tax increment finance authority and other authority that is provided to local governmental subdivisions in Part II of Chapter 27 of Title 33 of the Louisiana Revised Statutes of 1950, including but not limited to the following: sales tax increment financing and bonding in R.S. 33:9038.34; cooperative endeavor authority in R.S. 33:9038.35; bond authority in R.S. 33:9038.38. The project to fund infrastructure within the district is hereby deemed to be an "economic development project" within the meaning provided for in Part II of Chapter 27 of Title 33 of the Louisiana Revised Statutes of 1950. An agreement entered into by the district and any affected tax recipient entity authorizing the use and dedication of the affected tax recipient entity's incremental increase in taxes may include additional public or private entities as parties to such agreement and may include such terms, conditions, and other provisions to which all parties to such agreement consent.

(2) Notwithstanding any provision of Part II of Chapter 27 of Title 33 of the Louisiana Revised Statutes of 1950 or any other law to the contrary, any powers, authorities, or duties granted under such laws may be restricted to a subdistrict of the territory which shall be established by ordinance of the board of commissioners of the district.

**H. Project financing.** The district may pledge any taxes collected under the authority of this Section to any economic development project in furtherance of the purposes of the district.

**I. Term.** The district shall dissolve and cease to exist one year after the date all bonds, notes, and other evidences of indebtedness of the district, including refunding bonds, are paid in full as to both principal and interest; however, in no event shall the district exist less than three years.

**J. Liberal construction.** This Section, being necessary for the welfare of the parish and its residents, shall be liberally construed to effect the purposes thereof.

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. 290

SENATE BILL NO. 91

BY SENATOR DUPLESSIS AND REPRESENTATIVES BAYHAM,  
WILFORD CARTER, CHASSION, LARVADAIN, TAYLOR AND WALTERS  
AN ACT

To amend and reenact Code of Criminal Procedure Art. 926.1(A)(1), (H)(3), and (K), relative to post-conviction DNA testing; to extend the time period for filing an application for post-conviction DNA testing; to extend the time period for preservation of biological material under certain circumstances; to provide relative to the DNA Testing Post-Conviction Relief for Indigents

Fund; and to provide for related matters.  
Be it enacted by the Legislature of Louisiana:  
Section 1. Code of Criminal Procedure Art. 926.1(A)(1), (H)(3), and (K) are hereby amended and reenacted to read as follows:

Art. 926.1. Application for DNA testing  
A.(1) Prior to August 31, ~~2024~~ **2030**, a person convicted of a felony may file an application under the provisions of this Article for post-conviction relief requesting DNA testing of an unknown sample secured in relation to the offense for which he was convicted. On or after August 31, ~~2024~~ **2030**, a petitioner may request DNA testing under the rules for filing an application for post-conviction relief as provided in Article 930.4 or 930.8.

H.

(3) After service of the application on the district attorney and the law enforcement agency in possession of the evidence, the clerks of court of each parish and all law enforcement agencies, including but not limited to district attorneys, sheriffs, the office of state police, local police agencies, and crime laboratories shall preserve until August 31, ~~2024~~ **2030**, all items of evidence in their possession which are known to contain biological material that can be subjected to DNA testing, in all cases that, as of August 15, 2001, have been concluded by a verdict of guilty or a plea of guilty.

K. There is hereby created in the state treasury a special fund designated as the DNA Testing Post-Conviction Relief for Indigents Fund. The fund shall consist of money specially appropriated by the legislature. No other public money may be used to pay for the DNA testing authorized under the provisions of this Article. The fund shall be administered by the ~~Louisiana Public Defender Board~~ **office of the state public defender**. The fund shall be segregated from all other funds and shall be used exclusively for the purposes established under the provisions of this Article. If the court finds that a petitioner under this Article is indigent, the fund shall pay for the testing as authorized in the court order.

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

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**ACT No. 291**

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SENATE BILL NO. 101  
BY SENATOR MIGUEZ  
AN ACT

To enact R.S. 18:2(16) and 405, relative to elections; to define ranked-choice voting and instant runoff voting; to prohibit for certain elections; to provide for an effective date; and to provide for related matters.

Be it enacted by the Legislature of Louisiana:  
Section 1. R.S. 18:2(16) and 405 are 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) "Ranked-choice voting" and "instant runoff voting" mean a method of nominating or electing one or more candidates to an office as follows:**

- (a) Voters rank candidates on the ballot in order of preference.**  
**(b) Tabulation proceeds in rounds such that in each round, one or more candidates are nominated or elected, or a last-place candidate is defeated.**  
**(c) Votes are transferred from nominated, elected, or defeated candidates to the voter's next-ranked candidate or candidates in order of preference.**  
**(d) Tabulation ends when a candidate receives the majority of the votes cast or when the number of candidates nominated or elected equals the number of offices to be filled, as applicable.**

**§405. Ranked-choice voting and instant runoff voting prohibited; exception**  
**A. A ranked-choice voting or instant runoff voting method shall not be used in determining the election or nomination of any candidate to any local, state, or federal elective office in this state.**  
**B. Notwithstanding the provisions of Subsection A of this Section, all votes cast by military and overseas voters by special absentee by mail ballots in accordance with the Uniformed and Overseas Citizens Absentee Voting Act and this Title shall be counted in accordance with the provisions of this Title.**

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

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**ACT No. 292**

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SENATE BILL NO. 102  
BY SENATOR MIGUEZ  
AN ACT

To amend and reenact R.S. 34:1603.2(A), (D), and (E), relative to port and harbor police; to provide for removing provisions based on population; 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. 34:1603.2(A), (D), and (E) are hereby amended and reenacted to read as follows:

§1603.2. Port and harbor police

~~A. For purposes of this Section, the board of commissioners for any port district whose territory includes a parish with a population of sixty-eight thousand to seventy-three thousand according to the latest federal decennial census and a parish with a population of fifty-seven thousand to fifty-seven thousand four hundred according to the latest federal decennial census~~ **The board** may, in its discretion, appoint, fix salaries of, and pay port and harbor police. The port and harbor police may consist of any number of people of good character and citizens of the state who have completed a course certified by the Council on Peace Officer Standards and Training; however, no member shall be under eighteen years of age.

D. Any persons arrested by officers of the commission meeting the requirements of Subsection A of this Section and the return of all warrants or processes served by these officers shall be surrendered or delivered to the criminal sheriff of the parish in which the arrest occurred as determined by location of arrest; provided this shall in no way deprive the sheriff or deputy sheriff in a parish with a population of sixty-eight thousand to seventy-three thousand or fifty-seven thousand to fifty-seven thousand four hundred **the parishes of Iberia and Vermilion** from making arrests or from serving warrants or process of court in any such place or on any such premises.

~~E. A commission that meets the requirements of Subsection A of this Section~~ **The board** shall adopt rules and regulations for the conduct, management, and control of the port and harbor police, and shall, from time to time, enlarge, modify, or change such rules and regulations in its discretion.

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

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**ACT No. 293**

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SENATE BILL NO. 123  
BY SENATORS ABRAHAM, BARROW, BASS, CATHEY, EDMONDS, FESI,  
HENRY, HODGES AND MIZELL  
AN ACT

To enact Chapter 19-A of Title 17 of the Louisiana Revised Statutes of 1950, to be comprised of R.S. 17:3011 through 3014, relative to school chaplains; to provide for the employment or acceptance as a volunteer of a certified chaplain by public school boards; to provide for support, services, and programs for students; to provide for responsibility and hiring requirements; to provide for prohibiting certain hires as chaplains; to provide for limitation of liability; and to provide for related matters.

Be it enacted by the Legislature of Louisiana:

Section 1. Chapter 19-A of Title 17 of the Louisiana Revised Statutes of 1950, comprised of R.S. 17:3011 through 3014, is hereby enacted to read as follows:

**CHAPTER 19-A. SCHOOL CHAPLAINS**

**§3011. School chaplains; employment; volunteer**  
**Each city, parish, or other local public school board may employ or accept as a volunteer a certified chaplain to provide support, services, and programs for students, staff, and parents as assigned by a school board pursuant to the provisions of this Chapter.**

**§3012. Selection; responsibility; certification**

**A. The school chaplain shall be selected by and be responsible to the local school officials in each city, parish, or other local public school system.**

**B. Any school chaplain employed or accepted as a volunteer pursuant to the provisions of this Section is not required to be certified by the State Board of Elementary and Secondary Education.**

**C. Nothing in this Section shall prohibit any school board from employing or accepting as a volunteer more than one chaplain for any school.**

**§3013. Hiring requirements; prohibited hires**

**A. A city, parish, or other local public school board that employs or accepts as a volunteer, a chaplain, under this Chapter, shall ensure that the chaplain submits to a fingerprint-based state and federal background check, as provided in R.S. 15:587.1, before the chaplain begins employment or volunteering at a school.**

**B. A city, parish, or other local public school board shall not employ or accept as a volunteer a chaplain who has registered or is required to register as a sex**



offender or child predator in accordance with R.S. 15:542 et seq.

§3014. Limitation of liability; school chaplain

A. No person shall have a cause of action against a chaplain for any action taken or statement made in adherence with the provisions for service, support, and programs for students.

B. The immunity from liability provided for in Subsection A of this Section, shall not apply to any action or statement by such chaplain, if such action or statement was maliciously, willfully, and deliberately intended to cause harm to harass or intimidate those seeking support, services and programs.

