

# ACTS OF 2023

# LEGISLATURE

## Acts 001-119

### ACT No. 1

#### HOUSE BILL NO. 294

BY REPRESENTATIVES WILLARD, CORMIER, COUSSAN, COX, ECHOLS, FIRMINT, FISHER, FREEMAN, GAROFALO, GLOVER, HILFERTY, HUGHES, JEFFERSON, JENKINS, MIKE JOHNSON, JORDAN, KNOX, LAFLEUR, MARCELLE, MCFARLAND, GREGORY MILLER, NEWELL, CHARLES OWEN, PIERRE, SELDERS, AND STAGNI

#### AN ACT

To amend and reenact R.S. 22:1483(A), (B), and (C)(1), relative to property insurance premium discounts; to provide for certain building standards; to require certain discounts; to provide an option for certain discounts; and to provide for related matters.

Be it enacted by the Legislature of Louisiana:

Section 1. R.S. 22:1483(A), (B), and (C)(1) are hereby amended and reenacted to read as follows:

§1483. Premium discounts, credits, rate differentials, adjustments in deductibles, and other adjustments for compliance with building codes and for damage mitigation

A. Any insurer required to submit rates and rating plans to the commissioner of insurance shall provide an actuarially justified discount, credit, rate differential, adjustment in deductible, or any other adjustment to reduce the insurance premium to insureds who build or retrofit a structure to comply with the requirements of the State Uniform Construction Code or the fortified home or fortified commercial standards created by the Insurance Institute for Business and Home Safety.

B. Any insurer required to submit rates and rating plans to the commissioner of insurance shall provide an actuarially justified discount, credit, rate differential, adjustment in deductible, or any other adjustment to reduce the insurance premium to insureds who install mitigation improvements or retrofit their property utilizing construction techniques demonstrated to reduce the amount of loss from a windstorm or hurricane. Such mitigation improvements or construction techniques shall include but not be limited to roof deck attachments; secondary water barriers; roof coverings; brace gable ends; construction techniques which enhance or reinforce roof strength; roof-covering performance; roof-to-wall strength, wall-to-floor-to-foundation strength; opening protection; and window, door, and skylight strength.

C.(1) ~~After July 1, 2022, all~~ All insurers required to submit rating plans to the commissioner ~~may, if actuarially justified, provide credits and discounts in compliance with~~ shall provide an actuarially justified discount, credit, rate differential, adjustment in deductible, or any other adjustment to reduce the insurance premium charged to any insured who builds or retrofits a structure to comply with the requirements of the fortified home and fortified commercial standards created by the Insurance Institute for Business and Home Safety. Any homeowner who is currently receiving discounts pursuant to this Section may opt to maintain discounts offered prior to July 1, 2022, if the homeowner continues to meet the requirements to maintain such discounts, in lieu of the discount provided in this Subsection.

Approved by the Governor, May 23, 2023.

A true copy:

R. Kyle Ardoin  
Secretary of State

### ACT No. 2

#### HOUSE BILL NO. 113

BY REPRESENTATIVES WHITE AND GLOVER

#### AN ACT

To amend and reenact R.S. 22:41.3(Section heading) and to enact R.S. 22:41.3(C)(4), relative to volunteer board members of interlocal risk management agencies formed by local housing authorities; to exempt such volunteer board members from certain filing submissions to the commissioner of insurance; and to provide for related matters.

Be it enacted by the Legislature of Louisiana:

Section 1. R.S. 22:41.3(Section heading) is hereby amended and reenacted and R.S. 22:41.3(C)(4) is hereby enacted to read as follows:

§41.3. Requirements for officers and directors of domestic regulated entities; exemptions

\* \* \*

C.

\* \* \*

(4) The provisions of Paragraph (1) and Subparagraphs (2)(a) and (b) of this Subsection and Subsection E of this Section do not apply to volunteer board members of an interlocal risk management agency authorized pursuant to R.S. 33:1351 et seq.

Approved by the Governor, May 23, 2023.

A true copy:

R. Kyle Ardoin  
Secretary of State

### ACT No. 3

#### HOUSE BILL NO. 123 BY REPRESENTATIVE STAGNI AN ACT

To amend and reenact R.S. 40:2009.25(C)(9), (D)(9), and (E)(10), relative to nursing homes licensed by the Louisiana Department of Health; to provide requirements and standards for nursing home emergency preparedness plans; to authorize the Louisiana Department of Health to take certain actions relative to nursing homes; and to provide for related matters.

Be it enacted by the Legislature of Louisiana:

Section 1. R.S. 40:2009.25(C)(9), (D)(9), and (E)(10) are hereby amended and reenacted to read as follows:

§2009.25. Emergency preparedness plans for nursing homes; requirements; Nursing Home Emergency Preparedness Review Committee; rules and regulations

\* \* \*

C.

\* \* \*

(9) Upon receipt of a nursing home's updated and revised emergency preparedness plan, the department shall confirm that all required changes, amendments, or revisions have been incorporated into the updated and revised emergency preparedness plan, and shall approve the emergency preparedness plan and issue an approval letter to the nursing home. If the required changes, amendments, or revisions have not been incorporated, the department shall reject the emergency preparedness plan and issue a letter of rejection to the nursing home. The department ~~shall not issue a license to or renew~~ may revoke or deny renewal of a license ~~of to~~ a nursing home that has received a letter of rejection of its emergency preparedness plan.

\* \* \*

D.

\* \* \*

(9) Upon receipt of a nursing home's updated and revised emergency preparedness plan, the department shall confirm that all required changes, amendments, or revisions have been incorporated into the updated and revised emergency preparedness plan, and shall approve the emergency preparedness plan and issue an approval letter to the nursing home. If the required changes, amendments, or revisions have not been incorporated, the department shall reject the emergency preparedness plan and issue a letter of rejection to the nursing home. The department ~~shall not issue a license to or renew~~ may revoke or deny renewal of a license ~~of to~~ a nursing home that has received a letter of rejection of its emergency preparedness plan.

\* \* \*

E.

\* \* \*

(10) Upon receipt of a nursing home's updated and revised emergency preparedness plan, the department shall confirm that all required changes, amendments, or revisions have been incorporated into the updated and revised emergency preparedness plan, and shall approve the emergency preparedness plan and issue an approval letter to the nursing home. If the required changes, amendments, or revisions have not been incorporated, the department shall reject the emergency preparedness plan and issue a letter of rejection to the nursing home. The department shall issue the approval letter or rejection letter required by this Paragraph on or before May fifteenth. ~~The department shall not issue a license to or renew a license of a nursing home that has received a letter of rejection of its emergency preparedness plan.~~ The department ~~shall not issue a license to or renew~~ may revoke or deny renewal of a license ~~of to~~ a nursing home that has received a letter of rejection of its emergency preparedness plan.

Approved by the Governor, May 23, 2023.

A true copy:

R. Kyle Ardoin  
Secretary of State

### ACT No. 4

#### HOUSE BILL NO. 319 BY REPRESENTATIVE STAGNI AN ACT

To repeal R.S. 37:920(B)(1)(b), relative to licensure of a registered nurse and an advanced practice registered nurse; to repeal a requirement of licensure by endorsement; to provide for an effective date; and to provide for related matters.

Be it enacted by the Legislature of Louisiana:

Section 1. R.S. 37:920(B)(1)(b) is hereby repealed in its entirety.

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

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, 2023.

A true copy:  
R. Kyle Ardoin  
Secretary of State

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**ACT No. 5**

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**HOUSE BILL NO. 230  
BY REPRESENTATIVE GREGORY MILLER  
AN ACT**

To amend and reenact Code of Civil Procedure Articles 531, 561(A), 925(A) (introductory paragraph) and (C), 927(A)(introductory paragraph) and (B), 963, 1155, 1424(C), and 1702(A)(2) and (3), the heading of Code of Civil Procedure Article 1810, and Code of Civil Procedure Articles 1912 and 3603(A)(introductory paragraph) and (2) and R.S. 40:1231.8(B)(2)(a) and 1237.2(B)(2)(a), to enact Code of Civil Procedure Articles 927(A)(8) and 1702(A)(5), and to repeal Code of Civil Procedure Articles 925(A)(6) and 5183(A)(3), relative to civil procedure; to provide for continuous revisions to the Code of Civil Procedure and related provisions of the Revised Statutes; to provide for actions pending in Louisiana courts; to provide with respect to abandonment in trial and appellate courts; to provide for objections raised by declinatory and peremptory exceptions; to provide for unopposed motions; to provide for supplemental pleadings; to provide for privilege logs within the scope of discovery; to provide with respect to notice in default judgment; to provide with respect to the signing of final judgments; to provide with respect to temporary restraining orders; to provide with respect to affidavits of poverty; and to provide for related matters.

Be it enacted by the Legislature of Louisiana:

Section 1. Code of Civil Procedure Articles 531, 561(A), 925(A)(introductory paragraph) and (C), 927(A)(introductory paragraph) and (B), 963, 1155, 1424(C), and 1702(A)(2) and (3), the heading of Code of Civil Procedure Article 1810, and Code of Civil Procedure Articles 1912 and 3603(A)(introductory paragraph) and (2) are hereby amended and reenacted, and Code of Civil Procedure Articles 927(A)(8) and 1702(A)(5) are hereby enacted to read as follows: Art. 531. Suits Actions pending in Louisiana court or courts

When two or more suits actions are pending in a Louisiana court or courts on the same transaction or occurrence, between the same parties in the same capacities, the defendant may have all but the first ~~suit~~ action dismissed by excepting thereto as provided in Article 925. When the defendant does not so except, the plaintiff may continue the prosecution of any of the suits actions, but the first final judgment rendered shall be conclusive of all.

Comments - 2023

The replacement of “suits” with “actions” does not change the law but is in accordance with the court’s ruling in Chumley v. LaCour, 339 So. 3d 766, 768 (La. App. 2 Cir. 2022).

\* \* \*

Art. 561. Abandonment in trial and appellate court

A.(1) An action, ~~except as provided in Subparagraph (2) of this Paragraph,~~ is abandoned when the parties fail to take any step in its prosecution or defense in the trial court for a period of three years, unless it is a succession proceeding:

- (a) Which has been opened;
  - (b) In which an administrator or executor has been appointed; or
  - (c) In which a testament has been probated.
- ~~(2) If a party whose action is declared or claimed to be abandoned proves that the failure to take a step in the prosecution or defense in the trial court or the failure to take any step in the prosecution or disposition of an appeal was caused by or was a direct result of Hurricane Katrina or Rita, an action originally initiated by the filing of a pleading prior to August 26, 2005, which has not previously been abandoned in accordance with the provisions of Subparagraph (1) of this Paragraph, is abandoned when the parties fail to take any step in its prosecution or defense in the trial court for a period of five years, unless it is a succession proceeding:~~

- ~~(a) Which has been opened;~~
  - ~~(b) In which an administrator or executor has been appointed; or~~
  - ~~(c) In which a testament has been probated.~~
- ~~(3)(2) This provision shall be operative without formal order, but, on ex parte motion of any party or other interested person by affidavit which provides that states that no step has been timely taken in the prosecution or defense of the action, the trial court shall enter a formal order of dismissal as of the date of its abandonment. The sheriff shall serve the order in the manner provided in Article 1314, and shall execute a return pursuant to Article 1292.~~

~~(4) (3) A motion to set aside a dismissal may be made only within thirty days of the date of the sheriff’s service of the order of dismissal. If the trial court denies a timely motion to set aside the dismissal, the clerk of court shall give notice of the order of denial pursuant to Article 1913(A) and shall file a certificate pursuant to Article 1913(D).~~

~~(5) (4) An appeal of an order of dismissal may be taken only within sixty days of the date of the sheriff’s service of the order of dismissal. An appeal~~

of an order of denial may be taken only within sixty days of the date of the clerk’s mailing of the order of denial.

~~(6) The provisions of Subparagraph (2) of this Paragraph shall become null and void on August 26, 2010.~~

\* \* \*

Art. 925. Objections raised by declinatory exception; waiver

A. The objections ~~which~~ that may be raised through the declinatory exception include but are not limited to the following:

\* \* \*

C. All objections ~~which~~ that may be raised through the declinatory exception, ~~except the court’s lack of jurisdiction over the subject matter of the action,~~ are waived unless pleaded therein.

Comments - 2023

The objection of lack of jurisdiction over the subject matter is deleted from the objections raised by declinatory exceptions and has been added as an objection that is raised by peremptory exception under Article 927.

\* \* \*

Art. 927. Objections raised by peremptory exception

A. The objections ~~which~~ that may be raised through the peremptory exception include but are not limited to the following:

\* \* \*

(8) The court’s lack of jurisdiction over the subject matter of the action.  
B. Except as otherwise provided by Articles 1702(D), 4904(D), and 4921(C), the court ~~may~~ shall not supply the objection of prescription, which shall be specially pleaded. The nonjoinder of a party, peremption, res judicata, discharge in bankruptcy, the failure to disclose a cause of action or a right or interest in the plaintiff to institute the suit, or ~~discharge in bankruptcy,~~ the court’s lack of jurisdiction over the subject matter of the action may be noticed by either the trial or appellate court on its own motion. Once the objection of the lack of subject matter jurisdiction is raised by the parties or noticed by the court on its own motion, the court shall address the objection before ruling on any other matter. If an exception is noticed by the appellate court on its own motion, the exception shall not be adjudicated without assigning the matter for briefing and permitting the parties an opportunity to request oral argument.

Comments - 2023

The objection of the court’s lack of jurisdiction over the subject matter of the action may be raised through a peremptory exception. Paragraph B now mandates that in all cases where multiple objections are raised, the court should rule on the objection of lack of subject matter jurisdiction prior to ruling on any other matters. Under Article 3, a judgment rendered by a court having no jurisdiction over the subject matter of the action or proceeding is void. Paragraph B has been further revised to clarify that if an appellate court raises a peremptory exception on its own motion, the court shall give the parties an opportunity to brief the exception and request oral argument. This provision allows the parties the opportunity to address the merits of a peremptory exception that is raised by the court for the first time at the appellate level. See, e.g., Thompson v. Winn-Dixie Montgomery, Inc., 181 So. 3d 656 (La. 2015) (“The court of appeal’s failure to give the parties notice of its sua sponte determination or to provide them with an opportunity to be heard on the issue of operational control was legal error.”); Merrill v. Greyhound Lines, Inc., 60 So. 3d 600 (La. 2011) (“[W]e find no error in the decision of the court of appeal to review issues not raised by the parties. However, having made the determination to review these issues, the court of appeal should have invited additional briefing from the parties prior to rendering judgment.”).

\* \* \*

Art. 963. Ex parte, ~~and~~ contradictory, and unopposed motions; rule to show cause

A. If the order applied for by written motion is one to which ~~the~~ the mover is clearly entitled without supporting proof, the court may grant the order ex parte and without hearing the adverse party.

B. If the order applied for by written motion is one to which the mover is not clearly entitled, or which requires supporting proof, the motion shall be served on and tried contradictorily with the adverse party.

C. The rule to show cause is a contradictory motion.

D. An unopposed motion is one to which all affected parties have consented prior to the filing of the motion. The mover shall certify in the motion that the mover has obtained the consent of all affected parties both to the motion and to the accompanying order that is presented to the court. Failure to certify that all affected parties have consented requires the motion to be set for contradictory hearing.

Comments - 2023

Paragraph D was adapted from Louisiana District Court Rule 9.8(f) to codify the procedure used for unopposed motions. An unopposed motion should be served on all parties under Article 1313(C) by emailing the motion to the email address designated by counsel or the party to ensure that all parties have notice of the proposed unopposed motion and order. Similar to an ex parte motion, an unopposed motion may be granted by the court without hearing from the consenting party.

\* \* \*

Art. 1155. Supplemental pleadings

The court, ~~on motion of a party, upon reasonable notice and upon such terms as are just upon written consent of the parties,~~ may permit the mover to file a supplemental petition or answer setting forth items of damage, causes of action or defenses ~~which~~ that have become exigible since the date of filing



the original petition or answer, and ~~which that~~ are related to or connected with the causes of action or defenses asserted therein. If the parties do not consent, the court may grant leave to file a supplemental petition or answer only upon contradictory motion.

Comments - 2023

(a) This Article changes procedural law by providing that a party who wishes to file a supplemental pleading must either have the consent of all parties or file a contradictory motion. Previously, a party was permitted to file a supplemental pleading after obtaining leave of court and providing “reasonable notice,” the meaning of which was uncertain. The filing of a contradictory motion will guarantee that other parties are afforded an opportunity to object to the filing of a supplemental pleading and will therefore alleviate concerns with respect to what constitutes “reasonable notice.”

(b) With this change to Article 1155, the practice of filing an “Amending and Supplemental Petition” should be avoided unless the petition contains causes of action that have become exigible since the filing of the original petition. Whereas the filing of an amending petition under Article 1152 requires only leave of court, the filing of a supplemental petition under this Article will require a contradictory hearing if all parties do not consent.

\* \* \*

Art. 1424. Scope of discovery; trial preparation; materials

\* \* \*

C. When a party withholds information otherwise discoverable under these rules by claiming that it is privileged or subject to protection as trial preparation material, the party shall make the claim expressly and shall ~~describe prepare and send to the other parties a privilege log that describes~~ the nature of the documents, communications, or things not produced or disclosed in a manner that, without revealing information itself privileged or protected, will enable other parties to assess the applicability of the privilege or protection.

Comments - 2023

This Article was amended in accordance with the court’s opinion in Cloud v. Gibson, 344 So. 3d 253, 258 (La. App. 4 Cir. 2022) wherein the Fourth Circuit held that a privilege log under Paragraph C of this Article is mandatory and not discretionary. “Privilege log” is a generally accepted term that refers to a document that enables other parties to assess the applicability of a privilege or protection upon withheld information otherwise discoverable under the rules.

\* \* \*

Art. 1702. Default judgment

A.

\* \* \*

(2) If a party who fails to answer has made an appearance of record in the case, notice that the plaintiff intends to obtain a default judgment shall be sent by certified mail or actually delivered to counsel of record for the party, or if there is no counsel of record, to the party, at least seven days before a default judgment may be rendered.

(3) If an attorney for a party who fails to answer has contacted the plaintiff or the plaintiff’s attorney in writing concerning the action after it has been filed, notice that the plaintiff intends to obtain a default judgment shall be sent by certified mail or actually delivered to the party’s attorney at least seven days before a default judgment may be rendered.

\* \* \*

(5) No default judgment shall be rendered against a defendant when notice is required under Subparagraph (2) or (3) of this Paragraph unless proof of the required notice is made in the manner provided by R.S. 13:3205.

\* \* \*

Comments - 2023

(a) In addition to certified mail, this Article now includes actual delivery as certified notice of intent to obtain a default judgment.

(b) This Article is not intended to change Article 4904 relative to default judgment in parish and city courts.

\* \* \*

Art. 1810. Directed verdicts; ~~motion to dismiss at close of plaintiff’s evidence~~

\* \* \*

Art. 1912. Final judgment; ~~multi-parish districts, signing in any parish in the state~~

A final judgment may be signed ~~in any parish within the state in any place where the judge is physically located~~ and shall be sent to the clerk of the parish court in which the case is pending.

Comments - 2023

This Article was amended to utilize identical language and comport with Article 194 as amended by Acts 2021, No. 68, §1, effective January 1, 2022.

\* \* \*

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

A. A temporary restraining order shall be granted without notice from the court when all of the following occur:

\* \* \*

(2) The applicant’s attorney certifies to the court in writing the efforts ~~which that~~ have been made to give ~~the~~ notice or the reasons supporting ~~his the~~ applicant’s claim that notice should not be required.

\* \* \*

Comments - 2023

This Article was amended to clarify that a temporary restraining order may

be granted without notice only if the applicant or his attorney has certified in writing that notice has been given to the adverse party or his attorney, that efforts were made to give notice, or that reason exists as to why notice should not be required. See Comments-1985.

\* \* \*

Section 2. R.S. 40:1231.8(B)(2)(a) and 1237.2(B)(2)(a) are hereby amended and reenacted to read as follows:

§1231.8. Medical review panel

\* \* \*

B.

\* \* \*

(2)(a) A health care provider, against whom a claim has been filed under the provisions of this Part, may raise peremptory exceptions of no right of action pursuant to Code of Civil Procedure Article 927(6) or any exception or defenses available pursuant to R.S. 9:5628 in a court of competent jurisdiction and proper venue at any time without need for completion of the review process by the medical review panel.

\* \* \*

§1237.2. State medical review panel

\* \* \*

B.

\* \* \*

(2)(a) The state or a person, against whom a claim has been filed under the provisions of this Part, may raise peremptory exceptions of no right of action pursuant to Code of Civil Procedure Article 927(6) or any exceptions or defenses available pursuant to R.S. 9:5628 in a court of competent jurisdiction and proper venue at any time without need for completion of the review process by the state medical review panel.

\* \* \*

Section 3. Code of Civil Procedure Articles 925(A)(6) and 5183(A)(3) are hereby repealed in their entirety.

Approved by the Governor, May 23, 2023.

A true copy:

R. Kyle Ardoin

Secretary of State

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**ACT No. 6**

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**HOUSE BILL NO. 6  
BY REPRESENTATIVE HUGHES  
AN ACT**

To amend and reenact R.S. 17:1833(E), 1853(E), and 3123(E), relative to meetings of certain public postsecondary education boards; to provide relative to the first meeting each year of the Board of Regents and the University of Louisiana and Southern University boards of supervisors; and to provide for related matters.

Be it enacted by the Legislature of Louisiana:

Section 1. R.S. 17:1833(E), 1853(E), and 3123(E) are hereby amended and reenacted to read as follows:

§1833. ~~Domicile; organization;~~ Domicile, organization, and meetings of board

\* \* \*

~~E. The board shall meet on or before the second Monday in January of in January each year; and at other times as fixed by the board or upon call of the president. The first meeting of the board shall be held in Baton Rouge on the call of the governor within ten days after the promulgation of the results of the election as required by R.S. 17:22(B), or if no such election is held, within ten days after the appointment of members by the governor as provided in R.S. 17:22(C) and R.S. 17:1832. In no event shall the first meeting of the board be held later than May 10, 1975.~~

\* \* \*

§1853. Domicile, organization, ~~and~~ meetings of board

\* \* \*

~~E. The board shall meet on or before the second Monday in January of in January each year; and at other times as fixed by the board; or upon call of the chairman. The first meeting of the board, shall be held in Baton Rouge on the call of the governor within ten days after the promulgation of the returns of the election of initial members of the Louisiana State Board of Elementary and Secondary Education as provided in R.S. 17:22(B), or if no election is held, within ten days after the appointment by the governor of initial members to the board and to the Louisiana State Board of Elementary and Secondary Education and the Board of Trustees for State Colleges and Universities. In no event shall the first meeting of the board be held later than May 10, 1975.~~

\* \* \*

§3123. ~~Domicile; organization~~ Domicile, organization, and meetings of board; rules

\* \* \*

~~E. The board shall meet on or before the second Monday in January of in January each year; and at other times as fixed by the board; or upon call of the chairman. The board shall meet at least twice yearly with the State Board of Elementary and Secondary Education in accordance with the provisions of Paragraph D of Section 5 of Article VIII, Section 5(D) of the Louisiana Constitution of 1974 Louisiana.~~

Approved by the Governor, May 30, 2023.

A true copy:

R. Kyle Ardoin  
Secretary of State

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**ACT No. 7**

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HOUSE BILL NO. 7  
BY REPRESENTATIVE MUSCARELLO  
AN ACT

To enact Code of Civil Procedure Article 1702(F)(3), relative to confirmation of default judgments; to provide relative to divorce; to provide relative to notice to a defendant; and to provide for related matters.

Be it enacted by the Legislature of Louisiana:

Section 1. Code of Civil Procedure Article 1702(F)(3) is hereby enacted to read as follows:

Art. 1702. Default judgment

\* \* \*

F.

\* \* \*

(3) The notice requirements contained in Paragraph A of this Article shall not apply when the plaintiff intends to obtain a default judgment for a demand for divorce as provided by this Paragraph.

Approved by the Governor, May 30, 2023.

A true copy:

R. Kyle Ardoin  
Secretary of State

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**ACT No. 8**

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HOUSE BILL NO. 11  
BY REPRESENTATIVES GADBERRY, FREIBERG, GLOVER, LARVADAIN,  
MOORE, CHARLES OWEN, AND SCHAMERHORN  
AN ACT

To amend and reenact R.S. 48:251(B), relative to contract limitations for certain Department of Transportation and Development projects; to increase the contract limit from five hundred thousand dollars to one million dollars for certain construction, maintenance, or improvement projects; and to provide for related matters.

Be it enacted by the Legislature of Louisiana:

Section 1. R.S. 48:251(B) is hereby amended and reenacted to read as follows:  
§251. Contracts for projects

\* \* \*

B. Every contract exceeding the contract limit, as defined ~~herein~~ in this Subsection, for construction, maintenance, or improvement of a department facility under the provisions of this Part shall be made in the name of the department and shall be signed by the secretary of the Department of Transportation and Development or his duly appointed designee and by the contracting party. The contract limit for this Part is hereby defined to equal ~~five hundred thousand one million~~ one million dollars. No such contract shall be entered into nor shall any such work be authorized which will create a liability on the part of the state in excess of the funds available or which will be available for the project.

Approved by the Governor, May 30, 2023.

A true copy:

R. Kyle Ardoin  
Secretary of State

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**ACT No. 9**

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HOUSE BILL NO. 20  
BY REPRESENTATIVE FARNUM  
AN ACT

To amend and reenact R.S. 13:2080.1(A), relative to costs in the City Court of Lake Charles; to provide for disposition of certain court costs; to authorize the use of additional court costs in civil and criminal matters for operational costs; to provide for an effective date; and to provide for related matters.

Be it enacted by the Legislature of Louisiana:

Section 1. R.S. 13:2080.1(A) is hereby amended and reenacted to read as follows:

§2080.1. Miscellaneous city courts; fees; surplus in civil fee account

A. (1) The City Court of Lake Charles may impose an additional five-dollar fee as court costs in civil and criminal cases. The costs collected pursuant to this Subsection shall be deposited in the general fund for the city and shall be used for capital improvements for the building housing the city court.

(2) The city court may also use the surplus of court costs for operational costs until December 31, 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 30, 2023.

A true copy:

R. Kyle Ardoin  
Secretary of State

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**ACT No. 10**

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HOUSE BILL NO. 27  
BY REPRESENTATIVE TARVER  
AN ACT

To enact R.S. 27:93(A)(6)(d), relative to reporting of gaming revenue; to provide relative to the distribution of gaming proceeds to the Calcasieu Parish School Board, McNeese State University, and Sowela Technical Institute; to require the Calcasieu Parish School Board, McNeese State University, and Sowela Technical Institute to annually prepare a report to the legislative delegation on gaming proceeds received; and to provide for related matters.

Be it enacted by the Legislature of Louisiana:

Section 1. R.S. 27:93(A)(6)(d) is hereby enacted to read as follows:

§93. Authorization of local governing authorities; fees; regulation; local option

A.

\* \* \*

(6) In Calcasieu Parish, in lieu of the admission fees authorized by the provisions of Paragraphs (1) and (10) of this Subsection, the governing authority of the location of the berthing facility may levy a fee not to exceed four and five-tenths percent of the monthly net gaming proceeds from each riverboat located within the jurisdiction of that governing authority; however, this rate may not exceed four and five-tenths percent in the aggregate in those situations in which the site of the riverboat berthing facility is located in the jurisdiction of more than one local governing authority. The amount of the fee shall be established by contract between the governing authority and the riverboat licensee. In setting the fee the governing authority may take into account the capital investment of the riverboat licensee in developing the berthing facility site including but not limited to hotels, convention facilities, and other recreational improvements. In addition to the levy of the fee as provided herein, the parties may contract to establish a minimum annual fee and for the payment of additional amounts to cover infrastructure and other public services; accordingly, the establishment of a minimum fee or the payment of additional amounts shall not be considered when computing the effective rate of the levy of the fee authorized herein. Funds derived from the assessment of the monthly net gaming proceeds shall be allocated as follows:

\* \* \*

(d) The Calcasieu Parish School Board, McNeese State University, and Sowela Technical Institute shall annually prepare a report no later than February first which shall include the total amount of gaming proceeds received pursuant to Subparagraph (a) of this Paragraph. The report shall be distributed to the members of the legislative delegation no later than February fifteenth of each year. The report shall also include the following:

(i) An itemized statement for each expenditure from the total amount of gaming proceeds received by the Calcasieu Parish School Board, McNeese State University, and Sowela Technical Institute.

(ii) The cumulative total amount of gaming proceeds received by the Calcasieu Parish School Board, McNeese State University, and Sowela Technical Institute from the parish and not expended or distributed by the Calcasieu Parish School Board, McNeese State University, and Sowela Technical Institute.

Approved by the Governor, May 30, 2023.

A true copy:

R. Kyle Ardoin  
Secretary of State

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**ACT No. 11**

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HOUSE BILL NO. 48  
BY REPRESENTATIVE MACK  
AN ACT

To enact R.S. 33:447.17, relative to mayor's courts; to authorize an increase in court costs for violations of municipal ordinances in the town of Albany; and to provide for related matters.

Be it enacted by the Legislature of Louisiana:

Section 1. R.S. 33:447.17 is hereby enacted to read as follows:

§447.17. Mayor's court; town of Albany; court costs  
Notwithstanding R.S. 33:441(A) or any other provision of law to the contrary, the mayor of the town of Albany may impose court costs not to exceed fifty dollars for each offense, as defined by ordinance, on any defendant convicted of a violation of a municipal ordinance.

Approved by the Governor, May 30, 2023.

A true copy:

R. Kyle Ardoin  
Secretary of State

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**ACT No. 12**

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HOUSE BILL NO. 110  
BY REPRESENTATIVES FIRMINT, AMEDEE, BOURRIAQUE, BROWN,  
BUTLER, CARRIER, ECHOLS, EDMONDS, FONTENOT, FREEMAN,  
GADBERRY, GAROFALO, GLOVER, HORTON, ILLG, MIKE JOHNSON,  
MCMAHEN, GREGORY MILLER, ORGERON, CHARLES OWEN,  
STEFANSKI, AND THOMPSON  
AN ACT

To enact R.S. 22:1483.2, relative to fortified roof endorsements; to require that insurers offer a fortified roof endorsement to upgrade a nonfortified home in certain circumstances; to provide for form filing; and to provide for related matters.

Be it enacted by the Legislature of Louisiana:  
Section 1. R.S. 22:1483.2 is hereby enacted to read as follows:

§1483.2. Fortified roof endorsement; mandatory offer  
A. Any authorized insurer writing homeowners' insurance policies shall offer an endorsement to upgrade an insured's nonfortified home to comply with the fortified roof standards of the Insurance Institute for Business and Home Safety, if the insured incurs damage covered by the policy that requires the roof to be replaced. The endorsement shall upgrade the home consistent with the fortified requirements for the geographic area in which the home is located.

B. The endorsement offer provided for in Subsection A of this Section shall be made at the time of writing a new policy on a nonfortified home and upon first renewal of an existing policy on a nonfortified home after December 31, 2023.

C. Insurers required to make an endorsement offer pursuant to this Section shall file endorsement forms and accompanying rates with the department by October 1, 2023.

Approved by the Governor, May 30, 2023.  
A true copy:  
R. Kyle Ardoin  
Secretary of State

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**ACT No. 13**

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HOUSE BILL NO. 112  
BY REPRESENTATIVE MUSCARELLO  
AN ACT

To amend and reenact R.S. 15:587(A)(1)(b) and R.S. 44:4.1(B)(23) and to enact R.S. 37:3276.2, relative to the authority of the Louisiana State Board of Private Security Examiners; to provide for legislative intent; to provide for definitions; to provide for limitations to the access and use of certain criminal history record information; to provide for the standards and procedures for certain criminal history records; to require the charging of fees and costs; to provide for a public records exception; to provide for effectiveness; and to provide for related matters.

Be it enacted by the Legislature of Louisiana:  
Section 1. R.S. 15:587(A)(1)(b) is hereby amended and reenacted to read as follows:

§587. Duty to provide information; processing fees; Louisiana Bureau of Criminal Identification and Information  
A.(1)

(b) The Louisiana State Board of Private Security Examiners shall be entitled to the criminal history record and identification files of the bureau on those persons seeking to be licensed as private security guards or registered by the board as a means of performing background checks on those individuals. A fee of twenty-six dollars shall be charged for furnishing said records. In addition, in order to determine an applicant's eligibility or suitability for licensure or registration under the provisions of the Private Security Regulatory and Licensing Law, each applicant shall be fingerprinted and the fingerprints shall be forwarded by the bureau to the Federal Bureau of Investigation for a national criminal history record check.

Section 2. R.S. 37:3276.2 is hereby enacted to read as follows:  
§3276.2. Authority to obtain criminal history record information

A. The legislature hereby finds and declares it is vitally important to the public safety, interest, and welfare to protect Louisiana citizens, their residences, businesses, and other property, as well as visitors to the state, by reasonably regulating the licensure and registration of persons performing private security activity in the state.

B. As used in this Section:  
(1) "Board" means the Louisiana State Board of Private Security Examiners, an agency in the Department of Public Safety and Corrections.

(2) "Bureau" means the Louisiana Bureau of Criminal Identification and Information of the office of state police within the Department of Public Safety and Corrections.

(3) "Criminal history record information" means all state records of arrest, prosecution, and conviction, including those which have been expunged or dismissed pursuant to Code of Criminal Procedure Articles 893 and 894, and national records which include fingerprints of the applicant and other identifying information, if so requested by the board.

(4) "FBI" means the Federal Bureau of Investigation of the United States Department of Justice.

C.(1) Pursuant to this Section, the board may request and obtain state and

national criminal history record information from the bureau and the FBI regarding each applicant.

(2) Notwithstanding Paragraph (1) of this Subsection, the board's use of fingerprints shall be for the limited purpose of determining the licensure or registration eligibility of each applicant and conducting directly related matters in accordance with the Administrative Procedure Act, R.S. 49:950 et seq., or other applicable law.

(3) The board is entitled to the criminal history record and identification files of the bureau of any person who is licensed or registered; or who is applying to be licensed or registered as a private security business, qualifying agent, instructor, or security officer. Fingerprints and other identifying information of the applicant shall be submitted to the bureau, and the bureau shall, upon request of the board and after receipt of such fingerprint card and other identifying information from the applicant, make available to the board all arrest and conviction information contained in the bureau's criminal history record and identification files which pertain to the applicant for licensure or registration. In addition, the fingerprints shall be forwarded by the bureau to the FBI for a national criminal history record check.

(4) In accordance with the authority provided for in this Chapter, the costs of providing the information required in accordance with this Section shall be charged by the bureau, as specified in R.S. 15:587, for furnishing information contained in the bureau's criminal history record and identification files, including any additional costs of providing the national criminal history record check, which pertains to the applicant. Any or all cost or fees for the provision of the information may be imposed on the applicant.

D. In addition to the other requirements of this Chapter, the board may require an applicant to do any of the following to determine the licensure or registration eligibility of an applicant:

(1) Submit a complete set of fingerprints in the form and manner required by the bureau.

(2) Authorize the board to request and obtain state and national criminal history record information relating to the applicant.

(3) Pay the administrative costs imposed by or on behalf of the bureau, relating to the submission and processing of applicant fingerprints for review of criminal history record information.

E. The board shall utilize a form provided by the bureau relative to the access, use, and maintenance of criminal history record information. Each applicant shall complete the form prior to any fingerprint submission.

F.(1) Criminal history record information shall be considered confidential information and the board, its members, its employees, and any agent authorized to act on behalf of the board shall use the criminal history record information exclusively to evaluate the applicant's eligibility or disqualification.

(2) Criminal history record information obtained in accordance with this Section shall not be released or otherwise disclosed by the board, its members, its employees, or any agent authorized to act on behalf of the board to any person or agency without the written consent of the applicant unless the release is ordered by a court of competent jurisdiction.

Section 3. R.S. 44:4.1(B)(23) is hereby amended and reenacted to read as follows:

§4.1. Exceptions

\* \* \*

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

\* \* \*

(23) R.S. 37:74, 86, 90, 147, 691, 711.10, 763, 763.1, 781, 920.1, 969.1, 1123(E), 1277, 1278, 1285, 1326, 1338.1, 1360.53.1, 1360.104.1, 1518, 1745.15, 1747, 1806, 2156.1, 2406, 2505.1, 2863.1, 3276.2, 3481, 3507.1

\* \* \*

Section 4. This Act shall become effective on October 1, 2023.

Approved by the Governor, May 30, 2023.

A true copy:  
R. Kyle Ardoin  
Secretary of State

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**ACT No. 14**

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HOUSE BILL NO. 133  
BY REPRESENTATIVE TURNER  
AN ACT

To amend and reenact R.S. 40:1005(B) and to enact R.S. 40:1005(D) and R.S. 42:17.4, relative to meetings of the Prescription Monitoring Program Advisory Council; to provide for a change in the frequency of meetings; to provide for meetings by electronic means; and to provide for related matters.