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

Approved by the Governor, May 28, 2024.

A true copy:

Nancy Landry  
Secretary of State

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**ACT No. 294**

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SENATE BILL NO. 128  
BY SENATOR MILLER  
AN ACT

To amend and reenact R.S. 40:539(C)(8), relative to 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:

Section 1. R.S. 40:539(C)(8) is hereby amended and reenacted to read as follows:

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

\* \* \*

C.

\* \* \*

(8)(a) Except as provided in the Constitution of Louisiana 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.

**(b) Notwithstanding any provision of Subparagraph (a) of this Paragraph or any other 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.**

~~(b)(c)~~ Notwithstanding any provision of Subparagraph (a) of this Paragraph or of any other law to the contrary, the Housing Authority of New Orleans shall not be considered to be 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.

~~(e)(d)~~ Notwithstanding any provision of Subparagraph (a) of this Paragraph or of any other law to the contrary, the Cottonport Housing Authority shall not be considered to be 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.

~~(d)(e)~~ Notwithstanding any provision of Subparagraph (a) of this Paragraph or of any other law to the contrary, the housing authority of Denham Springs shall not be considered to be 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.

~~(e)(f)~~ Notwithstanding any provision of Subparagraph (a) of this Paragraph or of any other law to the contrary, the Housing Authority of the Town of Oil City shall not be considered to be 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.

~~(f)(g)~~ Notwithstanding any provision of Subparagraph (a) of this Paragraph or of any other law to the contrary, the Housing Authority of the City of Lafayette shall not be considered to be 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.

~~(g)(h)~~ Notwithstanding any provision of Subparagraph (a) of this Paragraph or of any other law to the contrary, the East Baton Rouge Parish 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.

~~(h)(i)~~ Notwithstanding any provision of Subparagraph (a) of this Paragraph or of any other law to the contrary, the Monroe 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.

~~(i)(j)~~ Notwithstanding any provision of Subparagraph (a) of this Paragraph or of any other law to the contrary, the Housing Authority of the City of Shreveport 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.

~~(j)(k)~~ Notwithstanding any provision of Subparagraph (a) of this Paragraph or of any other law to the contrary, the Kenner 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.

~~(k)(l)~~ Notwithstanding any provision of Subparagraph (a) of this Paragraph or of any other law to the contrary, the Simmesport 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.

~~(l)(m)~~ Notwithstanding any provision of Subparagraph (a) of this Paragraph or of any other law to the contrary, the Bunkie 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.

~~(m)(n)~~ Notwithstanding any provision of Subparagraph (a) of this Paragraph or of any other law to the contrary, the Colfax 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.

~~(n)(o)~~ Notwithstanding any provision of Subparagraph (a) of this Paragraph or of any other law to the contrary, the Kinder Public 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.

~~(o)(p)~~ Notwithstanding any provision of Subparagraph (a) of this Paragraph or of any other law to the contrary, the Berwick 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.

~~(p)(q)~~ Notwithstanding any provision of Subparagraph (a) of this Paragraph or of any other law to the contrary, the Morgan City 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

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**ACT No. 295**

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SENATE BILL NO. 129  
BY SENATOR OWEN  
AN ACT

To amend and reenact R.S. 44:11(A), relative to public records; to provide for the confidentiality of information in personnel records of certain public employees; and to provide for related matters.

Be it enacted by the Legislature of Louisiana:

Section 1. R.S. 44:11(A) is hereby amended and reenacted to read as follows: §11. Confidential nature of certain personnel records; exceptions

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

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

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

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

**(4) The personal email address or addresses of the public employee where the employee has requested that the address be confidential.**

~~(4)(5)~~ The name and account number of any financial institution to which the public employee's wages or salary are directly deposited by an electronic direct deposit payroll system or other direct deposit payroll system.

\* \* \*

Approved by the Governor, May 28, 2024.

A true copy:

Nancy Landry  
Secretary of State

ACT No. 296

SENATE BILL NO. 138
BY SENATOR OWEN
AN ACT

To amend and reenact R.S. 37:753(C)(2)(b), 761(C), and 793(H)(2) and to enact R.S. 37:753(K), relative to dentistry; to provide relative to the Louisiana State Board of Dentistry; to provide for board membership and terms of office; to provide for requirements of applications for dental licenses; to provide relative to anesthesia and sedation; to provide for an effective date; and to provide for related matters.

Be it enacted by the Legislature of Louisiana:

Section 1. R.S. 37:753(C)(2)(b), 761(C), and 793(H)(2) are hereby amended and reenacted and R.S. 37:753(K) is hereby enacted to read as follows:

§753. Louisiana State Board of Dentistry; appointment of members; term of office; vacancies; nominating meetings; quorum; domicile

C. Each member of the board shall be appointed by the governor as follows:

(2) Three dentists shall be appointed from the state at large to fill seats designated as "At-Large Seats A, B, and C" in accordance with the following requirements:

(b) One seat shall be designated as "At-Large Seat B" and shall be appointed from a roster of all licensed board-eligible or board-certified pediatric dentists in the state. A vacancy occurring in "At-Large Seat B" shall be filled by the governor without the necessity of a nomination or other requirement, except that the appointee shall be licensed and domiciled in the state and a board-eligible or board-certified pediatric dentist.

K.(1) Notwithstanding the provisions of Subsection B and Subparagraph (C) (2)(b) of this Section, the board member appointed and serving in "At-Large Seat B" prior to implementation of Subparagraph (C)(2)(b) of this Section shall continue to serve the duration of his five-year term as a temporary appointment and shall be eligible to be appointed to a second five-year term as a temporary appointment in addition to the board member appointed to serve in "At-Large Seat B" pursuant to the requirements established by Subparagraph (C)(2)(b) of this Section.

(2) During the period of temporary appointment, the board shall be composed of sixteen members.

(3) Upon conclusion of the term of the temporary appointment of "At-Large Seat B" provided for in this Subsection, this Subsection shall terminate.

§761. Requirements of applicants for dental license

C. An applicant who has successfully completed any national, regional, or independent third-party clinical dental licensing examination approved by the board and who otherwise satisfies all requirements for a dental license, including satisfactory completion of an examination in jurisprudence and a background check, may be granted a license by examination by applying for licensure in Louisiana within three five years following the successful completion of such clinical licensing examination.

§793. Nitrous oxide inhalation analgesia; enteral moderate sedation; parenteral sedation; deep sedation; general anesthesia; definitions; permits; credentials; reporting; fees; limitations; exceptions

H.

(2) A personal permit is not required when the dentist uses the services of a third-party medical doctor, third-party doctor of osteopathy who specializes in anesthesiology, third-party certified registered nurse anesthetist, or a Louisiana licensed dentist with an appropriate sedation permit for the level of anesthesia to be achieved an oral and maxillofacial surgeon who is permitted by the board to administer moderate sedation, deep sedation, and general anesthesia. Provided that the third-party anesthetist must remain on the premises of the dental facility until any patient given parenteral drugs is sufficiently recovered. However, when the requirement for obtaining a personal permit is waived by the board under the provisions of this Chapter with regard to the utilization of any third party provided for in this Paragraph, the dentist may utilize only the services of a third party previously determined by the board to be in compliance with the board's requirements for the administration of anesthesia in the dental facility following the initial inspection in relation to the application and equipment of the provider of anesthesia. Except for oral and maxillofacial surgeons, a Louisiana licensed dentist with an appropriate sedation permit, third-party anesthesia providers authorized pursuant to this Paragraph shall not be required to obtain a permit from the board or pay any fees or other assessments to the board.

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. 297

SENATE BILL NO. 139
BY SENATOR HENSGENS
AN ACT

To enact R.S. 40:539(C)(8)(q) and (r), relative to Vermilion Parish; to provide relative to employees of the Delcambre Housing Authority and the Gueydan 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) and (r) are 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 Delcambre 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.

(r) Notwithstanding any provision of Subparagraph (a) of this Paragraph or of any other law to the contrary, the Gueydan 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. 298

SENATE BILL NO. 140
BY SENATOR BASS
AN ACT

To amend and reenact R.S. 18:493 and to enact R.S. 47:1508(A)(4), relative to objections to candidacy; to provide relative to court proceedings; to provide for use of a properly executed affidavit in lieu of live testimony; to provide for an effective date; and to provide for related matters.

Be it enacted by the Legislature of Louisiana:

Section 1. R.S. 18:493 is hereby amended and reenacted to read as follows:
§493. Time for objecting to candidacy

A. An action objecting to candidacy shall be commenced in a court of competent jurisdiction within seven days after the close of qualifications for candidates in the primary election. However, if the time interval ends on a Saturday, Sunday, or other legal holiday, then noon of the next day which is not a Saturday, Sunday, or legal holiday shall be deemed to be the end of the time interval. After the expiration of the time period set forth in this Section, no action shall be commenced objecting to candidacy based on the grounds for objections to candidacy contained in R.S. 18:492 above.

B.(1) Neither the secretary of the Department of Revenue nor any employee engaged in the administration or charged with the custody of any records or files of the Department of Revenue shall be subject to subpoena or otherwise required to appear in court for any matter filed pursuant to this Section.

(2) In lieu of live testimony, a properly executed affidavit issued by the secretary of the Department of Revenue or his designee shall serve as sufficient confirmation as to the accuracy of the records and files of the secretary of the Department of Revenue for such purposes.

\* \* \*

Section 2. R.S. 47:1508(A)(4) is hereby enacted to read as follows:

§1508. Confidentiality of tax records

A.

(4)(a) Neither the secretary nor any employee engaged in the administration or charged with the custody of any records or files shall be subject to subpoena or otherwise required to appear in court for any challenge to candidacy filed pursuant to the provisions of Title 18.

(b) In lieu of live testimony, a properly executed affidavit issued by the secretary of the Department of Revenue or his designee shall serve as sufficient

**confirmation as to the accuracy of the records and files of the secretary of the Department of Revenue for such purposes.**

\* \* \*

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

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**ACT No. 299**

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SENATE BILL NO. 143  
BY SENATOR BARROW  
AN ACT

To enact Part XII-A of Chapter 5-B of Title 40 of the Louisiana Revised Statutes of 1950, to be comprised of R.S. 40:1124.1, relative to prenatal and postpartum health screenings; to require certain healthcare providers to provide screenings for certain patients; to provide for the discretion of the provider; and to provide for related matters.

Be it enacted by the Legislature of Louisiana:

Section 1. Part XII-A of Chapter 5-B of Title 40 of the Louisiana Revised Statutes of 1950, comprised of R.S. 40:1124.1, is hereby enacted to read as follows:

**PART XII-A. PERINATAL PHYSICAL HEALTH POLICY**

**§1124.1. Screening for prenatal and postpartum health disorders**  
**Healthcare providers who provide prenatal and postpartum care to women shall screen for the signs and symptoms of hypertension and preeclampsia through a validated screening tool in accordance with the recommendations from the American College of Obstetricians and Gynecologists if in the exercise of their professional, medical judgment the healthcare providers believe that such screening would be in the best interest of the patient.**

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

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**ACT No. 300**

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SENATE BILL NO. 147  
BY SENATOR CONNICK  
AN ACT

To amend and reenact R.S. 47:1566(B) and 1568(B), relative to the assessment of taxes; to provide relative to self-assessments; to provide relative to mailing of the notice when a taxpayer self-assesses; to provide relative to the mailing of such notices to international addresses; to provide for an effective date; and to provide for related matters.

Be it enacted by the Legislature of Louisiana:

Section 1. R.S. 47:1566(B) and 1568(B) are hereby amended and reenacted to read as follows:

§1566. Assessment and notice when tax is in jeopardy

\* \* \*

B. As soon as is feasible after such assessment, and not later than two calendar days thereafter, the secretary shall send by certified mail a notice to the taxpayer against whom the assessment lies, at the address given in the last report filed by said taxpayer, or to any such address as may be obtainable from any private entity which will provide such address free of charge or from any federal, state, or local government entity, including but not limited to the United States Postal Service or from United States Postal Service certified software. **However, if the notice is to be mailed to an address outside the United States, the secretary shall send notice by First-Class Mail International with Electronic USPS Delivery Confirmation.** Such notice shall inform the taxpayer of the assessment, its basis, and its jeopardous nature; make demand for immediate payment thereof; and give notice that any property distrained or to be distrained will be subject to sale, as provided in this Chapter, to satisfy the assessment.

\* \* \*

§1568. Assessment of tax shown on face of taxpayer's returns

\* \* \*

B. If the taxpayer fails to accompany his return filed with a proper payment, as required by any Chapter of this Subtitle, the secretary shall immediately send a notice by mail to such person, addressed to the address appearing on the return or to any available address, informing him of the amount due, or the balance of the amount due if a partial payment has been made, and

demanding payment of such amount within thirty calendar days from the date of the notice. If the balance of the amount due exceeds one thousand dollars, the secretary shall send the notice by certified mail. **However, if the notice is to be mailed to an address outside the United States, the secretary shall send notice by First-Class Mail International with Electronic USPS Delivery Confirmation.** If payment has not been received at the expiration of such time, the assessment shall be collectible by distraint and sale as is hereinafter provided.

\* \* \*

Section 2. The provisions of this Act shall apply to notices issued on or after August 1, 2024.

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

Approved by the Governor, May 28, 2024.

A true copy:

Nancy Landry  
Secretary of State

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**ACT No. 301**

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SENATE BILL NO. 148  
BY SENATORS MIZELL, BARROW, CARTER, DUPLESSIS, EDMONDS, FIELDS, HENRY AND PRICE AND REPRESENTATIVES ADAMS, BERAULT, BILLINGS, BUTLER, CARPENTER, WILFORD CARTER, CHASSION, COATES, COX, EGAN, FIRMENT, FREEMAN, FREIBERG, HILFERTY, MIKE JOHNSON, KNOX, LAFLEUR, MCMAKIN, MYERS, SELDERS, TAYLOR, WALTERS AND WILDER  
AN ACT

To enact R.S. 22:1053(C)(6), relative to postpartum depression; to provide for the application of step therapy and fail first protocols to drugs prescribed for postpartum depression; to provide for the override of restrictions in certain circumstances; and to provide for related matters.

Be it enacted by the Legislature of Louisiana:

Section 1. R.S. 22:1053(C)(6) is hereby enacted to read as follows:

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

\* \* \*

C. When medications for the treatment of any medical condition are restricted for use by any health coverage plan through a step therapy or fail first protocol, the prescribing practitioner shall have access to a clear and convenient process to expeditiously request an override of the restriction. The override process shall be made easily accessible on the health coverage plan's website. An override of the restriction shall be expeditiously granted by the health coverage plan if the prescribing practitioner, using sound clinical evidence, can demonstrate any of the following:

**(6) The required prescription drug for postpartum depression under the step therapy or fail first protocol is not indicated by the United States Food and Drug Administration for postpartum depression on the prescription drug's approved labeling.**

\* \* \*

Approved by the Governor, May 28, 2024.

A true copy:

Nancy Landry  
Secretary of State

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**ACT No. 302**

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SENATE BILL NO. 155  
BY SENATOR KLEINPETER  
AN ACT

To amend and reenact R.S. 18:1310(C)(1) and 1333(B) and to enact R.S. 18:4 and 1461.7(A)(7), relative to marking of absentee by mail ballots; to provide for witness certification requirements; to provide for the crime of violating restrictions on witnessing absentee ballot certificates; to provide for the nursing home early voting program; to provide for effectiveness; and to provide for related matters.

Be it enacted by the Legislature of Louisiana:

Section 1. R.S. 18:1310(C)(1) and 1333(B) are hereby amended and reenacted to read as follows:

§1310. Execution of certificate; marking of ballot; casting vote; assistance

\* \* \*

C.(1) Any person who assists a voter in voting absentee by mail shall execute the acknowledgment on the certificate prepared by the secretary of state, verifying that the person providing the assistance has marked the ballot in the manner dictated by the voter, and the signature on the acknowledgment by the person providing assistance may serve as the signature of the witness required by R.S. 18:1306(E)(2)(a). **No person except the immediate family member of the voter, as defined in this Code, or an employee of the registrar of voters or the election division of the Department of State shall assist with the certificate of more than one voter.**

\* \* \*  
§1333. Nursing home early voting program; voting by persons residing in a nursing home

\* \* \*  
B. A qualified voter who resides in a nursing home within the parish in which he is entitled to vote may vote early as provided in this Section during the period extending at least ~~one week~~ **two weeks** prior to the beginning day for early voting through the last day for early voting established by R.S. 18:1309.

\* \* \*  
Section 2. R.S. 18:4 and 1461.7(A)(7) are hereby enacted to read as follows:

**§4. Witness requirements**  
**A. Whenever a document required by or provided for in the Louisiana Election Code is required to be witnessed, the witness shall be at least eighteen years of age.**

**B. Each witness who signs an absentee by mail ballot certificate as required by the Louisiana Election Code shall provide his mailing address in the appropriate space on the certificate.**

\* \* \*  
§1461.7. Miscellaneous election offenses; penalties  
A. No person shall knowingly, willfully, or intentionally:

\* \* \*  
**(7) Witness the certificate of more than one voter who is not an immediate family member in violation of R.S. 18:1306.**

\* \* \*  
Section 3.(A) The provisions of this Section and of Section 1 of this Act shall become effective on August 1, 2024.

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

Approved by the Governor, May 28, 2024.

A true copy:  
Nancy Landry  
Secretary of State

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**ACT No. 303**

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SENATE BILL NO. 160  
BY SENATOR OWEN  
AN ACT

To amend and reenact R.S. 37:1360.30(B), relative to physician assistants; to provide relative to the Louisiana State Board of Medical Examiners; to provide relative to supervising physicians; to provide for notification to the board; and to provide for related matters.

Be it enacted by the Legislature of Louisiana:

Section 1. R.S. 37:1360.30(B) is hereby amended and reenacted to read as follows:

§1360.30. Notification of intent to practice

\* \* \*  
B. A physician assistant shall notify the board of any changes in or additions to his supervising physicians within ~~fifteen~~ **thirty** days of the date of such change or addition.

Approved by the Governor, May 28, 2024.

A true copy:  
Nancy Landry  
Secretary of State

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**ACT No. 304**

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SENATE BILL NO. 164  
BY SENATOR ABRAHAM  
AN ACT

To enact R.S. 42:851(V), relative to the Office of Group Benefits; to provide relative to eligibility; to provide relative to health coverage programs for certain employees; to provide relative to employer premium contributions; to provide for limitations; and to provide for related matters.