Be it enacted by the Legislature of Louisiana:  
Section 1. R.S. 40:1005(B) is hereby amended and reenacted and R.S. 40:1005(D) is hereby enacted to read as follows:

§1005. Prescription monitoring program advisory council Monitoring Program Advisory Council

\* \* \*

B. The members of the advisory council shall serve at the pleasure of their respective appointing authorities, eleven of whom shall constitute a quorum

for the transaction of all business. The members shall elect a chairman and vice chairman whose duties shall be established by the advisory council. The board shall fix a time and place for regular meetings of the advisory council, which shall meet at least ~~quarterly~~ once annually. The advisory council shall establish policies and procedures necessary to carry out its duties.

~~D. The advisory council may conduct and its members may attend and participate in a meeting via electronic means in accordance with the provisions of R.S. 42:17.4.~~

Section 2. R.S. 42:17.4 is hereby enacted to read as follows:  
§17.4. Exception for meetings of the Prescription Monitoring Program Advisory Council

A. Notwithstanding any other provision of law to the contrary, the Prescription Monitoring Program Advisory Council, as provided in R.S. 40:1005, may conduct and its members may attend and participate in a meeting via electronic means if the Louisiana Board of Pharmacy, the advisory council, and its presiding officer comply with all of the requirements of this Section.

B. No later than twenty-four hours prior to a meeting conducted pursuant to the provisions of this Section, the advisory council shall provide for all of the following:

(1) The notice and agenda for the meeting, which shall be posted on the website of the Louisiana Board of Pharmacy, emailed to any member of the public or the news media who requests notice of meetings of the public body, and widely distributed to every known news media outlet that broadcasts or publishes news within the geographic area within the jurisdiction of the Louisiana Board of Pharmacy.

(2) Detailed information regarding how members of the public may participate in the meeting and submit comments regarding matters on the agenda, which information shall be posted on the website of the Louisiana Board of Pharmacy, emailed to any member of the public or the news media who requests notice of meetings of the public body, and widely distributed to every known news media outlet that broadcasts or publishes news within the geographic area within the jurisdiction of the Louisiana Board of Pharmacy.

C. For each meeting conducted pursuant to this Section, all of the following requirements shall apply:

(1) The advisory council shall provide a mechanism to receive public comment electronically both prior to and during the meeting.

(2) The advisory council shall properly identify and acknowledge all public comments during the meeting and shall maintain those comments in its record of the meeting.

(3) The presiding officer of the advisory council shall ensure that each person participating in the meeting is properly identified.

(4) The presiding officer shall ensure that all parts of the meeting, excluding any matter discussed in executive session, are clear and audible to all participants in the meeting including the public.

D. For the purposes of this Section, the following words and phrases have the following meanings:

(1) “Meeting via electronic means” means a meeting occurring via teleconference or video conference.

(2) “Teleconference” means a method of communication which enables persons in different locations to participate in a meeting and to hear and otherwise communicate with each other.

(3) “Video conference” means a method of communication which enables persons in different locations to participate in a meeting and to see, hear, and otherwise communicate with each other.

Approved by the Governor, May 30, 2023.

A true copy:

R. Kyle Ardoin  
Secretary of State

**ACT No. 15**

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HOUSE BILL NO. 171

BY REPRESENTATIVE BEAULLIEU

AN ACT

To amend and reenact R.S. 47:301(4)(m)(i) and 340.1(C)(2) and (3) and (D), relative to administration and collection of state and local sales and use taxes with respect to remote sales; to provide relative to duties of entities defined as marketplace facilitators; to provide relative to the requirement for a marketplace facilitator to collect and remit sales and use taxes; to provide for conditions pursuant to which the requirement applies; to provide for certain duties of the Louisiana Sales and Use Tax Commission for Remote Sellers with respect to marketplace facilitators; to provide for definitions; and to provide for related matters.

Be it enacted by the Legislature of Louisiana:

Section 1. R.S. 47:301(4)(m)(i) and 340.1(C)(2) and (3) and (D) are hereby amended and reenacted to read as follows:

§301. Definitions

As used in this Chapter, the following words, terms, and phrases have the meanings ascribed to them in this Section, unless the context clearly indicates a different meaning:

\* \* \*

(4) “Dealer” includes every person who manufactures or produces tangible personal property for sale at retail, for use, or consumption, or distribution, or for storage to be used or consumed in a taxing jurisdiction. “Dealer” is

further defined to mean:

\* \* \*

(m)(i) Any person who sells for delivery into Louisiana tangible personal property, products transferred electronically, or services, and who does not have a physical presence in Louisiana, if during the previous or current calendar year ~~either of the following criteria was met:~~

~~(aa) The person’s gross revenue for sales delivered into Louisiana has exceeded one hundred thousand dollars from sales of tangible personal property, products transferred electronically, or services.~~

~~(bb) The person sold for delivery into Louisiana tangible personal property, products transferred electronically, or services in two hundred or more separate transactions.~~

\* \* \*

§340.1. Marketplace facilitators; collection and remittance of state and local sales and use tax

\* \* \*

C. Calculation of remote sales and criteria.

\* \* \*

(2) The requirement of Paragraph (1) of this Subsection shall apply only to a marketplace facilitator that makes or facilitates a remote sale for delivery in Louisiana of tangible personal property, products transferred electronically, or services; if, during the previous or current calendar year, ~~either of the following are met:~~

~~(a) The marketplace facilitator’s gross revenue for retail sales delivered into Louisiana exceeded one hundred thousand dollars from sales of tangible personal property, products transferred electronically, or services.~~

~~(b) The marketplace facilitator sold for delivery into Louisiana tangible personal property, products transferred electronically, or services in two hundred or more separate transactions.~~

(3) In determining whether the ~~criteria of condition established in Paragraph (2) of this Subsection have been met, all only~~ remote sales that are retail sales, as defined in R.S. 47:301, shall be considered. However, a marketplace facilitator may voluntarily register for and collect state and local sales and use tax as a dealer regardless of whether the marketplace facilitator meets the ~~criteria condition~~ established in Paragraph (2) of this Subsection.

D. Timing of application and collection.

No later than thirty calendar days after meeting ~~either of the criteria of the condition established in Paragraph (C)(2) of this Section,~~ a marketplace facilitator shall submit an application for approval to collect state and local sales and use tax on remote sales for delivery into Louisiana to the commission on a form prescribed by the commission. ~~The commission shall approve or deny the application and shall notify the marketplace facilitator of the approval or denial no later than thirty business days after receiving the complete application.~~ A marketplace facilitator shall commence collection of state and local sales and use tax, once notified of the ~~commission has approved commission’s approval of the application,~~ no later than sixty days after meeting ~~either of the criteria of the condition established in Paragraph (C)(2) of this Section.~~

Approved by the Governor, May 30, 2023.

A true copy:

R. Kyle Ardoin  
Secretary of State

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**ACT No. 16**

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HOUSE BILL NO. 194

BY REPRESENTATIVES THOMPSON, BOYD, GAROFALO, HODGES,  
JEFFERSON, AND MIKE JOHNSON

AN ACT

To amend and reenact Children’s Code Article 1264, relative to grandparent visitation; to provide for post-adoption visitation rights of grandparents; and to provide for related matters.

Be it enacted by the Legislature of Louisiana:

Section 1. Children’s Code Article 1264 is hereby amended and reenacted to read as follows:

Art. 1264. Post-adoption visitation rights of grandparents

Notwithstanding any provision of law to the contrary, the natural parents of a deceased ~~party to a marriage dissolved by death parent~~ whose child is thereafter adopted, and the parents of a party who has forfeited the right to object to the adoption of his child pursuant to Article 1245 may have limited visitation rights to the minor child so adopted.

Approved by the Governor, May 30, 2023.

A true copy:

R. Kyle Ardoin  
Secretary of State

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**ACT No. 17**

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HOUSE BILL NO. 200

BY REPRESENTATIVE LAFLEUR

AN ACT

To amend and reenact R.S. 40:1081.2(A)(1) and (5) and (B), relative to the state’s newborn screening panel; to require the laboratory established by



the Louisiana Department of Health to provide certain tests; to require the provision of a genetic conditions list; to establish guidelines for the genetic conditions list; to provide for an effective date; and to provide for related matters.

Be it enacted by the Legislature of Louisiana:

Section 1. R.S. 40:1081.2(A)(1) and (5) and (B) are hereby amended and reenacted to read as follows:

§1081.2. Tests

A.(1) The physician attending a newborn child, or the person attending a newborn child who was not attended by a physician, shall, except as may be otherwise provided in this Section, cause the child to be subjected to tests for phenylketonuria, congenital hypothyroidism, sickle cell diseases, biotinidase deficiency, congenital adrenal hyperplasia, carnitine uptake defect, long-chain 3-hydroxyacyl-CoA dehydrogenase deficiency, medium-chain acyl-CoA dehydrogenase deficiency, trifunctional protein deficiency, very long-chain acyl-CoA dehydrogenase deficiency, glutaric acidemia type I, 3-hydroxy-3-methylglutaryl-CoA lyase deficiency, isovaleric acidemia, 3-methylcrotonyl-CoA carboxylase deficiency, methylmalonic acidemia (CBL A,B), beta ketothiolase, methylmalonic acidemia (MUT), propionic acidemia, multiple carboxylase deficiency, argininosuccinate acidemia, citrullinemia type I, homocystinuria, maple syrup urine disease, tyrosinemia type I, mucopolysaccharidosis type I (MPS I), glycogen storage disorder type II (Pompe), and other all genetic or other congenital conditions that have been approved listed in the rule promulgated by the Louisiana Department of Health pursuant to Subsection B of this Section; however, no such tests shall be given to any child whose parents or guardians object thereto. Effective July 1, 2007, cystic fibrosis shall be included in the tests that the newborn child shall be subject to by the physician attending the newborn child or the person attending the newborn child who was not attended by a physician.

\* \* \*

(5) The laboratory established by the Louisiana Department of Health pursuant to R.S. 40:1081.1(B) shall provide testing for each condition listed in the rule promulgated by the Louisiana Department of Health pursuant to Subsection B of this Section; however, such The tests testing required in Paragraph (A)(1) and the services and facilities required by Paragraphs (3) and (4) of this Subsection of this Section shall be subject to available funding for the laboratory tests, follow-up, and treatment.

B.(1) Pursuant to the rule adopted in accordance with the Administrative Procedure Act, The the Louisiana Department of Health shall set forth a list of, after consultation with medical geneticists from each of the state's medical schools and by rule adopted in accordance with the Administrative Procedure Act, add to the genetic or other congenital conditions for which a newborn shall be tested for in Subsection A of this Section; however, no approved test for any genetic or other congenital condition added shall be given to any child whose parents or guardians object thereto.

(2) At least annually, the list shall be reviewed by the state health officer, in consultation with departmental genetic disease advisory subject matter experts, to determine whether additional conditions, including conditions added to the United States Department of Health and Human Services' Recommended Uniform Screening Panel (RUSP), should be recommended to the secretary of the department for inclusion therein.

(3) After adding a condition to the list by rulemaking, the Louisiana Department of Health shall request a legislative appropriation for any funding necessary for conducting the test and providing the services required in accordance with Subsection A of this Section.

(4) The department shall provide an annual report to the legislature, beginning March 1, 2024, of any condition added to the RUSP and the department's review and determination on the condition.

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 30, 2023.

A true copy:

R. Kyle Ardoin  
Secretary of State

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**ACT No. 18**

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HOUSE BILL NO. 216  
BY REPRESENTATIVE HORTON  
AN ACT

To amend and reenact R.S. 18:425(B)(6), relative to the qualifications of election commissioners; to authorize certain nonresident active duty servicemembers and their dependents to serve as commissioners; to provide for qualifications; to provide for conditions; and to provide for related matters.

Be it enacted by the Legislature of Louisiana:

Section 1. R.S. 18:425(B)(6) is hereby amended and reenacted to read as follows:

§425. Commissioners

\* \* \*

B. Qualifications and classifications.

\* \* \*

(6) Notwithstanding the provisions of Paragraph (2) of this Subsection, a qualified voter of this state or a person who is registered to vote in another state who is able to perform the essential duties of a commissioner as described in the informational pamphlet developed by the secretary of state pursuant to R.S. 18:421(C), who is not a candidate in the election, who certifies he is a United States citizen, and who is a student at an institution of higher learning located in this state meets the following additional criteria may be selected as a commissioner as follows:

(a) A student at a postsecondary education institution may be selected as a commissioner in any precinct in the parish where the institution of higher learning is located if the student submits to the clerk a copy of his student identification or fee bill showing current enrollment and a copy of his proof of voter registration.

(b) A nonresident active duty servicemember serving at a military installation as defined in R.S. 33:4734 that is located in Louisiana or his dependent as defined in 10 U.S.C. 987 may be selected as a commissioner in any precinct in the parish where the military installation is located if the servicemember or his dependent submits to the clerk a copy of his military identification card, a copy of his proof of voter registration, and he wears plain clothes while serving in his capacity as commissioner.

Approved by the Governor, May 30, 2023.

A true copy:

R. Kyle Ardoin  
Secretary of State

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**ACT No. 19**

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HOUSE BILL NO. 232  
BY REPRESENTATIVE SCHAMERHORN  
AN ACT

To amend and reenact R.S. 4:707(F)(4), relative to charitable gaming; to provide relative to exemptions from licensing and reporting procedures; to exempt conservation organizations dedicated principally to the conservation of game fish from licensing and reporting procedures for conducting raffles; and to provide for related matters.

Be it enacted by the Legislature of Louisiana:

Section 1. R.S. 4:707(F)(4) is hereby amended and reenacted to read as follows:

§707. Authorization to license certain organizations; exemption; requirement for state license

\* \* \*

F.

\* \* \*

(4) Any bona fide conservation organization, which is recognized by the Internal Revenue Service as a 501(c)(3) corporation, dedicated principally to the conservation of a specific species, genus, or family of game animal or game fish, including but not limited to the conservation of ducks, waterfowl generally, quail, and turkeys or saltwater and freshwater fish such as speckled trout, redbass, flounder, large mouth bass, and crappie, which is otherwise permitted by law to conduct charitable gaming shall be exempted from the licensing and reporting procedures enumerated in R.S. 4:708 through 716 solely for conducting raffles as a means of fund-raising in a municipality or parish whose governing authority has decided to permit raffles, bingo, and keno within its limits as provided in R.S. 4:706.

Approved by the Governor, May 30, 2023.

A true copy:

R. Kyle Ardoin  
Secretary of State

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**ACT No. 20**

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HOUSE BILL NO. 248  
BY REPRESENTATIVE MCMAHEN  
AN ACT

To amend and reenact R.S. 8:1(7) and to enact R.S. 8:907, relative to pet remains; to authorize the burial of cremated pet remains with human remains; to provide for definitions; to provide for restrictions; and to provide for related matters.

Be it enacted by the Legislature of Louisiana:

Section 1. R.S. 8:1(7) is hereby amended and reenacted and R.S. 8:907 is hereby enacted to read as follows:

§1. Definitions

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

\* \* \*

(7) "Cemetery" means a place used or intended to be used for the interment of the human dead, and, to the extent allowed in accordance with this Title, pet remains. It includes a burial park, for earth interments; or a mausoleum, for vault or crypt interments; or a columbarium, or scattering garden, for cinerary interments; or a combination of one or more of these.

\* \* \*

§907. Interment of pet remains  
A. The interment of pet remains in a cemetery may be available to an owner

of a cemetery space and other persons having the right of interment in a cemetery space only in those circumstances where all of the following occur:

(1) The cemetery space is in a cemetery or a specifically designated section of a cemetery where no prior interments of human remains have been made and is dedicated by the cemetery authority to be used for the interment of human remains with cremated pet remains by an official act of dedication or an amendment to an existing dedication filed in accordance with R.S. 8:304(B).

(2) The interment is incidental to the interment of human remains, whether before, concurrent with, or after the interment of the pet remains.

(3) Written authorization for the interment of the cremated remains of a pet has been given by the owner of the cemetery space or a person having the right of interment in a cemetery space in accordance with the adopted rules and regulations of the cemetery authority. The cemetery authority shall have no duty or responsibility to determine the ownership of the pet remains or right of the person authorizing the interment of pet remains to make the disposition thereof.

(4) The use of such cemetery spaces complies with the rules and regulations adopted by the cemetery authority.

B. Pet remains disposed of in accordance with the provisions of this Section shall be cremated, stored in a closed receptacle, and placed in a grave, vault, crypt, or niche. The cemetery authority shall provide a list of approved charges for the interment of such remains, and a cemetery authority may limit the types of pets and the types of interments of pet remains allowed in a cemetery.

C. Nothing in this Section shall be construed as requiring a cemetery authority to allow interment of pet remains in a cemetery not dedicated for such purposes in accordance with this Section.

D. Cremated pet remains shall be considered personal property and, as such, may be included in an interment subject to the terms of this Section and the rules and regulations of a cemetery authority as permitted in this Title.

E. Nothing in this Section shall operate to cancel or modify preexisting contracts related to cemeteries, interments, or dispositions.

F. In accordance with this Section, there shall be no liability for a cemetery authority for permitting the interment of cremated pet remains or for not permitting the interment of pet remains in a cemetery that has not been dedicated for the purpose of interment of pet remains.

Approved by the Governor, May 30, 2023.

A true copy:

R. Kyle Ardoin  
Secretary of State

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**ACT No. 21**

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HOUSE BILL NO. 256  
BY REPRESENTATIVE GREGORY MILLER  
AN ACT

To amend and reenact R.S. 47:337.18(A)(4) and 337.22(E)(1), relative to sales and use tax remittance; to extend the deadline for payment of local sales and use taxes under certain circumstances; to prohibit the accrual of penalties and interest under certain circumstances; to require certain extensions to be provided to the Louisiana Uniform Local Sales Tax Board; to provide for an effective date; and to provide for related matters.

Be it enacted by the Legislature of Louisiana:

Section 1. R.S. 47:337.18(A)(4) and 337.22(E)(1) are hereby amended and reenacted to read as follows:

§337.18. Returns and payment of tax; penalty for absorption  
A.

\* \* \*

(4) In addition to extensions provided for in R.S. 47:337.22(E)(1), the The collector, for good cause, may extend, for not to exceed thirty days, the time for making any returns required under the provisions of this Chapter.

\* \* \*

§337.22. Sales and use tax returns

\* \* \*

E.(1)(a) In the event of a presidential or gubernatorial declared disaster or emergency covering a local collector's jurisdiction, a local collector may elect to extend filing or payment deadlines related to the taxes collected pursuant to the provisions of this Chapter until the extended date for the same period specified for state sales and use taxes for the same period. Whenever an extension is granted by the local collector pursuant to this Subsection, interest and penalties shall not accrue on the tax during the period of the extension provided that the return and payment are received by the extended due date. Any decision to adopt an extension pursuant to this Subsection shall be provided to the Louisiana Uniform Local Sales Tax Board for publication on its website.

(b) If the deadline for payment of sales taxes to a local collector falls on a state or federal holiday on which banks are closed, the local collector shall extend the deadline for payment of the tax until the next business day on which banks are open. Whenever an extension is required pursuant to the provisions of this Subparagraph, interest and penalties shall not accrue on the tax during the period of the extension if the return and payment are received by the extended due date. An extension required pursuant to the provisions of this Subparagraph shall be provided to the Louisiana Uniform Local Sales Tax Board for publication on its website.

\* \* \*

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 30, 2023.

A true copy:

R. Kyle Ardoin  
Secretary of State

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**ACT No. 22**

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HOUSE BILL NO. 302  
BY REPRESENTATIVES ST. BLANC, BUTLER, CARRIER, COX, HORTON,  
JEFFERSON, MCFARLAND, AND TURNER  
AN ACT

To amend and reenact R.S. 8:454(C)(2) and 502(F), relative to cemetery trust funds; to provide for master trust funds; to provide for the requirements of such funds; and to provide for related matters.

Be it enacted by the Legislature of Louisiana:

Section 1. R.S. 8:454(C)(2) and 502(F) are hereby amended and reenacted to read as follows:

§454. Trust funds required; master trust fund funds

\* \* \*

C.

\* \* \*

(2) The master trust fund shall be subject to the following requirements:  
(a) ~~It shall include only trust funds with a principal balance of less than two hundred fifty thousand dollars. Upon a determination that a trust fund made a part of a master trust fund has a principal sum exceeding two hundred fifty thousand dollars at the end of a reporting period, such trust fund shall no longer be subject to the collective investment and administration of the master trust fund and shall be removed from the master trust fund within ninety days.~~

(b) The designated trustee of a master trust fund shall maintain separate records of principal and income for each participant in the master trust fund.

(c) The income and associated expenses of the master trust fund shall be divided among the participants in the master trust fund based on the proportion that each participant contributes to the balance of the master trust fund.

(d) The annual report by the designated trustee of the master trust fund shall include an itemized separate accounting for each participant in the master trust fund. Such annual report shall comply with the provisions of R.S. 8:456.

(e) The operation of the master trust fund shall be subject to the provisions of this Title and the rules and regulations of the board.

\* \* \*

§502. Payments to trust; amounts required; master trust fund

\* \* \*

F. The trust shall be operated in conformity with R.S. 8:454(B) and (C) and 465(A) with respect to the nature and character of the trust and duties of the trustee.

Approved by the Governor, May 30, 2023.

A true copy:

R. Kyle Ardoin  
Secretary of State

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**ACT No. 23**

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HOUSE BILL NO. 314  
BY REPRESENTATIVES LARVADAIN, AMEDEE, BACALA, BAGLEY,  
BOYD, BRYANT, BUTLER, CARPENTER, CARRIER, WILFORD CARTER,  
COX, EDMONDS, EMERSON, FISHER, FONTENOT, GAINES, GAROFALO,  
HODGES, HORTON, HUGHES, JEFFERSON, JENKINS, MIKE JOHNSON,  
JORDAN, KNOX, LAFLEUR, LYONS, MOORE, NEWELL, PHELPS,  
PIERRE, SEABAUGH, SELDERS, STAGNI, THOMPSON, WHITE, AND  
WILLARD  
AN ACT

To amend and reenact Code of Evidence Article 518(B) and R.S. 40:2411(C) (6) and (7), relative to trained peer support; to provide for firefighters as trained peer support members; to provide for peer support training by certain organizations; to provide for definitions; and to provide for related matters.

Be it enacted by the Legislature of Louisiana:

Section 1. Code of Evidence Article 518(B) is hereby amended and reenacted to read as follows:

Art. 518. Trained peer support member privilege

\* \* \*

B. For purposes of this Section, a “trained peer support member” is ~~an emergency any of the following persons or entities that provide emotional and moral support or counseling to an emergency responder who needs those services as a result of an incident in which the emergency responder was involved while acting in his official capacity:~~



(1) ~~An emergency responder or civilian volunteer of an emergency service agency or entity, who has received training in Critical Incident Stress Management to provide emotional and moral support to an emergency responder who needs those services as a result of an incident in which the emergency responder was involved while acting in his official capacity.~~

(2) ~~A “trained peer support member” also includes a volunteer counselor or other mental health services provider who has been designated by the emergency service agency or entity to provide emotional and moral support and counseling to an emergency responder who needs those services as a result of an incident in which the emergency responder was involved while acting in his official capacity.~~

(3) A firefighter who has received peer support training from the International Association of Fire Fighters.

Section 2. R.S. 40:2411(C)(6) and (7) are hereby amended and reenacted to read as follows:

§2411. Peace Officer and Public Safety Personnel Peer Support and Mental Health and Wellness Act

\* \* \*  
\* \* \*

C. Definitions. For purposes of this Section:

(6) “Peer support training” means training in peer support and critical incident stress conducted by the Southern Law Enforcement Foundation, the International Critical Incident Stress Foundation, Inc., the International Association of Fire Fighters, or an equivalent program as approved by the executive director of the Louisiana Commission on Law Enforcement and Administration of Criminal Justice.

(7) “Public safety personnel” means a firefighter or an employee of a governmental entity who, by virtue of his job duties, provides support to peace officers, including but not limited to a dispatcher, public safety telecommunicator as defined in R.S. 40:1131, crime scene and crime laboratory technician, and criminal analyst.

Approved by the Governor, May 30, 2023.

A true copy:

R. Kyle Ardoin  
Secretary of State

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**ACT No. 24**

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HOUSE BILL NO. 337  
BY REPRESENTATIVE CARPENTER  
AN ACT

To amend and reenact R.S. 9:315.1(C) and 315.2(D) and to repeal R.S. 9:315.14, relative to a minimum child support award; to repeal the mandatory minimum child support award; 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. 9:315.1(C) and 315.2(D) are hereby amended and reenacted to read as follows:

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

\* \* \*

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

(1) That the combined adjusted gross income of the parties is ~~not within the amounts shown on the schedule in R.S. 9:315.19 equal to or less than nine hundred fifty dollars.~~

~~(a) If the combined adjusted gross income of the parties is less than the lowest sum shown on the schedule. In such cases, the court shall determine an amount of child support based on the facts of the case, except that the amount awarded shall not be less than the minimum child support provided in R.S. 9:315.14 earnings, income, and other evidence of ability to pay.~~

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

~~(2) (3) The legal obligation of a party to support dependents who are not the subject of the action before the court and who are in that party’s household.~~

~~(3) (4) That in a case involving one or more families, consisting of children none of whom live in the household of the noncustodial or nondomiciliary parent but who have existing child support orders (multiple families), the court may use its discretion in setting the amount of the basic child support obligation, provided it is not below the minimum fixed by R.S. 9:315.14, if the existing child support orders reduce the noncustodial or nondomiciliary parent’s income below the lowest income level on the schedule contained in R.S. 9:315.19.~~

~~(4) (5) The extraordinary medical expenses of a party, or extraordinary medical expenses for which a party may be responsible, not otherwise taken into consideration under the guidelines.~~

~~(5) (6) An extraordinary community debt of the parties.~~

~~(6) (7) The need for immediate and temporary support for a child when a full hearing on the issue of support is pending but cannot be timely held. In such cases, the court at the full hearing shall use the provisions of this Part and may redetermine support without the necessity of a change of circumstances~~

being shown.

~~(7) (8) The permanent or temporary total disability of a spouse to the extent such disability diminishes his present and future earning capacity, his need to save adequately for uninsurable future medical costs, and other additional costs associated with such disability, such as transportation and mobility costs, medical expenses, and higher insurance premiums.~~

~~(8) (9) That support awarded for an adult child with a disability, as defined in R.S. 9:315.22(E), may be a long-term and financially burdensome obligation that warrants the court’s special consideration of the circumstances surrounding the manifestation of the disability and the financial burden imposed on the obligor.~~

~~(9) (10) Any other consideration which would make application of the guidelines not in the best interest of the child or children or inequitable to the parties.~~

\* \* \*  
\* \* \*

§315.2. Calculation of basic child support obligation

D. The court shall determine the basic child support obligation amount from the schedule in R.S. 9:315.19 by using the combined adjusted gross income of the parties and the number of children involved in the proceeding, but in no event shall the ~~lowest basic amount of child support be less than the amount provided in R.S. 9:315.14 in the schedule be construed as a limitation on the court’s authority to deviate under R.S. 9:315.1(C).~~

\* \* \*

Section 2. R.S. 9:315.14 is hereby repealed in its entirety.

Section 3. The provisions of this Act shall become effective January 1, 2024. Approved by the Governor, May 30, 2023.

A true copy:

R. Kyle Ardoin  
Secretary of State

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**ACT No. 25**

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HOUSE BILL NO. 393  
BY REPRESENTATIVE GADBERRY  
AN ACT

To amend and reenact R.S. 40:1730.23(J), relative to inspections of commercial and residential structures; to provide for enforcement of building codes by municipalities and parishes; to provide which individuals may conduct inspections on commercial and residential structures; to provide criteria for roofing inspections; and to provide for related matters.

Be it enacted by the Legislature of Louisiana:

Section 1. R.S. 40:1730.23(J) is hereby amended and reenacted to read as follows:

§1730.23. Enforcement of building codes by municipalities and parishes

\* \* \*

J. For purposes of code enforcement pursuant to this Section, a ~~properly registered certified building inspector building code enforcement officer or a certified third-party provider~~ shall conduct all inspections of any commercial or residential structure and ~~for all inspections, other than roofing inspections,~~ shall be present on site for such inspections. A building code enforcement officer or a certified third-party provider may accept photographs or videos that are location verified with geotagging for required roofing and reroofing inspections of any commercial or residential structure.

Approved by the Governor, May 30, 2023.

A true copy:

R. Kyle Ardoin  
Secretary of State

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**ACT No. 26**

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HOUSE BILL NO. 395  
BY REPRESENTATIVE HILFERTY  
AN ACT

To amend and reenact R.S. 9:3403(A)(1) and R.S. 12:307(B), 307.1, 310, 311(A) (introductory paragraph), 1348(B), and 1349(C) and to enact R.S. 12:1-120(H) (16) and 1306(G), relative to filings with the secretary of state’s office; to provide for the requirements of a partnership contract; to provide for form requirements for certain documents; to permit certified copies for certain amended certificates of authority; to require proof of notice for certain company names; and to provide for related matters.

Be it enacted by the Legislature of Louisiana:

Section 1. R.S. 9:3403(A)(1) is hereby amended and reenacted to read as follows:

§3403. Contract of partnership; required content; use of names

A.(1) A contract of partnership filed for registry with the secretary of state shall be written in the English language and contain the name and taxpayer identification number of the partnership, the municipal address of its principal place of business in this state, and the name and the municipal address of each partner, including partners in commendam, if any.

\* \* \*

Section 2. R.S. 12:307(B), 307.1, 310, 311(A)(introductory paragraph), 1348(B), and 1349(C) are hereby amended and reenacted and R.S. 12:1-120(H)(16) and 1306(G) are hereby enacted to read as follows:

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

\* \* \*

H. Except as provided in R.S. 12:1701, the following documents shall be acknowledged by one of the persons who signs the document or instead shall be executed by authentic act:

(16) Articles of charter surrender

§307. Amended certificate of authority

B. If a foreign corporation changes its corporate name, it shall include with its application for an amended certificate of authority a certificate evidencing such change issued by the authorized official of the jurisdiction of incorporation of the corporation, or a certified copy of the amendment in the case that the authorized official of the jurisdiction of incorporation does not provide a certificate of such.

§307.1. Certificate of correction by a foreign corporation  
Whenever the original application for a certificate of authority or an application for an amended certificate of authority filed with the secretary of state under any provision of this Chapter is an inaccurate record of the corporate action therein referred to, or is defectively or erroneously executed or acknowledged, such instrument may be corrected by filing with the secretary of state a certificate of correction. The secretary of state may prescribe and furnish forms for filing the certificate of correction. The certificate of correction shall specify the inaccuracy or defect to be corrected and shall set forth that portion of the instrument in corrected form. A certificate of correction shall be executed in the name of the corporation by any officer authorized by resolution or consent of the board of directors and shall be acknowledged by the person who signed it or may be executed by authentic act.

§310. Change of corporate name

If a foreign corporation authorized to transact business in this state changes its corporate name, it shall procure an amended certificate of authority by making application therefor to the secretary of state and submitting a duplicate or original certificate of name change, ~~not a certified copy of the name change amendment~~, from an authorized official of the jurisdiction of its incorporation or a certified copy of the document in the case that the authorized official of the jurisdiction of incorporation does not provide such certificate.

§311. Merger, consolidation, or dissolution  
A. Whenever a foreign corporation authorized to transact business in this state shall hereafter be merged into another foreign corporation, or shall hereafter be a party to a statutory consolidation, or shall be dissolved, it shall, within thirty days, file with the secretary of state a certificate from the secretary of state or an authorized official of the jurisdiction of its incorporation or a certified copy of the document in the case that the authorized official of the jurisdiction of incorporation does not provide such certificate, ~~(not a certified copy of the agreement or dissolution)~~ evidencing the merger, consolidation, or dissolution; but the filing thereof shall not of itself:

§1306. Name

G. If a limited liability company seeking issuance of a certificate of organization in this state includes in its name the words “architect”, “architectural”, or “architecture”, the secretary of state shall not file the articles of organization until the secretary of state receives either of the following:

(1) Satisfactory evidence that written notice of the proposed use of that name was delivered to the Louisiana State Board of Architectural Examiners at least ten days earlier.

(2) A written waiver of the ten-day notice requirement, signed by the executive director or any member of the Louisiana State Board of Architectural Examiners.

§1348. Amended certificate of authority

B. If a foreign limited liability company changes its name, it shall include, with its application for an amended certificate of authority, a certificate or a certified copy of the amendment in the case that the authorized official of the jurisdiction of organization does not provide such certificate evidencing such change, ~~not a certified copy of the amendment to the articles of organization~~, issued by the authorized official of the jurisdiction of organization of such limited liability company.

§1349. Certificate of correction by a foreign limited liability company

C. A certificate of correction shall be executed in the name of the limited liability company by a manager, if management of the limited liability company is vested in one or more managers, or a member, if management is reserved to the members of the limited liability company. The certificate of correction shall be acknowledged by the person who signed it or may be executed by authentic act.

Approved by the Governor, May 30, 2023.

A true copy:

R. Kyle Ardoin  
Secretary of State

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ACT No. 27

HOUSE BILL NO. 541  
BY REPRESENTATIVE WHEAT  
AN ACT

To enact R.S. 40:2193.6(D), relative to pediatric day healthcare facilities licensed by the Louisiana Department of Health; to provide for designation of law by means of a short title; and to provide for related matters.

Be it enacted by the Legislature of Louisiana:  
Section 1. R.S. 40:2193.6(D) is hereby enacted to read as follows:  
§2193.6. Cameras; condition of licensure; short title

D. This Section shall be known and may be cited as the “Lane Allen Gottschalck Law”.

Approved by the Governor, May 30, 2023.

A true copy:

R. Kyle Ardoin  
Secretary of State

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ACT No. 28

HOUSE BILL NO. 551  
BY REPRESENTATIVE ZERINGUE AND SENATORS BARROW,  
BOUDREAU, BOUIE, CARTER, CATHEY, CONNICK, CORTEZ,  
DUPLESSIS, FESI, FIELDS, HARRIS, HEWITT, JACKSON, LAMBERT,  
LUNEAU, MCMATH, MILLIGAN, FRED MILLS, ROBERT MILLS,  
MORRIS, PRICE, REESE, SMITH, STINE, TALBOT, AND WOMACK  
AN ACT

To appropriate funds from certain sources to be allocated to designated agencies and purposes in specific amounts for the making of supplemental appropriations for said agencies and purposes for Fiscal Year 2022-2023; to provide for an effective date; and to provide for related matters.

Be it enacted by the Legislature of Louisiana:  
Section 1. The following sums are hereby appropriated from the sources specified for the purpose of making supplemental appropriations for Fiscal Year 2022-2023.

EXECUTIVE DEPARTMENT  
01-107 DIVISION OF ADMINISTRATION  
Payable out of the State General Fund (Direct)  
to the Community Development Block Grant  
Program for the closeout of the Road Home Program \$ 20,500,000  
LEGISLATIVE EXPENSE  
24-960 LEGISLATIVE BUDGETARY CONTROL COUNCIL  
Payable out of the State General Fund

by Statutory Dedications out of the Legislative Capitol Technology Enhancement Fund to the Legislative Budgetary Control Council \$ 6,000,000

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 30, 2023.

A true copy:

R. Kyle Ardoin  
Secretary of State

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ACT No. 29

HOUSE BILL NO. 554  
BY REPRESENTATIVE RISER  
AN ACT

To amend and reenact R.S. 8:454.1(A) and to enact R.S. 8:454.2, relative to the cemetery care fund; to provide for income distributions within a perpetual care trust fund; to provide for income distribution methods; to provide for definitions; to provide for an application for a total return distribution method; to require the payment of application fees; and to provide for related matters.

Be it enacted by the Legislature of Louisiana:  
Section 1. R.S. 8:454.1(A) is hereby amended and reenacted and R.S. 8:454.2 is hereby enacted to read as follows:

§454.1. Administration of trust funds; maintenance; exemption from seizure  
A. The principal of the trust fund shall remain permanently intact and only the income therefrom shall be expended. The income shall be used solely for the care of those portions of the cemetery in which interment spaces have been sold with a provision for perpetual or endowed care. It is the intent of this Section that the income of the fund shall be used solely for the care of interment spaces sold with a provision for perpetual or endowed care and for the care of other portions of the cemetery immediately surrounding the spaces as may be necessary to preserve the beauty and dignity of the spaces sold. Income distributions within a perpetual care trust fund means the net



income or total return distribution method as provided for in R.S. 8:454.2. The fund or its income shall never be used for the development, improvement, or embellishment of unsold portions of the cemetery so as to relieve the cemetery authority of the ordinary cost incurred in preparing such property for sale.