Be it enacted by the Legislature of Louisiana:

Section 1. R.S. 42:851(V) is hereby enacted to read as follows:

§851. Authority for employee benefit programs; payroll deduction for payment of premiums

\* \* \*  
**Y.(1) Notwithstanding any provision of law to the contrary, any person who previously participated in health coverage programs sponsored by the Office of Group Benefits as a dependent spouse of a deceased retiree immediately prior to enrolling in Office of Group Benefits health coverage as an active employee, shall, upon termination from state service, be eligible to obtain Office of Group Benefits health coverage as a surviving spouse provided all of the following conditions are met:**

**(a) The person is enrolled in Office of Group Benefits health coverage as an active employee as of July 1, 2024.**

**(b) The person remains enrolled in Office of Group Benefits health coverage continuously until immediately prior to the date of termination.**

**(c) The person would have had surviving spouse coverage at the time of death of the retiree spouse but for his or her eligibility for coverage in a group health plan other than Medicare.**

**THE ADVOCATE**  
**PAGE 44**

\* As it appears in the enrolled bill

**(d) The person pays the requisite premiums.**

**(e) The person complies with any other applicable Office of Group Benefits rules.**

**(2) A surviving spouse pursuant to this Subsection shall be entitled to receive, in state contribution to premiums, the percentage of the total premium as provided for in applicable Office of Group Benefits rules.**

**(3) Employer premium contributions for a person eligible to obtain Office of Group Benefits coverage as a surviving spouse pursuant to this Subsection shall be the responsibility of the school board, state agency, or political subdivision from which the deceased retiree spouse originally retired.**

**(4) The dependent children of a person eligible to obtain Office of Group Benefits coverage as a surviving spouse pursuant to this Subsection may continue coverage in accordance with applicable rules promulgated by the Office of Group Benefits.**

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

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**ACT No. 305**

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SENATE BILL NO. 184  
BY SENATOR KLEINPETER  
AN ACT

To amend and reenact R.S. 14:108.1(E), relative to offenses affecting law enforcement; to provide relative to the crime of aggravated flight from an officer; to increase the penalties for aggravated flight from an officer; and to provide for related matters.

Be it enacted by the Legislature of Louisiana:

Section 1. R.S. 14:108.1(E) is hereby amended and reenacted to read as follows:

§108.1. Flight from an officer; aggravated flight from an officer

\* \* \*  
E.(1) ~~Whoever~~ **Except as provided in Paragraph (2) of this Subsection, whoever** commits aggravated flight from an officer shall be imprisoned at hard labor for not more than ~~five~~ **ten** years and may be fined not more than two thousand dollars.

(2)(a) Whoever commits the crime of aggravated flight from an officer that results in serious bodily injury shall be imprisoned at hard labor for not more than ~~ten~~ **fifteen** years and may be fined not more than two thousand dollars.

\* \* \*  
Approved by the Governor, May 28, 2024.

A true copy:  
Nancy Landry  
Secretary of State

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**ACT No. 306**

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SENATE BILL NO. 190  
BY SENATOR BOUDREAUX  
AN ACT

To enact R.S. 46:460.76.1, relative to Medicaid reimbursement rate increases; to provide for a plan for physicians to be reimbursed at one hundred percent of Medicare rates; to require the department to submit the plan to the appropriate subject matter jurisdiction committees; and to provide for related matters.

Be it enacted by the Legislature of Louisiana:

Section 1. R.S. 46:460.76.1 is hereby enacted to read as follows:

**§460.76.1. Medicaid physician reimbursement plan; Medicare rate comparability**

**A.(1) The Louisiana Department of Health shall develop a plan for increased Medicaid managed care organization reimbursement rates and fee-for-service reimbursement rates to physicians at one hundred percent of Medicare rates.**

**(2) In developing the plan required by this Section, the department shall prioritize physician-provided primary care, obstetric care, non-specialty mental health, substance use disorder, family planning, and women's health services.**

**(3) The plan shall include Medicaid reimbursement rates for service rates of one hundred percent of the Medicare rate for procedure codes utilized for evaluation and management for primary care and specialty office visits, preventative services, care management, obstetric services, and non-specialty mental health services and the estimated costs of implementation of the plan during Fiscal Year 2025-2026 and increasing incrementally through Fiscal Year 2027-2028.**

**(4) The department shall calculate an equivalent rate increase for physician services that do not have a rate established by Medicare.**

**B. The plan shall include procedure codes identified as physician primary care or general care to be reimbursed to physicians at one hundred percent of Medicare rates.**

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

**C. The department shall submit the plan required by this Section to the Senate Committee on Health and Welfare, the Senate Committee on Finance, the House Committee on Health and Welfare, and the House Committee on Appropriations no later than November 1, 2024.**

Approved by the Governor, May 28, 2024.

A true copy:  
Nancy Landry  
Secretary of State

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**ACT No. 307**

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SENATE BILL NO. 191  
BY SENATOR REESE  
AN ACT

To amend and reenact R.S. 47:302(K)(7)(b), 1402(E)(1), 1403(A)(3) and (5) and (B)(4), 1406, 1417(C)(3), 1437(B), and 1565(C)(2) and to enact R.S. 47:1403(B)(7), relative to the enforcement and adjudication of state and local taxes and the Board of Tax Appeals; to provide with respect to disputes concerning taxes; to provide for tax administration; to provide with respect to certain revenues dedicated to the board; to provide for certain expenditures by the board; to provide relative to ad hoc judges; to provide relative to remote witness testimony; and to provide for related matters.

Be it enacted by the Legislature of Louisiana:

Section 1. R.S. 47:302(K)(7)(b), 1402(E)(1), 1403(A)(3) and (5) and (B)(4), 1406, 1417(C)(3), 1437(B), and 1565(C)(2) are hereby amended and reenacted and R.S. 47:1403(B)(7) is hereby enacted to read as follows:

§302. Imposition of tax

K. An additional tax shall be levied as follows:

(7)

(b) The amount of local tax specified in Item (a)(i) of this Paragraph as transferred to the Department of State Civil Service, Board of Tax Appeals, **Local Tax Division** shall be increased by fifty-five thousand dollars on July 1, 2015, by thirty-two thousand dollars on July 1, 2016, and by five thousand dollars on the first day of each of the subsequent fiscal years. The amounts specified in this Subparagraph and Subparagraph (a) of this Paragraph shall be transferred by the secretary within the first thirty days of each fiscal year and the Department of State Civil Service, Board of Tax Appeals, may retain all funds that are transferred as directed in this Subparagraph and Subparagraph (a) of this Paragraph. **The amount provided for in Item (a)(i) of this Paragraph shall also be increased when necessary to conform to an amount appropriated by law.**

§1402. Membership of board; qualifications; appointment; term; vacancy; salary

E.(1) Notwithstanding any provision of law to the contrary, a board member shall continue to serve until a successor has been appointed. No member may be removed except by **under either of the following circumstances:**

(a) By induction into office of a successor, duly appointed and qualified pursuant to this Section, upon expiration of a term of office or for

(b) For good cause shown, which shall be subject to judicial review; **provided that good cause shall mean those causes enumerated for removal by suit pursuant to Article X, Section 25 of the Constitution of Louisiana, or its successor.**

§1403. Designation of officers; domicile; quorum; seal

A.

(3) **The Notwithstanding any provision of law to the contrary, the member appointed pursuant to R.S. 47:1402(D) shall be the hearing judge of the Local Tax Division of the board. For the purposes of the Local Tax Division, the judge shall exercise all jurisdiction, authority, and powers of the board and its chairman, including the hearing of cases to be adjudicated in the division and the rendering of orders and judgments in such cases. The remainder of the board may temporarily exercise these functions during any vacancy in this appointment, but may not hear and render judgment in a case in the division.**

(5) In the event of a vacancy lasting more than ninety **thirty** days or if the local tax judge submits a written request for assistance, the supreme court is authorized to make assignments or appointments for a local tax judge ad hoc in the same manner as authorized pursuant to Article V, Section 5(A) of the Constitution of Louisiana, and, **Notwithstanding any provisions of law to the contrary, any sitting or retired ad hoc judge so assigned shall receive the compensation specified in this Chapter for ad hoc appointment due to recusal pursuant to this Paragraph.**

B.

(4) With the consent of all parties or upon the request of the taxpayer in a pre-trial matter involving only a state collector, the board may allow for a hearing to be held by telephone, video conference, or similar communication equipment, including the administration of oaths in proceedings.

**(7) Notwithstanding any provision of law to the contrary, the chairman may designate either of the following as a hearing judge for purposes of Paragraph (2) of this Subsection:**

(a) Any person who has been appointed as an ad hoc judge pursuant to the provisions of this Chapter.

(b) With the approval of the supreme court, any judge eligible for assignment pursuant to Article V, Section 5 of the Constitution of Louisiana who is considered an ad hoc judge pursuant to this Chapter.

§1406. Expenditures

The board is authorized to make such expenditures, (including expenditures for personal services and for law books, books of reference and periodicals), as may be necessary to efficiently execute the functions vested in the board. All expenditures of the board shall be allowed and paid, out of any monies appropriated for the purposes of the board. The board's self-generated revenue from local cases filed with the board pursuant to the provisions of the Uniform Local Sales Tax Code shall be expended exclusively for the purposes of its Local Tax Division, and may be retained by the board and carried forward for such purposes. **All funds held in the board's Escrow Account shall be subject to the provisions of R.S. 47:1439 and shall be expended in accordance with the restrictions of that Section.**

§1417. Recusal; board members

C.