\* \* \*

§454.2. Income distribution methods; application; restrictions  
A. For the purposes of this Section, the following terms have the following meanings ascribed to them:  
(1) “Average fair market value” means the average of the fair market value of assets held by the trust fund on the last day of the current calendar year and the last day of each of the two preceding calendar years or the average of the fair market value for the entire term of the trust fund if there are less than two preceding years.  
(2) “Inception” means the first day of the calendar year on which distributions from the perpetual care trust fund are first made based on the total return distribution method.  
(3) “Net income” means interest and dividends reduced by permissible fees and taxes.  
(4) “Total return distribution” means the distribution of funds from the perpetual care fund based on the average fair market value of the fund assets multiplied by the total return percentage.  
(5) “Total return percentage” means the annual percentage selected by the cemetery authority and approved by the board in accordance with this Section. The total return percentage shall not exceed four percent of the average fair market value of the trust fund.  
B. Income distributions from perpetual care trust funds shall be made with consideration of either net income or total return distribution.  
C. A trustee of a perpetual care trust fund may elect to use the total return distribution method only if the trust fund is administered by either a qualified institutional trustee as provided for by R.S. 8:454(B), for trusts established in accordance with R.S. 8:457, or where the trustee or investment advisor managing the funds demonstrates sufficient knowledge and expertise related to total return investing and distributions.  
D.(1) The cemetery authority shall apply to the board at least ninety days prior to the effective date of the election to use the total return distribution method. The cemetery authority or trustee shall provide the board with all of the following:  
(a) A written investment policy with investment goals to achieve principal growth through permissible investments pursuant to this Title for perpetual care trust funds and with a secondary goal of achieving current income.  
(b) An amended perpetual care trust agreement on board-approved forms that clearly states the selection of the total return distribution method.  
(c) A written distribution policy establishing the total return percentage and initial estimated average fair market value, using the most recent month end balances as the estimate for the current calendar year, signed by the cemetery authority or trustee.  
(2) The board may require such information, supporting documentation, and proof as it deems reasonable concerning the applicant's compliance with this Title and the rules and regulations of the board.  
(3) The board shall determine that the cemetery authority or trustee has met the requirements provided for in this Section prior to approving the application to implement a total return distribution method. If the board refuses to approve the application, such notification shall contain details of the information needed to remedy any deficiencies with the application. The board shall notify the cemetery authority no later than ninety days after receiving the application. An application that is submitted ninety days prior to the beginning of the calendar year, once approved by the board, shall be retroactive to the beginning of that calendar year.  
(4) The cemetery authority shall submit the information required in this Subsection on an application form prescribed by the board, accompanied by an application fee set by the board not to exceed one thousand five hundred dollars to cover the board's reasonable and ordinary expenses associated with determining compliance with applicable provisions of this Title.  
E. A cemetery authority may select a distribution method by delivering written instructions to the trustee of the fund no later than thirty days prior to the beginning of a calendar year. Once approved by the board, the distribution method and the total return distribution rate shall remain in effect unless the cemetery authority notifies the trustee of its desire to effect a change, provides an application for such change to the board, and provides copies of such documentation to the trustee. In the event that the trustee does not receive written instructions from the cemetery authority informing the trustee of the distribution method chosen, the trustee shall calculate and distribute based on the net income distribution method.  
F. The approved total return distribution percentage may be reduced by the cemetery authority but may not be increased unless an additional application is made to the board with documentation demonstrating the rate of return of the perpetual care funds over the last three years to support an increase in the percentage.  
G. A cemetery authority that has implemented the total return distribution method may elect to reconvert to a net income distribution method by submitting written documentation to the board in support of the reconversion, including a copy of the trust agreement, a written notification on the proposed effective date of the reconversion, and any additional information required by the board. No cemetery authority may change its distribution method more than once within a three-year period unless required by the board.

H.(1) The board shall require corrective measures be taken, including reducing the approved total return percentage, requiring a distribution of only net income for a calendar year, or requiring a monthly retest outlined in Subparagraph (c) of this Paragraph applies and whereby no distribution of any income is made until the failed test is passed, if any of the following circumstances occur:  
(a) The average fair market value of the trust fund at the end of the most recent rolling three-year period, as compared to the average fair market value of the previous rolling three-year period, declines by ten percent or more.  
(b) The fair market value of the trust fund at the end of a calendar year is less than ninety percent of the sum of the fair market value of the fund at inception plus all deposits made since inception.  
(c) A cemetery authority has failed to meet the tests in Subparagraph (a) or (b) of this Paragraph, and after a full calendar year of distributing only net income, still fails to meet the tests in this Subsection.  
(d) There is an uncorrected financial- or investment-related perpetual care deficiency as determined by the board after review of the annual trust fund report or onsite examination.  
(2) If a cemetery authority fails to take any required action, it shall be subject to any and all enforcement actions or penalties pursuant to this Chapter.  
I. In the event that permissible fees paid from the perpetual care fund exceed one and one-half percent of the fair market value in a given year, the amount in excess shall be deducted from the approved total return distribution.  
Approved by the Governor, May 30, 2023.  
A true copy:  
R. Kyle Ardoin  
Secretary of State  
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**ACT No. 30**  
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SENATE BILL NO. 63  
BY SENATORS MIZELL, ABRAHAM, ALLAIN, BARROW, CATHEY, CLOUD, CONNICK, CORTEZ, FESI, FOIL, HENRY, HENSGENS, HEWITT, JACKSON, KLEINPETER, LAMBERT, MCMATH, MILLIGAN, ROBERT MILLS, PEACOCK, POPE, REESE, STINE, TARVER, WHITE AND WOMACK AND REPRESENTATIVES AMEDEE, BACALA, BAGLEY, BEAULLIEU, BOYD, BUTLER, CARRIER, COX, CREWS, DAVIS, DESHOTEL, DEVILLIER, ECHOLS, EDMONDS, EDMONSTON, EMERSON, FARNUM, FIRMINT, FISHER, FONTENOT, FRIEMAN, GADBERRY, GAROFALO, GOUDEAU, HARRIS, HODGES, HOLLIS, HORTON, ILLG, IVEY, MIKE JOHNSON, KERNER, KNOX, MACK, MCCORMICK, MCFARLAND, MCKNIGHT, MCMAHEN, MIGUEZ, MINCEY, MOORE, CHARLES OWEN, RISER, ROMERO, SCHAMERHORN, SEABAUGH, SELDERS, ST. BLANC, TARVER, THOMAS, WHEAT, WHITE AND WRIGHT  
Prefiled Pursuant to Article III, Section 2(A)(4)(b)(i) of the Constitution of Louisiana.  
A JOINT RESOLUTION  
Proposing to add Article XII, Section 17 of the Constitution of Louisiana, relative to religious freedom; to provide that the freedom of worship in churches or other places of worship is a fundamental right that is worthy of the highest order of protection; to provide for the highest level of scrutiny by a court; to provide for intent; and to specify an election for submission of the proposition to electors and provide a ballot proposition.  
Section 1. Be it resolved by the Legislature of Louisiana, two-thirds of the members elected to each house concurring, that there shall be submitted to the electors of the state, for their approval or rejection in the manner provided by law, a proposal to add Article XII, Section 17 of the Constitution of Louisiana, to read as follows:  
**§17. Freedom of worship in churches or other places of worship**  
**Section 17.(A) The freedom to worship in a church or other place of worship is a fundamental right that is worthy of the highest order of protection.**  
**(B) This Section shall not alter or limit Article 1, Section 8 of this constitution in any way. The free exercise of religion guaranteed by Article 1, Section 8 of this constitution shall not be limited to the fundamental right to worship in a church or other place of worship.**  
**(C) If a state or local governmental body or official acts in a manner that is contrary to the provisions of this Section and a challenge is brought related to that governmental action, the court shall apply strict scrutiny in order to protect the fundamental right to worship in a church or other place of worship, unless there is a higher level of protection or scrutiny recognized and applied by the court.**  
Section 2. Be it further resolved that this proposed amendment shall be submitted to the electors of the state at the statewide election to be held on October 14, 2023.  
Section 3. Be it further resolved that on the official ballot to be used at the election there shall be printed a proposition, upon which the electors of the state shall be permitted to vote YES or NO, to amend the Constitution of Louisiana, which proposition shall read as follows:  
Do you support an amendment to provide that the freedom of worship in a church or other place of worship is a fundamental right that is worthy of the highest order of protection?

(Adds Const. Article XII, Section 17)  
A true copy:  
R. Kyle Ardoin  
Secretary of State

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**ACT No. 31**

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SENATE BILL NO. 15  
BY SENATOR REESE  
AN ACT

To amend and reenact R.S. 34:334.12, relative to the Vinton Harbor and Terminal District; to provide for the per diem received by commissioners of the district; 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. 34:334.12 is hereby amended and reenacted to read as follows:  
§334.12. Per diem of commissioners

The commissioners shall be paid a per diem not to exceed ~~seventy dollars~~ **one hundred forty dollars** and the duly elected president shall be paid a per diem not to exceed ~~two hundred fifty dollars~~ **one thousand dollars** for each day of attendance at meetings of the commission or on business of the commission authorized by the board. The board shall establish the per diem rates. ~~The number of days such per diem shall be paid shall not exceed twelve days in any one calendar year.~~ **Any commissioner, including the president, shall only be eligible to receive a per diem for up to twelve days in a calendar year.**

Approved by the Governor, June 1, 2023.

A true copy:  
R. Kyle Ardoin  
Secretary of State

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**ACT No. 32**

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SENATE BILL NO. 17  
BY SENATOR PEACOCK  
AN ACT

To amend and reenact R.S. 11:3433, 3434, and 3714 and to enact R.S. 11:3715(C), relative to the boards of trustees for certain retirement systems for hazardous duty employees of the city of Shreveport; to provide for board composition, terms, powers, and duties; to authorize the employment of certain professionals; and to provide for related matters.

Notice of intention to introduce this Act has been published.

Be it enacted by the Legislature of Louisiana:

Section 1. R.S. 11:3433, 3434, and 3714 are hereby amended and reenacted and R.S. 11:3715(C) is hereby enacted to read as follows:

§3433. Board of ~~Trustees~~ **trustees**; composition

A. The "Board of Trustees of the Firemen's Pension and Relief Fund of the city ~~City~~ of Shreveport, Louisiana;" shall be and is hereby created a corporate body politic and shall be composed of:

(1) The mayor of the city, who shall be ex officio president of the board.  
(2) The director of finance of the city, who shall be ex officio treasurer ~~thereof of the board.~~

(3) The chief administrative officer of the city.

(4) ~~The chief of the city fire department.~~

(5)(a) Five members of the city fire department, who may be either active members who were merged with the statewide Firefighters' Retirement System on January 1, 1983, and have merger contracts with the city, or members who are retired from the department who are eligible for participation in the fund established by this Part.

**(b) One surviving spouse of a deceased retired member who was qualified to serve on the board under the requirements of Subparagraph (a) of this Paragraph at the time of the member's death. If no surviving spouse seeks election in accordance with R.S. 11:3434, then the members of the board elected under the provisions of Subparagraph (a) of this Paragraph shall appoint a surviving spouse to serve as a board member.**

**B. The board members listed in Paragraph A(4) of this Section shall serve four-year terms.**

**C. The secretary of said the board shall be chosen by a majority vote of the members of said the board, and shall be elected for a two-year four-year term.**

**§3434. Members from fire departments; elections; Election of board members; qualifications to vote**

**A. The five members to be selected under R.S. ~~11:3433(A)(5)~~ 11:3433(A)(4) (a) shall be elected biennially on the last Monday in June in even-numbered 2024 and every four years thereafter by secret ballot of the active and retired members of the city Fire Department, fire department eligible for participation in the Fund fund established under this Part. The member to be selected under R.S. 11:3433(A)(4)(b) shall be elected on the last Monday in June in 2024 and every four years thereafter by secret ballot of the surviving spouses eligible to serve on the board as provided in R.S. 11:3433(A)(4)(b). In the event a vacancy should occur in the Board of Trustees board of trustees among the members of the Board board elected under R.S. ~~11:3433(A)(5)~~ 11:3433(A)(4), a special election shall be called by the Board board within sixty days after the occurrence of such the vacancy.**

**B.(1) The board members elected in 2022 shall complete their two-year terms. (2) The elected board members serving on the effective date of this Subsection**

shall appoint a surviving spouse to serve on the board until the 2024 election.

\* \* \*

§3714. Board of trustees of fund

A. There shall be a board of trustees of the Police Pension Fund of the City of Shreveport for the administration, management, operation, and control of the fund.

B. The board shall be composed of ~~nine~~ **the following** members, as follows:

- (1) The mayor of the city of Shreveport, who shall serve as president.
- (2) The chief administrative officer of the city of Shreveport.
- (3) ~~The chief of police of the police department of the city of Shreveport.~~
- (4) The director of finance of the city of Shreveport, who shall serve as treasurer.

(5)(a) ~~Four~~ **(4)(a) Five** persons, who each of whom shall be ~~any one~~ **one** of the following:

(i) An active member of the fund who became a member prior to July 12, 1977.

(ii) A former member who is receiving a benefit from the fund and who became a member prior to July 12, 1977.

(iii) The surviving spouse of an active member of the fund who became a member prior to July 12, 1977.

(iv) The surviving spouse of a former member who was receiving a benefit from the fund immediately prior to death and who became a member prior to July 12, 1977.

(b) These ~~four~~ members shall be elected by those persons who are eligible to become members of the board of trustees. The elections shall be conducted in the manner set forth by the board of trustees sitting prior to the election.

(c) These ~~four~~ members shall serve four-year terms.

(d) The board of trustees shall elect one of these ~~four~~ members to serve as secretary.

(6)(5) A member possessing the same qualifications as ~~that those~~ of the members provided for in Subparagraph 5(a) **(4)(a)** of this Subsection; shall be elected by the other ~~eight~~ members for a term concurrent with that of the ~~four~~ elected members provided for in Subparagraph 5(a) **(4)(a)** of this Subsection.

§3715. Management of fund; salary deductions; action of board to be final; meetings

\* \* \*

**C. The board may retain legal, actuarial, accounting, investment, medical, clerical, or other services as may be necessary for the conduct of the affairs of the fund and fix the rate of compensation for those services.**

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

Approved by the Governor, June 1, 2023.

A true copy:  
R. Kyle Ardoin  
Secretary of State

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**ACT No. 33**

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SENATE BILL NO. 20  
BY SENATOR MCMATH  
Prefiled Pursuant to Article III, Section 2(A)(4)(b)(i)  
of the Constitution of Louisiana.  
AN ACT

To amend and reenact R.S. 46:1131, 1133 through 1138, 1140, and 1141, and to repeal Chapter 10-C of Title 46 of the Louisiana Revised Statutes of 1950, comprised of R.S. 46:1151 through 1162, relative to hospital service districts scholarship programs; to provide for scholarship programs for certain healthcare professionals; to provide for eligibility; to provide for application and evaluation procedures; to provide for disbursements; to provide for scholarship contracts; to provide for failure to comply penalties and repayment procedures; to repeal scholarship programs for certain healthcare professionals; to provide for an effective date; and to provide for related matters.

Be it enacted by the Legislature of Louisiana:

Section 1. R.S. 46:1131, 1133 through 1138, 1140, and 1141 are hereby amended and reenacted to read as follows:

CHAPTER 10-B. NURSING **AND ALLIED HEALTH** SCHOLARSHIPS

§1131. Parish hospitals and hospital service districts; nursing **and allied health** scholarship program; establishment, administration, funding

A. The board of commissioners of each hospital or hospital service district, hereinafter referred to as the board or the board of commissioners, is authorized to establish and administer a ~~nursing~~ scholarship program for the purpose of increasing the educational opportunities available to nursing **and allied health** students who will practice ~~nursing~~ in an area of the hospital district approved by the board of commissioners. Each board which establishes such a program may award ~~nursing~~ scholarships to residents or former residents of the hospital service district who otherwise qualify; **individuals** who are admitted or engaged in the study of nursing **or allied health** at an accredited school of nursing **or allied health** located in this state; and who contract to practice nursing **or an allied health profession** in the district or parish, as provided in this Chapter. Each scholarship shall



be awarded for the purpose of defraying the costs of tuition, ~~fees,~~ and other related expenses and cost for attendance at nursing or allied health school. The board may, at any time and in its discretion, determine not to grant a scholarship under the program.

~~B. Any program established under the~~ **The** provisions of this Chapter shall ~~be wholly funded by~~ **apply solely to** monies generated by the respective boards through their facilities, and upon the initiation of such a program, the program shall become a part of the annual hospital budget.

C. For the purpose of this Chapter, the term “nursing” shall mean following definitions shall apply:

(1) **“Allied health” means any generally recognized medical profession or vocation including but not limited to occupational, respiratory, vocational, physical, and other therapies; medical, radiologic, and other technologists; pharmacists, social workers, athletic trainers, and other similar professions and vocations.**

(2) **“Nursing” means professional nursing as practiced by an individual who has graduated from an accredited school of nursing, passed the licensing examination, and been issued a license to practice as a registered nurse in this state by the Louisiana State Board of Nursing or a license to practice as a practical nurse in this state by the Louisiana State Board of Practical Nurse Examiners.**

\* \* \*

§1133. Eligibility for scholarships

~~Any United States citizen and resident of the state of Louisiana; individual who is admitted to or is engaged in the study of nursing or allied health at an accredited school of nursing or allied health located in this state the United States, and who intends to practice nursing or allied health in an area of the parish hospital or hospital service district where there is a shortage of nurses or allied health professionals shall be eligible to apply to the board of commissioners of the parish hospital or hospital service district in the parish or district in which the applicant resides or once resided for a scholarship in accordance with the provisions of this Chapter. Such The application shall be in writing and in such the form as the board may require. It shall contain the written statement of the applicant that he intends to practice nursing or an allied health profession in the parish or district, as the case may be, an area approved by the board of commissioners if he is selected to receive the scholarship.~~

§1134. Application consideration; evaluation

~~It shall be the duty of the board The board of commissioners, or its designee, to shall receive, consider, evaluate, and allow or disallow all applications for scholarships made by eligible applicants. The board of commissioners, or its designee, shall make careful and conduct a full investigation of the ability and qualifications of each applicant. The board of commissioners shall provide that an affirmative action program for the selection of recipients be established which shall include that no discrimination occur on the basis of race, creed, sex, age, or ethnic origin. The board of commissioners shall establish and publish rules on the selection process of the recipient which shall preclude the appearance of and the possibility of nepotism. The board of commissioners shall notify each applicant selected to receive a scholarship of his selection and shall also notify the dean of the nursing school or office of financial assistance at the school where the student is registered.~~

§1135. Funds disbursement for scholarships

~~Funds for the scholarship awarded as herein provided pursuant to this Chapter shall be forwarded by the board of commissioners to the dean of the school of nursing or allied health to which the recipient has been admitted or is engaged in the study of nursing or allied health, upon the warrant of the dean or chief fiscal administrator for the amount fixed in the warrant and or shall be payable to the scholarship recipient designated thereon on the warrant where applicable. Said warrant upon presentation shall be All amounts paid by the board of commissioners shall be out of funds budgeted by said the board for the that purpose.~~

§1136. Contract for scholarship; contingent

~~Any applicant selected by the board of commissioners to receive a scholarship shall enter into a contract with the board, which shall be deemed a contract formed within the state of Louisiana, agreeing to the terms and conditions upon which the scholarship shall be granted to the applicant. The contract shall include such the terms and provisions as will execute the full purpose and intent of this scholarship program, including the purpose of providing nurses or allied health professionals who will practice nursing within an area of the hospital district. The form of the contract shall be prepared and approved by the attorney general of this state. The chairman of the board of commissioners president and chief executive officer, or equivalent, of the hospital or hospital service district shall sign the contract; the vice chairman of the board shall countersign it; and the applicant shall likewise sign it. The board shall preserve and maintain the contract until such time as the terms thereof are met or satisfied. A duplicate copy shall be transmitted to the applicant.~~

§1137. Return to practice; area designated; notification

~~A. Within such time after After the applicant has completed nursing or allied health school as the board of commissioners shall provide by regulation, the scholarship recipient shall return to the parish or hospital service district, as the case may be, to become a full-time full-time registered nurse or allied health professional on the staff of the hospital service district or in an area designated by the board of commissioners prior to the return. For each one thousand dollars of scholarship monies received from the hospital district, the recipient shall be obligated to practice full time nursing for a period of~~

~~six months up to a total not to exceed thirty-six months of full time work as consideration for the nursing scholarship awarded.~~

~~B. The board of commissioners shall inform the recipient of the designated area to be served by him one hundred twenty days prior to the date of which time the recipient is to commence practice in such the area.~~

§1138. Failure to comply; remittance; cancellation for death or permanent total disability

~~A. If the recipient fails to comply fully with any condition as provided for by this in the contract, the recipient shall remit to the board of commissioners that an amount which bears the same ratio to the aggregate of the amount of the scholarship awarded as the number of months that the recipient failed to comply with this condition bears to the number of months he was obligated to comply. Said The amount shall be computed together with interest at the legal rate, such The interest to shall be computed from the date on which the recipient completed professional training; and active military service, if any. Such repayment Repayment shall be completed within four years from the date at which the scholarship began to draw interest.~~

~~B. The permanent withdrawal or dismissal of a recipient from nursing or allied health school shall forfeit immediately the right of the recipient to retain the scholarship; the The scholarship shall begin to bear interest at that time and repayment shall be made to the board and completed within four years.~~

~~C. Any recipient of a scholarship who fails to return to the area designated by the board upon completion of nursing his education and training shall begin repayment of the scholarship, with interest, within six months after completion of nursing his education and training. Repayments shall be made to the board and completed within four years.~~

~~D. Any obligation to comply with such the contract shall be cancelled upon the death of the recipient, upon receipt of a certified copy of the death certificate by the board, or upon the permanent and total disability of the recipient.~~

\* \* \*

§1140. Repayment not required

~~Should full-time full-time registered nurse positions not be available within the hospital service district and the hospital be unable to offer the scholarship recipient full-time full-time employment within twelve months of completion of his training, the scholarship shall be considered paid in full. No payment on the principal of the scholarship, or the interest, shall be required while the recipient is enrolled in nursing or allied health school.~~

§1141. Suit for default

~~Upon default of payment of the scholarship as provided herein, the board shall turn the matter over to the attorney general or any parish or district attorney acting for the board for prosecution and begin efforts to recoup any amount owed including but not limited to filing suit for the amount due; Venue for filing suit shall be proper in the parish of the domicile of the recipient, the parish in which the nursing school at which the recipient was last enrolled is located, or the parish of East Baton Rouge where the hospital service district is located.~~

\* \* \*

Section 2. Chapter 10-C of Title 46 of the Louisiana Revised Statutes of 1950, comprised of R.S. 46:1151 through 1162, is hereby repealed.

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

Approved by the Governor, June 1, 2023.

A true copy:

R. Kyle Ardoin

Secretary of State

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**ACT No. 34**

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SENATE BILL NO. 24

BY SENATOR POPE

Prefiled Pursuant to Article III, Section 2(A)(4)(b)(i)  
of the Constitution of Louisiana.

AN ACT

To amend and reenact R.S. 37:2455(B)(1) and the introductory paragraph of 2455(B)(5)(a) and (5)(b) and 2465, relative to the Louisiana Board for Hearing Aid Dealers; to provide for certain qualifications for board membership; to provide for updated terminology; to provide for licensing requirements; and to provide for related matters.

Be it enacted by the Legislature of Louisiana:

Section 1. R.S. 37:2455(B)(1) and the introductory paragraph of 2455(B)(5) (a) and (5)(b) and 2465 are hereby amended and reenacted to read as follows:  
§2455. Louisiana Board for Hearing Aid Dealers; composition; districts

\* \* \*

B.(1) The board shall be composed of nine members. Seven members shall be hearing aid dealers, the eighth shall be the state health officer or his representative, and the ninth member shall be ~~sixty~~ **fifty** years of age or over and shall serve as a representative of the ~~elderly~~ **hearing aid** consumers of Louisiana. The seven hearing aid dealers shall be appointed in the following manner. The Louisiana Society of Hearing Aid Specialists, chartered by the

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

state, shall submit to the governor names of not less than fourteen qualified hearing aid dealers, who shall be actively engaged in the selling and fitting of hearing aids. The governor shall ensure that his appointments demonstrate race, gender, ethnic, and geographical diversity.

(5)(a) The ~~elderly~~ **hearing aid** consumer representative shall be appointed by the governor and the appointment shall be subject to Senate confirmation. The ~~elderly~~ consumer representative shall serve at the pleasure of the governor and any vacancy shall be filled by a gubernatorial appointment. The ~~elderly~~ consumer member shall be selected from the state at large and shall possess all of the following qualifications:

(b) The ~~elderly~~ consumer member shall be a full voting member of the board, except that the consumer member shall not participate in the grading of individual examinations.

§2465. Licensing requirements; applicability  
A. Any person who owns, maintains, or operates an office or place of business in which the person employs or engages under contract a person who practices the selling and fitting of hearing aids is ~~considered to be practicing the selling and fitting of hearing aids as provided in this Chapter and is required to be licensed in accordance with the provisions of this Chapter.~~

~~B. If the person who owns, maintains, or operates an office or place of business described in Subsection A of this Section is a partnership, each partner shall be licensed as provided by this Section. If the person who owns, maintains, or operates an office or place of business described in Subsection A of this Section is a corporation or other legal entity, the chief executive officer of the corporation or legal entity shall be licensed as provided by this Chapter.~~

~~C.(1) All persons licensed pursuant to the requirements of this Section shall file annually on or before the first day of the calendar year with the board a list of all licensed hearing aid dealers directly or indirectly employed by it, and shall also file with the board a statement on a form approved by the board that it submits itself to the rules and regulations of the board and the provisions of this Chapter; and, An organization shall register with the board its intention to engage in the selling and fitting of hearing aids or accessories; provided that the above is completed prior to such the organization selling or offering for sale hearing aids or accessories.~~

~~(2) Any such organization or employee of such organization may cause a revocation or suspension of the registration of such organization by the board by committing any of the acts listed as causes for revocation or suspension in R.S. 37:2453.~~

~~B. The board may revoke or suspend the registration of an organization if the organization or an employee of the organization commits any of the acts listed as causes for revocation or suspension in R.S. 37:2453.~~

Approved by the Governor, June 1, 2023.

A true copy:  
R. Kyle Ardoin  
Secretary of State

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**ACT No. 35**  
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SENATE BILL NO. 29  
BY SENATORS BOUDREAUX AND HENRY  
Prefiled Pursuant to Article III, Section 2(A)(4)(b)(i)  
of the Constitution of Louisiana.

AN ACT  
To enact Part XV of Chapter 11 of Title 40 of the Louisiana Revised Statutes of 1950, to be comprised of R.S. 40:2200.11, relative to surgical smoke plume; to provide for definitions; to require certain healthcare facilities to adopt and implement policies regarding surgical smoke plume evacuation; to provide for the authority of the Louisiana Department of Health; and to provide for related matters.

Be it enacted by the Legislature of Louisiana:  
Section 1. Part XV of Chapter 11 of Title 40 of the Louisiana Revised Statutes of 1950, comprised of R.S. 40:2200.11, is hereby enacted to read as follows:

**PART XV. SURGICAL SAFETY PROCEDURES**  
**§2200.11. Surgical smoke plume evacuation policy required**  
**A. For the purposes of this Section, “surgical smoke plume” means the byproduct of using heat-producing equipment on tissue during surgery.**

**B. Healthcare facilities licensed pursuant to this Chapter which provide any surgical procedure using heat-producing equipment, including but not limited to electrosurgery and lasers, shall adopt and implement policies for a surgical smoke plume evacuation plan to mitigate and remove the surgical smoke plume.**

**C. The Louisiana Department of Health shall verify compliance with this Section through onsite surveys that are specific to surgical services, full licensing surveys, full recertification surveys, and complaint surveys if allegations specific to surgical services are alleged.**

Approved by the Governor, June 1, 2023.

A true copy:  
R. Kyle Ardoin  
Secretary of State

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**ACT No. 36**  
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SENATE BILL NO. 36  
BY SENATOR PRICE  
Prefiled Pursuant to Article III, Section 2(A)(4)(b)(i)  
of the Constitution of Louisiana.  
AN ACT

To enact R.S. 13:5554.11, relative to the Ascension Parish Sheriff’s Office group insurance; to provide for payments of life and health insurance premium costs for retirees; to create a fund; to require the depositing of certain monies into the fund; to provide for investment of monies in the fund; to authorize withdrawals; to provide for eligibility requirements; to provide for oversight; to provide for terms, conditions, and procedures; and to provide for related matters.

Be it enacted by the Legislature of Louisiana:  
Section 1. R.S. 13:5554.11 is hereby enacted to read as follows:  
**§5554.11. Ascension Parish; payment of group insurance premiums; retired sheriffs and deputy sheriffs; creation of fund**

**A. There is hereby created the Ascension Parish Retired Employees Insurance Fund, hereinafter referred to as the “AREIF”, to fund the payment by the sheriff’s office of Ascension Parish of the premium costs for eligible retired sheriffs and retired deputy sheriffs.**

**B. The following monies shall be deposited by the sheriff of Ascension Parish into the AREIF until the total amount of the monies including principal and earnings equals the sum of five million dollars:**

**(1) At least one percent of the tax revenue received annually that is authorized by the Ascension Parish Law Enforcement Subdistrict No. 1 general sales and use tax ordinance.**

**(2) Any other monies that the sheriff of Ascension Parish may contribute to the AREIF.**

**C. Upon recommendation of the AREIF Board established in Subsection F of this Section, the sheriff of Ascension Parish shall invest the monies in the AREIF as follows:**

**(1) Not less than twenty-five percent in equities.**

**(2) At least twenty-five percent in fixed income investments, provided that a minimum of twenty-five percent of the fixed income portion is rated as investment grade by a nationally recognized rating agency.**

**D. (1) The monies deposited pursuant to Subsection B of this Section, the monies invested pursuant to Subsection C of this Section, and the accumulated earnings shall be available for the sheriff to withdraw for the purpose of paying the insurance costs, claims, premiums, or legal costs for retired sheriffs and retired deputy sheriffs of Ascension Parish and all costs associated with administering the AREIF.**

**(2) In the event that the total amount of monies derived from deposits provided in Subsection B of this Section and investment earnings fall below the sum of five million dollars, no earnings shall be withdrawn, and any balance owed for the payment of insurance premium costs or legal representation costs for the AREIF Board shall be paid in full from the sheriff’s general fund.**

**E. Any financial audit conducted of the sheriff’s office of Ascension Parish shall specifically address compliance with the provisions of this Section.**

**F.(1) To provide oversight and recommendations concerning the investment of funds as provided in Subsection C of this Section, the sheriff shall establish an AREIF Board consisting of five members as follows:**

**(a) The chief financial officer of the sheriff’s office of Ascension Parish.**

**(b) The four remaining positions shall be a combination of active deputy sheriffs, retired sheriffs, or retired deputy sheriffs of the office, appointed by the sheriff, with at least one position designated for a retired sheriff or deputy sheriff.**

**(2) Members of the board shall elect a chairperson at its first board meeting, which shall be held within thirty days after the appointment of board members.**

**(3) Members of the board shall serve terms concurrent with that of the sheriff.**

**(4) Members of the board shall serve without compensation.**

Approved by the Governor, June 1, 2023.

A true copy:  
R. Kyle Ardoin  
Secretary of State

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**ACT No. 37**  
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SENATE BILL NO. 53  
BY SENATOR BERNARD AND REPRESENTATIVES FIRMENT,  
FREIBERG, GADBERRY, GLOVER, LARVADAIN AND SCHAMERHORN  
AN ACT

To enact R.S. 34:3269(14), relative to the Cane River Waterway District; to provide relative to the powers and authority of the Cane Waterway Commission; to provide with respect to certain public roads; to provide with respect to certain properties that have frontage on the waterway; 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. 34:3269(14) is hereby enacted to read as follows:  
§3269. Powers and authority  
In addition to the powers and authority elsewhere granted in this Chapter, the commission is hereby granted and shall have and may exercise all powers necessary or convenient for the carrying out of its objects and purposes, including, but without limiting the generality of the foregoing, the following:



\* \* \*

(14) To enter into cooperative endeavor agreements with the governing authority for the parish of Natchitoches for the purpose of providing assistance with maintenance of public roads that are in the road maintenance system of Natchitoches Parish and provide access to properties that have frontage on Cane River Lake.

Approved by the Governor, June 1, 2023.  
A true copy:  
R. Kyle Ardoin  
Secretary of State

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**ACT No. 38**  
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SENATE BILL NO. 55  
BY SENATOR LUNEAU  
Prefiled Pursuant to Article III, Section 2(A)(4)(b)(i)  
of the Constitution of Louisiana.  
AN ACT

To amend and reenact Code of Civil Procedure Article 3191(B), relative to probate procedure; to provide relative to functions, powers, and duties of a succession representative; to provide with respect to procuration or mandate; to provide relative to appointment of an agent; to provide with respect to authority of an agent appointed by a succession representative; to provide for an effective date; and to provide for related matters.

Be it enacted by the Legislature of Louisiana:  
Section 1. Code of Civil Procedure Article 3191(B) is hereby amended and reenacted to read as follows:  
Art. 3191. General duties; appointment of agent

\* \* \*

B. A nonresident succession representative may execute a ~~power of attorney~~ **procuration or mandate** appointing a resident of the state to represent him in all acts of his administration. A resident succession representative who will be absent from the state temporarily similarly may appoint an agent to act for him during his absence. **Additionally, a succession representative may appoint an agent to alienate, acquire, lease, or encumber specifically described property on specific terms. A procuration or mandate granted for this purpose may either recite the specific terms of the transaction or state that the succession representative has approved the terms of the transaction. In either case, the power of attorney** ~~The procuration or mandate~~ appointing the agent shall be filed in the record of the succession proceeding **and shall not need court approval.**

\* \* \*

Section 2. This Act shall become effective on July 1, 2023; 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, 2023, whichever is later.

Approved by the Governor, June 1, 2023.  
A true copy:  
R. Kyle Ardoin  
Secretary of State

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**ACT No. 39**  
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SENATE BILL NO. 59  
BY SENATOR BERNARD  
AN ACT

To amend and reenact Section 1 and Section 2 of Act 139 of the 2011 Regular Session of the Legislature, to provide for the transfer of certain local and state property; to authorize the transfer of certain local and state property in Natchitoches Parish; to provide for the property description; to provide for reservation of mineral rights; to provide for terms and conditions; and to provide for related matters.

Notice of intention to introduce this Act has been published.  
Be it enacted by the Legislature of Louisiana:  
Section 1. Sections 1 and 2 of Act 139 of the 2011 Regular Session of the Legislature are hereby amended and reenacted to read as follows:

\* \* \*

Section 1. The Natchitoches Parish School Board and the State Board of Elementary and Secondary Education, notwithstanding any other provision of law to the contrary, are hereby authorized and empowered to convey, transfer, assign, lease or deliver any interest, excluding mineral rights, the school board and the state may have to all or any portion of the following described parcel of property to the ~~City of Natchitoches Parish Police Jury~~:  
A certain tract of land situated and located in the City of Natchitoches, Parish of Natchitoches, State of Louisiana, and described as the Old Central Trade School Site located in Block C of the Sibley-Pierson Addition to the City of Natchitoches, Louisiana.

Section 2. The Natchitoches Parish School Board and the State Board of Elementary and Secondary Education are hereby authorized to enter into such agreements, covenants, conditions, and stipulations and to execute such documents as necessary to properly effectuate any conveyance, transfer, assignment, lease or delivery of title, excluding mineral rights, to the property described in Section 1, and as more specifically described in any such agreements entered into and documents executed by and between

the Natchitoches Parish School Board and the State Board of Elementary and Secondary Education and the ~~City of Natchitoches Parish Police Jury~~, in exchange of consideration proportionate to the appraised value of the property.

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

Approved by the Governor, June 1, 2023.  
A true copy:  
R. Kyle Ardoin  
Secretary of State

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**ACT No. 40**  
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SENATE BILL NO. 64  
BY SENATORS FESI, ALLAIN, BERNARD, BOUIE, CARTER, CLOUD,  
CONNICK, DUPLESSIS, FOIL, HENRY, HEWITT, JACKSON,  
KLEINPETER, MCMATH, MILLIGAN, FRED MILLS, ROBERT MILLS,  
MIZELL, MORRIS, POPE, PRICE, REESE, SMITH, WHITE AND  
WOMACK AND REPRESENTATIVES COX, CREWS, TRAVIS JOHNSON,  
LARVADAIN, MOORE AND SELDERS  
Prefiled Pursuant to Article III, Section 2(A)(4)(b)(i)  
of the Constitution of Louisiana.  
AN ACT

To enact R.S. 46:2605(B)(12) and (22) and 2607, relative to protecting children from abuse; to provide for membership on the Children’s Cabinet Advisory Board; to provide for the Partners in Protecting Children Subcommittee; to provide for legislative findings; to provide for the membership, quorum, officers, and meetings of the subcommittee; to provide for recommendations by the subcommittee; to provide for designation of this Act as “Ezekiel’s Law”; and to provide for related matters.

Be it enacted by the Legislature of Louisiana:  
Section 1. R.S. 46:2605(B)(12) and (22) and 2607 are hereby enacted to read as follows:

§2605. Children’s Cabinet Advisory Board

\* \* \*

B. The advisory board shall be composed of the following members:

\* \* \*

**(12) The assistant secretary of the office on women’s health and community health, or his designee.**

\* \* \*

**(22) The chairman of the Partners in Protecting Children Subcommittee, or his designee.**

\* \* \*

**§2607. Partners in Protecting Children Subcommittee**

**A. The legislature hereby finds all of the following:**

**(1) Child abuse is a community problem. No single agency has the training, manpower, resources, or legal mandate to intervene effectively in all child abuse cases. No one agency has the sole responsibility for dealing with abused children.**

**(2) Effective community intervention involves the formation of a child protection partnership that includes professionals who understand and appreciate the different roles, responsibilities, strengths, and weaknesses of the other members but cooperate and coordinate their efforts.**

**(3) The most effective approach to cases involving child abuse is interagency coordination and planning. All partners in protecting children must work together with a common concern for the welfare of the child and with a common goal to communicate with mutual respect.**

**(4) Effective teamwork includes having a mechanism for the partner agencies to discuss and, if possible, resolve any issues that arise.**

**(5) An ongoing discussion of problems that the partners in protecting children encounter during investigations will help resolve them and will also clarify the roles and responsibilities of the partner agencies.**

**B. The Partners in Protecting Children Subcommittee is established within the Children’s Cabinet Advisory Board to provide a forum for public agencies whose duties include responding to and investigating matters involving child abuse or neglect. The subcommittee shall meet to consider policies and procedures for responding to and investigating alleged child abuse with the goal of efficient coordination of services and the chief objectives being to determine what problems arise and how to meet the needs of the child.**

**C.(1) The subcommittee shall be composed of the following members:**

**(a) A representative of the Louisiana State Police, appointed by the superintendent.**

**(b) A representative of the Louisiana Sheriffs’ Association, appointed by the executive director.**

**(c) A representative of the Louisiana Association of Chiefs of Police, appointed by the president of the organization.**

**(d) A representative of the Louisiana District Attorneys Association, appointed by the executive director.**

**(e) A representative from the Louisiana Council of Juvenile and Family Court Judges.**

**(f) The secretary of the Department of Children and Family Services, or his**

designee.  
(2) The Children’s Cabinet may appoint from time to time, to serve at its pleasure, additional members to serve on matters about which the additional members have expertise or experience.

(3) Members shall serve without compensation, except for per diem or reimbursement of expenses to which they may be entitled as members of their respective organizations.

D. A majority of the total membership shall constitute a quorum of the subcommittee, and any official action taken by the subcommittee shall require an affirmative vote of the majority of the quorum present and voting.

E. The subcommittee shall elect a chairman and any other officers deemed necessary from among the membership.

F. The subcommittee shall meet at least once per quarter upon the call of the executive director of the Children’s Cabinet.

G. The subcommittee may include in its recommendations a request for legislation, as appropriate.

Section 2. This Act shall be known and may be cited as “Ezekiel’s Law”.  
Approved by the Governor, June 1, 2023.

A true copy:  
R. Kyle Ardoin  
Secretary of State

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ACT No. 41

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SENATE BILL NO. 68  
BY SENATOR CONNICK  
Prefiled Pursuant to Article III, Section 2(A)(4)(b)(i)  
of the Constitution of Louisiana.

AN ACT

To authorize and provide for the lease of certain state property; to authorize the lease of certain state property in Jefferson Parish; to provide for the property description; to provide for reservation of mineral rights; to provide terms and conditions; to provide an effective date; and to provide for related matters.

Notice of intention to introduce this Act has been published.

Be it enacted by the Legislature of Louisiana:

Section 1. The secretary of the Department of Transportation and Development, notwithstanding any other provision of law to the contrary, is hereby authorized and empowered to assign, lease, or deliver any interest, excluding mineral rights, the state may have to portions of the property along Interstate Highway 10 in Jefferson Parish and United States Highway 90 Business on the west bank of the Mississippi River in Jefferson Parish, to the governing authority of Jefferson Parish.

Section 2. The secretary of the Department of Transportation and Development is hereby authorized to enter into such agreements, covenants, conditions, and stipulations and to execute such documents as necessary to properly effectuate any assignment, lease, or delivery of interest, excluding mineral rights, to the property described in Section 1 of this Act, and as more specifically described in any such agreements entered into and documents executed by and between the secretary of the Department of Transportation and Development and the governing authority of Jefferson Parish, in exchange of consideration proportionate to the appraised value of the property. The consideration shall include the value of any improvements constructed by the parish governing authority and of the maintenance by the parish governing authority of the property and any improvements. Such agreement may provide for the construction and maintenance of improvements by the parish governing authority and the removal of obstacles or hazards in accordance with state laws and regulations. No agreement entered into pursuant to this Act shall impose upon Jefferson Parish any additional obligation to maintain, improve, or operate roadway shoulders, lighting, or other facilities owned by the state of Louisiana. If required, the department is authorized to secure, amend, or alter any and all agreements with the parish governing authority or the federal government or to assist the parish governing authority to secure, amend, or alter any agreement with the federal government providing for use of the property, in accordance with existing agreements between the department and the federal government and applicable federal and state laws and regulations.

Section 3. Nothing in this Act shall effect appropriations from the Regional Maintenance and Improvement Fund to Jefferson Parish authorized by R.S. 48:197 or the permitted uses of such appropriated funds.

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

Approved by the Governor, June 1, 2023.

A true copy:  
R. Kyle Ardoin  
Secretary of State

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ACT No. 42

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SENATE BILL NO. 98

BY SENATOR CARTER AND REPRESENTATIVES ADAMS, BOYD, ROBBY CARTER, WILFORD CARTER, CORMIER, COX, EDMONSTON, FIRMENT, FISHER, FREIBERG, GADBERRY, GAROFALO, GLOVER, GREEN, HORTON, JENKINS, JORDAN, LAFLEUR, LARVADAIN, LYONS, MARINO, MIGUEZ, MOORE, NEWELL, ROBERT OWEN, PIERRE, SELDERS AND WRIGHT Prefiled Pursuant to Article III, Section 2(A)(4)(b)(i) of the Constitution of Louisiana.

AN ACT

To enact R.S. 32:410(G), relative to donation of bone marrow; to provide for interest in bone marrow donation during application or renewal of a Louisiana state-issued driver’s license; to provide for an effective date; and to provide for related matters.

Be it enacted by the Legislature of Louisiana:

Section 1. R.S. 32:410(G) is hereby enacted to read as follows:

§410. Form of license; photograph, signature of licensee, anatomical gift statement, declaration of life-sustaining procedures, interest in bone marrow donation, and additional information on license

\* \* \*

G. Any person between the ages of eighteen and forty years old applying for or renewing their driver’s license may indicate their intention to be a bone marrow donor on the application for the driver’s license, or on any other document provided by the department during the application or renewal process. The person shall give written consent for their personal identifying information and contact information to be shared with the National Marrow Donor Program. The department shall provide the personal identifying information and contact information of any person who has given written consent to share their information to the National Marrow Donor Program, for that program to contact the person to obtain their genetic information. The genetic information shall be stored in a secure national database accessible to cancer doctors to find a match for their patients. The department shall promulgate such rules as are necessary to implement this Paragraph.

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

Approved by the Governor, June 1, 2023.

A true copy:  
R. Kyle Ardoin  
Secretary of State

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ACT No. 43

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SENATE BILL NO. 100  
BY SENATOR LAMBERT  
Prefiled Pursuant to Article III, Section 2(A)(4)(b)(i)  
of the Constitution of Louisiana.

AN ACT

To amend and reenact R.S. 30:2153(1) through (7) and (15) and R.S. 30:2412(28) and (29), and to enact R.S. 30:2153(16) through (18), relative to solid waste; to provide for advanced recycling processes, facilities, and products; to provide for definitions; to provide for exceptions; and to provide for related matters.

Be it enacted by the Legislature of Louisiana:

Section 1. R.S. 30:2153(1) through (7) and (15) and R.S. 30:2412(28) and (29) are hereby amended and reenacted and R.S. 30:2153(16) through (18) are hereby enacted to read as follows:

§2153. Definitions  
As used in this Chapter, the following terms shall have the meaning ascribed to them in this Section, unless the context clearly indicates otherwise:

(1) “Advanced recycling” means a manufacturing process for the conversion of post-use polymers and recovered feedstocks into basic ~~hydrocarbon~~ raw materials, feedstocks, chemicals, and other products ~~like waxes and lubricants~~ through processes that include pyrolysis, gasification, depolymerization, catalytic cracking, reforming, hydrogenation, solvolysis, chemolysis, and other similar technologies. The recycled products produced at advanced recycling facilities include but are not limited to monomers, oligomers, plastics, plastic and chemical feedstocks, basic and unfinished chemicals, ~~crude oil, naphtha, waxes, lubricants, coatings, and other basic hydrocarbons~~ adhesives. ~~Energy recovery or the conversion of post-use polymers into fuel shall not be considered recycling as defined in R.S. 30:2412. Advanced recycling does not include incineration of plastics or waste-to-energy processes. Products sold as fuel are not recycled products. Advanced recycling shall be considered “recycling” as defined in R.S. 30:2412.~~ Advanced recycling shall not be considered solid waste disposal management, solid waste processing, solid waste recovery, incineration, combustion treatment, or storage waste-to-energy.

(2) “Advanced recycling facility” means a manufacturing facility that receives, stores, and converts post-use polymers and recovered feedstocks it receives using advanced recycling. An advanced recycling facility is a manufacturing facility subject to applicable department manufacturing regulations for air, water, waste, and land use. Advanced recycling facilities shall not be considered solid waste disposal facilities, final disposal facilities, solid waste management facilities, solid waste processing facilities, solid waste recovery facilities, incineration incinerators, combustion, or storage waste-to-energy facilities.

(3) “Depolymerization” means a manufacturing process through which post-use polymers ~~or plastic materials~~ are broken down into smaller molecules without ~~damaging the monomers themselves and then converted into a~~ such

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



~~as monomers and oligomers or~~ raw, intermediate, or final product, including ~~monomers, oligomers~~ **products**, plastics, plastic and chemical feedstocks, basic and unfinished chemicals, ~~crude oil, naphtha, liquid transportation fuels, waxes, lubricants, and~~ coatings, and other basic hydrocarbons.

(4) “Gasification” means a manufacturing process through which ~~post-use polymers or~~ recovered feedstocks are heated and converted into a fuel and gas mixture in an oxygen-deficient **oxygen-controlled** atmosphere and the mixture is converted into **syngas, which is a mixture of carbon monoxide and hydrogen, followed by conversion into valuable** raw, intermediate, and final products, including but not limited to plastic monomers, chemicals, waxes, lubricants, chemical feedstocks, ~~crude oil, diesel, gasoline, and diesel and gasoline blendstocks, home heating oil and other fuels, including ethanol and transportation fuel,~~ that are returned to economic utility in the form of raw materials; **or** products; **or** fuels.

(5) “Post-use polymer” means a plastic to which all of the following apply:  
(a) The plastic is derived from any industrial, commercial, agricultural, or domestic activities, **and includes pre-consumer recovered materials or post-consumer materials.**

(b) The plastic is not mixed with solid waste or hazardous waste onsite or during processing at the advanced recycling facility.

(c) The plastics’ use or intended use is as a feedstock for the manufacturing of ~~crude oil, fuels, feedstocks, blendstocks,~~ raw materials, or other intermediate products or final products using advanced recycling.

(d) The plastic has been sorted from solid waste ~~or~~ **and** other regulated waste but may contain residual amounts of solid waste such as organic material and incidental contaminants or impurities such as paper labels or metal rings.

(e) The plastic is processed at an advanced recycling facility or held at such facility prior to processing.

(6) “Pyrolysis” means a manufacturing process through which post-use polymers **or recovered feedstocks** are heated in the absence of oxygen until melted and thermally decomposed, **non-catalytically or catalytically**, and are then cooled, condensed, and converted into valuable raw **materials and**; intermediate; and final products, including but not limited to plastic monomers, chemicals, **naphtha**, waxes, lubricants, **and plastic and** chemical feedstocks, ~~crude oil, diesel, gasoline, and diesel and gasoline blendstocks, home heating oil and other fuels, including ethanol and transportation fuel,~~ that are returned to economic utility in the form of raw materials; **or** products; **or** fuels.

(7)(a) “Recovered feedstock” means one or more of the following materials that have been processed so that it may be used as feedstock in an advanced recycling facility:

- (i) Post-use polymers.
- (ii) Materials for which the United States Environmental Protection Agency or the department has made a non-waste determination pursuant to 40 CFR 241.3(c), or has otherwise determined are feedstocks and not solid waste.
- (b) The term “recovered feedstock” shall not include the following:
  - (i) Unprocessed municipal **solid** waste.
  - (ii) Commonly recycled paper that is segregated from solid waste.
  - (iii) Commonly recycled paper that is collected as part of a collection system that commingles the paper with other solid waste at any point from the time of collection through the materials recovery.
  - (iv) Material that is mixed with solid waste or hazardous waste onsite or during processing at an advanced recycling facility.

(15) “Solvolysis” means a manufacturing process through which post-use ~~plastics~~ **polymers** are reacted **purified** with the aid of solvents while heated at low temperatures or **heated at low temperatures and** pressurized to make useful products, while allowing additives and contaminants to be **separated removed**. The products of solvolysis include but are not limited to monomers, intermediates, ~~and~~ valuable **chemicals, plastic and chemical feedstocks, and** raw materials. The process includes but is not limited to hydrolysis, aminolysis, ammonolysis, methanolysis, ~~ethanolysis,~~ and glycolysis.

(16) **“Mass balance attribution” means a chain of custody accounting methodology with rules defined by a third party certification system that enables the attribution of the mass of advanced recycling feedstocks to one or more advanced recycling products.**

(17) **“Recycled plastics” or “recycled plastic” means products that are produced from the following:**

**(a) Mechanical recycling of pre-consumer recovered feedstocks or plastics, and post-consumer plastics.**

**(b) Advanced recycling of pre-consumer recovered feedstocks or plastics, and post-consumer plastics via mass balance attribution under a third party certification system.**

**(18) “Third-party certification system” means an international and multi-national third-party certification system, which consists of a set of rules for the implementation of mass balance attribution approaches for advanced recycling of materials. Third-party certification systems include but are not limited to International Sustainability and Carbon Certification, Underwriters Laboratories, SCS Recycled Content Certification, Roundtable on Sustainable Biomaterials, EcoLoop, and REDcert².**

§2412. Definitions  
As used in this Chapter, the following terms shall have the meaning ascribed to them in this Section, unless the context clearly indicates otherwise:

(28) “Solid waste” means any garbage, refuse, sludge, and other discarded

material, including those in a solid, liquid, or semisolid state resulting from residential, community, or commercial activities. As used in this Chapter, the term “solid waste” shall not include mining, agricultural, special and industrial wastes, or hazardous and infectious wastes. It also does not include or mean solid or dissolved material in domestic sewage or solid or dissolved materials in irrigation return flows or industrial discharges which are point sources subject to permits under R.S. 30:2074, or source, special nuclear, or byproduct material as defined by the Atomic Energy Act of 1954 (42 U.S.C. 2011 et seq.), as amended, or hazardous waste subject to permits under R.S. 30:2171 et seq. The definition of solid waste shall not include recovered materials or uncontaminated scrap metal materials which are purchased for resale to be recycled or reused and are not destined for disposal. **It also shall not include post-use polymers or recovered feedstocks as defined in R.S. 30:2153 that are converted through advanced recycling as defined in R.S. 30:2153 or are held at an advanced recycling facility as defined in R.S. 30:2153 prior to conversion.**

(29) “Solid waste management facility” means any solid waste disposal area, volume reduction plant, transfer station, or other facility the purpose of which is resource recovery or the disposal, recycling, processing, or storage of solid waste and which is owned or operated by or receives solid waste from a parish or municipality. This does not include **advanced recycling facilities as defined in R.S. 30:2153** or those facilities which collect, process, remanufacture, or ship recovered materials unless such facilities are engaged in the management of solid waste.

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

Approved by the Governor, June 1, 2023.

A true copy:  
R. Kyle Ardoin  
Secretary of State

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**ACT No. 44**

SENATE BILL NO. 101  
BY SENATOR CORTEZ

Prefiled Pursuant to Article III, Section 2(A)(4)(b)(i)  
of the Constitution of Louisiana.

AN ACT

To amend and reenact R.S. 47:302.18(B), relative to disposition of certain collections in Lafayette Parish; to provide for the use of monies in the fund; to provide for an effective date; and to provide for related matters.

Be it enacted by the Legislature of Louisiana:

Section 1. R.S. 47:302.18(B) is hereby amended and reenacted to read as follows:

§302.18. Disposition of certain collections in Lafayette Parish

B. The monies in that fund deposited pursuant to this Section shall be subject to annual appropriation by the legislature and shall be ~~used for planning, development, and capital improvements at or adjacent to the Cajundome site and operating costs of the Cajundome.~~ **allocated equally for capital improvements for Lafayette Central Park, Inc. and planning, development, and capital improvements at or adjacent to the Cajundome as appropriated by the legislature.** For the purposes of this Section, “capital improvements” shall mean expenditures for acquiring lands, buildings, equipment, or other permanent properties, or for their construction, preservation, development, or permanent improvement, or for payment of principal, interest, or premium, if any, and other obligations incident to the issuance, security, and payment of bonds or other evidences of indebtedness associated therewith.

Approved by the Governor, June 1, 2023.

A true copy:  
R. Kyle Ardoin  
Secretary of State

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**ACT No. 45**

SENATE BILL NO. 113

BY SENATOR HEWITT AND REPRESENTATIVE GAROFALO  
Prefiled Pursuant to Article III, Section 2(A)(4)(b)(i)  
of the Constitution of Louisiana.

AN ACT

To amend and reenact R.S. 22:1483(C)(9), relative to the State Construction Code and the Louisiana Fortified Premium Discounts; to provide for the scope of certain terms; and to provide for related matters.

Be it enacted by the Legislature of Louisiana:

Section 1. R.S. 22:1483(C)(9) is hereby amended and reenacted to read as follows:

§1483. Premium discounts, credits, rate differentials, adjustments in deductibles, and other adjustments for compliance with building codes and for damage mitigation

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C.

\* \* \*  
\* \* \*

(9) For the purposes of this Subsection, insurable property includes single-family residential property, commercial property, modular homes, and manufactured homes that may be retrofitted.

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

Approved by the Governor, June 1, 2023.

A true copy:  
R. Kyle Ardoin  
Secretary of State

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**ACT No. 46**

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**SENATE BILL NO. 115**

BY SENATORS BOUDREAUX, BARROW, BOUIE, CARTER, CATHEY, CONNICK, CORTEZ, DUPLESSIS, FESI, FIELDS, HARRIS, HENRY, HENSGENS, HEWITT, JACKSON, KLEINPETER, LUNEAU, MCMATH, MILLIGAN, FRED MILLS, ROBERT MILLS, MIZELL, PEACOCK, POPE, PRICE, SMITH, STINE, TALBOT, TARVER, WHITE AND WOMACK AND REPRESENTATIVES ADAMS, AMEDEE, BACALA, BAGLEY, BEAULLIEU, BOYD, BROWN, BUTLER, ROBBY CARTER, WILFORD CARTER, CORMIER, COX, EDMONDS, FIRMENT, FISHER, GAINES, GAROFALO, GLOVER, HORTON, HUGHES, ILLG, JENKINS, MIKE JOHNSON, KNOX, LAFLEUR, LARVADAIN, LYONS, MOORE, CHARLES OWEN, PIERRE, SELDERS AND WHITE Prefiled Pursuant to Article III, Section 2(A)(4)(b)(i) of the Constitution of Louisiana.

**AN ACT**

To amend and reenact R.S. 29:288 and to enact R.S. 17:1686(D) and R.S. 29:771.1, relative to educational benefits for children and spouses of certain veterans; to provide definitions; to provide relative to eligibility; to provide for a veteran benefits and services poster; and to provide for related matters. Be it enacted by the Legislature of Louisiana:

Section 1. R.S. 29:288 is hereby amended and reenacted and R.S. 29:771.1 is hereby enacted to read as follows:

§288. Educational benefits for children, spouses, and surviving spouses of veterans

**A.(1) For the purpose of this Subsection, “qualified veteran” shall mean a member of the armed forces of the United States of America who:**

**(a) Was either killed in action, died in active service from other causes, is missing in action, is a prisoner of war, died as a result of a service-connected disability incurred during a wartime period as defined in R.S. 29:251.2, or who, prior to death, was rated ninety to one hundred percent service-connected disabled by the United States Department of Veterans Affairs by evaluation of the Rating Schedule or was determined by the department to be unemployable as a result of a service-connected disability, and who was a resident of Louisiana for a period of not less than twelve months immediately preceding entrance into service or for a period not less than twenty-four months prior to the veteran’s death.**

**(b) Is rated ninety to one hundred percent service-connected disabled by the United States Department of Veterans Affairs by evaluation of the Rating Schedule or is determined by the department to be unemployable as a result of a service-connected disability and has been a resident of Louisiana for a period of not less than twenty-four months prior to the veteran’s child’s admission into a program of education at a public postsecondary institution.**

**(2) Children, Any child,** not less than sixteen nor more than twenty-five years of age, spouses, and surviving spouses, within ten years from the date of eligibility, of members of the armed forces of the United States of America who were killed in action or died in active service from other causes or who are missing in action or who are prisoners of war or who died as a result of a service-connected disability incurred during a wartime period defined in R.S. 29:251.2 and who for a period of not less than twelve months immediately preceding their entrance into service were residents of this state and children not less than sixteen nor more than twenty-five years of age of veterans rated ninety to one hundred percent service-connected disabled by the United States Department of Veterans Affairs by evaluation of the Rating Schedule and children not less than sixteen nor more than twenty-five years of age of veterans who have been determined by the department to be unemployable as a result of a service-connected disability **of a qualified veteran** may attend any state college or university, including institutions under the jurisdiction of the Board of Supervisors of Community and Technical Colleges **public postsecondary education institution within the state,** without having to pay tuition, matriculation, registration, laboratory, athletic, medical, and other school-imposed fees, including but not limited to nonresidency and other special fees if the veteran has been a resident of this state for a period of not less than twenty-four months immediately preceding the dependent’s admission into a program of education.

**B.(1) For the purpose of this Subsection, “qualified veteran” shall mean a member of the armed forces of the United States of America who:**

**(a) Was killed in action, died in active service from other causes, is missing**

**in action, is a prisoner of war, died as a result of a service-connected disability incurred during a wartime period as defined in R.S. 29:251.2, or who, prior to death, was rated ninety to one hundred percent service-connected disabled by the United States Department of Veterans Affairs by evaluation of the Rating Schedule or was determined by the department to be unemployable as a result of a service-connected disability, and was a resident of Louisiana for a period of not less than twelve months immediately preceding entrance into service or for a period not less than twenty-four months prior to death.**

**(2) A spouse or surviving spouse of a qualified veteran, within ten years from the date of eligibility, may attend any public postsecondary education institution within the state, without having to pay tuition, matriculation, registration, laboratory, athletic, medical, and other school-imposed fees, including but not limited to nonresidency and other special fees.**

**C. The public postsecondary education institution shall not grant the benefits provided under the provisions of this Section if the student has received or is receiving the benefits provided under the provisions of R.S. 17:1686.**

\* \* \*

**§771.1. Veteran benefits and services poster**

**A. The Louisiana Workforce Commission shall consult with the Department of Veterans Affairs to create and distribute a veteran’s benefits and services poster. The poster shall, at a minimum, include information regarding the following services available to veterans:**

**(1) Contact and website information for the Department of Veterans Affairs and its services offered to veterans.**

**(2) Contact information for the United States Department of Veterans Affairs Veterans Crisis Line.**

**(3) Mental health and substance abuse prevention resources.**

**(4) Veteran homelessness prevention resources.**

**(5) Veteran disability compensation and pension claims filing assistance.**

**(6) Educational, workforce, and training resources.**

**(7) Louisiana state property and military retiree pay tax exemptions available to veterans.**

**(8) State veteran home and cemetery benefits.**

**B. Every employer in the state with more than fifty full-time equivalent employees shall display the poster created pursuant to this Section in a conspicuous place accessible to employees in the workplace.**

Section 2. R.S. 17:1686(D) is hereby enacted to read as follows:

§1686. Scholarship for a child of a military person killed in performance of duty

\* \* \*

**D. The public postsecondary education institution shall not grant the benefits provided under the provisions of this Section if the student has received or is receiving the benefits provided under the provisions of R.S. 29:288.**

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

Approved by the Governor, June 1, 2023.

A true copy:  
R. Kyle Ardoin  
Secretary of State

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**ACT No. 47**

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**SENATE BILL NO. 143**

**BY SENATOR HENRY**

Prefiled Pursuant to Article III, Section 2(A)(4)(b)(i)  
of the Constitution of Louisiana.

**AN ACT**

To enact R.S. 22:41.3(F) and (G) and 337(F) and (G), relative to licensing of certain insurers; to provide certain requirements for letters of no objection; to provide certain requirements for certificates of authority; and to provide for related matters.

Be it enacted by the Legislature of Louisiana:

Section 1. R.S. 22:41.3(F) and (G) and 337(F) and (G) are hereby enacted to read as follows:

§41.3. Requirements for officers and directors of domestic regulated entities

\* \* \*

**E.(1) Except as provided in Paragraph (2) of this Subsection, the commissioner shall refuse to issue or rescind a letter of no objection as provided in Paragraph (C)(1) of this Section, if he finds that the person served as an officer, director, or person with direct or indirect control over the selection or appointment of an officer or director through contract, trust, or by operation of law of an insurer doing business in this state, and the person served in that capacity within the two-year period prior to the date the insurer became insolvent, unless the person demonstrates that his personal actions and omissions were not a significant contributing cause to the insolvency, as determined by the commissioner.**

**(2) The commissioner may issue a letter of no objection to a former officer, director, or person with direct or indirect control over the selection or appointment of an officer or director of an insurer that became insolvent provided at least five years have passed from the date the insurer became insolvent.**

**G. For the purpose of this Section, “personal action” means any breach of the**



responsibilities, obligations, or duties imposed upon a person by virtue of his position.

\* \* \*  
§337. Refusal, suspension, and revocation of certificate of authority

F.(1) Except as provided in Paragraph (2) of this Subsection, the commissioner shall refuse to issue, suspend, or revoke the certificate of authority of a foreign or alien insurer if he finds that a person is serving as an officer, director, or person with direct or indirect control over the selection or appointment of an officer or director through contract, trust, or by operation of law of an insurer doing business in this state, and the person served in that capacity within the two-year period prior to the date the insurer became insolvent, unless the person demonstrates that his personal actions and omissions were not a significant contributing cause to the insurer's insolvency, as determined by the commissioner.

(2) The commissioner may issue a certificate of authority to a foreign or alien insurer that has a person serving as an officer, director, or person with direct or indirect control over the selection or appointment of an officer or director, and such person previously served in that capacity for an insurer that became insolvent, and at least five years have passed from the date the insurer became insolvent.

G. For the purpose of this Section, "personal action" means any breach of the responsibilities, obligations, or duties imposed upon a person by virtue of his position.

Approved by the Governor, June 1, 2023.

A true copy:  
R. Kyle Ardoin  
Secretary of State

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**ACT No. 48**

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HOUSE BILL NO. 46  
BY REPRESENTATIVES HUGHES AND KNOX  
A JOINT RESOLUTION

Proposing to amend Article VII, Section 21(B) of the Constitution of Louisiana, relative to ad valorem tax exemptions; to provide for eligibility of certain nonprofit organizations for such exemptions; to prohibit the exemption from ad valorem taxation of certain residential property owned by a nonprofit corporation or association based upon the condition of the property; to provide for determinations by local governing authorities with respect to the condition of certain property owned by a nonprofit corporation or association and leased as housing; to authorize the issuance or reinstatement of a property tax exemption to a nonprofit corporation or association in certain circumstances; to make technical changes and corrections; to provide for applicability; to provide for submission of the proposed amendment to the electors; and to provide for related matters.

Section 1. Be it resolved by the Legislature of Louisiana, two-thirds of the members elected to each house concurring, that there shall be submitted to the electors of the state of Louisiana, for their approval or rejection in the manner provided by law, a proposal to amend Article VII, Section 21(B) of the Constitution of Louisiana, to read as follows:

§21. Other Property Exemptions

Section 21. In addition to the homestead exemption provided for in Section 20 of this Article, the following property and no other shall be exempt from ad valorem taxation:

\* \* \*

(B)(1)(a)(i) Property owned by a nonprofit corporation or association organized and operated exclusively for religious, dedicated places of burial, charitable, health, welfare, fraternal, or educational purposes, no part of the net earnings of which inure to the benefit of any private shareholder or member thereof and ~~which that~~ is declared to be exempt from federal or state income tax; and

(ii) ~~medical~~ Medical equipment leased for a term exceeding five years to such a nonprofit corporation or association ~~which that~~ owns or operates a small, rural hospital and ~~which that~~ uses the equipment solely for health care purposes at the hospital, provided that the property shall be exempt only during the term of the lease to such corporation or association, and further provided that "small, rural hospital" shall mean a hospital ~~which that~~ meets all of the following criteria:

(aa) It has less than fifty Medicare-licensed acute care beds.

(bb) It is located in a municipality with a population of less than ten thousand ~~which that~~ has been classified as an area with a shortage of health manpower by the United States Health Service; and

(b) ~~property~~ Property leased to such a nonprofit corporation or association for use solely as housing for homeless persons, as defined by regulation adopted by the tax commission or its successor provided that the term of such lease shall be for at least five years, that as a condition of entering into the lease the property be in compliance with all applicable health and sanitation codes for use as housing for homeless persons, that the lease shall provide that compensation to be paid the lessor shall not exceed one dollar per year, and that such contract of lease shall recite that the property shall be used exclusively for the purpose of housing the homeless, and further provided that at such time as the property is no longer used solely as housing for homeless persons, the property shall no longer be exempt from taxation;

(2) ~~property~~ Property of a bona fide labor organization representing its

members or affiliates in collective bargaining efforts; and

(3) ~~property~~ Property of an organization such as a lodge or club organized for charitable and fraternal purposes and practicing the same, and property of a nonprofit corporation devoted to promoting trade, travel, and commerce, and also property of a trade, business, industry or professional society or association, if that property is owned by a nonprofit corporation or association organized under the laws of this state for such purposes.

(4)(a) None of the property listed in this Paragraph (B) shall be exempt if owned, operated, leased, or used for commercial purposes unrelated to the exempt purposes of the corporation or association.

(b)(i) None of the property listed in this Paragraph shall be exempt if the property is owned by a nonprofit corporation or association and the governing authority of the municipality or parish in which the property is located determines all of the following:

(aa) The property is leased as housing, is in a state of disrepair, and manifests conditions which endanger the health or safety of the public.

(bb) The owner of the property habitually neglects maintenance of the property as evidenced by three or more sustained code enforcement violations issued for the property in the prior twelve months for matters that endanger the health or safety of residents of the property or of persons in the area surrounding the property. For purposes of this Item, matters deemed to endanger health or safety include structural instability due to deterioration; injurious or toxic ventilation; contaminated or inoperable water supply; holes, breaks, rotting materials, or mold in walls; roof defects that admit rain; unsecured overhang extensions in danger of collapse; a hazardous electrical system; improper connection of fuel-burning appliances or equipment; an inactive or inoperable fire detection system; an unsecured or contaminated swimming pool; or any combination of these.

(ii) An ad valorem tax exemption denied or revoked pursuant to the provisions of Item (i) of this Subsubparagraph may be issued or reinstated if the governing authority of the municipality or parish in which the property is located determines that the conditions enumerated in Item (i) of this Subsubparagraph no longer exist.

\* \* \*

Section 2. Be it further resolved that the provisions of the amendment contained in this Joint Resolution shall be applicable to all tax years beginning on or after January 1, 2024.

Section 3. Be it further resolved that this proposed amendment shall be submitted to the electors of the state of Louisiana at the statewide election to be held on October 14, 2023.

Section 4. Be it further resolved that on the official ballot to be used at the election, there shall be printed a proposition, upon which the electors of the state shall be permitted to vote YES or NO, to amend the Constitution of Louisiana, which proposition shall read as follows:

Do you support an amendment to deny a property tax exemption to a nonprofit corporation or association that owns residential property in such a state of disrepair that it endangers public health or safety? (Amends Article VII, Section 21(B))

A true copy:

R. Kyle Ardoin  
Secretary of State

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**ACT No. 49**

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HOUSE BILL NO. 19  
BY REPRESENTATIVE BUTLER  
AN ACT

To enact R.S. 13:783(F)(12), relative to group insurance expenses of the office of the clerk of court; to provide for the payment of group insurance premiums for certain retirees of the Evangeline Parish Clerk of Court; and to provide for related matters.

Be it enacted by the Legislature of Louisiana:

Section 1. R.S. 13:783(F)(12) is hereby enacted to read as follows:

§783. Expenses of clerk's office

\* \* \*

F.

\* \* \*

(12) The clerk of court of Evangeline Parish shall pay from the clerk's salary fund one hundred percent of the premium costs of the group life and accidental death and dismemberment, group health, accident, dental, hospital, surgical, or other medical expense insurance for any clerk or employee who was a covered employee, who elects to continue coverage, and who retires from the office of the Evangeline Parish Clerk of Court and begins receiving monthly benefits from the Louisiana Clerks' of Court Retirement and Relief Fund immediately upon retirement from active employment with at least twenty years of full-time service with the office of the Evangeline Parish Clerk of Court, and who is at least fifty-five years of age. The provisions of this Paragraph shall not apply to any other insurance, such as supplemental insurance, that an employee may elect to purchase.

Approved by the Governor, June 6, 2023.

A true copy:

R. Kyle Ardoin  
Secretary of State

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ACT No. 50

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HOUSE BILL NO. 28  
BY REPRESENTATIVES CARRIER AND ROMERO  
AN ACT

To designate a portion of Louisiana Highway 383 in Jefferson Davis Parish as the “Sergeant Major William Arlen Marcantel Memorial Highway”; to designate a portion of Louisiana Highway 674 in Iberia Parish as the “Veterans Memorial Highway”; to designate a portion of Louisiana Highway 90 in Iberia Parish as the “Curtis “Joe” Baudoin Memorial Roundabout”; to redesignate a portion of Interstate 49 in St. Landry Parish as the “Hannah Lee Vincent Memorial Highway”; to designate a portion of U.S. Highway 165 in Jefferson Davis Parish as the “Shannon Matthew Brown, Sr. Memorial Highway”; and to provide for related matters.

Be it enacted by the Legislature of Louisiana:

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

Section 2. The portion of Louisiana Highway 674 in Iberia Parish from Louisiana Highway 3212 to Highway 85 Patout Road shall be known and is hereby designated as the “Veterans Memorial Highway”.

Section 3. The portion of Interstate 49 from mile marker fourteen to mile marker fifteen in St. Landry Parish shall be known and is hereby redesignated as the “Hannah Lee Vincent Memorial Highway”.

Section 4. The portion of U.S. Highway 165 from mile marker ten to mile marker eleven in Jefferson Davis Parish shall be known and is hereby redesignated as the “Shannon Matthew Brown, Sr. Memorial Highway”.

Section 5. The portion of Louisiana Highway 90, at the roundabout intersection of Highway 90 and Jefferson Island in Iberia Parish shall be known and is hereby designated as the “Curtis “Joe” Baudoin Memorial Roundabout”.

Section 6. The Department of Transportation and Development or its contractors are hereby directed to erect and maintain appropriate signage reflecting these designations provided local or private monies are received by the department equal to the department’s actual costs for material, fabrication, mounting posts, and installation of each sign, not to exceed the sum of five hundred fifty dollars per sign.

Approved by the Governor, June 6, 2023.

A true copy:

R. Kyle Ardoin  
Secretary of State

ACT No. 51

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HOUSE BILL NO. 30  
BY REPRESENTATIVE TARVER  
AN ACT

To amend and reenact R.S. 13:589(C), relative to the salary of magistrate judges in the Fourteenth Judicial District Court; to change the salary of magistrate judges in the Fourteenth Judicial District Court; and to provide for related matters.

Be it enacted by the Legislature of Louisiana:

Section 1. R.S. 13:589(C) is hereby amended and reenacted to read as follows: §589. Fourteenth Judicial District Court; magistrate judge

\* \* \*

C. The salary of the magistrate judge of the Fourteenth Judicial District Court shall be ~~seventy-five percent~~ ninety percent of the salary paid to judges of the Fourteenth Judicial District Court per annum, and the salary and related benefits as provided by law shall be payable in the same manner from the same sources as the salary and benefits of a judge of the Fourteenth Judicial District Court. The support services and personnel including minute clerks and stenographers, as shall be necessary for the offices of the magistrate judge, shall be paid from the same source as the same positions in the Fourteenth Judicial District Court.

Approved by the Governor, June 6, 2023.

A true copy:

R. Kyle Ardoin  
Secretary of State

ACT No. 52

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HOUSE BILL NO. 49  
BY REPRESENTATIVE CHARLES OWEN  
AN ACT

To amend and reenact R.S. 13:961(F)(1)(o), relative to transcription fees for the Thirty-Sixth Judicial District; to authorize a change in transcription fees in all cases; to provide for the cost per page for an original transcript and copies in appellate cases; and to provide for related matters.

Be it enacted by the Legislature of Louisiana:

Section 1. R.S. 13:961(F)(1)(o) is hereby amended and reenacted to read as follows:

§961. Court reporters; generally

\* \* \*

F.(1)

\* \* \*

(o) In the Thirty-Sixth Judicial District, 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 in all cases, ~~which fee shall not be less than one dollar and fifty cents and shall not exceed two dollars and seventy-five cents per thirty-one line page and the amount of the fee per copy of each page of transcribed testimony, which shall not exceed twenty-five cents.~~

\* \* \*

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, June 6, 2023.