(3) Upon entry of an order of recusal concerning the board member presiding over a case in the Local Tax Division, the case shall be reassigned to be heard by an ad hoc judge appointed by the supreme court pursuant to R.S. 47:1403(A) (5) with any other board member eligible for that appointment in accordance with Paragraph (2) of this Subsection, or, upon a joint motion of all parties it may either be heard pursuant to Paragraph (1) of this Subsection or be transferred to the district court of proper venue.

§1437. Effect of final judgment

B. When the decision or judgment of the board which has become final contains a finding that the taxpayer is entitled to receive a refund or credit of an overpayment, the collector shall promptly enter the credit or make the refund, as the case may be, **or otherwise comply with the terms of the final judgment.**

§1565. Notice of assessment and right to appeal

C.

(2)(a) The determination of an error of fact or of law under this Subsection shall be solely that of the secretary **except as otherwise provided in this Subsection**, and no action against the secretary with respect to the determination shall be brought in any court, **nor shall any appeal relating thereto be brought before the Board of Tax Appeals**, and no court shall have jurisdiction of any such action, nor the Board of Tax Appeals **except as provided in this Subsection of any such appeal**; it being the intent of this Subsection only to permit the secretary to correct manifest errors of fact or in the application of the law made by the secretary in making the assessment; however, all reductions of assessments based on such errors, except estimated assessments made due to the failure of the taxpayer to file a proper tax return, must be approved and signed by the secretary, and the assistant secretary or the deputy assistant secretary of supervising the office of legal affairs of the Department of Revenue, and shall then be **approved submitted for review** by the Board of Tax Appeals and **if approved shall be signed** by the chairman thereof. Estimated assessments made due to the failure of the taxpayer to file a proper tax return may be corrected by the acceptance of the proper tax return and must be approved by the secretary or his designee.

(b) **A person may petition the Board of Tax Appeals within thirty days of receipt of a notice related to a seizure, levy, garnishment, offset, or other collection action, whether occurred or intended, related to an assessment that qualifies for relief pursuant to Paragraph (1) of this Subsection. If the board finds clear and convincing evidence that the otherwise final assessment qualifies for relief pursuant to Paragraph (1) of this Subsection it shall order that the matter be referred to the secretary for review pursuant to provisions of this Subsection, and the assessment shall not be collectible until such time as the assessment has been redetermined pursuant to this Subsection. The secretary shall submit any redetermination to the board for approval in the same manner as provided in Subparagraph (a) of this Paragraph.**

(c) **A person who has been the subject of a collection action related to an otherwise final assessment that qualifies for relief pursuant to this Subsection may file a refund claim with the secretary within the applicable prescriptive period pursuant to R.S. 47:1623 following the secretary's receipt of the funds. Any refund authorized by this Subparagraph shall be additionally limited to any amount actually collected by the secretary that was not actually due considering a redetermination made pursuant to this Subsection due to the petition filed pursuant to this Paragraph.**

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. 308**

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SENATE BILL NO. 195  
BY SENATORS MIGUEZ, BASS, EDMONDS, FESI, KLEINPETER,  
SEABAUGH, STINE AND TALBOT  
AN ACT

To enact Subpart E-5 of Part II of Chapter 3 of Title 46 of the Louisiana Revised Statutes of 1950, to be comprised of R.S. 46:331 and 332, relative to eligibility for benefits of the Supplemental Nutrition Assistance Program; to limit the authority of the state to waive work requirements for certain benefit recipients; to provide for an effective date; and to provide for related matters.

Be it enacted by the Legislature of Louisiana:

Section 1. Subpart E-5 of Part II of Chapter 3 of Title 46 of the Louisiana Revised Statutes of 1950, comprised of R.S. 46:331 and 332, is hereby enacted to read as follows:

**SUBPART E-5. SNAP WORK REQUIREMENTS**

**§331. Findings and intent**

**A. The legislature hereby finds and declares the following:**

**(1) It is the policy of this state to encourage self-sufficiency so that Louisianians may reduce dependence on public benefits to meet basic needs and become economically self-reliant.**

**(2) The Supplemental Nutrition Assistance Program, formerly known as “food stamps” and referred to hereafter in this Subpart as “SNAP”, provides support to needy households and to persons making the transition from welfare to work.**

**(3) Federal regulations provided for in 7 CFR 273.24 limit the duration of receipt of SNAP benefits by nonworking, able-bodied adults without dependents (ABAWD) who do not qualify for certain exemptions to a total of three months in any three-year period. However, states may submit to the federal government applications, commonly known as “waivers”, to have this three-month limit waived. If approved, such waivers allow able-bodied, nonworking, nonexempt adults to receive SNAP benefits for an unlimited duration. Louisiana has long used these waivers to exempt the majority of able-bodied adults without dependents from the federal work requirement.**

**(4) Federal law allows states to exempt up to eight percent of able-bodied adults from the work requirement without providing any reason whatsoever. These no-good-cause exemptions also accumulate and carry over from year to year without limit. As a policy, Louisiana has not used these “no-good-cause exemptions”. However, because Louisiana has waived the work requirement, there has been no reason to use these additional exemptions.**

**B. It is the intent of this Subpart to institute a comprehensive, statewide work requirement for able-bodied adults up to fifty-two years old without any dependents who receive SNAP benefits in this state.**

**§332. Supplemental Nutrition Assistance Program work requirements; restriction on waivers and exemptions**

**A. Unless expressly required by federal law, the Department of Children and Family Services shall not seek, apply for, accept, or renew any waiver of work requirements established by the Supplemental Nutrition Assistance Program under 7 U.S.C. 2015(o).**

**B. The Department of Children and Family Services shall not exercise the state's option to provide any exemptions from the work requirement under 7 U.S.C. 2015(o)(6)(F).**

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

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**ACT No. 309**

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SENATE BILL NO. 198  
BY SENATOR KLEINPETER AND REPRESENTATIVES BAYHAM,  
BILLINGS, DOMANGUE, SCHAMERHORN AND WRIGHT  
AN ACT

To enact R.S. 18:453(D), relative to dual candidacy; to provide for an exception for a senator or representative in the United States Congress for certain offices; and to provide for related matters.

Be it enacted by the Legislature of Louisiana:

Section 1. R.S. 18:453(D) is hereby enacted to read as follows:

**§453. Dual candidacy**

\* \* \*

**D. President or vice president of the United States. Notwithstanding the provisions of Subsection A of this Section, a senator or representative in the United States Congress who has been nominated as a candidate for president or vice president of the United States may become a candidate in a primary or general election for either office in addition to the office he holds that is set to be decided at the same election.**

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

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**ACT No. 310**

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SENATE BILL NO. 200  
BY SENATOR DUPLESSIS AND REPRESENTATIVES BERAULT,  
BILLINGS, BOYD, BRASS, BRYANT, CARPENTER, WILFORD CARTER,  
CHASSION, FISHER, JACKSON, KNOX, LAFLEUR, LYONS, MENA,  
TAYLOR, THOMPSON, WALTERS AND YOUNG  
AN ACT

To amend and reenact R.S. 22:1019.2(A), relative to health insurance; to provide in-network healthcare coverage for certain covered persons who temporarily relocate after the governor declares a state of emergency for a named storm; to provide for an effective date; and to provide for related matters.

Be it enacted by the Legislature of Louisiana:

Section 1. R.S. 22:1019.2(A) is hereby amended and reenacted to read as follows:

**§1019.2. Network adequacy**

A. A health insurance issuer providing a health benefit plan shall maintain a network that is sufficient in numbers and types of healthcare providers to ensure that all healthcare services to covered persons will be accessible without unreasonable delay. In the case of emergency services and any ancillary emergency healthcare services, covered persons shall have access twenty-four hours per day, seven days per week. **Healthcare services shall also be made accessible, in the same manner as provided in this Subsection, for a covered person diagnosed with a disease or condition by a licensed healthcare provider, if the disease or condition requires the covered person to receive life-sustaining treatments, including but not limited to chemotherapy, radiotherapy, dialysis, and heart surgery, and the covered person is forced to temporarily relocate to another state when the governor declares a state of emergency, pursuant to R.S. 29:724, for a named storm as defined in R.S. 22:1267.1(A)(2).** Sufficiency shall be determined in accordance with the requirements of this Subpart. In determining sufficiency criteria, the criteria shall include but not be limited to ratios of healthcare providers to covered persons by specialty, ratios of primary care providers to covered persons, geographic accessibility, waiting times for appointments with participating providers, hours of operation, and volume of technological and specialty services available to serve the needs of covered persons requiring technologically advanced or specialty care.