A true copy:

R. Kyle Ardoin  
Secretary of State

ACT No. 53

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HOUSE BILL NO. 72  
BY REPRESENTATIVE BRASS AND SENATOR FOIL  
AN ACT

To amend and reenact R.S. 17:3138.5(D)(3) and (4)(introductory paragraph) and (E) and to enact R.S. 17:3138.5(F), relative to postsecondary education; to authorize the Board of Regents to establish additional tiers of recognition for institutions designated as military and veteran friendly campuses; to increase the duration of the designation; to provide relative to renewal and reporting; and to provide for related matters.

Be it enacted by the Legislature of Louisiana:

Section 1. R.S. 17:3138.5(D)(3) and (4)(introductory paragraph) and (E) are hereby amended and reenacted and R.S. 17:3138.5(F) is hereby enacted to read as follows:

§3138.5. Military and veteran friendly campus; designation; process; eligibility; applications

\* \* \*

D.

\* \* \*

(3) Designation of an institution as a “Governor’s Military and Veteran Friendly Campus” shall apply for ~~one year~~ two years.

(4) After receiving the initial designation by the governor, ~~and in accordance with timelines established by the board~~, an institution ~~annually~~ shall submit a renewal application to the Board of Regents prior to the expiration of a designation in accordance with the timelines established by the board, and an interim report in each year it is not submitting a renewal application. Each renewal application and interim report shall include, ~~a report that~~, at a minimum, ~~contains~~ all of the following information from the previous year as it relates to veterans:

\* \* \*

E. The Board of Regents may establish additional tiers of distinction for the purpose of recognizing higher levels of excellence demonstrated by institutions that have received the designation provided for in this Section. If the board establishes additional tiers, it shall provide for the criteria for each tier and the associated application process.

~~E.~~ F. For purposes of this Section, “veteran” shall have the meaning as provided in R.S. 13:5364.

Approved by the Governor, June 6, 2023.

A true copy:

R. Kyle Ardoin  
Secretary of State

ACT No. 54

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HOUSE BILL NO. 73  
BY REPRESENTATIVES DUBUISSON AND GAROFALO AND SENATOR HEWITT  
AN ACT

To designate a portion of Louisiana Highway 433 in St. Tammany Parish as the “Captain Walter B. Abney Memorial Highway”; and to provide for related matters.

Be it enacted by the Legislature of Louisiana:

Section 1. The portion of Louisiana Highway 433 from United States Highway 11 to United States Highway 190 shall be known and is hereby designated as the “Captain Walter B. Abney Memorial Highway”.

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

Approved by the Governor, June 6, 2023.

A true copy:



R. Kyle Ardoin  
Secretary of State

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**ACT No. 55**

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**HOUSE BILL NO. 78  
BY REPRESENTATIVE HUGHES  
AN ACT**

To amend and reenact R.S. 17:100.11(G)(1) and (I)(2) and 100.12, relative to school facilities and needs in certain school districts; to provide relative to funds dedicated to preserving and improving school facilities; to provide for the systemwide needs program and for the funding and operation of such program; and to provide for related matters.

Be it enacted by the Legislature of Louisiana:

Section 1. R.S. 17:100.11(G)(1) and (I)(2) and 100.12 are hereby amended and reenacted to read as follows:

§100.11. School facilities preservation; certain districts

\* \* \*

G.(1) The school board shall establish a capital improvement fund and make grants from the fund to schools that are ~~in on~~ campuses in the school district to finance preservation, improvements, capital repairs, construction, and replacement of facilities ~~that were constructed prior to September 1, 2005, and that have not received a renovation exceeding half the value of the facility's replacement cost since that date, all in accordance with this Subsection.~~

\* \* \*

I. For purposes of this Section, the following terms shall have the meaning ascribed:

\* \* \*

(2) "School" means any public school with a unique site code assigned by the department or any educational program that serves public school students on a campus pursuant to a partnership with the school board as defined by school board policy governing school facilities preservation.

\* \* \*

§100.12. Systemwide needs program

A.(1) There is hereby established for each school district as defined in R.S. 17:100.11(I) a systemwide needs program. The program shall be funded, structured, and operated as provided in this Section and ~~policies by policies~~ adopted by the school board.

(2) The purpose of the program is to direct initiatives that will result in districtwide improvements in areas that can be more efficiently and effectively addressed at the system level than at the school level.

B. The school district shall create a special fund for the purpose of dedicating money to the program. The district shall annually deposit into the fund one hundred twenty dollars per student in the district less the district's expenditures that year for costs identified in R.S. 17:1990(C)(2)(a)(iii) (aa)(I) through (IV). The office provided for in Subsection C of this Section shall receive ten dollars per student in the district from the fund. The school board may adjust this amount on an annual basis by the lesser of the most recent annual percentage increase in the Consumer Price Index published by the United States Department of Labor or the percentage increase in the minimum foundation program formula funds from the prior to the current year.

C. The school board shall create an office to manage and oversee the program. To the extent that funds are available, the office shall perform the following functions:

(1) Oversee the planning, development, engagement, and execution of the improvement plans provided for in Subsection D of this Section.

(2) Collect, analyze, and report on systemwide needs program performance data.

(3) Track key plan and program outputs, performance outcomes, and expenditure of funds.

(4) Monitor service offerings by funding recipients and tracking performance objectives.

(5) Perform administrative tasks related to the competitive process provided for in Subsection F of this Section, data management, and program budgeting.

(6) Oversee contract development and management.

D. The superintendent shall:

(1) Develop and propose plans for improvement in particular areas of focus. The superintendent shall propose an improvement plan to use the systemwide needs fund to support one or more areas of focus for no less than three years and shall propose new areas of focus and improvement plans for school board approval not more frequently than once every three years. The superintendent shall develop such plans and proposed areas of focus in collaboration with school leaders in the school district as more specifically provided by school board policy.

(2) Include related performance objectives and a proposed level of funding in any plan for improvement in an area of focus.

(3) Submit such plans to the school board for approval; such approval requires a majority vote of the entire membership of the board. The superintendent shall demonstrate, to the satisfaction of the school board, that an area of focus will impact at least fifty percent of the public school students or fifty percent of the public schools over the course of the funding cycle for the area of focus.

(4) Consider how the expenditures from the fund could be coordinated with other funds in order to increase the effectiveness of the program.

(5) Annually report to the school board on the performance objectives and the expenditure of funds for the program.

~~D. E.~~ The school board may approve a plan and proposed areas of focus and appropriate expenditures from the fund therefor.

~~E. F.(1)~~ The superintendent shall implement an approved plan by awarding funds through a competitive process according to policies developed by the school board. Funds may be expended directly by the district ~~but shall not be used to pay, directly or indirectly, for school district or school board personnel, staff, or operating expenditures.~~ Funds awarded to schools may be used only for the following purposes:

(a) Procuring materials, services, or other supports from district-approved organizations or vendors.

(b) Providing services for students systemwide that are aligned with one or more board-approved areas of focus.

(2) An applicant for funds shall demonstrate how the proposed good or service will contribute to the achievement of the goals and objectives of the approved plan.

(3) An applicant for funds shall demonstrate that at least twenty-five percent of the funds it will expend to achieve its proposal are from sources other than this program.

(4) Funding applications shall be approved according to school board policy. No expenditure shall be made from the fund except as provided in this Subsection. No expenditure of funds shall be made in excess of the amount approved by the school board for a particular area of focus.

Approved by the Governor, June 6, 2023.

A true copy:

R. Kyle Ardoin  
Secretary of State

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**ACT No. 56**

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**HOUSE BILL NO. 86**

**BY REPRESENTATIVES HODGES, ADAMS, AMEDEE, BAGLEY, BOYD,  
BUTLER, CARRIER, CORMIER, COX, DAVIS, ECHOLS, EDMONDS,  
EDMONSTON, EMERSON, FREIBERG, FRIEMAN, GAROFALO, HARRIS,  
HORTON, JEFFERSON, KNOX, MACK, CHARLES OWEN, SCHLEGEL,  
SEABAUGH, STAGNI, AND THOMPSON**

**AN ACT**

To amend and reenact R.S. 17:416.11, relative to liability of school employees; to provide for immunity from civil liability and criminal prosecution under certain circumstances; to provide for an exception; and to provide for related matters.

Be it enacted by the Legislature of Louisiana:

Section 1. R.S. 17:416.11 is hereby amended and reenacted to read as follows:

§416.11. Discipline of pupils; limitation of liability

A. ~~No~~ A teacher, principal, or administrator in a public school system or in an approved nonpublic school shall be ~~personally liable~~ immune from civil liability for any act or failure to act in the directing of or disciplining of school ~~children~~ students under his care and supervision, unless such act or failure to act was malicious and willfully and deliberately intended to cause bodily harm.

B.(1) A teacher, principal, or administrator in a public school system or in an approved nonpublic school who intervenes and acts in justifiable defense to protect a student or a school employee from a battery or aggravated battery committed by one or more students shall be immune from civil liability and criminal prosecution unless the act of intervention was malicious and willfully and deliberately intended to cause bodily harm.

(2) Nothing in this Subsection shall require a teacher, principal, or administrator to intervene in a battery or aggravated battery committed by a student.

~~B. C.~~ This Section shall not be applicable to the operation, use, or maintenance of any motor vehicle.

Section 2. This Act shall be cited and referred to as the "Protect Teachers Act".

Approved by the Governor, June 6, 2023.

A true copy:

R. Kyle Ardoin  
Secretary of State

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**ACT No. 57**

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**HOUSE BILL NO. 87  
BY REPRESENTATIVE ADAMS  
AN ACT**

To enact R.S. 33:4303(C)(3), relative to East Feliciana Parish; to provide relative to the board of commissioners of East Feliciana Gas Utility District No. 1; to provide for an effective date; and to provide for related matters.

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

Be it enacted by the Legislature of Louisiana:

Section 1. R.S. 33:4303(C)(3) is hereby enacted to read as follows:

§4303. Board of commissioners

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

C.

\* \* \*  
\* \* \*

(3)(a) Notwithstanding Paragraph (1) of this Subsection, the membership of the board of commissioners of East Feliciana Gas Utility District No. 1 shall consist of five members appointed as follows:

(i) The governing authority of East Feliciana Parish shall appoint three members.

(ii) The governing authority of Wilson shall appoint one member.

(iii) The governing authority of Norwood shall appoint one member.

(b) Members of the board of commissioners shall serve initial and subsequent terms as provided by Subsection B of this Section.

\* \* \*

Section 2. The terms of members of the board of commissioners of East Feliciana Gas Utility District No. 1 who are serving on the effective date of this Act terminate on that date; however, such members shall continue to serve until at least three members have been appointed in accordance with R.S. 33:4303(C)(3) as enacted by this Act and qualified.

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 in Article III, Section 18 of the Constitution of Louisiana. If vetoed by the governor and subsequently approved by the legislature, this Act shall become effective on the day following such approval.

Approved by the Governor, June 6, 2023.

A true copy:

R. Kyle Ardoin  
Secretary of State

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**ACT No. 58**

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HOUSE BILL NO. 124  
BY REPRESENTATIVE BOURRIQUE  
AN ACT

To enact R.S. 41:729, relative to sixteenth section lands; to provide for the sale or exchange of certain state property in Cameron Parish; to provide for the authority of the Cameron Parish School Board; to provide for appraisal; to provide for notice and public hearings; and to provide for related matters.

Be it enacted by the Legislature of Louisiana:

Section 1. R.S. 41:729 is hereby enacted to read as follows:

§729. Cameron Parish School Board; sale or exchange of sixteenth section lands

A. Notwithstanding any other law to the contrary, if the Cameron Parish School Board, on behalf of the state of Louisiana, determines that any sixteenth section lands located within Cameron Parish are no longer needed for school purposes and that the best interest of the Cameron Parish school system would be served by the sale or exchange of such lands, the school board may authorize a sale or exchange on behalf of the state in accordance with the procedures set forth in this Section.

B. The school board shall obtain an appraisal of the lands being considered for sale or exchange from a certified, licensed appraiser and such appraisal shall be available for public inspection.

C. The school board shall hold a public hearing to receive public comment concerning the sale or exchange of the sixteenth section lands. The school board shall provide notice of the public hearing and notice of its intent to consider the sale or exchange of sixteenth section lands by advertisement in the official journal of the parish on at least three separate days at least thirty days prior to the date of the hearing. The notice shall include a brief description of the sixteenth section lands to be sold or exchanged, as well as any lands being considered in exchange for such sixteenth section lands. The appraisal required by Subsection B of this Section shall be made available for public inspection at the hearing.

D. After the hearing and with due consideration of any public comments, if the board determines that the sixteenth section lands are not needed for school purposes and that a sale or exchange is in the best interest of the school system, the school board may vote to authorize a sale or exchange.

E. Upon authorization of the school board for the sale of sixteenth section lands, the president of the school board may proceed with a sale on behalf of the state in accordance with the procedures provided in R.S. 41:892. Upon authorization of the school board for an exchange of sixteenth section lands, the president of the school board may proceed on behalf of the state with an exchange of such lands for other lands in Cameron Parish of equal or greater value.

F. The authority conferred by this Section shall be in addition to the authority conferred by any other law. This Section shall be construed liberally for the accomplishment of its purpose, which is to provide a complete and additional method for the sale or exchange of unused sixteenth section lands by the Cameron Parish School Board.

Approved by the Governor, June 6, 2023.

A true copy:

R. Kyle Ardoin  
Secretary of State

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**ACT No. 59**

HOUSE BILL NO. 140  
BY REPRESENTATIVE WILLARD  
AN ACT

To repeal R.S. 33:2740.70.2, relative to the Mid City Economic Development District in Orleans Parish; to repeal provisions providing for the creation, governance, funding, and powers and duties of the district.

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. 33:2740.70.2 is hereby repealed in its entirety.

Approved by the Governor, June 6, 2023.

A true copy:

R. Kyle Ardoin  
Secretary of State

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**ACT No. 60**

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HOUSE BILL NO. 142  
BY REPRESENTATIVE BEAULLIEU  
AN ACT

To amend and reenact R.S. 9:751(1) and (10) and 770(1), relative to the Uniform Transfer to Minors Act; to provide relative to the transfer of custodial property; to provide for the authority of the transferor; to provide for definitions; to provide for the age of termination of the custodianship; to provide for applicability; and to provide for related matters.

Be it enacted by the Legislature of Louisiana:

Section 1. R.S. 9:751(1) and (10) and 770(1) are hereby amended and reenacted to read as follows:

§751. Definitions

As used in this Subpart:

(1) “Adult” means an individual who has attained the age of ~~eighteen~~ twenty-two years.

\* \* \*

(10) “Minor” means an individual who has not attained the age of ~~eighteen~~ twenty-two years.

\* \* \*

§770. Termination of custodianship

The custodian shall transfer in an appropriate manner the custodial property to the minor or to the minor’s estate upon the earlier of the following:

(1) The minor’s attainment of ~~eighteen~~ twenty-two years of age.

\* \* \*

Section 2. The provisions of this Act shall be given prospective application to all Uniform Transfer to Minor Accounts.

Section 3. Any custodial property held under the Louisiana Uniform Transfers to Minors Act for the benefit of a minor, yet to transfer, shall be subject to the provisions of R.S. 9:770(1).

Approved by the Governor, June 6, 2023.

A true copy:

R. Kyle Ardoin  
Secretary of State

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**ACT No. 61**

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HOUSE BILL NO. 150  
BY REPRESENTATIVE BRYANT  
AN ACT

To amend and reenact R.S. 13:2590(A)(1), (2), (3), (23), and (30), relative to justice of the peace court costs; to provide for an increase in court costs collected by a justice of the peace for the filing and service of certain pleadings and judgments in civil matters; and to provide for related matters.

Be it enacted by the Legislature of Louisiana:

Section 1. R.S. 13:2590(A)(1), (2), (3), (23), and (30) are hereby amended and reenacted to read as follows:

§2590. Security for costs

A. A justice of the peace may demand and receive up to the following amounts in all civil matters:

(1) New suit: one hundred thirty dollars, and twenty dollars per additional defendant.

(2) Eviction proceeding: one hundred twenty dollars, and twenty dollars per additional defendant.

(3) Writ of execution: ~~forty~~ sixty dollars, and twenty dollars per additional defendant.

\* \* \*

(23) Service of judgment: ~~twenty~~ thirty dollars per party.

\* \* \*

(30) Additional or out of district service of process: ~~twenty~~ thirty dollars per service.

\* \* \*

Approved by the Governor, June 6, 2023.

A true copy:

R. Kyle Ardoin  
Secretary of State

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ACT No. 62

HOUSE BILL NO. 161

BY REPRESENTATIVES KERNER, BAGLEY, BOURRIAQUE, BROWN, CORMIER, COX, FARNUM, FONTENOT, GAROFALO, GOUDEAU, GREEN, HORTON, MAGEE, MCFARLAND, SCHEXNAYDER, AND SCHLEGEL

AN ACT

To amend and reenact R.S. 47:305.20(A), to enact R.S. 47:337.9(D)(15.1), and to repeal R.S. 47:305.20(G) and 337.10(N), relative to exemptions from sales and use taxes imposed by political subdivisions of the state; to provide relative to the local sales and use tax exemption for purchases by Louisiana commercial fishermen and certain seafood processing facilities; to enact the exemption as a mandatory exemption; to repeal provisions establishing the exemption as an optional exemption; to provide for terms designated as “key words” that are associated with certain local sales and use tax exemptions; to provide for effectiveness; and to provide for related matters. Be it enacted by the Legislature of Louisiana:

Section 1. R.S. 47:305.20(A) is hereby amended and reenacted and R.S. 47:337.9(D)(15.1) is hereby enacted to read as follows:

§305.20. Exclusions and exemptions; Louisiana commercial fishermen

A. A Louisiana resident, domiciled in Louisiana, who possesses such valid Louisiana commercial fishing license(s) as may be necessary for commercial fishing ventures, including but not limited to a vessel license issued pursuant to R.S. 56:304, and who is an owner of a vessel operated primarily for the conduct of commercial fishing as a trade or business and which the Louisiana Department of Wildlife and Fisheries determines will be predominantly and principally used for commercial fishing ventures and whose catch is for human consumption shall be exempt from state the sales, use, lease, and services taxes imposed by any taxing authority. The exemption shall comport with the provisions of as set forth in Subsection C of this Section. Possession of a commercial fishing license issued by the Department of Wildlife and Fisheries shall not be used as the sole determination that a vessel will be used predominantly and principally for commercial fishing ventures. This exemption shall also apply to facilities which process the catch from owners of commercial fishing vessels for which this exemption is granted when such vessels are owned by, or leased or contracted exclusively to, the seafood processing facility.

\* \* \*

§337.9. Exemptions applicable to local tax in Chapters 2, 2-A, and 2-B; other exemptions applicable

\* \* \*

D.

\* \* \*

(15.1) R.S. 47:305.20, “key words”: Louisiana commercial fishermen and certain seafood processing facilities.

\* \* \*

Section 2. R.S. 47:305.20(G) and 337.10(N) are hereby repealed in their entirety.

Approved by the Governor, June 6, 2023.

A true copy:

R. Kyle Ardoin  
Secretary of State

ACT No. 63

HOUSE BILL NO. 191

BY REPRESENTATIVES JEFFERSON, BAGLEY, BOYD, BRASS, BUTLER, WILFORD CARTER, COX, FISHER, FREIBERG, GLOVER, JENKINS, LAFLEUR, LARVADAIN, MACK, MOORE, AND PIERRE

AN ACT

To amend and reenact R.S. 17:7.1(A)(4) and 3886(B), relative to teacher certification; to provide for teacher preparation requirements; to provide for the crediting of teaching experience; to provide for certification requirements for certain applicants with respect to performance evaluations; to require the State Board of Elementary and Secondary Education to adopt rules; to provide for an effective date; and to provide for related matters.

Be it enacted by the Legislature of Louisiana:

Section 1. R.S. 17:7.1(A)(4) and 3886(B) are hereby amended and reenacted to read as follows:

§7.1. Certification of teachers; certification of principals and superintendents; certification of school psychologists

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 qualifications and requirements established by the State Board of Elementary and Secondary Education for certification of any applicant for certification who completes an approved teacher education program in Louisiana shall include but not be limited to the following:

\* \* \*

(4)(a) For applicants who have participated in any undergraduate teacher education program, that the The applicant shall meet at least one of the following requirements:

(a) complete Complete the prescribed number of semester hours in the teaching of reading as established in policy by the State Board of Elementary

and Secondary Education in accordance with the level of certification to be awarded, ~~such~~ This requirement to be is in addition to requirements for English courses, and such the courses in the teaching of reading shall emphasize techniques of teaching reading and the recognition and correction of reading problems of the student. For certification at the secondary level, not more than three semester hours in the teaching of reading shall be considered for purposes of meeting certification requirements.

(b) For applicants who have participated in any alternate teacher education program as provided pursuant to rules and regulations adopted by the State Board of Elementary and Secondary Education, that the applicant shall be given the option of either completing the same amount of semester hours as required for the teaching of reading for undergraduate program applicants pursuant to this Paragraph or, in lieu of such semester hour requirements, shall possess Possess the reading and literacy competencies identified in scientifically based reading research at the national level and approved by the State Board of Elementary and Secondary Education for the teaching of reading.

\* \* \*

§3886. Teaching credentials; regular certification, permanent certification; effect of evaluation

\* \* \*

B.(1)(a) Persons A teacher who seek seeks a regular teacher certificate and hold holds a teacher certificate from out of state or for teaching at a nonpublic school in Louisiana and have out-of-state teaching experience of three years or more shall not may be credited with their his years of teaching experience in the issuance of any teaching credential until receipt of only if he has at least three years of either out-of-state teaching experience or in-state nonpublic school teaching experience and receives a successful evaluation as provided by board policy.

(b) A teacher providing instruction in a public school but not employed by the public school governing authority may be credited with his years of teaching experience in the issuing of a teaching credential only if he is performing services for the school pursuant to a corporate contract with a company approved by the board to provide such services and he receives a successful evaluation as provided by board policy.

(2) The board shall prescribe the process for the evaluations required by this Subsection in rules adopted in accordance with the Administrative Procedure Act.

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

Approved by the Governor, June 6, 2023.

A true copy:

R. Kyle Ardoin  
Secretary of State

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ACT No. 64

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HOUSE BILL NO. 202  
BY REPRESENTATIVE MUSCARELLO  
AN ACT

To enact R.S. 13:1910.2, relative to fees imposed by the City Court of Hammond; to authorize a fee to be collected by the City Court of Hammond; to provide for the exclusive dedication of all monies collected; and to provide for related matters.

Be it enacted by the Legislature of Louisiana:

Section 1. R.S. 13:1910.2 is hereby enacted to read as follows:

§1910.2. City Court of Hammond; judicial building fund

A. In all cases over which the City Court of Hammond has jurisdiction, the court may impose a service charge not to exceed twenty dollars per filing. The fee shall be paid to the clerk of court at the time of filing. The collection of the filing fee shall be subject to the provisions of Code of Civil Procedure Article 5181 et seq.

B. In each proceeding where a fine is imposed or court costs are ordered to be paid, a service charge not to exceed twenty dollars may be collected by the appropriate entity, which shall be in addition to all other fines, costs, or forfeitures lawfully imposed.

C. All monies collected in accordance with this Section shall be forwarded to the court and placed in a fund dedicated exclusively to the acquisition, leasing, construction, equipping, and maintenance of new and existing city courts and for the maintenance and payment of any bond indebtedness on any such existing facilities. “Equipping”, as used in this Subsection, shall include all costs associated with new and existing software and electronic case management systems for court use including, without limitation, the acquisition, installation, training, maintenance, professional technology services, enhancement and updating of software, systems, and reasonably related services and equipment.

D. The court shall have control over the fund and all disbursements made from the fund.

E. The court shall obtain prior approval of the local governing authority within the territorial jurisdiction of the court, through the adoption of a resolution or ordinance, before the fund is created and the fees authorized

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

by this Section are imposed.  
F. No bonds or other obligations shall be issued or sold unless prior written approval of the State Bond Commission is obtained.  
Approved by the Governor, June 6, 2023.  
A true copy:  
R. Kyle Ardoin  
Secretary of State

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**ACT No. 65**

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HOUSE BILL NO. 441  
BY REPRESENTATIVE BRYANT  
AN ACT

To amend and reenact R.S. 14:37.5(B)(2) and (3), relative to assault; to provide relative to the crime of aggravated assault upon a utility service employee with a firearm; to amend definitions; and to provide for related matters.  
Be it enacted by the Legislature of Louisiana:  
Section 1. R.S. 14:37.5(B)(2) and (3) are hereby amended and reenacted to read as follows:  
§37.5. Aggravated assault upon a utility service employee with a firearm

\* \* \*

B. For purposes of this Section:

\* \* \*

(2) “Utility service” means any electricity, gas, water, broadband, cable television, ~~heat, steam, or telecommunications service, or sewer services.~~  
(3) “Utility service employee” means any uniformed, readily identified employee of any utility service, including any person employed under contract, of any utility service that provides electricity, gas, water, broadband, cable television, ~~heat, steam, telecommunications services, or sewer services, whether privately, municipally, cooperatively, or investor-owned.~~

Approved by the Governor, June 5, 2023.

A true copy:  
R. Kyle Ardoin  
Secretary of State

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**ACT No. 66**

---  
HOUSE BILL NO. 209  
BY REPRESENTATIVE BOURRIQUE  
AN ACT

To enact R.S. 33:3887.9 and to repeal R.S. 33:4067, relative to Cameron Parish Water and Wastewater Board for District No.1; to provide relative to the creation of Cameron Parish Wastewater District No. 1; to provide relative to the powers and duties of the district; to provide relative to a board of directors for the district; to provide relative to the terms of board members; to provide relative to the boundaries of the district; and to provide for related matters.

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

Be it enacted by the Legislature of Louisiana:  
Section 1. R.S. 33:3887.9 is hereby enacted to read as follows:

§3887.9. Cameron Parish Wastewater District No. 1

A. The Cameron Parish Wastewater District No. 1 is hereby created and shall be governed by a board of directors.

B.(1) The Cameron Parish Wastewater District No. 1 board of directors shall be comprised of five members appointed by the police jury of Cameron Parish. Terms of members shall be determined by the police jury. Each member shall be a registered voter of Cameron Parish and shall have resided within the boundaries of the district for at least two years prior to his appointment. The police jury shall designate the domicile of the board. The board shall by resolution designate a place within the district for holding its meetings.

(2) The police jury may authorize payment of a per diem to each member of the board in an amount not to exceed sixty dollars for each day of his attendance at meetings of the board up to twenty-four days in each year. The police jury may also authorize payment of a per diem for attendance at up to twelve emergency meetings of the board called in a year. Per diem for board members shall be paid out of district funds.

C. The Cameron Parish Wastewater District No. 1 board of directors shall be the successor board to the board of Cameron Parish Sewerage District No. 1, the board of Cameron Parish Waterworks District No. 1, and the Cameron Parish Sewerage and Water Board for District No. 1. As successor, the Cameron Parish Wastewater District No. 1 board of directors shall have all powers and duties of the boards of sewerage districts set forth in Chapter 9 of Title 33 of the Louisiana Revised Statutes of 1950 and all other powers granted by law for the maintenance and operation of sewerage districts.

D. The board is hereby authorized to levy and collect an ad valorem tax. Such ad valorem tax shall be imposed by resolution of the board only after the question of the imposition of the tax has been submitted to the qualified electors of the district at an election conducted in accordance with the election laws of the state, and a majority of those voting in the election have voted in favor of the proposition. The proceeds of such tax shall be used for the purpose of maintaining and operating the district.

E. The Cameron Parish Wastewater District No. 1 shall be comprised of the territory beginning at a point which is the intersection of the east line of

Township 15 South, Range 9 West, with the shoreline of the Gulf of Mexico, thence north along the east lines of the said Township 15 South, Range 9 West, and Townships 14 and 13 South, Range 9 West, to the intersection of said line with the north boundary line of Ward 3, which is the center section line of Section 13, Township 13 South, Range 9 West at that point, thence west along the center section line of Section 13, Township 13 South, Range 9 West and a projection thereof to a point where said line intersects on the east or left descending bank of the Calcasieu Ship Channel, thence following the east or left descending bank of the Calcasieu Ship Channel to the shoreline of the Gulf of Mexico, thence easterly along the shoreline of the Gulf of Mexico, to point of beginning.

Section 2. R.S. 33:4067 is hereby repealed in its entirety.  
Approved by the Governor, June 6, 2023.

A true copy:  
R. Kyle Ardoin  
Secretary of State

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**ACT No. 67**

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HOUSE BILL NO. 226  
BY REPRESENTATIVE FARNUM  
AN ACT

To amend and reenact R.S. 13:1879 and 2583.1(C), relative to certain marshals and constables of city courts; to provide relative to elections and designations of marshals and constables; to provide for the designation of the marshal of the city of Sulphur; to provide relative to qualifications of deputy constables; and to provide for related matters.

Be it enacted by the Legislature of Louisiana:

Section 1. R.S. 13:1879 and 2583.1(C) are hereby amended and reenacted to read as follows:

~~§1879. Marshals and constables; election; term of office; exceptions for Lake Charles and Baton Rouge~~

~~A.(1) For Except as provided in Subsection B of this Section, for each city court, except in the city of Lake Charles, there shall be a marshal or constable, as he may be designated. Except as provided in Subsection C Paragraph (B)(1) of this Section, each marshal or constable shall be elected at the congressional election, beginning in the year 1960 and every succeeding six years thereafter, shall serve a term of six years, and shall take office and begin his term on the first day of January following election. In the city of Lake Charles, the marshal shall be designated as the ward three marshal.~~

~~B.(2) Except as provided in Sub-section C Paragraph (B)(1) of this Section, the term of office of marshals of city courts, whether their respective offices are presently in existence or are subsequently created shall expire on the 31st day of December in the year 1960 and every six years thereafter.~~

~~C. B.(1) The city constable of the city of Baton Rouge shall be elected in accordance with and pursuant to the applicable provisions of the charter of the city of Baton Rouge and the applicable provisions of the plan of government for the parish of East Baton Rouge and the city of Baton Rouge.~~

~~(2) In the city of Lake Charles, the marshal shall be designated as the ward three marshal.~~

~~(3) In the city of Sulphur, the marshal shall be designated as the ward four marshal.~~

~~D. C. Except as otherwise provided by law, the provisions of this Part relating to marshals of city courts and their deputies shall apply to constables of city courts and their deputies.~~

\* \* \*

§2583.1. Deputies; oath; compensation

\* \* \*

C. The deputy constables authorized by this Section shall have the same qualifications and training as required by law of the constable of the justice of the peace court. The deputy constable need not be a resident of the ward from which the constable is elected, but he must be a resident of the parish within which the ward is located this state.

Approved by the Governor, June 6, 2023.

A true copy:  
R. Kyle Ardoin  
Secretary of State

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**ACT No. 68**

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HOUSE BILL NO. 227  
BY REPRESENTATIVE GREEN  
AN ACT

To amend and reenact R.S. 32:398.4, relative to uniform traffic citations; to provide relative to the prosecution of citations; to provide for a copy of citation; to provide relative to notary and ex officio notary electronic signatures; and to provide for related matters.

Be it enacted by the Legislature of Louisiana:

Section 1. R.S. 32:398.4 is hereby amended and reenacted to read as follows:  
§398.4. When copy of citation shall be deemed a lawful complaint

In the event the citation form provided for in this Part is sworn to and includes the necessary information required under the general laws of this state with respect to a complaint which charges commission of the offense alleged in said citation to have been committed, then such citation, when filed



with a court of proper jurisdiction, shall be deemed to be a lawful complaint for the purpose of prosecution under this Part. An electronic signature from a notary or ex officio notary shall be authorized for this purpose.

Approved by the Governor, June 6, 2023.  
A true copy:  
R. Kyle Ardoin  
Secretary of State

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**ACT No. 69**

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HOUSE BILL NO. 231  
BY REPRESENTATIVES MINCEY AND KNOX AND SENATORS  
ABRAHAM, ALLAIN, BARROW, BERNARD, BOUIE, CARTER, CATHEY,  
CLOUD, CONNICK, CORTEZ, FESI, FIELDS, FOIL, HENSGENS, HEWITT,  
JACKSON, KLEINPETER, LUNEAU, MCMATH, MILLIGAN, FRED MILLS,  
MIZELL, MORRIS, POPE, PRICE, REESE, SMITH, AND STINE  
AN ACT

To enact R.S. 29:295(E), relative to the Department of Veterans Affairs; to provide relative to burials at state and national veterans cemeteries; to provide for the powers of the department; to provide relative to the adoption of rules; and to provide for related matters.

Be it enacted by the Legislature of Louisiana:  
Section 1. R.S. 29:295(E) is hereby enacted to read as follows:  
§295. Louisiana veterans cemeteries

\* \* \*  
E. The department may adopt administrative rules regarding burial eligibility of individuals described in 38 U.S.C. 2408(i)(2).

Approved by the Governor, June 6, 2023.  
A true copy:  
R. Kyle Ardoin  
Secretary of State

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**ACT No. 70**

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HOUSE BILL NO. 233  
BY REPRESENTATIVE TURNER  
AN ACT

To amend and reenact Section 2 of Act No. 311 of the 2021 Regular Session of the Legislature, relative to certain costs and fees for the City Court of Ruston; to provide relative to the implementation of certain costs and fees for the marshal of the City Court of Ruston; to provide for an effective date; and to provide for related matters.

Be it enacted by the Legislature of Louisiana:  
Section 1. Section 2 of Act No. 311 of the 2021 Regular Session of the Legislature is hereby amended and reenacted to read as follows:

Section 2. In accordance with the provisions of R.S. 13:62, the increase in court costs or fees as provided for in this Act shall become effective if and when the Judicial Council provides a favorable recommendation ~~in the Judicial Council 2022 Report~~ to the Louisiana Legislature.

Section 2. The provisions of this Act shall be given prospective and retroactive application to March 1, 2023.

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

Approved by the Governor, June 6, 2023.  
A true copy:  
R. Kyle Ardoin  
Secretary of State

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**ACT No. 71**

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HOUSE BILL NO. 235  
BY REPRESENTATIVE MOORE  
AN ACT

To amend and reenact R.S. 22:1112(A)(1), relative to the guaranteed issue of Medicare supplement policies; to authorize an individual to purchase a Medicare supplement policy offered through an affiliate of a health insurance issuer; and to provide for related matters.

Be it enacted by the Legislature of Louisiana:  
Section 1. R.S. 22:1112(A)(1) is hereby amended and reenacted to read as follows:

§1112. Medicare supplement guaranteed issue; open enrollment periods; prohibited conditioning of coverage; notice to policyholders

A.(1) If, at the time of an individual's birthday each year, that individual has an existing Medicare supplement policy, the individual shall have an annual open enrollment period commencing with the individual's birthday and lasting for a period of sixty-three calendar days, during which the individual may purchase any Medicare supplement policy offered ~~in this state~~ by the same ~~insurer~~ issuer or any affiliate authorized to transact business in this state.

\* As it appears in the enrolled bill

Approved by the Governor, June 6, 2023.  
A true copy:  
R. Kyle Ardoin  
Secretary of State

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**ACT No. 72**

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HOUSE BILL NO. 240  
BY REPRESENTATIVE LYONS  
AN ACT

To amend and reenact R.S. 13:2590.1(B), relative to justice of the peace court costs in certain parishes; to authorize an increase in court costs collected by a justice of the peace for certain filings and services in civil matters; and to provide for related matters.

Be it enacted by the Legislature of Louisiana:  
Section 1. R.S. 13:2590.1(B) is hereby amended and reenacted to read as follows:

§2590.1. Appointment of clerk of court; security for costs; East Baton Rouge Parish; Jefferson Parish

\* \* \*

B. A justice of the peace in East Baton Rouge Parish and Jefferson Parish may demand and receive up to the following amounts in addition to or in lieu of the costs provided for in R.S. 13:2590 for filings and services in civil matters:

(1) New suit: ~~twenty thirty~~ dollars, and five dollars per additional defendant.

(2) Eviction proceeding: ~~twenty thirty~~ dollars, and five dollars per additional defendant.

(3) Garnishment, writ of attachment through garnishment: ~~twenty thirty~~ dollars, and five dollars per additional defendant, plus ten dollars for attorney answering any interrogatories.

(4) Service of garnishment pleadings and order on defendant when garnishee is a financial institution: ~~twenty thirty~~ dollars, and five dollars per additional defendant.

(5) Judgment debtor rule: ~~twenty thirty~~ dollars, and five dollars per additional defendant.

Approved by the Governor, June 6, 2023.  
A true copy:  
R. Kyle Ardoin  
Secretary of State

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**ACT No. 73**

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HOUSE BILL NO. 262  
BY REPRESENTATIVE GREEN  
AN ACT

To enact R.S. 22:919 and 1576(B)(10), relative to insurance producers and the sale of annuity products; to provide for duties of the commissioner of insurance with respect to administrative rulemaking; to authorize the commissioner to require certain training; to provide for course credit; and to provide for related matters.

Be it enacted by the Legislature of Louisiana:

Section 1. R.S. 22:919 and 1576(B)(10) are hereby enacted to read as follows:  
§919. Insurance producers; standards; sale of annuities; rulemaking  
The commissioner shall promulgate and adopt rules, in accordance with the Administrative Procedure Act, to govern the standards for which insurance producers shall follow in the sale of annuity products.

\* \* \*

§1576. Producer training requirements to sell annuity products

\* \* \*

B.

\* \* \*

(10) The commissioner may require an insurance producer licensed to sell annuity products to complete a one-time, one-credit training course as determined by the standards established in accordance with R.S. 22:919.

Approved by the Governor, June 6, 2023.  
A true copy:  
R. Kyle Ardoin  
Secretary of State

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**ACT No. 74**

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HOUSE BILL NO. 264  
BY REPRESENTATIVES DESHOTEL, FREIBERG, GADBERRY, HORTON,  
CHARLES OWEN, PIERRE, SCHAMERHORN, AND WRIGHT  
AN ACT

To designate certain highways and bridges in the state highway system; to designate the bridge located on Louisiana Highway 1 between Avoyelles and Pointe Coupee parishes as the “Marion Peter Roy, Sr., Memorial Bridge”; and to provide for related matters.

Be it enacted by the Legislature of Louisiana;

Section 1. The bridge located on Louisiana Highway 1 that connects Avoyelles and Pointe Coupee parishes shall be designated as the “Marion Peter Roy, Sr., Memorial Bridge”.

Section 2. The Department of Transportation and Development or its contractors are hereby directed to erect and maintain appropriate signage reflecting this designation provided local or private monies are received by the department equal to the department's actual cost for material, fabrication, mounting posts, and installations of each sign.

Approved by the Governor, June 6, 2023.

A true copy:  
R. Kyle Ardoin  
Secretary of State

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**ACT No. 75**  
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HOUSE BILL NO. 271  
BY REPRESENTATIVE NELSON  
AN ACT

To amend and reenact Code of Criminal Procedure Article 791(C), relative to trial by jury; to provide relative to sequestration of jurors and jury; to provide relative to sequestration of jurors in noncapital cases; to provide relative to separation without sequestration; to provide relative to instructions by the court; and to provide for related matters.

Be it enacted by the Legislature of Louisiana:

Section 1. Code of Criminal Procedure Article 791(C) is hereby amended and reenacted to read as follows:

Art. 791. Sequestration of jurors and jury

\* \* \*

C.(1) In noncapital cases, the jury shall be sequestered ~~after the court's charge during active deliberations~~ and may be sequestered at any time upon order of the court.

(2) At any time after the court's charge, and after notice to the parties and affording the parties an opportunity to be heard on the record outside the presence of the jury, the court may declare the deliberations to be in recess and may then direct the jury to suspend its deliberations, to separate without sequestration, and to return for continued deliberations on the next day of operation of the court. Before each recess, the court shall admonish the jury as provided in Subparagraph (3) of this Paragraph and direct it to not resume its deliberations until all twelve jurors have reassembled in the designated place at the termination of the declared recess.

(3)(a) Upon the court's charge to suspend deliberations and to separate without sequestration, the court shall admonish the jury as follows:

(i) Deliberations shall be conducted only in the jury room when all jurors are present. All deliberations shall cease and shall not resume until all of the jurors have returned to the jury room.

(ii) During the recess, jurors shall not converse with any person about anything related to the case.

(iii) Jurors remain under obligation to not request, accept, agree to accept, or discuss with any person regarding the receiving or accepting of any payment or benefit in return for supplying information concerning the trial.

(iv) Jurors shall promptly report directly to the court any incident within their knowledge involving an attempt by any person to improperly influence any member of the jury.

(v) Jurors shall not visit or view the premises or place where the charged crime was allegedly committed or any other premises or place involved in the case.

(vi) Jurors shall not read, view, or listen to any accounts or discussions of the case reported by newspapers, television, radio, the internet, or any other news media outlet.

(vii) Jurors shall not attempt to research any fact, issue, or law related to the case, whether by discussion with others, by research in a library or on the internet, or by any other means or source.

(b) Upon the jurors returning from any recess, the court shall verify with each juror on the record that he followed the admonition.

Approved by the Governor, June 6, 2023.

A true copy:  
R. Kyle Ardoin  
Secretary of State

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**ACT No. 76**  
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HOUSE BILL NO. 273  
BY REPRESENTATIVE FARNUM  
AN ACT

To amend and reenact the heading of Part III-E of Title 19 of the Louisiana Revised Statutes of 1950 and R.S. 19:134 and 134.1(A), relative to expropriation; to provide for the acquisition of property for the cities of Lake Charles and Sulphur; to provide for limitations; to provide for definitions; and to provide for related matters.

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

Be it enacted by the Legislature of Louisiana:

Section 1. The heading of Part III-E of Title 19 of the Louisiana Revised Statutes of 1950 and R.S. 19:134 and 134.1(A) are hereby amended and reenacted to read as follows:

PART III-E. EXPROPRIATION OF PROPERTY BY  
A DECLARATION OF TAKING BY PARISH OF CALCASIEU,

~~AND THE CITY CITIES OF LAKE CHARLES AND SULPHUR~~

§134. Property, governing authority defined

As used in this Part, the term "property" means any portion of immovable property, including servitudes, rights-of-way, and other rights in or to immovable property, where there are no buildings or structures for support or shelter; the term "governing authority" means the governing authority of the parish of Calcasieu or the ~~city cities~~ of Lake Charles ~~or Sulphur~~.

§134.1. Authority to expropriate; acquisition of property for street, drainage, water, utility, or sewerage projects prior to judgment

A. When the governing authority cannot amicably acquire property needed by the parish of Calcasieu or the ~~city cities~~ of Lake Charles ~~or Sulphur~~ for a street, drainage, water, utility, or sewerage project, it may acquire the same by expropriation and may acquire the property prior to judgment in the trial court fixing the amount of compensation due to the owner of the property.

Approved by the Governor, June 6, 2023.

A true copy:  
R. Kyle Ardoin  
Secretary of State

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**ACT No. 77**  
---

HOUSE BILL NO. 285  
BY REPRESENTATIVES TURNER AND ECHOLS AND SENATOR CATHEY  
AN ACT

To amend and reenact R.S. 33:9033(B)(3), relative to tax increment financing mechanisms authorized for local governmental subdivisions; to provide relative to the use of state sales tax increments for such tax increment financing; to provide relative to sales tax increment financing of local economic development projects; to provide relative to the prohibition on the use of state sales tax increments for financing of such projects; to revise provisions establishing an exception to the prohibition; and to provide for related matters.

Be it enacted by the Legislature of Louisiana:

Section 1. R.S. 33:9033(B)(3) is hereby amended and reenacted to read as follows:

§9033. Sales tax increment financing

\* \* \*

B. Notwithstanding the provisions of Subsection A of this Section, the prohibition regarding the use of state sales tax increments for purposes of sales tax increment financing shall not apply to:

\* \* \*

(3) Any expansion of the project scope or extension of the use of the state sales tax for an economic development project or program for which the ~~cooperative endeavor agreement initially authorizing the state sales tax increment was executed initially authorized and approved by the Joint Legislative Committee on the Budget before July 1, 1997, and, as expanded or extended through subsequent approvals by that committee~~, did not expire on or before August 1, 2019, provided that the state sales tax increment shall not be extended beyond December 31, ~~2033~~ 2048.

Approved by the Governor, June 6, 2023.

A true copy:  
R. Kyle Ardoin  
Secretary of State

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**ACT No. 78**  
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HOUSE BILL NO. 297  
BY REPRESENTATIVES DEVILLIER AND KNOX  
AN ACT

To amend and reenact R.S. 30:2531(E) and to enact R.S. 30:2531(A)(4) and (B)(3), relative to intentional and simple littering; to provide for citations issued for intentional and simple littering violations; and to provide for related matters.

Be it enacted by the Legislature of Louisiana:

Section 1. R.S. 30:2531(E) is hereby amended and reenacted and R.S. 30:2531(A)(4) and (B)(3) are hereby enacted to read as follows:

§2531. Intentional littering prohibited; criminal penalties; simple littering prohibited; civil penalties; special court costs

A. Intentional Littering.

\* \* \*

(4) A violation of this Subsection shall be cited within one year of the date on which law enforcement knew or reasonably should have known of the commission of the act.

\* \* \*

B. Simple littering.

\* \* \*

(3) A violation of this Subsection shall be cited within one year of the date on which law enforcement knew or reasonably should have known of the commission of the act.

\* \* \*

E. ~~The person~~ A person who violates this Section shall be cited for the offense by means of a citation, summons, or other means provided by law.

Approved by the Governor, June 6, 2023.

A true copy:

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



R. Kyle Ardoin  
Secretary of State

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**ACT No. 79**  
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HOUSE BILL NO. 316  
BY REPRESENTATIVES PHELPS, BOYD, BRASS, CARPENTER, COX,  
FISHER, GLOVER, JENKINS, KNOX, LAFLEUR, LARVADAIN, LYONS,  
MARCELLE, NEWELL, PIERRE, SELDERS, STAGNI, AND WILLARD  
AN ACT

To enact R.S. 17:2121.1, relative to voter registration; and to provide for related matters.

Be it enacted by the Legislature of Louisiana:

Section 1. This Act shall be known and may be cited as the “Robert J. Jackson Louisiana High School Voter Registration Day Act”.

Section 2. R.S. 17:2121.1 is hereby enacted to read as follows:

§2121.1. Voter registration day; high schools

A. The first Tuesday after the first Monday in May annually shall be known as Louisiana High School Seniors Voter Registration Day.

B. Nothing in this Section shall be construed to create any duty or obligation for the secretary of state or any registrar of voters.

Approved by the Governor, June 6, 2023.

A true copy:

R. Kyle Ardoin  
Secretary of State

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**ACT No. 80**  
---

HOUSE BILL NO. 320  
BY REPRESENTATIVE TURNER  
AN ACT

To amend and reenact R.S. 37:970(3) and to enact R.S. 40:2120.52(C), relative to nursing education; to provide for the qualifications of a licensed practical nurse; to provide for the qualifications of a certified nurse aide; and to provide for related matters.

Be it enacted by the Legislature of Louisiana:

Section 1. R.S. 37:970(3) is hereby amended and reenacted to read as follows:  
§970. Qualifications of applicants

An applicant for a license to practice as a practical nurse shall:

~~(3) Have successfully completed the course in an accredited school for the training of practical nurses. Satisfy either of the following requirements:~~

~~(a) Successfully complete an education program for practical nurses at a program approved by the board.~~

~~(b) Successfully complete an education program for registered nurses at a program approved by the Louisiana State Board of Nursing.~~

Section 2. R.S. 40:2120.52(C) is hereby enacted to read as follows:

§2120.52. State registration of certified nurse aides in nursing facilities

C.(1) An individual who successfully completes one semester of a registered or practical nursing program that includes a course on foundational nursing skills may apply to take a nurse aide competency evaluation examination approved by the department.(2) A nurse aide who successfully passes an approved nurse aide competency evaluation examination may register with the Louisiana Certified Nurse Aide Registry and shall not be required to complete a nurse aide training program.

Approved by the Governor, June 6, 2023.

A true copy:

R. Kyle Ardoin  
Secretary of State

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**ACT No. 81**  
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HOUSE BILL NO. 334  
BY REPRESENTATIVES PHELPS, COX, JORDAN, AND LARVADAIN  
AN ACT

To amend and reenact R.S. 6:652.2(A)(2) and 656(A)(1)(introductory paragraph) and (c), R.S. 39:1221(A)(6), and R.S. 49:321(A)(4), relative to private insurance for certain deposits and shares; to allow certain financial institutions to use private insurance to secure investments and loans; to allow use of private deposit insurance as security for state and local depositing authorities; to provide for effectiveness; and to provide for related matters.

Be it enacted by the Legislature of Louisiana:

Section 1. R.S. 6:652.2(A)(2) and 656(A)(1)(introductory paragraph) and (c) are hereby amended and reenacted to read as follows:

§652.2. Share and share certificate accounts as legal investments

A.

(2) Investments by banks and trust companies; by the state of Louisiana, its agencies, boards, commissions, and departments; by the state treasurer of state funds standing in the name of the state treasurer; by political subdivisions of the state and other public bodies existing under the constitution and laws of the state of Louisiana, any parish, or any political subdivision of any parish,

and city, town, or village, or any political subdivision of any city, town, or village shall not exceed at any one time the sum of the primary amount insured by the National Credit Union Administration and the excess amount insured by a private sector insurance provider or other a deposit insurance corporation in any one federally or state chartered credit union, ~~unless the uninsured portion is collateralized by the pledge of securities in the manner provided by R.S. 49:321 in lieu of collateralization by the pledging of securities in the manner provided by R.S. 39:1221 or R.S. 49:321.~~

\* \* \*

**§656. Loans**

A. A credit union may make loans, under terms and conditions specified in the bylaws, to its members, and extend lines of credit to its members, to other credit unions, and to credit union organizations, and to participate with other credit unions, credit union organizations, or financial organizations to credit union members in accordance with the following:

(1) Loans to members shall be made in conformity with criteria established by the board of directors, ~~provided that if:~~

\* \* \*

(c) A loan secured by the insurance or guarantee of the federal government, of a state government, or any agency of either, or private-sector insurance provider may be made for the maturity and under the terms and conditions specified in the law under which such insurance or guarantee is provided.

\* \* \*

Section 2. R.S. 39:1221(A)(6) is hereby amended and reenacted to read as follows:

§1221. Security for deposits; kinds

A. Local depositing authorities shall require as security for deposits:

\* \* \*

(6) Deposit guaranty bonds underwritten and guaranteed by an insurance company, licensed to do business in this state, listed as an approved surety by the United States Department of the Treasury, or private deposit insurance underwritten and issued by an insurer licensed to do business in this state, and approved for these purposes by the Interim Emergency Board, that provide coverage for deposits of depositing authorities in excess of the amounts insured by the Federal Deposit Insurance Corporation or any other governmental agency insuring bank or other financial institution deposits that is organized under the laws of the United States, and the form and content of which are approved in advance by the state treasurer.

\* \* \*

Section 3. R.S. 49:321(A)(4) is hereby amended and reenacted to read as follows:

§321. Security for deposit of funds; checks and drafts of departments

A. State depositing authorities shall require as security for deposits of state funds either:

\* \* \*

(4) Deposit guaranty bonds underwritten and guaranteed by an insurance company, licensed to do business in this state, listed as an approved surety by the United States Department of the Treasury, or private deposit insurance underwritten and issued by an insurer licensed to do business in this state, and approved for this purpose by the Interim Emergency Board, that provide coverage for deposits of depositing authorities in excess of the amounts insured by the Federal Deposit Insurance Corporation or any other governmental agency insuring bank or other financial institution deposits that is organized under the laws of the United States, and the form and content of which are approved in advance by the state treasurer.

\* \* \*

Section 4. This Act shall become effective on July 1, 2023.

Approved by the Governor, June 6, 2023.

A true copy:

R. Kyle Ardoin  
Secretary of State

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**ACT No. 82**

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HOUSE BILL NO. 336  
BY REPRESENTATIVE BISHOP  
AN ACT

To amend and reenact R.S. 39:100.121(A)(1) and (2)(b), 105(A), 112(C)(1) (introductory paragraph) and (c), (E)(1) and (2)(introductory paragraph), and (G)(1), and 115(A) and (B), to enact R.S. 39:112(E)(4) and (H), 121.1, and 125.1, and to repeal R.S. 39:112(E)(2)(b), relative to capital outlay; to provide with respect to the capital outlay process; to provide for certain requirements for nonstate projects; to provide with respect to the local match requirements for certain projects; to provide for certain notifications; to require certain reports; to provide for limitations; to require the inclusion of certain information concerning state indebtedness within the Capital Outlay Act; to require certain projects to be included in the Capital Outlay Act or to obtain legislative approval; to require the appropriation for certain projects to be deposited into the Capital Outlay Savings Fund; to require the timely submission of certain invoices; to limit the disposal of projects which received capital outlay funding; to require certain approval before a project is disposed of or sold; to provide for applicability; to provide for an effective date; and to provide for related matters.

Be it enacted by the Legislature of Louisiana:

Section 1. R.S. 39:100.121(A)(1) and (2)(b), 105(A), 112(C)(1)(introductory

paragraph) and (c), (E)(1) and (2)(introductory paragraph), and (G)(1), and 115(A) and (B) are hereby amended and reenacted and R.S. 39:112(E)(4) and (H), 121.1, and 125.1 are hereby enacted to read as follows:

§100.121. Capital Outlay Savings Fund  
A.(1) There is hereby created in the state treasury, as a special fund, the Capital Outlay Savings Fund, hereinafter referred to as the “fund”. The fund shall be comprised of both recurring and nonrecurring state general fund revenues.  
(2)

(b) In the event that a project included in the comprehensive capital outlay budget that has a state general fund direct ~~nonrecurring revenue~~ appropriation, regardless of whether the appropriation is from recurring or nonrecurring revenue, is deemed null by the division of administration or is vetoed by the governor, the state treasurer is authorized and directed to deposit into the fund an amount equal to the amount of the appropriation for the project that is deemed null or vetoed from the recurring or nonrecurring revenues, whichever is applicable, in the state general fund.

§105. Capital Outlay reports to Joint Legislative Committee on Capital Outlay  
A.(1) The office of facility planning and control and any state agency authorized to administer capital outlay appropriations shall submit to the Joint Legislative Committee on Capital Outlay, an annual written report no later than the first day of February, ~~of~~. The report shall include the following information for each project included in the prior year’s capital outlay budget which includes the following information:

- (1)(a) The title of the project.
- (2)(b) The total budget for the project from all means of financing.
- (3)(c) A breakdown of the funding of the project including all cash and general obligation bond funding of the project.
- (4)(d) The amount of state and local funds, including local match funds, expended on the project.
- (5)(e) The amount of project funding that has been encumbered, including all cash and general obligation bond cash and noncash lines of credit approved for the project.
- (6)(f) The total amount of funds the project will need to spend in the next fiscal year.
- (7)(g) The current status of the project as either active or complete.
- (8)(h) If the project is complete, the total amount of unspent appropriations remaining on the project, including the means of finance of the funds.

(2) Each project which is funded through a cash means of finance or which received advance funding in a bond sale shall also be included in the annual report required in Paragraph (1) of this Subsection regardless of whether the project was in the prior year’s capital outlay budget. Additionally, the office of facility planning and control shall continue to include each such project in the annual report until a certificate of completion for the project has been issued by the entity administering the project.

§112. Capital ~~outlay-act~~ Outlay Act

C.(1) Capital outlay budget requests submitted after November first may be included within the ~~capital outlay-act~~ Capital Outlay Act if the capital outlay budget request meets all of the applicable requirements as provided in R.S. 39:101 and 102 except for time of submission and if any of the following conditions have been met:

(c) The project is for a ~~non-state~~ nonstate entity, has a total project cost of less than one million dollars, and has been approved by the Joint Legislative Committee on Capital Outlay; however, no action to approve any such project may be taken by the Joint Legislative Committee on Capital Outlay after the first day of February.

E.(1) General obligation bond funding of ~~non-state~~ nonstate projects shall be limited to no more than twenty-five percent of the cash line of credit capacity for projects in any fiscal year. ~~Non-state~~ Nonstate projects are those projects not owned and operated by the state except those projects determined by the commissioner of administration to be a regional economic development initiative or regional health care facility operated in cooperation with the state.

(2) ~~Non-state~~ Nonstate entity projects shall require a match of not less than twenty-five percent of the total requested amount of funding except:

(4) In addition to the match required pursuant to the provisions of Paragraph (2) of this Subsection, a nonstate entity applying for funding for construction of a new project through the Capital Outlay Act shall also provide documentation evidencing its ability to provide no less than three percent of the total requested amount of funding to be used exclusively for costs associated with the long-term maintenance of the project. Failure of a nonstate entity to provide this documentation at the time of applying for funds through the Capital Outlay Act shall result in the project being deemed not feasible by the office of facility planning and control, and the project shall not be included in the Capital Outlay Act.

G.(1) Projects to be funded through the ~~sale of bonds~~ issuance of debt or other agreements including but not limited to agreements of lease, lease-purchase,

or third party financing and secured by or payable from state appropriation shall either be included in the ~~capital outlay-act~~ Capital Outlay Act or shall obtain legislative approval as set forth in this Subsection.

H. The Capital Outlay Act shall include a statement concerning the total outstanding net state tax supported debt as defined in R.S. 39:1367, as reported in the most recent report by the state treasurer concerning net state tax supported debt. The amounts of principal and interest payable on this indebtedness shall be reported separately. Further, the Capital Outlay Act shall contain an estimate of debt service costs associated with the amount of new general obligation bond cash line of credit capacity for that fiscal year, pursuant to Subsection F of this Section. The net state tax supported debt model shall be used in the calculation of the estimate.

§115. Notice requirements  
A. The office of facility planning and control shall send notice to all ~~non-state~~ nonstate entities of the need to resubmit a capital outlay budget request for projects that do not receive a line of credit for the total amount of bond proceeds authorized in the ~~capital outlay-act~~ Capital Outlay Act for that fiscal year. The notice shall list all of the ~~non-state~~ nonstate entity’s projects which have not been recommended for lines of credit or have not received lines of credit prior to September fifteenth of the year for which notice is sent to the ~~non-state~~ nonstate entity.

B. The office of facility planning and control shall also send a notice of the need to resubmit a capital outlay budget request to each state representative and state senator who has any project in his geographic area that ~~did not receive~~ has not been recommended for a line of credit or has not received a line of credit for the total amount of bond proceeds authorized in the ~~capital outlay-act~~ Capital Outlay Act for that year. The notice shall list all of the projects in the representative’s or senator’s geographic area which have not received lines of credit prior to September fifteenth of the year for which notice is sent to the representative or senator.

§121.1. Timely submission of invoices  
Any entity administering a capital outlay project included in the comprehensive capital outlay budget may require all parties performing any portion of planning and designing, including engineers and architects, or parties contracted with for the construction of a capital outlay project to submit invoices for the payment of services rendered or performed within one hundred eighty days of the date the services were rendered or performed. Failure of a party to timely submit an invoice for services rendered or performed shall result in the party’s claim for reimbursement or payment from the state being denied.

§125.1. Disposal of projects which received funding through the capital outlay budget; limitations; requirements

A. For projects included in the capital outlay budget for fiscal years beginning on or after July 1, 2024, the owner of a project that received funding through the sale of general obligation bonds for acquiring lands, buildings, equipment, or other permanent properties, or for the preservation or development of permanent improvements through the capital outlay budget shall not sell or otherwise dispose of the project while repayment of the bonds, including debt service, by the state is outstanding unless all of the following conditions are met:

- (1) The property owner obtains, at his own cost, an opinion from current bond counsel to the state that the sale will not affect the tax exempt status of the bonds.
- (2) The property owner receives prior written approval by the commissioner of administration.
- (3) All other conditions required for the disposal of the project by the property owner have been met.

B. If the commissioner of administration approves a property owner disposing of a project that received funding through the sale of general obligation bonds, the commissioner shall notify the House Committee on Ways and Means and the Senate Committee on Revenue and Fiscal Affairs in writing, within ten days of such approval.

Section 2. R.S. 39:112(E)(2)(b) is hereby repealed in its entirety.  
Section 3. The provisions of this Act shall apply to the funding of all projects included in the capital outlay budget for fiscal years commencing on or after July 1, 2024.

Section 4. This Act shall become effective on July 1, 2024.  
Approved by the Governor, June 6, 2023.

A true copy:  
R. Kyle Ardoin  
Secretary of State

ACT No. 83  
---  
HOUSE BILL NO. 338  
BY REPRESENTATIVES FREIBERG, CARRIER, COX, DAVIS, FISHER,  
HILFERTY, HUGHES, JENKINS, MIKE JOHNSON, MAGEE, MOORE,  
CHARLES OWEN, SCHEXNAYDER, SELDERS, STAGNI, THOMPSON,  
AND WHITE  
AN ACT  
To amend and reenact R.S. 17:407.101(C)(1)(d), (E)(8)(introductory paragraph)



and (b)(introductory paragraph), (F), and (G) and to enact R.S. 17:407.101(E) (8)(b)(ix), relative to the Early Childhood Care and Education Commission; to provide relative to the officers and duties of a task force of the commission; to require the commission report to the legislature; to provide for effectiveness; and to provide for related matters.

Be it enacted by the Legislature of Louisiana:

Section 1. R.S. 17:407.101(C)(1)(d), (E)(8)(introductory paragraph) and (b) (introductory paragraph), and (G) are hereby amended and reenacted and R.S. 17:407.101(E)(8)(b)(ix) is hereby enacted to read as follows:

§407.101. Early Childhood Care and Education Commission

\* \* \*

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

\* \* \*

(d) One representative of a ~~special-needs~~ disability advocacy organization, appointed by the governor.

\* \* \*

E. The commission shall study and make recommendations relative to establishing a vision for the future of early childhood care and education in Louisiana. When conducting analysis and making recommendations relative to a vision and framework, the commission shall do all of the following:

\* \* \*

(8) Establish and appoint members to a task force to identify and recommend; alternative state and local funding strategies for quality early childhood care and education, ~~and strategies to address workforce compensation and benefits issues within the early childhood care and education field, and a formula that could be used on an annual basis to determine the funding necessary to sustain and grow the early childhood care and education system and any necessary legal changes needed to implement such a formula.~~ The commission shall incorporate the task force's findings and recommendations into the report that the commission produces pursuant to Subsection F of this Section.

\* \* \*

(b) The task force shall have the following ~~nine~~ ten members:

\* \* \*

(ix) One person with significant experience in the generation and administration of state government revenue.

\* \* \*

G. The commission shall meet at least ~~twice between consecutive regular sessions of the legislature~~ four times per year. At each meeting, the state Department of Education shall provide updates on how the commission's recommendations are being implemented. The commission shall make any further recommendations it deems necessary to advance the vision and goals established pursuant to Subsection E of this Section.

\* \* \*

Section 2. R.S. 17:407.101(F) is hereby amended and reenacted to read as follows:

§407.101. Early Childhood Care and Education Commission

\* \* \*

F. Not later than ~~thirty days prior to the beginning of each regular session of the legislature~~ ninety days following the end of each fiscal year, the commission shall provide a report of its findings and recommendations and the status of the implementation of its recommendations to the governor, the members of the legislature, the state superintendent of education, and the State Board of Elementary and Secondary Education.

\* \* \*

Section 3.(A) Section 1 and this Section of this Act shall become effective on August 1, 2023.

(B) Section 2 of this Act shall become effective on June 30, 2024.

Approved by the Governor, June 6, 2023.

A true copy:

R. Kyle Ardoin

Secretary of State

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**ACT No. 84**

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HOUSE BILL NO. 367

BY REPRESENTATIVES PHELPS, BRASS, FREEMAN, AND JEFFERSON  
AN ACT

To enact R.S. 17:1944(G), relative to pupil appraisal; to provide for the transition of children with disabilities from services provided through EarlySteps to services provided by local education agencies; to provide for the responsibilities of EarlySteps and local education agencies; and to provide for related matters.

Be it enacted by the Legislature of Louisiana:

Section 1. R.S. 17:1944(G) is enacted to read as follows:

§1944. Local education agency; responsibilities

\* \* \*

G.(1) Each month, EarlySteps shall submit a list of all children who are participating in EarlySteps as provided in Chapter 4-B of Title 28 of the Louisiana Revised Statutes of 1950 and who are reaching the age of two-and-a-half that month to the local education agency for the area in which the child resides.

(2) Each local education agency shall:

(a) Coordinate with each child's parent relative to scheduling any conferences necessary for appraising the child and conducting any other

activity necessary for facilitating the child's transition from EarlySteps to preschool or other appropriate services, including but not limited to facilitating a process through which the local education agency may directly coordinate with the child's early learning center relative to scheduling and conducting appraisals and conferences relative to the child's transition at the early learning center.

(b) Conduct pupil appraisals year-round for the purpose of assisting parents in scheduling appraisals and developing an appropriate plan for each child prior to the beginning of each school year.(c) Ensure that there is not a delay either in conducting a child's appraisal nor beginning to provide services to an eligible child solely because his third birthday falls during the summer months.

(d) Take all measures necessary to coordinate with EarlySteps personnel and parents to facilitate a smooth and seamless transition for each child upon reaching his third birthday.

Approved by the Governor, June 6, 2023.

A true copy:

R. Kyle Ardoin

Secretary of State

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**ACT No. 85**

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HOUSE BILL NO. 370

BY REPRESENTATIVES LANDRY, BACALA, CARRIER, ROBBY CARTER,  
EDMONSTON, FREEMAN, GOUDEAU, GREEN, HILFERTY, HORTON,  
JENKINS, KNOX, AND MOORE  
AN ACT

To amend and reenact R.S. 14:107.3(B) and (C), to enact R.S. 14:107.3(H) and R.S. 15:1352(A)(70), and to repeal R.S. 14:107.3(D), relative to criminal blighting of property; to provide relative to penalties for the offense; to provide relative to review and appeal of declarations of certifications of blight; to provide for additional crimes that are elements of racketeering activity; and to provide for related matters.

Be it enacted by the Legislature of Louisiana:

Section 1. R.S. 14:107.3(B) and (C) are hereby amended and reenacted and R.S. 14:107.3(H) is hereby enacted to read as follows:

§107.3. Criminal blighting of property

\* \* \*

B. Criminal blighting of property is the intentional or criminally negligent permitting of the existence of a condition of deterioration of property by the owner, which is deemed to have occurred when the property has been declared or certified as blighted after an administrative hearing, pursuant to R.S. 13:2575 or 2576, ~~and after all reviews or appeals have occurred.~~

C.(1) ~~On the a first conviction, the offender shall be punished by a fine~~ On a first conviction, the offender shall be fined not to exceed more than five hundred dollars per violation. Imposition of a fine may be suspended and in lieu thereof, the court may require the offender to correct all existing housing violations on the blighted property within a timely manner determined by the court.

(2) ~~On a second conviction, or if the offender fails to correct violations after ordered to do so by the court, the offender shall be punished by a fine not to exceed five hundred fined not more than one thousand dollars per violation and ordered to perform not more than forty hours of community service imprisoned for not more than six months.~~ Additionally, the court shall require that the offender correct all existing housing violations on the blighted property.

(3) ~~On any third or subsequent conviction, or if the offender fails to correct all violations after a second conviction, the offender shall be punished by a fine not to exceed fined not more than two thousand dollars per violation, and ordered to perform not more than eighty hours of community service, or both. Additionally, the court shall require that the offender correct all existing housing violations on the blighted property imprisoned for not more than one year, with or without hard labor.~~

(4) The penalty of imprisonment provided for in this Subsection shall not be imposed when the property is a single family residence occupied by the defendant at the time of the violation.

\* \* \*

H. Prosecution pursuant to this Section may occur concurrently with review and appeal of declarations and certifications of blight.

Section 2. R.S. 15:1352(A)(70) 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:

\* \* \*

(70) R.S. 14:107.3 (Criminal blighting of property)

\* \* \*

Section 3. R.S. 14:107.3(D) is hereby repealed in its entirety.

Approved by the Governor, June 6, 2023.

A true copy:

R. Kyle Ardoin

Secretary of State

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ACT No. 86

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HOUSE BILL NO. 378

BY REPRESENTATIVES DEVILLIER AND STEFANSKI

AN ACT

To amend and reenact R.S. 15:612(A)(introductory paragraph), (B), and (C), relative to DNA database exchange; to provide relative to the population database comprised of DNA samples; to provide relative to the use of the population database comprised of DNA samples; to provide relative to disclosure prohibitions of the database; and to provide for related matters.

Be it enacted by the Legislature of Louisiana:

Section 1. R.S. 15:612(A)(introductory paragraph), (B), and (C) are hereby amended and reenacted to read as follows:

§612. DNA data-base database exchange

A. The state police shall receive, store, and perform analysis on DNA samples or contract for DNA typing analysis with a qualified DNA laboratory that meets the guidelines as established by the state police, and shall classify and file the DNA record of identification characteristic profiles of DNA samples submitted under this Chapter and make such information available as provided in this Section. The state police may enter a contract for the storage of DNA typing analysis and for DNA typing analysis with a qualified DNA laboratory that meets guidelines as established by the state police. The results of the DNA profile of individuals in the state DNA data-base database shall be made available:

\* \* \*

B. The state police shall adopt guidelines governing the methods of obtaining information from the state DNA data-base database and procedures for verification of the identity and authority of the requestor.

C.(1) The state police may create a separate population data-base database comprised of DNA samples obtained under this Chapter after all personal identification is removed. The state police may share or disseminate the population data-base database with other criminal justice agencies or crime laboratories that serve to assist the state police with statistical data-bases databases. The population data-base database may be made available to and searched by other agencies participating in the CODIS system. This separate population database may be used for the following:

(a) To assist federal, state, and local criminal justice and law enforcement agencies in the identification and detection of individuals in criminal investigations or in declared or non-declared disaster victim identification.

(b) For a population statistics database.

(c) For identification and protocol development purposes.

(d) For quality control purposes.

(e) To reduce the rape kit backlog at the Louisiana State Police crime lab.

(2) The state police shall maintain this separate population database, and it shall be subject to the same disclosure prohibitions as the state data bank pursuant to R.S. 15:617.

Approved by the Governor, June 6, 2023.

A true copy:

R. Kyle Ardoin  
Secretary of State

ACT No. 87

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HOUSE BILL NO. 447

BY REPRESENTATIVE PIERRE

AN ACT

To amend and reenact R.S. 47:1676(C)(2)(a), relative to the office of debt recovery; to provide with respect to the collection of certain delinquent debt; to require agency referrals of delinquent debt to the office of debt recovery to include certain information; to provide for requirements; to provide for an effective date; and to provide for related matters.

Be it enacted by the Legislature of Louisiana:

Section 1. R.S. 47:1676(C)(2)(a) is hereby amended and reenacted to read as follows:

§1676. Debt recovery

\* \* \*

C.

\* \* \*

(2)(a)(i) Agencies that do not have collection contracts with the attorney general's office for the collection of delinquent debts shall refer all delinquent debts to the office as provided by rule. Such referrals shall include data and information in the required format necessary as provided for in Item (ii) of this Subparagraph to institute collection procedures. All delinquent debts shall be authenticated by the agency or officer prior to being referred to the office. Once the debt becomes final, and prior to referral to the office, the agency shall notify the debtor that failure to pay the debt in full within sixty days shall subject the debt to an additional collection fee as provided for in this Section. All agencies shall refer non-final delinquent debts to the attorney general's office for collection when the debt has been delinquent for sixty days pursuant to the referral guidelines established by the attorney general as incorporated into agreements between the attorney general and other agencies or pursuant to the rules promulgated by the attorney general pursuant to the Administrative Procedure Act. Such non-final delinquent debts shall be authenticated by the agency prior to their referral to the

attorney general.

(ii) Unless otherwise prohibited by federal or state law, any agency that refers delinquent debt to the office of debt recovery shall provide the following information on the delinquent debt:

(aa) A description of the original obligation or offense which is the subject of the delinquent debt.

(bb) The amount of any fine, fee, penalty, or charges assessed against the original obligation or offense by the originating agency.

(cc) The amount of any fine, fee, penalty, or charges added from previous collection attempts by a third party collector and included in the debt balance placed with the office of debt recovery.

(dd) The total amount paid and the date of last payment made by the debtor on the delinquent debt.

(ee) Any additional information requested by the office of debt recovery.

\* \* \*

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

Approved by the Governor, June 6, 2023.

A true copy:

R. Kyle Ardoin  
Secretary of State

ACT No. 88

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HOUSE BILL NO. 455

BY REPRESENTATIVE COUSSAN

AN ACT

To amend and reenact the heading of R.S. 31:11 and R.S. 31:39, 75, 79, 114, 138.1(A) and (B), 156, 164, 166, 175, 192, 204, and 206(A) and to repeal R.S. 9:5805, relative to security interests and other rights in minerals and their production and accounts; to provide relative to the encumbrance of production and accounts in minerals; to repeal a provision governing the accrual of liberative prescription against certain mineral or royalty rights; to provide for standardization of language and updates in terminology; to make technical corrections; and to provide for related matters.

Be it enacted by the Legislature of Louisiana:

Section 1. The heading of R.S. 31:11 and R.S. 31:39, 75, 79, 114, 138.1(A) and (B), 156, 164, 166, 175, 192, 204, and 206(A) are hereby amended and reenacted to read as follows:

§11. ~~Correlative rights of landowner and owner of a mineral right and between owners of mineral rights~~ Reasonable regard for concurrent uses of the land burdened by mineral rights

\* \* \*

§39. Attempt to restore or secure new production as interruption of prescription

After production has ceased and prescription has commenced anew, it may be interrupted by good faith ~~operation~~ operations conducted in accordance with the general principles of Articles 29 through 31 to restore production or to secure new production from the same well or mine, whether from the same geological formation or one different from that previously producing.

\* \* \*

§75. Right to contract regarding rules of use

The rules of use regarding interruption of prescription on a mineral servitude may be restricted by agreement but ~~may~~ shall not be made less burdensome, except that parties may agree expressly and in writing, either in the act creating a servitude or otherwise, that an interruption of prescription resulting from unit operations or production shall extend to the entirety of the tract burdened by the servitude ~~tract~~ regardless of the location of the well or of whether all or only part of the tract is included in the unit.