\* \* \*

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

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**ACT No. 311**

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SENATE BILL NO. 205  
BY SENATORS MIGUEZ, EDMONDS, JACKSON-ANDREWS, MIZELL  
AND STINE AND REPRESENTATIVES ADAMS, AMEDEE, BAYHAM,  
BERAULT, BOYD, BRASS, BRYANT, CARLSON, CARPENTER,  
WILFORD CARTER, CARVER, CHASSION, DEVILLIER, DEWITT,  
DICKERSON, EDMONSTON, EGAN, FIRMENT, FISHER, FREIBERG,  
GREEN, HORTON, HUGHES, MIKE JOHNSON, KNOX, LAFLEUR,  
JACOB LANDRY, LARVADAIN, LYONS, MELERINE, NEWELL,  
OWEN, ROMERO, SCHAMERHORN, SCHLEGEL, ST. BLANC, TAYLOR,  
WALTERS, WILLARD, WYBLE AND YOUNG  
AN ACT

To amend and reenact R.S. 17:418(A), relative to the compensation of teachers and other school employees; to provide for additional compensation for overtime work and for work beyond prescribed duties under certain circumstances; to provide for compensation for planning time for teachers;

to provide for applicability; to provide for the rate of such compensation; and to provide for related matters.

Be it enacted by the Legislature of Louisiana:

Section 1. R.S. 17:418(A) is hereby amended and reenacted to read as follows: §418. Salaries; teachers and other school employees; **additional compensation**

A.(1) The governing authority of each local public elementary and secondary school, the state special schools, and the schools and programs administered through the special school district shall establish salary schedules by which to determine the salaries to be paid to teachers and all other school employees. ~~The salaries as provided therein shall be considered as full compensation for all work required and performed within each employee's prescribed scope of duties and responsibilities.~~

(2) Such salary schedules shall be established and published not later than January 1, 2013, and shall become effective for all employees not later than the beginning of the 2013-2014 each school year **June thirtieth annually and shall apply during the school year that begins that year.**

**(3)(a) The salaries provided in the salary schedules shall be considered compensation for the work performed by each employee within his prescribed duties and responsibilities, which include only those specifically identified and described in the employee's job description. Additional compensation shall be provided as follows:**

**(i) In addition to all other compensation to which a teacher is entitled, each governing authority shall compensate any teacher who is not afforded the minimum uninterrupted planning time required by R.S. 17:434(A) at the effective hourly rate of that teacher for each hour of planning time. A teacher's effective hourly rate, for the purposes of this Subsection, shall be calculated by converting the teacher's annual salary on the teacher's salary schedule adopted by the governing authority into an hourly rate of pay.**

**(ii) Each governing authority shall develop a uniform supplemental salary schedule for the 2024-2025 school year, if such schedule is not already in place, that specifically addresses compensation for duties performed by certified employees of the governing authority beyond the scope of their prescribed duties and responsibilities. The uniform supplemental salary schedule shall provide the following:**

**(aa) All certified employees shall be paid a minimum of thirty dollars per hour for such duties and responsibilities, rounded to the nearest tenth of an hour, net of all applicable deductions.**

**(bb) All nonexempt employees shall be compensated for overtime work in accordance with the Fair Labor Standards Act, 29 U.S.C. 201 et seq.**

**(b) The provisions of Subparagraph (a) of this Paragraph do not apply to the teachers and other employees of the state special schools or the schools and programs administered through the special school district.**

**(c) The provisions of this Subsection shall not be inferred in any manner to require nor be constructed to constitute collective bargaining.**

\* \* \*

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

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**ACT No. 312**

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SENATE BILL NO. 206  
BY SENATOR MCMATH  
AN ACT

To repeal Sections 1 and 3(A) of Act No. 459 of the 2023 Regular Session and Chapter 44 of Title 51 of the Louisiana Revised Statutes of 1950, comprised of R.S. 51:2701, relative to the Port Development Advisory Commission; to provide relative to the office of port development; to repeal the Port Development Advisory Commission; to repeal the office of port development; to provide for an effective date; and to provide for related matters.

Be it enacted by the Legislature of Louisiana:

Section 1. Sections 1 and 3(A) of Act No. 459 of the 2023 Regular Session are hereby repealed.

Section 2. Chapter 44 of Title 51 of the Louisiana Revised Statutes of 1950, comprised of R.S. 51:2701, is hereby repealed.

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 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

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**ACT No. 313**

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SENATE BILL NO. 207

BY SENATORS MIZELL, EDMONDS, HENRY, JACKSON-ANDREWS,  
MCMATH AND TALBOT  
AN ACT

To amend and reenact R.S. 17:239(A), relative to the unauthorized possession of electronic telecommunication devices at school; to provide for instructions on storing electronic telecommunication devices during an instructional day; to provide for exceptions; to provide for an effective date; and to provide for related matters.

Be it enacted by the Legislature of Louisiana:

Section 1. R.S. 17:239(A) is hereby amended and reenacted to read as follows: §239. Prohibition against unauthorized use of electronic telecommunication devices; exceptions; penalties

A.(1) Effective beginning with the 2003-2004 school year and thereafter, no student, unless authorized by the school principal or his designee shall use or operate any electronic telecommunication device including any facsimile system, radio paging service, mobile telephone service, intercom, or electro-mechanical paging system in any public elementary or secondary school building or on the grounds thereof or in any school bus used to transport public school students.

**(2)(a) Effective beginning with the 2024-2025 school year and thereafter, no student shall possess, on his person, an electronic telecommunication device throughout the instructional day. If a student brings an electronic telecommunication device in any public elementary or secondary school building or on the grounds thereof during an instructional day, the electronic device shall either be turned off and properly stowed away for the duration of the instructional day or prohibited from being turned on and used during the instructional day.**

**(b) The provisions of Subparagraph (a) of this Paragraph are not applicable to a student whose Individualized Education Program, Individualized Accommodation Plan, Section 504 plan, or Individualized Health Plan requires the student's use of an electronic telecommunication device.**

\* \* \*

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

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**ACT No. 314**

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SENATE BILL NO. 208

BY SENATOR MIGUEZ AND REPRESENTATIVES AMEDEE, BACALA,  
BAYHAM, BILLINGS, BOYER, CARRIER, CHENEVERT, COX,  
DICKERSON, EDMONSTON, EGAN, FIRMENT, HORTON, OWEN,  
THOMPSON, WRIGHT AND WYBLE

AN ACT

To enact Part III of Chapter 1 of Title 33 of the Louisiana Revised Statutes of 1950, to be comprised of R.S. 33:81 through 85, relative to sanctuary policies for illegal immigration; to provide with respect to prohibition on sanctuary policies; to provide relative to local governments' required cooperation with federal immigration authorities; to provide relative to duties related to immigration detainers; to provide relative to enforcement; to provide for definitions; to provide for an effective date; and to provide for related matters.

Be it enacted by the Legislature of Louisiana:

Section 1. Part III of Chapter 1 of Title 33 of the Louisiana Revised Statutes of 1950, comprised of R.S. 33:81 through 85, is hereby enacted to read as follows:

**PART III. PROHIBITION ON SANCTUARY POLICIES FOR  
ILLEGAL IMMIGRATION**

**§81. Definitions**

**For the purposes of this Part, the following words and terms shall have the meaning indicated unless the context clearly indicates differently:**

**(1) "Federal immigration agency" means either the United States Department of Justice or the United States Department of Homeland Security, a division within either agency, including but not limited to United States Immigration and Customs Enforcement and United States Customs and Border Protection, any successor agency, and any other federal agency charged with the enforcement of immigration law.**

**(2)(a) "Immigration detainer" means a facially sufficient written or electronic request issued by a federal immigration agency using that agency's official form to request that another law enforcement agency detain a person based on probable cause to believe that the person to be detained is a removable alien under federal immigration law, including but not limited to detainers issued pursuant to 8 U.S.C. 1226 and 1357, along with a warrant described in Item (b) (iii) of this Paragraph.**

**(b) For purposes of this Part, an immigration detainer is deemed facially sufficient if any of the following circumstances apply:**

**(i) The federal immigration agency's official form is complete and indicates on its face that the federal immigration official has probable cause to believe that the person to be detained is a removable alien under federal immigration law.**

(ii) The federal immigration agency's official form is incomplete and fails to indicate on its face that the federal immigration official has probable cause to believe that the person to be detained is a removable alien under federal immigration law, but is supported by an affidavit, order, or other official documentation that indicates that the federal immigration agency has probable cause to believe that the person to be detained is a removable alien under federal immigration law.

(iii) The federal immigration agency supplies, with its detention request, a Form I-200 Warrant for Arrest of Alien or a Form I-205 Warrant of Removal/Deportation or a successor warrant or other warrant authorized by federal law.

(3) "Detainee" means an alien in the custody of a law enforcement agency.

(4) "Law enforcement agency" means an agency in this state charged with enforcement of state, parish, municipal, or federal laws or with managing custody of detained aliens in this state and includes municipal police departments, sheriff's offices, state police offices, state university and college police departments, parish correctional agencies, and the Department of Public Safety and Corrections.

(5) "Local governmental entity" means any parish, municipality, or other political subdivision of this state.

(6) "Sanctuary policy" means a law, policy, practice, procedure, or custom adopted or allowed by a state entity or local governmental entity which prohibits or impedes a law enforcement agency from complying with 8 U.S.C. 1373 or which prohibits or impedes a law enforcement agency from communicating or cooperating with a federal immigration agency so as to limit that law enforcement agency in, or prohibit the agency from any of the following:

(a) Complying with an immigration detainer.

(b) Providing a request from a federal immigration agency to notify the agency before the release of a detainee in the custody of the law enforcement agency.

(c) Providing a federal immigration agency access to a detainee for interview.

(d) Participating in any program or agreement authorized under 8 U.S.C. 1357.

(e) Providing a federal immigration agency with a detainee's incarceration status or release date.

(7) "State entity" means the state or any office, board, bureau, commission, department, branch, division, or institution thereof, including state public colleges and universities.

#### §82. Sanctuary policies prohibited

A state entity, law enforcement agency, or local governmental entity may not adopt or have in effect a sanctuary policy.

#### §83. Cooperation; federal immigration authorities

A. A law enforcement agency shall use best efforts to support the enforcement of federal immigration law. This Section applies to an official, representative, agent, or employee of the entity or agency only when he is acting within the scope of his official duties or within the scope of his employment.

B. For purposes of this Part, a state entity, local governmental entity, or law enforcement agency, or an employee, an agent, or a representative of the entity or agency shall not prohibit or in any way restrict a law enforcement agency from taking any of the following actions with respect to information regarding an alien's immigration status, except as otherwise expressly prohibited by federal law:

(1) Sending the information to or requesting, receiving, or reviewing the information from a federal immigration agency.

(2) Recording and maintaining the information.

(3) Exchanging the information with a federal immigration agency or another state entity, local governmental entity, or law enforcement agency.

(4) Using the information to comply with an immigration detainer.

(5) Using the information to confirm the identity of a detainee by a law enforcement agency.

C. For purposes of this Section, the term "applicable criminal case" means a criminal case in which all of the following occur:

(1) The judgment requires the defendant alien to be confined in a secure correctional facility.

(2) The judge indicates in the record that the defendant alien is subject to an immigration detainer or otherwise indicates in the record that the defendant alien is subject to a transfer into federal custody.

D. In an applicable criminal case, when the judge sentences a defendant alien who is the subject of an immigration detainer to confinement, the judge shall issue an order requiring the secure correctional facility in which the defendant alien shall be confined to reduce the defendant alien's sentence by a determinate period of not more than twelve days on the facility's determination that the completion of sentence will facilitate the seamless transfer of the defendant alien into federal custody.

E. If the information specified in Subsection B of this Section is not available at the time the sentence is imposed in the case, but is received by a law enforcement agency afterwards, the law enforcement agency shall notify the judge who shall issue the order described by Subsection D of this Section as soon as the information becomes available.

F. A state entity, local governmental entity, or law enforcement agency that, pursuant to Subsection H of this Section, withholds information regarding the immigration information of a victim or witness to a criminal offense shall document the victim's or witness's cooperation in the entity's or agency's investigative records related to the offense and shall retain the records for at least ten years for the purpose of audit, verification, or inspection by the legislative auditor.

G. When a parish correctional facility or the Department of Public Safety and Corrections receives verification from a federal immigration agency

that a detainee subject to an immigration detainer is in the law enforcement agency's custody, the agency may securely transport the detainee to a federal facility in this state or to another point of transfer to federal custody outside the jurisdiction of the law enforcement agency. The law enforcement agency may transfer a detainee who is subject to an immigration detainer and is confined in a secure correctional facility to the custody of a federal immigration agency not earlier than twelve days before his release date. A law enforcement agency shall obtain state judicial authorization before securely transporting the detainee to a point of transfer outside of this state.

H. This Section shall not require a state entity, local governmental entity, or law enforcement agency to provide a federal immigration agency with information related to a victim or a witness to a criminal offense if the victim or witness timely and in good faith responds to the entity's or agency's request for information and cooperation in the investigation or prosecution of the offense.

I. This Section shall not authorize a law enforcement agency to detain an alien unlawfully present in the United States pursuant to an immigration detainer solely because the alien witnessed or reported a crime or was a victim of a criminal offense.

J. This Section shall not apply to any alien unlawfully present in the United States if he is or has been a necessary witness or victim of a state or federal crime of domestic violence, rape, sexual exploitation, sexual assault, murder, manslaughter, assault, battery, human trafficking, kidnapping, false imprisonment, involuntary servitude, fraud in foreign labor contracting, blackmail, extortion, or witness tampering.

#### §84. Duties; immigration detainees

A. A law enforcement agency that has custody of a detainee subject to an immigration detainer issued by a federal immigration agency shall perform all of the following:

(1) Provide to the judge authorized to grant or deny the detainee's release on bail notice that the detainee is subject to an immigration detainer.

(2) Record in the detainee's case file that the detainee is subject to an immigration detainer and comply with the requests made in the immigration detainer.

B. A law enforcement agency shall not be required to perform a duty imposed by this Section with respect to a detainee who is transferred to the custody of the agency by another law enforcement agency if the transferring agency performed that duty prior to the transfer.

C. A judge who receives notice that a detainee is subject to an immigration detainer shall cause the fact to be recorded in the minute entry, regardless of whether the notice is received before or after a judgment in the case.

D. Each parish correctional facility shall enter into an agreement or agreements with a federal immigration agency for temporarily housing detainees who are the subject of immigration detainees and for the payment of the costs of housing and detaining those detainees. A compliant agreement may include any contract between a correctional facility and a federal immigration agency for housing or detaining detainees subject to immigration detainees, such as basic ordering agreements in effect on or after July 1, 2019, agreements authorized by 8 U.S.C. 1357, or successor agreements and other similar agreements authorized by federal law.

#### §85. Enforcement

A. The attorney general, in consultation with the governor, may file suit against a local governmental entity or local law enforcement agency in the Nineteenth Judicial District for declaratory or injunctive relief for a violation of this Part.

B. If a local governmental entity or local law enforcement agency is found by the trial court to have violated this Part, the court shall enjoin the unlawful sanctuary policy. The court shall have continuing jurisdiction over the parties and subject matter and may enforce its orders with the initiation of contempt proceedings as provided by law.

C. An order approving a consent decree or granting an injunction shall include written findings of fact that describe with specificity the existence and nature of the sanctuary policy that violates this Part.

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

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ACT No. 315

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SENATE BILL NO. 213

BY SENATOR JENKINS AND REPRESENTATIVES BRASS, WILFORD CARTER, CHASSION, FISHER, FREEMAN, FREIBERG, JACKSON, JORDAN, LARVADAIN, PHELPS, TAYLOR, WYBLE AND YOUNG  
AN ACT

To amend and reenact R.S. 17:1206.1(B), relative to sick leave for certain school employees that are disabled; to provide for a period of time to be on sick leave; to provide for continuous pay and accrual of sick leave; to provide for proof of the disability; and to provide for related matters.  
Be it enacted by the Legislature of Louisiana:



Section 1. R.S. 17:1206.1(B) is hereby amended and reenacted to read as follows:

§1206.1. School employees; sick leave

\* \* \*

B. An employee of the parish or city school boards of this state, as the word "employee" is defined in R.S. 17:1205, who is disabled, as defined in R.S. 17:1200(C), while acting in his official capacity as a result of physical contact with a student while providing physical assistance to a student to prevent danger or risk of injury to the student, shall receive sick leave for a period up to ~~ninety days~~ one year without reduction in pay and without reduction in accrued sick leave days while disabled as a result of rendering such assistance. Such employee shall be required to present a certificate from a physician certifying the disability. Nothing in this Section shall prohibit a city or parish school board from extending this period beyond ~~ninety days~~ one year.

\* \* \*

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

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**ACT No. 316**

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SENATE BILL NO. 215  
BY SENATOR FESI  
AN ACT

To amend and reenact R.S. 36:508.3(A)(1) and to enact R.S. 48:80, relative to vertiports; to provide relative to multimodal commerce; to provide for the Louisiana Vertiport Development Fund; and to provide for related matters. Be it enacted by the Legislature of Louisiana:

Section 1. R.S. 36:508.3(A)(1) is hereby amended and reenacted to read as follows:

§508.3. Office of multimodal commerce; functions; commissioner; deputy commissioner; powers and duties

A.(1) There is hereby created within the Department of Transportation and Development, the office of multimodal commerce, which shall administer the planning and programming functions of the department related to strategic and intermodal issues, aviation including vertiports, commercial trucking, intercity public mass transit, railroad expansion and development, port and water transportation systems, and related matters, and any other special programs as may be directed by the governor.

\* \* \*

Section 2. R.S. 48:80 is hereby enacted to read as follows:

**§80. Louisiana Vertiport Development Fund**

**A. There is hereby created in the state treasury, as a special fund, the Louisiana Vertiport Development Fund, hereinafter referred to in this Section as the "fund". The fund shall consist of any monies appropriated by the legislature and any grants, gifts, or donations received by the state for purposes of this Section. Monies appropriated or transferred to the fund shall be deposited by the state treasurer after compliance with the provisions of Article VII, Section 9(B) of the Constitution of Louisiana. Monies in the fund shall be invested by the treasurer in the same manner as the state general fund monies. Interest earned on monies in the fund shall be credited to the fund. All unexpended and unencumbered monies and earnings remaining in the fund at the end of the fiscal year shall remain in the fund.**

**B. The monies in the fund shall be administered by the Department of Transportation and Development and shall be used exclusively to fund the statewide development of vertiports. The Department of Transportation and Development shall develop regulations and guidelines for the distribution and allocation of any monies appropriated to the department pursuant to this Section.**

Approved by the Governor, May 28, 2024.