\* \* \*

§79. Prescription when after-acquired title doctrine applies; extinction of outstanding servitude

If the landowner who purported to create the servitude remains the owner of the land at the time of the extinction of the previously outstanding rights, the party in whose favor the doctrine operates has whatever time remains between the date of vesting of title in him and ten years from the date of the transaction by which ~~he~~ the party purported to ~~acquired~~ acquire in which to exercise his rights.

\* \* \*

§114. Nature of mineral lease; creation on noncontiguous tracts; effect of unit operations

A mineral lease is a contract by which the lessee is granted the right to explore for and produce minerals. A single lease may be created on two or more noncontiguous tracts of land, ~~and operations~~ Operations on or production from the land burdened by the lease or land unitized therewith sufficient to maintain the lease according to its terms will continue if the lease in force as to the entirety of the land burdened.

\* \* \*

§138.1. Division order; precedence of lease; penalties for failure to pay royalties due

A. For the purposes of the Article, a "division order" is an instrument setting forth the proportional ownership in ~~oil or gas minerals or other substances~~, or the value thereof, ~~which division order that~~ is prepared after examination of title and ~~which that~~ is executed by the owners of the production or other persons having authority to act on behalf of the owners thereof.

B. A division order ~~may~~ shall not alter or amend the terms of the ~~oil and~~



gas mineral lease. A division order that varies the terms of the oil and gas mineral lease is invalid to the extent of the variance, and the terms of the oil and gas mineral lease take precedence.

\* \* \*

§156. Interruption of possession by use or exercise of mineral rights  
Possession of mineral rights under Article 154 or 155 is lost by adverse use or exercise of them according to their nature. Loss of possession occurs although the production or operations constituting the adverse use or exercise are not on the land being possessed. It is sufficient that the production or operations constitute a use of the mineral rights according to the title of the owner thereof. In the case of a mineral lease, the use or exercise must be such that it would interrupt the liberative prescription of nonuse if the lessee had been the owner of a mineral servitude.

\* \* \*

§164. Creation of mineral servitude by co-owner of land  
A co-owner of land may create a mineral servitude out of his undivided interest in the land, and prescription commences from the date of its creation. One who acquires a mineral servitude from a co-owner of land may shall not exercise his right without the consent of co-owners owning at least an undivided seventy-five percent interest in the land, provided that he the servitude owner has made every effort to contact such co-owners and, if contacted, has offered to contract with them on substantially the same basis that he the servitude owner has contracted with another co-owner. A co-owner of the land who does not consent to the exercise of such rights has no liability for the costs of development and operations, except out of his share of production.

\* \* \*

§166. Granting of mineral lease by co-owner of land  
A co-owner of land may grant a valid mineral lease or a valid lease or permit for geological surveys, by means of a torsion balance, seismographic explosions, mechanical device, or any other method, as to his undivided interest in the land, but the lessee or permittee may shall not exercise his rights thereunder without consent of co-owners owning at least an undivided seventy-five percent interest in the land, provided that he the lessee or permittee has made every effort to contact such co-owners and, if contacted, has offered to contract with them on substantially the same basis that he the lessee or permittee has contracted with another co-owner. A co-owner of the land who does not consent to the exercise of such rights has no liability for the costs of development and operations or other costs, except out of his share of production.

\* \* \*

§175. Co-owner of mineral servitude may not operate independently  
A co-owner of a mineral servitude may shall not conduct operations on the property subject to the servitude without the consent of co-owners owning at least an undivided seventy-five percent interest in the servitude, provided that he the co-owner has made every effort to contact such other co-owners and, if contacted, has offered to contract with them on substantially the same basis that he the co-owner has contracted with another co-owner. Operations as used in this Section shall include geological surveys, by means of a torsion balance, seismographic explosions, mechanical device, or any other method. A co-owner of the servitude who does not consent to such operations has no liability for the costs of development and operations, except out of his share of production.

\* \* \*

§192. When Right of usufructuary of land entitled to grant lease  
If the land subject to the usufruct, or any part thereof, is subject to a lease granted by the landowner prior to the creation of the usufruct, the usufructuary is entitled only to royalties on actual or constructive production allocable to him under Article 191. If such a lease terminates, or if the land or any part thereof is not under lease at the time the usufruct is created, the usufructuary's right of use and enjoyment includes the right to execute leases as to any rights to which he the usufructuary is entitled under Article 190 and, accordingly, to retain bonuses, rentals, or other payments, or the proportionate part thereof, allocable to payments, or the proportionate part thereof, allocable to his interest under Article 191. Such a lease executed by the usufructuary may shall not extend beyond the period of his usufruct.

\* \* \*

§204. Mortgage may include pledge; effect of pledge Security interest in minerals and proceeds thereof  
A. A mortgage of mineral rights entered into prior to the time Chapter 9 of the Louisiana Commercial Laws becomes effective may also provide for the pledge of minerals subsequently produced to the extent of the mortgagor's interest therein or of the proceeds accruing from the sale or other disposition thereof. Delivery of the minerals or proceeds is unnecessary and, upon execution of such an act of mortgage containing the pledge, the pledgee is possessed of them and is entitled to receive all amounts accruing to them. Such a pledge entered into prior to the time Chapter 9 of the Louisiana Commercial Laws becomes effective is effective as to third persons when the act of mortgage containing the pledge is properly filed for registry. A person who pays, delivers, or accounts to a pledgor, under a contract or agreement in existence at the time the act of mortgage is filed for registry, for minerals produced, or proceeds from the sale thereof, or royalties, rentals, or other sums which the pledgee is entitled to receive under the pledge, may make the payments or deliver or account for such minerals to the pledgor without liability to the pledgee until such person has been delivered a certified copy of the act of pledge or until he has acknowledged in writing to the pledgee

notice of the pledge. The privilege enjoyed by the pledgee shall attach to all minerals severed or the proceeds thereof in the hands of the pledgor as long as they can be identified. The pledgor shall promptly account to the pledgee for them unless excused from doing so by the act of pledge. The pledge stipulated in the act of mortgage of mineral rights is extinguished when the mortgage is extinguished.

B. ~~Pledges of minerals produced or the proceeds from the sale or other disposition thereof entered into after Chapter 9 of the Louisiana Commercial Laws (R.S. 10:9-101, et seq.) becomes effective are effective between the parties and as to third parties as provided in Chapter 9.~~

The Uniform Commercial Code - Secured Transactions governs the manner of creation of security interests in minerals produced and the proceeds from their sale or other disposition, as well as the rights of the holders of these security interests against obligors and third persons.

Comments - 2023

As Article 203 provides, the mineral right itself, whether a mineral servitude, mineral lease, or mineral royalty, is encumbered by a mortgage. This Article recognizes that the physical minerals produced, and accounts resulting from their sale, are "as extracted collateral" encumbered by a security interest under the Uniform Commercial Code - Secured Transactions, R.S. 10:9-101 et seq., except that bonuses, delay rentals, royalties, and shut-in payments payable under a mineral lease to an owner of land or holder of a mineral servitude, as well as other payments to them that are classified as rent under the Mineral Code, are not subject to the Uniform Commercial Code but instead are encumbered by a pledge under Chapter 2 of Title XX-A of Book III of the Civil Code.

\* \* \*

§206. Obligation of owner of expired mineral right to furnish recordable act evidencing extinction or expiration of right; mineral lease  
A. Except as provided in Paragraph B of this Article, when a mineral right is extinguished by the accrual of liberative prescription of nonuse, expiration of its term, or otherwise, the former owner shall, within thirty days after written demand by the person in whose favor the right has been extinguished or terminated, furnish him the person with a recordable act evidencing the extinction or expiration of the right.

\* \* \*

Comments - 2023

At the time of adoption of the Louisiana Mineral Code, effective January 1, 1975, the Civil Code identified two kinds of prescription. Former Civil Code Article 3457 provided that "Prescription is a manner of acquiring the ownership of property, or discharging debts, by the effect of time, and under the conditions regulated by law. Each of these prescriptions has its special and particular definition." The prescription that resulted in the "discharging of debts" was called liberative prescription, or liberandi causa. Consequently, it was, at that time, appropriate that Articles 156 and 206(A) of the Mineral Code made reference to "liberative prescription."

In 1982, however, the law of prescription was comprehensively revised and reenacted by Act No. 187 of the 1982 Regular Session of the Legislature. Civil Code Article 3445 now states that "There are three kinds of prescription: acquisitive prescription, liberative prescription, and prescription of nonuse." However, the Act did not revise articles of the Mineral Code that made reference to "liberative prescription."

The references in Articles 156 and 206(A) to "liberative prescription" have been revised to refer to "prescription of nonuse" as being the relevant regime of prescription pertinent to the mineral servitude and mineral royalty. Accordingly, Comments to Mineral Code Articles 16, 28, 54, 59, 85, 105, 156, 157, and 162 are no longer accurate to the extent that they refer to liberative prescription.

Section 2. R.S. 9:5805 is hereby repealed in its entirety.

Approved by the Governor, June 6, 2023.

A true copy:

R. Kyle Ardoin  
Secretary of State

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**ACT No. 89**

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HOUSE BILL NO. 474  
BY REPRESENTATIVE ILLG  
AN ACT

To enact R.S. 4:707.1, relative to charitable gaming; to provide for limited raffle licenses for certain raffle games; to provide relative to the promulgation of rules for limited raffle licenses; and to provide for related matters.

Be it enacted by the Legislature of Louisiana:

Section 1. R.S. 4:707.1 is hereby enacted to read as follows:

§707.1. Limited raffle licenses

A. Notwithstanding any provision of law to the contrary, there shall be a limited raffle license for certain raffle games. The office shall promulgate rules relative to the issuance of such limited raffle licenses which shall include but not be limited to licensing fees and reporting requirements. The provisions of R.S. 4:705(2)(c) and 714(F)(1) shall not apply to any limited raffle license issued pursuant to the provisions of this Section.

B. The raffle games to which this Section applies shall include only single games as defined in R.S. 4:707(A)(1), and have a prize value of which shall not exceed ten thousand dollars.

Approved by the Governor, June 6, 2023.

A true copy:  
R. Kyle Ardoin  
Secretary of State

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**ACT No. 90**  
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HOUSE BILL NO. 479  
BY REPRESENTATIVES MARINO AND KNOX  
AN ACT

To enact Code of Criminal Procedure Article 972.1, relative to expungement of records; to provide for certain jurisdictions of courts for expungement of records; and to provide for related matters.

Be it enacted by the Legislature of Louisiana:

Section 1. Code of Criminal Procedure Article 972.1 is hereby enacted to read as follows:

Art. 972.1. Expungement of records; local courts  
The following courts, throughout their several territorial jurisdictions,  
shall have authority to expunge records in accordance with this Title:

- (1) District courts and their commissioners within their trial jurisdiction.
- (2) City or parish courts within their trial jurisdiction.
- (3) Mayor's courts and traffic courts within their trial jurisdiction.
- (4) Juvenile and family courts within their trial jurisdiction.
- (5) Municipal and traffic courts of New Orleans within their trial jurisdiction.

Approved by the Governor, June 6, 2023.

A true copy:  
R. Kyle Ardoin  
Secretary of State

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**ACT No. 91**  
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HOUSE BILL NO. 496  
BY REPRESENTATIVE STEFANSKI  
AN ACT

To amend and reenact R.S. 18:103(B)(4) and (C)(4), 104(F), 109, 115.1(C)(1), 154(B)(1) and (2), (C)(2)(d), (D), (F), (G), and (H), 175(D), 192(A)(1)(b) and (2), 193(B) through (E), 195(A) and (B)(1), 196(A)(1), (B), (C)(2)(a) and (3), and (D), 198, 402(C), (E)(1)(c) and (2)(c), and (F)(3), 444(H)(2), 467(3), 562(B)(2), 565(B) and (C), 566(B)(introductory paragraph) and (1) and (D)(introductory paragraph) and (1), 566.2(F)(2), (4) through (6) and (G), 571(A)(8), 573(E)(1), (2), and (4), 574(F), 581(3), 1280.22(B)(1), 1300.3(E), 1306(E)(1)(introductory paragraph) and (d) and (2)(a), 1308(A)(1)(b) through (d) and (2), 1308.1(A), 1309(E)(5)(b)(ii) and (F)(3), 1310(A)(1) and (C)(1), 1312(B) and (C), 1313(A), (C)(2), (G)(1), (2), (4) through (6), and (9), (H)(1), (4), (6) through (8), (11), and (12)(b), (I), and (K)(1), (2)(a)(i) and (c), and (3), 1313.1(C)(3), (G)(1)(a), (2), (4) through (7), (H)(1), (3) through (5), and (8), (I)(1) and (4)(b), (J), (L)(1), (2)(a) and (c), and (3), 1315(C)(2) and (3), and 1333(E) and (G)(1), (3), and (7), to enact R.S. 18:154(C)(1)(h), 448, 467(5), and 1308(D), and to repeal R.S. 18:110(A)(3), 154(I) and (J), 443(F), 443.2(6), 444(F), 445(A)(3), and 585, relative to the Louisiana Election Code; to revise the system of laws comprising the Louisiana Election Code; to provide for the duties of the Department of State and secretary of state; to provide for the duties of the registrar of voters; to provide for mailing the notice of registration; to provide for copies of registration applications; to provide for information relative to preparing the general venire; to provide for certifications submitted to the registrar of voters; to provide for disclosure of identifying information of commissioners; to provide for the dates related to the presidential primary; to provide for the filling of vacancies in political party committees; to provide relative to absentee and paper ballots; to provide for the certificate on such ballots; to provide for the timing for preparing and verifying absentee and early voting ballots; to provide for address confirmation notices; to provide for ballot envelopes and containers; 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. R.S. 18:103(B)(4) and (C)(4), 104(F), 109, 115.1(C)(1), 154(B)(1) and (2), (C)(2)(d), (D), (F), (G), and (H), 175(D), 192(A)(1)(b) and (2), 193(B) through (E), 195(A) and (B)(1), 196(A)(1), (B), (C)(2)(a) and (3), and (D), 198, 402(C), (E)(1)(c) and (2)(c), and (F)(3), 444(H)(2), 467(3), 562(B)(2), 565(B) and (C), 566(B)(introductory paragraph) and (1) and (D)(introductory paragraph) and (1), 566.2(F)(2), (4) through (6) and (G), 571(A)(8), 573(E)(1), (2), and (4), 574(F), 581(3), 1280.22(B)(1), 1300.3(E), 1306(E)(1)(introductory paragraph) and (d) and (2)(a), 1308(A)(1)(b) through (d) and (2), 1308.1(A), 1309(E)(5)(b)(ii) and (F)(3), 1310(A)(1) and (C)(1), 1312(B) and (C), 1313(A), (C)(2), (G)(1), (2), (4) through (6), and (9), (H)(1), (4), (6) through (8), (11), and (12)(b), (I), and (K)(1), (2)(a)(i) and (c), and (3), 1313.1(C)(3), (G)(1)(a), (2), (4) through (7), (H)(1), (3) through (5), and (8), (I)(1) and (4)(b), (J), (L)(1), (2)(a) and (c), and (3), 1315(C)(2) and (3), and 1333(E) and (G)(1), (3), and (7), are hereby amended and reenacted and R.S. 18:154(C)(1)(h), 448, 467(5), and 1308(D) are hereby enacted to read as follows:

**§103. Personal appearance of applicant required; exceptions**  
\* \* \*  
B. Any citizen of Louisiana who meets the qualifications set forth in R.S. 18:101 and who is a legal resident of this state, whether or not he has a place of abode in this state, but who is unable to appear in person to register because he is in the United States Service, as defined in R.S. 18:1302, may register by mail using the state mail voter registration form in accordance with the

following provisions:

\* \* \*

(4) Upon receipt of the completed document, the registrar shall, if the evidence establishes that the applicant meets the requirements for registration, register the applicant. ~~The Department of State shall and~~ mail the notice of registration required by R.S. 18:109 to the applicant at his United States Service address.

\* \* \*

C. A person who meets the qualifications set forth in R.S. 18:101(E) who is unable to appear in person to register because he is residing outside the United States may register by mail using the state mail voter registration form in accordance with the following provisions:

\* \* \*

(4) Upon receipt of the completed document, the registrar shall, if the evidence establishes that the applicant meets the requirements for registration, register the applicant. The Department of State shall and mail the notice of registration required by R.S. 18:109 to the applicant at his address outside the United States.

\* \* \*

**§104. Application for registration; form**

\* \* \*

F. Upon request, the registrar shall furnish each applicant a copy of his application form without redaction, and the applicant shall be informed that he may obtain such copy.

\* \* \*

**§109. Notice of registration and change in registration**

After receiving from the registrar the information concerning a new registrant or a change in name, address, or polling place made with respect to the registration of any person, the Department of State promptly shall deliver a notice to the appropriate registrar that the person is registered or that his registration has been changed. ~~The registrar department shall then~~ mail the notice, postage prepaid, to each new registrant and to each person whose registration was changed. The notice shall show the parish, ward, precinct, and registration address of the registrant. The notice shall list an abbreviation of the name of the political party if the registrant is registered as being affiliated with a recognized political party, “other” if the registrant is registered as being affiliated with a political party that is not recognized, or “no party” or an abbreviation thereof if the registrant is registered with no political party affiliation. However, the ~~registrar department~~ shall not be required to send such a notice to any voter who is on the inactive list of voters unless the change in registration involves a change in the voter’s address. The secretary of state shall prescribe the form to be used on the notice; however, “Return Service Requested” shall be printed on the front of the notice, and the return address shall be that of the appropriate registrar. When a notice is returned by the postmaster, the registrar shall proceed in accordance with the applicable provisions of Part V of this Chapter.

\* \* \*

**§115.1. Electronic registration**

\* \* \*

C.(1) The electronic voter registration application shall contain spaces for the information required pursuant to R.S. 18:104, except that the applicant shall attest that the facts given by him on the application are true to the best of his knowledge and belief, and such attestation shall take the place of the affidavit required pursuant to R.S. 18:104(A)(15).

\* \* \*

**§154. Records open to inspection; copying; exceptions**

\* \* \*

B.(1)(a) If twenty-five or more qualified voters of a parish make a request in writing, the registrar shall permit the copying of any part of his records, except the early voting confirmation sheets.

(b) Notwithstanding the ~~provisions of~~ Subparagraph (a) of this Paragraph, the registrar shall permit copying of the following:

(i) the copying of a list prepared pursuant to R.S. 18:1311(A) upon the written request of a single person of the age of majority.

(ii) Any part of the registrar's records related to the election of a candidate for an office, except the early voting confirmation sheets, upon the written request made by a candidate in the election for that office received within the time period provided for in R.S. 18:1405(B) or (H).

(iii) A voter registration application upon the request of the applicant pursuant to R.S. 18:104.

(2) The registrar shall allow ~~this copying~~ to be done by hand or otherwise, if so requested, unless such reproduction seriously interferes with the registration of voters or otherwise seriously interferes with the performance of the duties imposed on his office by law. In such instances, the registrar shall cause his employees to make copies of the requested records or print the information electronically, if the electronic copy contains the same information, and deliver them or request the secretary of state to reproduce such records which may then be forwarded to the registrar for delivery. Copying by the registrar or his employees or the secretary of state or printing an electronic copy shall be done in the presence of the requesting person or a representative of the requesting voters, if the person or voters so request.

\* \* \*

C.(1) Notwithstanding any provision of this Section to the contrary, the registrar, the clerk of court, the Department of State, the office of motor vehicles of the Department of Public Safety and Corrections and any entity that contracts with the office, each voter registration agency and any entity



that contracts with a voter registration agency, and any person who handles the voter registration application form of another person shall be prohibited from circulating on a commercial list or otherwise disclosing the following:

(h) The voter registration application and any information contained on the voter registration application of any person who is sixteen or seventeen years of age.

(2) ~~(d) Notwithstanding the provisions of Paragraph (1) of this Subsection, the Department of State or registrar of voters may provide to a clerk of court the full date of birth of a registered voter for the preparation of a general venire selection in accordance with R.S. 18:175. The clerk of court shall not disclose the full date of birth of a registered voter provided pursuant to this Subparagraph.~~

D.(1) Notwithstanding the provisions of this Section, the registrar, ~~the clerk of court, and the Department of State~~ shall not disclose the name and address of a law enforcement officer if ~~he~~ the registrar has received certification from the law enforcement agency employing the officer that the officer is engaging in hazardous activities to the extent that it is necessary for his name and address to be kept confidential. The registrar shall indicate such certification in the state voter registration computer system upon receipt of the certification.

~~(2) Notwithstanding the provisions of this Section, the Department of State shall not disclose the name and address of a law enforcement officer if the secretary of state has received certification from the law enforcement agency employing the officer that the officer is engaging in hazardous activities to the extent that it is necessary for his name and address to be kept confidential.~~

~~(3) Notwithstanding any provision of this Section to the contrary, the clerk of court shall not disclose the name and address of a law enforcement officer if the state voter registration computer system indicates that certification has been received from the law enforcement agency employing the officer that the officer is engaging in hazardous activities to the extent that it is necessary for his name and address to be kept confidential.~~

~~(4) (2)~~ Notwithstanding any provision of this Section to the contrary, the registrar of voters, ~~Department of State, and the clerk of court, and the Department of State~~ may disclose the name and address of a law enforcement officer who has qualified as a candidate for office between the date of qualifying of the candidate and the general election.

~~(5) (3)~~ Any agency employing a law enforcement officer availing himself of Paragraph (1) ~~or (2)~~ of this Subsection shall also issue a decertification notice to the registrar of voters ~~and the secretary of state~~ when the officer is no longer engaging in hazardous activities to the extent that it is necessary for his name and address to be kept confidential.

~~F.(1) Notwithstanding any provision of this Section to the contrary, the registrar shall not disclose the name and physical address of a program participant in the Department of State Address Confidentiality Program, as provided in R.S. 44:51 et seq.~~

~~(2) Notwithstanding any provision of this Section to the contrary, the Department of State shall not disclose the name and physical address of a program participant in the Department of State Address Confidentiality Program, as provided in R.S. 44:51 et seq.~~

~~(3) Notwithstanding any provision of this Section to the contrary, the clerk of court shall not disclose the name and physical address of a program participant in the Department of State Address Confidentiality Program, as provided in R.S. 44:51 et seq.~~

G. Notwithstanding any provision of this Section to the contrary, the registrar, the clerk of court, and the Department of State shall be prohibited from disclosing the following:

(1) Any information of a type exempted from disclosure pursuant to any other Subsection of this Section received from another state pursuant to a cooperative agreement authorized by R.S. 18:18(D).

(2) Any geographical coding of addresses of registered voters.

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

(4) Computer system or program information, including software, related menus, flow charts, network diagrams, usernames, nonpublic uniform resource locators, database object names, computer names, device identifiers and serial numbers, screen printouts and captures, internet protocol address numbers, passwords, source materials, prompts, dialogues, operating and instructional manuals, programming materials or instructions, and any other computer operating or support materials concerning the state voter registration computer system and election management system or voting equipment.

(5) Any information contained within the state voter registration computer system and election management system which if disclosed may impair the security of the statewide voter registration system and election management system or the integrity of the information maintained on the systems or voting equipment.

(6) Internet protocol address numbers submitted to or captured by the state voter registration computer system and election management system.

(7) The name and physical address of a program participant in the Department of State Address Confidentiality Program, as provided in R.S. 44:51 et seq.

H. G. Notwithstanding any provision of this Section to the contrary, the Department of State shall not disclose votes that are void because of the death of a candidate pursuant to R.S. 18:469, withdrawal of a candidate pursuant to R.S. 18:502, resignation of a public officer subject to a recall election pursuant to R.S. 18:1300.7, or disqualification of a candidate pursuant to R.S. 18:1410.

~~I. Notwithstanding any provision of this Section to the contrary, the registrar, the clerk of court, the Department of State, the office of motor vehicles of the Department of Public Safety and Corrections and any entity that contracts with the office, each voter registration agency and any entity that contracts with a voter registration agency, and any person who handles the voter registration application form of another person is prohibited from disclosing the voter registration application and any information contained on the voter registration application of any person who is sixteen or seventeen years of age.~~

J. H. Notwithstanding any provision of this Section to the contrary, the registrar, the clerk of court, and the Department of State shall not disclose in a list of commissioners the address or telephone number of an early voting commissioner, commissioner-in-charge, ~~or commissioner, or alternate commissioner~~ who is certified to serve in an election.

§175. Voting list from Department of State

D.(1) The secretary of state ~~and the appropriate registrar of voters~~ shall provide, without charge or remuneration, to a clerk of court at the clerk's request a complete and accurate annual list ~~or computer tape~~ from the Department of State containing the official list of registered voters in the parish of the clerk for the preparation of a general venire selection.

(2) The registrar of voters secretary of state shall also provide to the clerk of court, without charge or remuneration, at the clerk's request, monthly updates to the official list of registered voters in the parish for use in maintaining the general venire.

§192. Annual canvass; costs

A.(1) ~~(b) In conducting the verification, if the United States Postal Service or its licensee provides a corrected address, the Department of State shall furnish the corrected address to the appropriate registrar of voters. Upon receiving a corrected address inside the parish, the Department of State may make the change on the statewide registration system and the registrar of voters may make the change on his records. If a change is made, the registrar shall mail a new voter identification card to the voter using the corrected address provided and an address confirmation card notice as provided in R.S. 18:193. In the event the new voter identification card using the corrected address is returned to the registrar and the voter has failed to return the address confirmation card notice, the registrar shall consider the address not corrected. His records should be changed. The registrar shall change his records to reflect the prior address on file for that voter. If the corrected address is outside the parish, the registrar of voters shall not make the change on his records and shall send an address confirmation card notice as provided in R.S. 18:193.~~

~~(2) For a registrant whose address was not verified or whose corrected address is outside the parish, the registrar shall send an address confirmation card notice as set forth in R.S. 18:193.~~

§193. Challenge and cancellation of registration; notice; procedures

B. For the purposes of this Section, "address confirmation card notice" shall mean a postage prepaid and pre-addressed return ~~card notice~~, sent by forwardable mail. The Department of State shall be responsible for developing the address confirmation ~~card notice~~ and for informing the registrant about his voting rights under the address confirmation process and the address confirmation ~~card notice~~ shall be submitted by the Department of State to the House and Governmental Affairs Committee of the House of Representatives and the Senate and Governmental Affairs Committee of the Senate for review.

C. If the registrant responds to the address confirmation ~~card notice~~ and has not moved or has moved within the parish, the registrar shall remove the person's name from the inactive list of voters if it is on the inactive list and correct the voter's address if necessary.

D.(1) If the voter responds to the address confirmation ~~card notice~~ and has permanently moved to a different parish, the registrar shall transfer the voter's registration information to the new parish of residence.

(2) If the voter responds to the address confirmation ~~card notice~~ and has permanently moved outside the state, the registrar shall cancel the voter's registration.

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

§195. Challenge of registrants in the United States Service or temporarily residing outside United States

A. If the registrant whose registration is challenged for any lawful cause is a member of the United States Service or is a person who is temporarily

residing outside the territorial limits of the United States, the registrar shall mail the registrant an address confirmation ~~card~~ notice. The registrant's name shall be placed on the inactive list of voters upon mailing of such ~~card~~ notice.

B.(1) Upon receipt of the address confirmation ~~card~~ notice or any written request for continued registration, the registrar shall place the registrant's name on the official list of voters.

\* \* \*

§196. Inactive list of voters; procedure for voting

A.(1) In addition to the official list of voters, there shall be an inactive list of voters which shall consist of registrants who have been mailed an address confirmation ~~card~~ notice. The names of registrants on the inactive list of voters shall not be counted in computing the number of ballots required for an election, the number of voters required to divide or constitute a precinct, the number of signatures required on any petition, the number of commissioners at a precinct pursuant to R.S. 18:425, the number of voting machines to be allocated and used in each voting precinct pursuant to R.S. 18:1363, or the number of registered voters necessary to recognize or determine the organization of a political party or committee.

\* \* \*

B. A registrant whose name is on the inactive list of voters may vote:

(1) If the registrant has not changed residence, at the polling place of such registrant's last address upon affirming in writing by completing an address confirmation ~~card~~ notice affirming that such registrant still resides at the address on file at the office of the registrar of voters.

(2) If the registrant has moved to an address within the parish in the same precinct, at the polling place of such registrant's last address on file at the office of the registrar of voters upon affirming in writing that such registrant resides in the precinct by completing an address confirmation ~~card~~ notice affirming the new address within the precinct.

(3) If the registrant has moved to an address within the parish in a different precinct, at the polling place of such registrant's last address on file at the office of the registrar of voters for that election only upon affirming in writing that such registrant still resides in the parish by completing an address confirmation ~~card~~ notice affirming the new address within the parish.

(4) If the registrant has moved to an address outside the parish, at the polling place of such registrant's last address on file at the office of the registrar of voters for that election only upon affirming in writing that such registrant has moved within the last three months and no longer resides in the parish by completing an address confirmation ~~card~~ notice affirming the new address outside the parish and that the length of time since the move has not exceeded three months. If such registrant does not affirm that he has moved within the last three months, he shall not be permitted to vote.

C.

\* \* \*

(2)(a) If a registrant whose name is on the inactive list of voters votes absentee by mail or during early voting, the registrar shall transfer the registrant's name to the official list of voters and make any necessary corrections in the registrant's registration records if the information on the address confirmation ~~card~~ notice, as required by R.S. 18:1309, or the residence address provided in an application to vote by mail so indicates.

\* \* \*

(3) If a registrant whose name appears on the inactive list of voters has returned an address confirmation ~~card~~ notice or other signed notice confirming an address change to the registrar of voters that was received after the close of books prior to a primary election and before the close of books for the general election, the registrar shall transfer the registrant's name to the official list of voters prior to the general election and make any necessary corrections in the registrant's registration records.

D. If a registrant who has failed to respond to an address confirmation ~~card~~ notice and whose name appears on the inactive list of voters does not vote in any election from the date he is placed on the inactive list of voters until the day after the second regularly scheduled general election for federal office held after such date, the registrar shall cancel the registration of the registrant.

\* \* \*

§198. Change of residence or change in address; inquiry by registrar; change of records

A. Whenever a registrar has reason to believe that a registrant has changed his residence within the parish or that a change has occurred in the registrant's mailing address within the parish, the registrar shall mail the address confirmation ~~card~~ notice as provided in R.S. 18:193(B) to the registrant, but shall not place the voter on the inactive list of voters.

B. The ~~card~~ notice shall inform the voter that he must notify the registrar of his current address.

C. The registrar shall send such ~~card~~ notice to the registrant's address shown on the registration records and to the address the registrar believes to be the registrant's new address. Upon return of the ~~card~~ notice, signed by the registrant, the registrar shall enter any change in the registrant's information on the state voter registration computer system and, if the original application is available in hard copy in the registrar's office, on the original application for registration.

D. If the registrant fails to return the ~~card~~ notice within thirty days after the date on which the ~~card~~ notice was mailed, the registrar shall place the registrant on the inactive list of voters. The registrant shall remain on the inactive list of voters in accordance with the procedures set forth in R.S.

18:196 or not later than a period of two regularly scheduled federal general elections, at which time the registrar shall cancel the registration of the registrant.

\* \* \*

§402. Dates of primary and general elections

\* \* \*

C. Municipal and ward elections. In all municipalities with a population of less than three hundred thousand, elections for municipal and ward officers who are not elected at the same time as the governor or members of congress shall be held every four years.

(1) Primary elections for municipal and ward officers who are not elected at the same time as the governor or members of congress shall be held on the last Saturday in March of an election year, ~~or on the first Saturday in March of the presidential election year.~~

(2) General elections for municipal and ward officers who are not elected at the same time as the governor or members of congress shall be held on the fifth Saturday after the last Saturday in March of an election year ~~unless the primary election for such officers is held on the first Saturday in March; in such case, the general election shall be held on the fifth Saturday after the first Saturday in March of an election year.~~

\* \* \*

E. Special elections to fill newly created office or vacancy in office. An election to fill a newly created office or vacancy in an existing office, except the office of representative in congress, shall be held on the dates fixed by the appropriate authority in the proclamation ordering a special election as follows:

(1) A special primary election shall be held on the first of the following days that is after the date on which the proclamation calling the special primary election was issued, provided that the proclamation was issued at least four weeks prior to the opening of the qualifying period for the special primary election:

\* \* \*

(c) The last Saturday in March, when the special general election is held on the fifth Saturday after the last Saturday in March ~~or on the first Saturday in March during the presidential election year.~~

\* \* \*

(2) A special general election shall be held on one of the following days:

\* \* \*

(c) The fifth Saturday after the last Saturday in March of any year ~~unless the primary election is held on the first Saturday in March; in such case, the general election shall be held on the fifth Saturday after the first Saturday in March.~~

\* \* \*

F. Bond, tax, or other elections. Every bond, tax, or other election at which a proposition or question is to be submitted to the voters shall be held only on one of the following dates:

\* \* \*

(3) The last Saturday in March or the fifth Saturday after the last Saturday in March of any year ~~or on the first Saturday in March or the fifth Saturday after the first Saturday in March during the presidential election year.~~

\* \* \*

§444. Parish executive committees

\* \* \*

H. Removal.

\* \* \*

(2) When a member of a parish executive committee commits any of the grounds for removal set forth in this Subsection, the parish executive committee shall schedule a hearing to review all available information on the incident. The parish executive committee shall provide a ten-day written notice to the member prior to conducting said hearing. Removal of the member, after completion of the hearing by the committee, shall be by a two-thirds vote of a majority of the members of the parish executive committee at a regularly scheduled meeting. A vacancy in the membership of the parish executive committee created by the removal shall be filled by appointment ~~by the parish executive committee at its~~ as provided in R.S. 18:448 at the parish executive committee's next regularly scheduled meeting.

\* \* \*

§448. Vacancies in the state central committee or parish executive committee of a recognized political party

A. A vacancy in the membership of the state central committee shall be filled as follows:

(1) For membership elected pursuant to R.S. 18:443, the chairman of the state central committee shall appoint a member.

(2) For membership elected pursuant to R.S. 18:443.2, the state central committee shall appoint a member.

B. A vacancy in the membership of a parish executive committee of a recognized political party shall be filled as follows:

(1) For a vacancy in an at-large position, the parish executive committee shall appoint a qualified resident of the parish. If there are not enough members of the parish executive committee to fill the vacancy, the chairman of the state central committee of that political party may appoint a qualified resident of the parish to fill the vacancy.

(2)(a) For a vacancy left by a representative of a district, the parish executive committee shall appoint a qualified resident of the district. If no qualified resident of the district will accept the membership, the committee may appoint any qualified resident of the parish.



~~(b) If there are not enough members of the parish executive committee to fill the vacancy, the chairman of the state central committee of that political party may appoint a qualified resident of the district to fill the vacancy. If no qualified resident of the district will accept the membership, the chairman of the state central committee of that political party may appoint any qualified resident of the parish to fill the vacancy.~~

~~C. The state central committee or parish executive committee shall notify the secretary of state any time a vacancy is filled on the respective committee. The notice shall include the name of the appointed member, the address of his domicile, and the effective date of his appointment.~~

~~D. The provisions of Subpart E of Part VI of this Chapter do not apply to the filling of vacancies pursuant to this Part. However, for the purposes of this Part, vacancy has the same meaning as provided in R.S.18:581.~~

\* \* \*

**§467. Opening of qualifying period**

The qualifying period for candidates in a primary election shall open:

\* \* \*

(3) For candidates in a primary election for municipal and ward officers who are not elected at the same time as the governor or members of congress in municipalities with a population of less than three hundred thousand and those in any special primary election to be held at the same time, on the last Wednesday in January of the year of the election, unless the primary election is held ~~on the first Saturday in March in a presidential election year~~; in such case the qualifying period for candidates in such primary election shall open on the ~~first~~ third Wednesday in December of the year prior to the election.

\* \* \*

~~(5) For candidates in a presidential primary election, the qualifying period shall open on the third Wednesday in December.~~

\* \* \*

**§562. Prerequisites to voting**

\* \* \*

B. Review of precinct register. The commissioners shall then determine:

\* \* \*

(2) If the applicant's name is found in the precinct register on the inactive list of voters and he has not voted absentee by mail or during early voting, the applicant may vote after complying with provisions of R.S. 18:196(B). After such compliance, one of the commissioners shall announce the applicant's name again and shall preserve the address confirmation ~~card~~ notice received from the voter by placing the address confirmation ~~card~~ notice in the envelope marked "Registrar of Voters" and attaching the envelope to the precinct register.

\* \* \*

**§565. Challenge of voters**

\* \* \*

B. Disposition of record of challenge and address confirmation ~~card~~ notice. The original record of the challenge, signed by the challenger, and the address confirmation ~~card~~ notice shall be placed in the envelope marked "Registrar of Voters". A duplicate record of the challenge shall be placed in the clear plastic zipper bag and returned to the clerk of court on election night. A duplicate record of the challenge shall be given to the voter being challenged.

C. Disposition of the challenge. The commissioners present shall determine the validity of the challenge. If they determine by majority vote that the challenge is valid, the applicant shall not be permitted to vote. However, if the valid challenge has determined that the applicant has moved within the parish or has moved outside the parish within the last three months, the voter shall be allowed to vote upon completing an address confirmation ~~card~~ notice. If a majority of the commissioners determine that the challenge is invalid, the applicant shall be permitted to vote.