A true copy:  
Nancy Landry  
Secretary of State

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**ACT No. 317**

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SENATE BILL NO. 218  
BY SENATOR KLEINPETER  
AN ACT

To amend and reenact R.S. 18:564(B)(5)(b), 1307(B)(1)(a)(i) and (G), 1309.3(B)(4)(b), and 1461.7(A)(6) and to enact R.S. 18:1307(J) and (K) and 1461.7(A)(7), relative to voting; to require certain information from persons assisting voters; to prohibit the distribution of unsolicited absentee by mail ballots; to provide for emergency procedure relative to distribution of absentee by mail ballot applications; to provide for election offenses; to provide relative to absentee voting application restrictions; and to provide for related

\* As it appears in the enrolled bill

matters.

Be it enacted by the Legislature of Louisiana:

Section 1. R.S. 18:564(B)(5)(b), 1307(B)(1)(a)(i) and (G), and 1309.3(B)(4)(b) are hereby amended and reenacted and R.S. 18:1307(J) and (K) are hereby enacted to read as follows:

§564. Assistance in voting on election day

\* \* \*

B. Persons prohibited from assisting voters.

\* \* \*

(5)(a)

\* \* \*

~~(b) The commissioners shall write the voter's name in the precinct register and write~~ **The voter, along with the person assisting the voter, shall complete a voter assistance form and provide the name, address, and relationship to the voter of the person, including a commissioner, assisting the voter behind the tab for Assistance to Voters and attest whether the person, other than a commissioner, assisting the voter was paid to provide assistance.** If the voter is not marked for assistance in voting in the precinct register, the voter ~~or the person, including a commissioner, assisting the voter shall check the box behind the tab for Assistance to Voters indicating~~ **shall attest on the voter assistance form that the voter has a physical disability or is unable to read and requires assistance in voting.** ~~The person, including a commissioner, assisting the voter shall sign his name behind the tab for Assistance to Voters.~~

\* \* \*

§1307. Application by mail

\* \* \*

B.(1)(a)(i) An application to vote by mail may be delivered to the registrar by any means, including the United States Postal Service, commercial delivery service, hand delivery, or facsimile. **No person except the immediate family member of the voter, as defined in this Code, shall submit by any means or send for delivery by the United States Postal Service or commercial courier more than one marked ballot application per election to the registrar of voters.**

\* \* \*

G.(1)(a) If the applicant is eligible to vote absentee by mail pursuant to R.S. 18:1303(F), (I), ~~or (J)~~, his application, if such application meets the requirements of this Section, may remain valid indefinitely upon request of the applicant, ~~unless an,~~

**(b) If the applicant is eligible to vote absentee by mail pursuant to R.S. 18:1303(F) or (J), his application, if such application meets the requirements of this Section, may remain valid from the date the application is received in the office of the registrar of voters until December thirty-first of the fourth year after the application is received by the registrar. If the applicant's application was received by the office of the registrar of voters before January 1, 2025, his application shall expire December 31, 2029.**

**(2) If an absentee by mail ballot that has been sent to the applicant is returned to the registrar as undeliverable, the applicant's application shall no longer be valid, and if the applicant's absentee by mail ballot is returned to the registrar as undeliverable, the registrar shall send notice by forwardable mail to such applicant that his application will no longer be valid, and the applicant shall be required to submit a new application to the registrar that meets the requirements of this Section and provide a current address before the applicant will be eligible to vote absentee by mail again pursuant to this Section.**

\* \* \*

**J. Except as otherwise authorized by law, no person, organization, or entity shall distribute an application form for an absentee by mail ballot to any person who has not requested the application under the provisions of this Section.**

**K.(1) If a gubernatorially declared state of disaster or emergency occurs within forty-five days of an election, the secretary of state shall determine if the distribution of absentee by mail ballot applications is necessary for voters displaced by the gubernatorially declared state of disaster or emergency.**

**(2) Upon the determination by the secretary of state of the need for the limited distribution of absentee by mail ballot applications, the secretary shall provide notice to the Senate Committee on Senate and Governmental Affairs and the House Committee on House and Governmental Affairs within ten days of the distribution.**

\* \* \*

§1309.3. Assistance in voting during early voting

\* \* \*

B. Persons prohibited from assisting voters during early voting.

\* \* \*

(4)

\* \* \*

~~(b) The registrar or deputy registrar shall write the voter's name in the precinct register or early voting list kept by the registrar and~~ **The voter, along with the person assisting the voter, shall complete a voter assistance form and provide the name of the person assisting the voter behind the tab for Assistance to Voters and attest whether the person, other than a commissioner, providing assistance was paid to assist the voter. If the voter is not marked for assistance in voting in the statewide voter registration database, the voter shall attest on the voter assistance form that the voter has a physical disability or is unable to read and requires assistance in voting.** ~~The person assisting the voter, including a registrar or deputy registrar, shall sign his name behind the tab for Assistance to Voters.~~

\* \* \*

Section 2. R.S. 18:1461.7(A)(6) is hereby amended and reenacted and R.S.

18:1461.7(A)(7) is hereby enacted to read as follows:  
§1461.7. Miscellaneous election offenses; penalties  
A. No person shall knowingly, willfully, or intentionally:

**(6) Facilitate the distribution and collection of absentee by mail ballot applications or absentee by mail ballots in violation of this Title.**  
~~(6)(7)~~ Breach any mandatory provision of this Title.

Section 3.(A) Section 1 of this Act shall become effective January 1, 2025.  
(B) Section 2 and this Section of this Act shall become effective upon signature of this Act by the governor or, if not signed by the governor, upon expiration of the time for bills to become law without signature by the governor, as provided by Article III, Section 18 of the Constitution of Louisiana. If this Act is vetoed by the governor and subsequently approved by the legislature, Section 2 and this Section of 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

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**ACT No. 318**

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SENATE BILL NO. 220  
BY SENATOR KLEINPETER  
AN ACT

To enact R.S. 32:65(F), relative to traffic regulations; to provide relative to the gathering of evidence by law enforcement for the crime of drag racing; to provide for impounding vehicles used in drag racing; and to provide for related matters.

Be it enacted by the Legislature of Louisiana:

Section 1. R.S. 32:65(F) is hereby enacted to read as follows:  
§65. Drag racing and racing on public roads and certain property; exemptions

**F. Any law enforcement agency authorized to enforce traffic regulations in this state shall have the authority to impound, at the owner's expense, any vehicle driven in a manner that violates this Section for up to fourteen days to gather evidence pertaining to the offense. If the owner of the vehicle has not violated this Section, that owner may claim the vehicle from the impound facility once notified by law enforcement. In addition, if the vehicle driven in a manner that violates this Section has been rented from a car rental agency, only the driver of the vehicle shall be subject to higher fines and the total cost of impound fees. The car rental agency, or person who owns the vehicle, may claim the vehicle from the impound facility once notified by law enforcement.**

Approved by the Governor, May 28, 2024.

A true copy:  
Nancy Landry  
Secretary of State

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**ACT No. 319**

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SENATE BILL NO. 223  
BY SENATOR OWEN  
AN ACT

To amend and reenact R.S. 26:2(28), relative to alcoholic beverages; to provide for the definition of "solicitor"; and to provide for related matters.

Be it enacted by the Legislature of Louisiana:

Section 1. R.S. 26:2(28) is hereby amended and reenacted to read as follows:  
§2. Definitions

For purposes of this Chapter, the following terms have the respective meanings ascribed to them in this Section, unless a different meaning clearly appears from the context:

(28) "Solicitor" means any person **other than an employee of a dealer** who offers for sale or solicits any orders for the sale of any regulated beverage, other than in a regularly established and licensed place of business in this state, for delivery or shipment to any point in the state, whether done as owner, agent, or servant.

Approved by the Governor, May 28, 2024.

A true copy:  
Nancy Landry  
Secretary of State

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**ACT No. 320**

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SENATE BILL NO. 224  
BY SENATOR OWEN  
AN ACT

To enact R.S. 46:153.3.2, relative to opioid alternatives; to provide relative to coverage for nonopioid and opioid prescription drugs by Medicaid managed care organizations; to provide for duties of the Louisiana Department of Health; to require the department to perform certain functions relative to

opioid alternatives; and to provide for related matters.

Be it enacted by the Legislature of Louisiana:

Section 1. R.S. 46:153.3.2 is hereby enacted to read as follows:

**§153.3.2. Medicaid prescription medication for chronic or acute pain; opioid alternatives**

**A. Notwithstanding any provision of law to the contrary, a Medicaid managed care organization shall not deny coverage of a nonopioid prescription drug in favor of an opioid prescription drug when a licensed physician has prescribed a nonopioid medication for the treatment of chronic or acute pain.**

**B. The department shall not establish more restrictive or more extensive utilization controls, including but not limited to more restrictive or more extensive prior authorization or step therapy requirements, for clinically appropriate nonopioid drugs than the least restrictive or extensive utilization controls applicable to any clinically appropriate opioid or narcotic drug.**

**C. The department shall:**

**(1) Provide education, awareness, and technical assistance on the advantages of nonopioid alternative drugs.**

**(2) Collaborate with political subdivisions, nonprofit organizations, and other state agencies to seek funding opportunities for educational and health care services related to nonopioid alternatives.**

**(3) Assist, upon request, political subdivisions that receive opioid grant awards as a result of any money obtained through a settlement or judgment by the attorney general on behalf of this state related to opioid litigation involving pharmaceutical supply chain participants.**

Approved by the Governor, May 28, 2024.

A true copy:  
Nancy Landry  
Secretary of State