**§566. Provisional voting for federal office; polling place and early voting**

\* \* \*

~~B. Procedure~~ The procedure for provisional voting for federal office at a polling place shall be as follows:

(1) The applicant shall first fill in the blanks on the provisional ballot envelope ~~flap~~ and sign the ~~included~~ included certificate ~~on the envelope flap~~ in the presence of a commissioner attesting that he is a registered voter in the parish and is eligible to vote in the election for federal office. The applicant shall then sign the precinct register on the page marked "Provisional Voters". The commissioner shall record the provisional ballot number on the ~~provisional ballot envelope certificate~~ and then shall provide the applicant the provisional ballot envelope and the provisional ballot listing the federal offices. The applicant shall then mark the provisional ballot according to the printed instructions on its face, place the ballot in the provisional ballot envelope, seal the envelope, and return the provisional ballot envelope to the commissioner. The applicant shall be allowed to mark the provisional ballot in an area and in a manner that protects the secrecy of his vote. The commissioner shall place the provisional ballot envelope inside the envelope marked "Provisional Ballot". The "Provisional Ballot" envelope shall be returned to the registrar of voters, in care of the clerk of court, on election night.

\* \* \*

~~D. Procedure~~ The procedure for provisional voting for federal office during the period of early voting shall be as follows:

(1) The applicant shall first fill in the blanks on the provisional ballot envelope ~~flap~~ and sign the ~~included~~ included certificate ~~on the envelope flap~~ in the presence of the registrar or deputy registrar attesting that he is a registered voter in the

parish and is eligible to vote in the election for federal office. The applicant shall then sign the precinct register on the page marked "Provisional Voters". If the applicant is voting at a branch office of the registrar, the applicant shall be required to sign and date a register for early voting provisional voters kept by the registrar prior to voting by provisional ballot. The registrar or deputy registrar shall record the provisional ballot number on the ~~provisional ballot envelope flap certificate~~ and then shall provide the applicant the provisional ballot envelope and the provisional ballot listing the federal offices. The applicant shall then mark the provisional ballot according to the printed instructions on its face, place the ballot in the provisional ballot envelope, seal the envelope, and return the provisional ballot envelope to the registrar or deputy registrar. The applicant shall be allowed to mark the provisional ballot in an area and in a manner that protects the secrecy of his vote. The registrar or deputy registrar shall place the provisional ballot envelope inside the envelope marked "Early Voting Provisional Ballot".

\* \* \*

**§566.2. Tabulation and counting of provisional ballots for federal office**

\* \* \*

F. The procedure for counting provisional ballots shall be as follows:

\* \* \*

(2) The board shall announce the name of each provisional voter and shall compare the name on the ~~flap~~ of the provisional ballot envelope with the name on the list of provisional voters.

\* \* \*

(4) If the board has determined that a provisional ballot shall be counted, a member of the board shall write the provisional ballot number and the word "counted" adjacent to the provisional voter's name on the list of provisional voters. A member of the board shall ~~tear the flap from the envelope containing~~ remove the certificate from the provisional ballot, attach the provisional voter's registration documentation to the ~~envelope flap certificate~~, and leave the ballot envelope sealed.

(5) If the board has determined that a provisional ballot shall not be counted, the members of the board shall ~~leave the flap on the envelope containing~~ not remove the certificate from the provisional ballot, leave the ballot envelope sealed, and shall write the word "rejected", together with the reason for rejecting the provisional ballot across the envelope containing the ballot. A member of the board shall write the provisional ballot number and the word "rejected" adjacent to the provisional voter's name, together with the reason for rejecting the provisional ballot, on the list of provisional voters. The rejected provisional ballots shall be placed in the special provisional ballot envelope. No rejected provisional ballot shall be counted.

(6) After the validity of all provisional ballots has been determined, the members of the board shall place the original signed list of provisional voters, the ~~flaps~~ certificates removed from the valid provisional ballots, and the attached registration documentation in the envelope provided for that purpose and seal the provided envelope. Two of the members of the board shall execute the certificate on the provided envelope and transmit the envelope to the registrar of voters.

\* \* \*

G. When the ~~flaps~~ certificates of the provisional ballots that were counted and the attached registration documentation have been returned to the registrar of voters, the registrar shall add the name of each provisional voter whose ballot was counted to the list of those who have voted.

\* \* \*

**§571. Procedures for commissioners after termination of voting**

A. At the termination of voting in a primary or general election, the commissioners shall announce that voting is terminated. The commissioners in the presence of the watchers shall immediately:

\* \* \*

(8) Place one copy of the official election results reports, one copy of the machine certificates, one of the duplicate poll lists, all original executed challenges of voters, all precinct register corrections, all voter identification affidavits, all physical disability affidavits, any physicians' certificates, any copies of disability documentation, a copy of each completed notation of irregularities form, and any address confirmation ~~cards~~ notices in the envelope marked "Registrar of Voters", seal it and attach it to the precinct register after the termination of voting, and place a new protective seal on the precinct register.

\* \* \*

**§573. Evidence of election results**

\* \* \*

E. Transmission and disposition of original challenges, duplicate voters' affidavits, and address confirmation ~~cards~~ notices. (1) At the opening of the voting machines, the sealed precinct registers shall be immediately returned to the registrar of voters. Upon receipt of the sealed precinct registers, the registrar shall remove any attached original record of challenges of voters made during the election, any precinct register correction affidavits, any voter identification affidavits made pursuant to R.S. 18:562, any address confirmation ~~cards~~ notices, any physical disability affidavits, any certificates, any copies of disability documentation, and any completed voter registration applications.

(2) The registrar shall utilize the procedures set forth in Part V of Chapter 4 of this Code to determine the validity of the registration of each challenged voter who did not submit an address confirmation ~~card~~ notice. In any instance where an address confirmation ~~card~~ notice was received that stated an address different from the address on file in the registrar's office for a registrant, the

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

registrar shall change the registrant's address to the address on the address confirmation ~~card~~ notice if the change of address is in the parish; transfer the registrant's registration to another parish if the address on the address confirmation ~~card~~ notice is in another parish; or cancel the registration if the address on the address confirmation ~~card~~ notice is in another state. If an address confirmation ~~card~~ notice was received that affirmed the address on file in the registrar's office, the registrar shall reinstate the registrant to the official list of voters if he appears on the inactive list of voters. If the address confirmation ~~card~~ notice was a result of a valid challenge, the registrar shall so inform the district attorney and shall transmit to him the address confirmation ~~card~~ notice of that person.

(4) The registrar shall scan the address confirmation ~~card~~ notice, voter identification affidavit, disability documentation, or voter registration application and add it to the voter's record in the state voter registration computer system after processing.

§574. Compilation and promulgation of returns

F. Computation of all time intervals in this Section and Chapter 7 of this Title shall include Saturdays, Sundays, and other legal holidays. However, if the final day in a time interval falls on a Saturday, Sunday, or other legal holiday, then the next day which is not a Saturday, Sunday, or legal holiday shall be deemed to be the final day of the time interval. If one or more of the duties in this Section or Chapter 7 of this Title required to be performed on the fifth, sixth, seventh, or fourteenth day after an election are delayed because of a Saturday, Sunday, or other legal holiday, the duties which follow will be delayed a like amount of time.

§581. Definitions

As used in this Title:

(3) "Vacancy" occurs in an elective office when the office is or will be unoccupied by for any of the following reasons:

(a) ~~reason of the death~~ Death of the official who was elected to the office, or

(b) ~~by reason of his retirement~~ Retirement or resignation ~~of the official who was elected to the office,;~~

(c) ~~Removal~~ removal from office by any means,;

(d) ~~Failure~~ failure to take office for any reason; or when it becomes certain that the person elected to the office will not take the office on the day when the term for which he was elected commences, or;

(e) ~~The when the~~ person elected to or holding the office no longer meets the residence or domicile requirements of that office, any declaration of retention of domicile to the contrary notwithstanding, or;

(f) ~~An when an~~ office is created due to a reclassification of a municipality.

(g) ~~Failure of any candidate to qualify for the election to the office or the failure of a sufficient number of candidates to qualify for the number of positions to be filled in the office.~~

§1280.22. Candidates; procedure for qualifying

B.(1) The qualifying period for presidential candidates shall open ~~on the third Wednesday in December and shall close at 4:30 p.m. on the following Friday and close as provided in Chapter 5 of this Title.~~ During the qualifying period, presidential candidates shall file notices of candidacy with the secretary of state.

§1300.3. Certification of registrar of voters; addition or withdrawal of signatures; form of names

E. The registrar of voters shall comply with the provisions of R.S. ~~18:3(C) 18:3~~ when determining the number of qualified electors of the voting area who signed the petition.

§1306. Preparation and distribution of absentee by mail and early voting ballots

E.(1) ~~An absentee by mail ballot envelope also shall have a perforated extension or flap below the sealing line, which shall bear a certificate prescribed by the secretary of state and approved by the attorney general. The secretary of state shall prepare an absentee by mail certificate, the content of which is subject to approval of the attorney general.~~ The certificate shall include but not necessarily be limited to:

(d) Authorization to the parish board of election supervisors to open the ballot envelope and count his ballot.

(2)(a) ~~An absentee by mail ballot envelope flap~~ The certificate shall also contain a line for the handwritten signature of one witness and a line for the printed name of the witness. The voter shall sign the certificate in the presence of one witness and his certificate shall be made under penalty of perjury for providing false or fraudulent information. The voter shall include the completed certificate when mailing the ballot. ~~Above the perforation and along the seal line, the words "DO NOT DETACH FLAP" shall be printed. No person except the immediate family member of the voter, as defined in this Code, shall witness more than one certificate of a voter.~~

§1308. Absentee voting by mail

A.(1)

(b) If the voter feels he will not have time to vote timely by mail, the voter may request that the registrar transmit to him by facsimile a ballot, or a second ballot, as the case may be, along with a certificate and waiver of the right to a secret ballot as provided in Subsection D of this Section, and the registrar shall do so if he has a facsimile machine in his office. However, the registrar shall not be required to send a second ballot by facsimile if the voter received a ballot by mail. ~~The waiver of the right to a secret ballot shall contain the following statement: "My ballot was transmitted by facsimile to me, and I am voluntarily waiving my right to a secret ballot." The waiver shall also contain spaces for the voter's handwritten signature, the date, and the last four digits of the voter's social security number.~~ The voter may then mail his voted ballot and completed certificate and waiver back to the registrar or transmit the documents by facsimile at the facsimile machine number designated by the registrar. Upon receipt, the registrar shall place the voted ballot along with the completed certificate and waiver in an appropriately marked envelope and seal it. ~~The registrar and his staff shall take the steps necessary to keep the voted ballots as confidential as practicable.~~

(c)(i) A voter who is eligible to vote absentee by mail pursuant to R.S. 18:1303(D)(1) and who feels he will not have time to vote timely by mail may request that the registrar transmit electronically to him a ballot along with a certificate and waiver of the right to a secret ballot as provided in Subsection D of this Section, and the registrar shall do so. Alternatively, an immediate family member of the voter may pick up the necessary instructions, certificate, ballot, and envelope at the registrar's office.

(ii) ~~The waiver of the right to a secret ballot shall contain the following statement: "My ballot was transmitted electronically to me, and I am voluntarily waiving my right to a secret ballot." The waiver shall also contain spaces for the voter's handwritten signature, the date, and the last four digits of the voter's social security number.~~

(iii) If the materials are transmitted electronically to the voter, the voter shall mark the ballot as provided in R.S. 18:1310 and complete the certificate and waiver and return his voted ballot and completed certificate and waiver to the registrar by facsimile or any means authorized by Subsection B of this Section. ~~The registrar and his staff shall take the steps necessary to keep the voted ballot as confidential as practicable.~~

(iv) (iii) If an immediate family member of the voter picks up the voter's materials, the voter shall mark the ballot as provided in R.S. 18:1310 and return his voted ballot and completed certificate to the registrar by facsimile or any means authorized by Subsection B of this Section. If the voter returns the voted ballot and completed certificate by facsimile, he shall also include his completed waiver, and the registrar and his staff shall take the steps necessary to keep the voted ballot as confidential as practicable.

(d)(i) Upon request, the registrar shall transmit electronically a ballot, certificate, and waiver of the right to a secret ballot as provided in Subsection D of this Section to a voter who is eligible to vote absentee by mail pursuant to R.S. 18:1303(F) or (I) and who is unable to vote an absentee by mail ballot without assistance because of a disability.

(ii) ~~The waiver of the right to a secret ballot shall contain the following statement: "My ballot was transmitted electronically to me, and I am voluntarily waiving my right to a secret ballot." The waiver shall also contain spaces for the voter's handwritten signature or mark, the date, and the last four digits of the voter's social security number.~~

(iii) The voter shall mark the ballot and complete the certificate and waiver as provided in R.S. 18:1310 and return his voted ballot and completed certificate and waiver to the registrar by facsimile or any means authorized by Subsection B of this Section. ~~The registrar and his staff shall take the steps necessary to keep the voted ballot as confidential as practicable.~~

(2)(a) With respect to members of the United States Service and persons residing outside the United States who are registered to vote, these materials shall be mailed as provided by the Uniformed and Overseas Citizens Absentee Voting Act (39 U.S.C. 3406 and ~~42 U.S.C. 1973ff~~ 52 U.S.C. 20301 et seq.) and shall include both the primary election ballot and the special ballot for the general election. The registrar shall mail the materials for candidates for United States senator or United States representative in congressional primary and general elections, candidates for presidential nominee in presidential preference primary elections, and candidates in presidential elections at least forty-five days prior to the election to those voters who have made application to vote absentee by mail by such time.

(b) Notwithstanding the provision of Subparagraph (a) of this Paragraph, with respect to members of the United States Service and persons residing outside the United States who are registered to vote, these materials may be electronically transmitted as follows: ~~for~~

(i) ~~For~~ candidates for United States senator or United States representative in congressional primary and general elections, ~~the registrar shall and must~~ include the special ballot or ballots as provided in R.S. 18:1306(A)(4) for the congressional general election. The registrar shall transmit the materials at least forty-five days prior to the election to those voters who have requested electronic transmission by such time.

(c) ~~Notwithstanding the provisions of Subparagraph (a) of this Paragraph, with respect to members of the United States Service and persons residing outside the United States who are registered to vote, these materials may be electronically transmitted for~~ (ii) For candidates for presidential nominee in presidential preference primary elections and candidates in presidential



elections, ~~the~~ The registrar shall transmit the materials at least forty-five days prior to the election to those voters who have requested electronic transmission by such time.

~~(d) Notwithstanding the provisions of Subparagraph (a) of this Paragraph, with respect to members of the United States Service and persons residing outside the United States who are registered to vote, these materials may be electronically transmitted for (iii) For candidates for state, local, and municipal offices, the registrar and shall include the special ballot or ballots as provided in R.S. 18:1306(A)(4) for the general election.~~

~~(e) Notwithstanding the provisions of Subparagraph (a) of this Paragraph, with respect to members of the United States Service and persons residing outside the United States who are registered to vote, these materials (iv) Materials may be electronically transmitted for candidates for political party offices.~~

~~(f) Notwithstanding the provisions of Subparagraph (a) of the Paragraph, with respect to members of the United States Service and persons residing outside the United States who are registered to vote, these materials may be electronically transmitted and for recall, proposed constitutional amendments, proposition, and question elections.~~

~~(g) (c) For mailed ballots, the envelope mailed to the voter shall contain ballot envelopes, an adequate number of certificates required pursuant to R.S. 18:1306, and a return envelope. The return envelope shall bear the official title and mailing address of the registrar and the name, return address, and precinct or district number of the voter. The voter shall return his voted primary election ballot and certificate and special ballot and certificate for the general election to the registrar in the appropriate envelope. The registrar of voters shall mail a regular general election absentee ballot to a member of the United States Service or to persons residing overseas only if the regular general election absentee ballot includes one or more elections that were not included on the special ballot sent, as provided herein, to such voter. The envelope for the special ballot shall contain language on the outside of the envelope that clearly designates which envelope is to be used for return of the general election ballot.~~

~~(d)(i) For electronically transmitted ballots, the registrar shall transmit the ballot or ballots, certificate, and waiver of the right to a secret ballot as provided in Subsection D of this Section to the voter for each ballot mailing. The waiver of the right to a secret ballot shall contain the following statement: “My ballot was transmitted electronically to me, and I am voluntarily waiving my right to a secret ballot.” The waiver shall also contain spaces for the voter’s handwritten signature, the date, and the last four digits of the voter’s social security number. The voter shall return by facsimile or any means authorized by Subsection B of this Section his voted ballot or ballots and completed certificate and waiver for each ballot mailing. The registrar and his staff shall take the steps necessary to keep each voted ballot as confidential as practicable.~~

~~(i) The voter may use a separate “Security Envelope” and ballot transmittal envelope from the Federal Write-in Absentee Ballot to mail the electronically transmitted presidential preference primary, presidential, congressional primary, or congressional general election ballot or ballots, certificate, and waiver of the right to a secret ballot to the parish registrar of voters for each ballot mailing.~~

~~(e) Notwithstanding the provisions of Subparagraphs (a) through (f) and (b) of this Paragraph, a voter who is a member of the United States Service or who resides outside the United States and who feels he will not have time to vote timely by mail, may request that the registrar transmit to him by facsimile a ballot, or a second ballot, as the case may be, along with a certificate and waiver of the right to a secret ballot as provided in Subsection D of this Section, and the registrar shall do so. The waiver of the right to a secret ballot shall contain the following statement: “My ballot was transmitted by facsimile to me, and I am voluntarily waiving my right to a secret ballot.” The waiver shall also contain spaces for the voter’s handwritten signature, the date, and the last four digits of the voter’s social security number. The voter may then mail his voted ballot and completed certificate and waiver back to the registrar or transmit the documents by facsimile at the facsimile machine number designated by the registrar. Upon receipt, the registrar shall place the voted ballot along with the completed certificate and waiver in an appropriately marked envelope and seal it. The registrar and his staff shall take the steps necessary to keep the voted ballots as confidential as practicable.~~

~~(i) The secretary of state as the chief election officer of the state shall take all actions reasonably necessary to allow members of the United States Service and persons residing outside the United States to vote according to the Uniformed and Overseas Citizens Absentee Voting Act or otherwise, whether by mail, facsimile, or other means of transmission of the ballot, notwithstanding any provision of this Code to the contrary.~~

~~(ii) The secretary of state as the chief election officer of the state shall take all actions reasonably necessary to allow registered voters who are unable to vote during early voting or at the polling place on election day due to out-of-parish or out-of-state work responsibilities relating to a declared emergency to vote, whether by mail, facsimile, or other means of transmission of the ballot.~~

~~D.(1) The waiver of the right to a secret ballot shall contain the following statement: “My ballot was transmitted by facsimile to me, and I am voluntarily waiving my right to a secret ballot.” The waiver shall also contain spaces for the voter’s handwritten signature, the date, and the last four digits of the~~

~~voter’s social security number.~~

~~(2) The registrar and his staff shall take the steps necessary to keep all voted ballots accompanied by a completed certificate and waiver as confidential as practicable.~~

~~\$1308.1. Absentee voting by person serving on sequestered jury~~

~~A. Immediately upon receipt of an application, the registrar shall deliver the necessary instructions, certificates, ballots, and envelopes to the officer of the court in charge of the sequestered jury on which the applicant is serving, at the address furnished by the applicant. Each envelope delivered to the officer shall contain two envelopes, one of which shall be the ballot envelope and the other shall be a return envelope bearing the official title and mailing address of the registrar and the name, return address, and precinct or district number of the voter. This latter envelope shall be used by each voter to return his ballot.~~

~~\$1309. Early voting; verification~~

~~E.~~

~~(5)~~

~~(b)~~

~~(ii) If the paper ballot envelope contains includes a certificate on the envelope flap, the voter shall not be required to sign the certificate. The registrar of voters or deputy registrar shall write “early voting ballot” across the envelope flap certificate and include the voter’s name, ward, precinct, and registration number and attach it to the early voting confirmation sheet so that the ballot may be identified for purposes of a challenge filed pursuant to R.S. 18:1315.~~

~~F.~~

~~(3) At the end of the early voting period, the registrar shall complete the early voting verification form for each location and sign and certify to its correctness and print an early voter report from the state voter registration computer system listing all early voters from the parish. All early voting verification forms, early voting machine public counter logs, early voting confirmation sheets, early voter reports, and paper ballots voted during early voting shall be placed in the special, secure absentee by mail and early voting envelope or container for delivery to the parish board of election supervisors on election day for the tabulation and counting of early voting ballots.~~

~~\$1310. Execution of certificate; marking of ballot; casting vote; assistance~~

~~A.(1) When a voter receives the absentee voting materials by mail, he first shall fill in all blanks on the provided certificate on the ballot envelope flap. The voter then shall mark the ballot according to the printed instructions on its face. Then the voter shall place the voted ballot in the ballot envelope, seal the envelope, and sign the certificate on the ballot envelope flap.~~

~~C.(1) Any person who assists a voter in voting absentee by mail shall execute the acknowledgment on the ballot envelope flap 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).~~

~~\$1312. Retention of ballots at registrar’s office~~

~~B. All absentee by mail ballots which are received timely shall be removed from the mail return envelope, if applicable, shall be arranged by ward and precinct and placed and retained in a special, secure absentee by mail and early voting ballot envelope or container designated and used only for that purpose, and shall be delivered to the parish board of election supervisors to be counted and tabulated as provided in R.S. 18:1313.~~

~~C. After the tabulation of the absentee by mail and early voting ballots on election night, the board shall replace the absentee by mail ballots, early voting machine results reports, early voting verification forms, early voting machine public counter logs, absentee by mail and early voter reports, and early voting confirmation sheets in the special, secure absentee by mail and early voting ballot envelope or container and return the envelope or container to the registrar of voters. The registrar shall retain the special, secure absentee by mail and early voting ballot envelope or container inviolate until the delay for filing an election contest has lapsed, or, if an action contesting the election has been filed, until the judgment in the action becomes definitive.~~

~~\$1313. Tabulation and counting of absentee by mail and early voting ballots~~  
~~A.(1) The parish board of election supervisors in a parish that has fewer than one thousand absentee by mail ballots returned to the registrar of voters for a primary or general election shall conduct the tabulation and counting of absentee by mail and early voting ballots in accordance with this Section.~~

~~(2) The parish board of election supervisors in a parish that has one thousand or more absentee by mail ballots returned to the registrar of voters for a primary or general election may conduct the tabulation and counting~~

of absentee by mail and early voting ballots in accordance with this Section. The parish board shall notify the secretary of state in writing no later than five days prior to a primary or general election that the tabulation and counting of absentee by mail and early voting ballots will be conducted pursuant to this Section or pursuant to R.S. 18:1313.1.

\* \* \*

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(2) Prior to the counting of absentee by mail and early voting ballots on election day, any person authorized by the secretary of state may assist the registrar of voters in the challenge removal process on the early voting machines, in the reading of the early voting machine results cartridges on the secretary of state's equipment, and in producing the early voting machine results report. All early voting machine results reports shall be placed in the special, secure absentee by mail and early voting ~~envelope or~~ container.

\* \* \*

G. The procedure for the preparation, verification, counting, and tabulation of absentee by mail ballots shall be as follows:

(1) A member of the board shall remove ~~the certificates and special absentee by mail ballots and envelopes containing the absentee by mail ballots all certificates, envelopes, and ballots~~ from the special, secure absentee by mail and early voting ballot ~~envelope or~~ container.

(2) The board shall announce the name of each absentee by mail voter and the ward and precinct where he is registered to vote, and shall compare the name on the certificate ~~or on the flap of the envelope containing the absentee by mail ballot~~ with the names on the absentee by mail voter report.

\* \* \*

(4) If the board determines that an absentee by mail ballot is valid, a member of the board shall make a check mark on the absentee by mail voter report beside the name of the voter as it appears on the report and write his initials on each page of the report. If applicable, a member of the board shall ~~tear the flap from the envelope containing the absentee by mail ballot~~ remove the certificate and leave the envelope sealed.

(5) If a majority of the members of the board determine that an absentee by mail ballot is invalid, the members shall ~~leave the flap on the envelope containing the absentee by mail ballot~~ not remove the certificate, leave the envelope sealed, and a member of the board shall write the word "rejected", together with the reasons for rejecting the ballot, across the envelope containing the ballot or across the certificate ~~attached to the special absentee by mail ballot~~. He shall also write the word "rejected" and his initials on the absentee by mail voter report beside the name of the voter as it appears in the report. The rejected absentee by mail ballots and certificates shall be replaced in the special, secure absentee by mail and early voting ballot ~~envelope or~~ container. No rejected absentee by mail ballot shall be counted.

(6) After the validity of all absentee by mail ballots has been determined, the members of the board shall place the valid certificates ~~and the flaps removed from the valid absentee by mail ballots~~ in the ~~envelope or~~ container provided for that purpose and seal the ~~envelope or~~ container. Two of the members shall execute the certificate on the envelope container.

\* \* \*

(9) If a ballot is physically damaged or cannot properly be counted by the counting equipment and the vote cast by the voter is clearly discernible from a physical inspection of the defective ballot, the ballot may be counted by hand or a true duplicate may be made of the defective ballot in the presence of witnesses and substituted for the ballot. Any duplicate ballot shall be clearly labeled "duplicate", bear a ballot number which shall be recorded on the defective ballot, and be counted in lieu of the defective ballot. After a ballot has been duplicated, the defective ballot shall be placed in the special, secure absentee by mail and early voting ballot ~~envelope or~~ container, and the duplicate ballot shall be counted with the other valid ballots.

\* \* \*

H. The procedure for counting early voting machine ballots and paper ballots voted during early voting shall be as follows:

(1) A member of the board shall remove the early voting verification forms, early voting machine public counter logs, early voting confirmation sheets, paper ballots voted during early voting, early voter report, and all early voting machine results reports from the special, secure absentee by mail and early voting ballot ~~envelope or~~ container.

\* \* \*

(4) For each paper ballot voted during early voting, the board shall announce the name of the person who voted by paper ballot during early voting and the ward and precinct where he is registered to vote and shall compare the name on the ~~flap of the envelope containing the early voting ballot~~ certificate with the names on the early voter report.

\* \* \*

(6) If the board determines that a paper ballot voted during early voting is valid, a member of the board shall write the words "voted early" and his initials on the early voter report beside the name of the voter as it appears on the report. A member of the board shall ~~tear the flap from the envelope containing the paper ballot voted during early voting~~ remove the certificate and leave the envelope sealed.

(7) If a majority of the members of the board determine that a paper ballot voted during early voting is invalid, the members shall ~~leave the flap on the envelope containing the ballot~~ not remove the certificate, leave the envelope sealed, and a member of the board shall write the word "rejected" together with the reasons for rejecting the ballot across the envelope containing the

ballot. He shall also write the word "rejected" and his initials on the early voter report beside the name of the voter as it appears on the report. The rejected ballot shall be placed in the special, secure absentee by mail and early voting ballot ~~envelope or~~ container. No rejected paper ballot voted during early voting shall be counted.

(8) After the validity of all paper ballots voted during early voting has been determined, the members of the board shall place the valid early voting confirmation sheets and ~~flaps removed from the valid paper ballots voted during early voting~~ certificates in the ~~envelope or~~ container provided for that purpose and seal the ~~envelope or~~ container. Two of the members shall execute the certificate on the ~~envelope or~~ container.

\* \* \*

(11) If a ballot is physically damaged or cannot properly be counted by the counting equipment and the vote cast by the voter is clearly discernible from a physical inspection of the defective ballot, the ballot may be counted by hand or a true duplicate may be made of the defective ballot in the presence of witnesses and substituted for the ballot. Any duplicate ballot shall be clearly labeled "duplicate", bear a ballot number which shall be recorded on the defective ballot, and be counted in lieu of the defective ballot. After a ballot has been duplicated, the defective ballot shall be placed in the special, secure absentee by mail and early voting ballot ~~envelope or~~ container, and the duplicate ballot shall be counted with the other valid ballots.

(12)

\* \* \*

(b) The board shall sign and certify to the correctness of each zero proof sheet and place all zero proof sheets in the special, secure absentee by mail and early voting ~~envelope or~~ container.

\* \* \*

I. The final absentee by mail and early voting vote report prepared by the parish board of election supervisors shall be transmitted to the clerk of court immediately upon completion of the tabulation of the absentee by mail and early voting ballots on election night. A copy of the record shall be transmitted immediately to the secretary of state, and a copy of the record shall be placed in the special, secure absentee by mail and early voting ~~envelope or~~ container.

\* \* \*

K.(1) Upon completion of the tabulation and counting of the absentee by mail and early voting ballots, the parish board of election supervisors shall return the absentee by mail and early voting ballots and electronic results report to the special, secure absentee by mail and early voting ballot ~~envelope or~~ container, shall seal the ~~envelope or~~ container, and shall deliver the ~~envelope or~~ container to the registrar of voters. The registrar shall preserve the ~~envelope or~~ container and its contents inviolate and, except upon order of a court of competent jurisdiction, shall not allow the absentee by mail and early voting documents to be inspected by anyone until the delay for filing an action contesting the election has lapsed. If an action contesting the election is commenced timely, the registrar shall continue to preserve the ~~envelope or~~ container and its contents inviolate, subject to the orders of the court, until the final judgment in the action has become definitive.

(2)(a)(i) Notwithstanding the provisions of Paragraph (1) of this Subsection, if the number of absentee by mail and early voting ballots cast for all candidates for an office could make a difference in the outcome of the election for such office, upon the written request of a candidate for such office, the board shall recount the absentee by mail ballots by hand or scanning equipment and early voting ballots electronically, unless paper ballots were used for early voting and in such case, the ballots shall be recounted by hand for such office. The registrar shall preserve the ~~envelope or~~ container and its contents inviolate and, except upon the board recounting the absentee by mail ballots, shall not allow the absentee by mail and early voting ballots to be inspected by anyone until the recounting of the absentee by mail and early voting ballots by the board.

\* \* \*

(c) Upon completion of the recount of the absentee by mail and early voting ballots, the board shall return the absentee by mail and early voting documents to the special, secure absentee by mail and early voting ballot ~~envelope or~~ container, shall reseal the ~~envelope or~~ container, and shall deliver the ~~envelope or~~ container and its contents to the registrar of voters who shall preserve the ~~envelope or~~ container and its contents in the manner provided for in Paragraph (1) of this Subsection.

\* \* \*

(3) A candidate or his representative, in the presence of a majority of the parish board of election supervisors, shall be allowed to inspect the ~~flaps certificates~~ removed from the valid absentee by mail ballots and the ~~flaps certificates~~ removed from the valid early voting ballots when paper ballots are used for early voting. All such inspections shall be held at a time set by the secretary of state, in conjunction with the registrar of voters and the clerk of court, or following the recount of absentee by mail and early voting ballots on the fifth day after the election and at any time ordered by a court of competent jurisdiction. If the fifth day after the election falls on a holiday or weekend, such inspection shall be held on the next working day at a time set by the secretary of state, in conjunction with the registrar of voters and the clerk of court, or following the recount of absentee by mail and early voting ballots. Any written request for inspection shall be filed with the clerk of court. The deadline for filing a request for inspection shall be 4:30 p.m. on the third calendar day after the election. Immediately upon receiving any request, the clerk of court shall prominently post in his office a notice of the



time and place where the inspection will occur and the name of the candidate requesting the inspection. The candidate requesting the inspection shall be responsible for all reasonable costs associated with such inspection which shall be payable to the clerk of court. The costs shall be paid at the time the written request for the inspection is filed with the clerk of court and shall be paid in cash, by certified or cashier's check on a state or national bank or credit union, United States postal money order, or money order issued by a state or national bank or credit union.

\* \* \*

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

\* \* \*

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(3) Prior to the counting of absentee by mail and early voting ballots on election day, any person authorized by the secretary of state may assist the registrar of voters in the challenge removal process on the early voting machines, in the reading of the early voting machine results cartridges on the secretary of state's equipment, and in producing the early voting machine results report. All early voting machine results reports shall be placed in the special, secure absentee by mail and early voting ~~envelope or~~ container.

\* \* \*

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

(1)(a) A member of the board shall remove the certificates, early voting verification forms, early voting machine public counter logs, early voting confirmation sheets, absentee by mail ballots, early voting paper ballots, and envelopes containing the absentee by mail ballots and early voting paper ballots from the special, secure absentee by mail and early voting ballot ~~envelope or~~ container.

\* \* \*

(2) The board shall announce the name of each absentee by mail voter, each voter who voted a paper ballot during early voting and the ward and precinct where he is registered to vote, and shall compare the name on the certificate ~~or on the flap of the envelope containing the absentee by mail ballot or early voting paper ballot~~ with the names on the absentee by mail voter report or early voter report, as applicable.

\* \* \*

(4)(a) If an absentee by mail ballot has not been challenged and is determined by the board to be valid, a member of the board shall make a check mark on the absentee by mail voter report beside the name of the voter as it appears on the report and write his initials on each page of the report. If applicable, a member of the board shall ~~tear the flap~~ remove the certificate from the envelope containing the absentee by mail ballot and leave the envelope sealed.

(b) If an early voting paper ballot has not been challenged and is determined by the board to be valid, a member of the board shall write the words “voted early” and his initials on the early voter report beside the name of the voter as it appears on the report. A member of the board shall ~~tear the flap from the envelope containing the paper ballot voted during early voting~~ remove the certificate and leave the envelope sealed.

(5) If an absentee by mail ballot or early voting paper ballot has been challenged, the members shall ~~leave the flap on the envelope, if applicable, containing the absentee by mail ballot or early voting paper ballot~~ not remove the certificate and leave the envelope sealed.

(6) A member of the board shall place the absentee by mail ballots and early voting paper ballots that have been challenged and the ballots that have not been challenged in the special, secure absentee by mail ~~envelope or~~ and early voting ballot container provided for that purpose and seal the ~~envelope or~~ container. Two members of the board shall execute the first certificate on the ~~envelope or~~ container and date the certificate with the date on which it was executed before the election.

(7) The members of the board shall place the certificates of the absentee by mail ballots and early voting paper ballots that have not been challenged ~~and the flaps removed from those ballots in the envelope or~~ container provided for that purpose and seal the ~~envelope or~~ container. Two of the members shall execute the first certificate on the ~~envelope~~ container and date the certificate with the date on which it was executed before the election.

\* \* \*

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

(1) A member of the board shall break the seal on the special, secure absentee by mail and early voting ballot ~~envelope or~~ container; and remove the certificates, absentee by mail ballots, and early voting paper ballots that have been challenged, and the absentee by mail ballots and early voting paper ballots that have not been challenged ~~from the envelope or container~~.

\* \* \*

(3)(a) If the board determines that an absentee by mail ballot is valid, a member of the board shall make a check mark on the absentee by mail voter report beside the name of the voter as it appears on the report and write his initials on each page of the report. If applicable, a member of the board shall ~~tear the flap from the envelope containing the absentee by mail ballot~~ remove the certificate and leave the envelope sealed.

(b) If the board determines that a paper ballot voted during early voting is valid, a member of the board shall write the words “voted early” and his

initials on the early voter report beside the name of the voter as it appears on the report. A member of the board shall ~~tear the flap from the envelope containing the paper ballot voted during early voting~~ remove the certificate and leave the envelope sealed.

(4) If a majority of the members of the board determine that an absentee by mail ballot or early voting paper ballot is invalid, the members shall ~~leave the flap on the envelope containing the ballot~~ not remove the certificate, leave the envelope sealed, and a member of the board shall write the word “rejected”, together with the reasons for rejecting the ballot, across the envelope ~~containing the ballot or across the certificate attached to the special absentee by mail ballot or early voting paper ballot~~. He shall also write the word “rejected” and his initials on the absentee by mail voter report or early voter report, as applicable, beside the name of the voter as it appears in the report. The rejected absentee by mail ballots and early voting paper ballots and certificates shall be replaced in the special, secure absentee by mail and early voting ballot ~~envelope or~~ container. No rejected absentee by mail ballot or early voting paper ballot shall be counted.

(5) After the validity of all absentee by mail ballots and early voting paper ballots have been determined, the members of the board shall break the seal on the ~~envelope or~~ container and place the valid certificates ~~and the flaps removed from the valid absentee by mail ballots and early voting paper ballots in the envelope or~~ container provided for that purpose and seal the ~~envelope or~~ container. Two of the members shall execute the second certificate on the envelope and date the certificate the day of the election.

\* \* \*

(8) If a ballot is physically damaged or cannot properly be counted by the counting equipment and the vote cast by the voter is clearly discernible from a physical inspection of the defective ballot, the ballot may be counted by hand or a true duplicate may be made of the defective ballot in the presence of witnesses and substituted for the ballot. Any duplicate ballot shall be clearly labeled “duplicate”, bear a ballot number which shall be recorded on the defective ballot, and be counted in lieu of the defective ballot. After a ballot has been duplicated, the defective ballot shall be placed in the special, secure absentee by mail and early voting ballot ~~envelope or~~ container, and the duplicate ballot shall be counted with the other valid ballots.

\* \* \*

I. The procedure for counting early voting machine ballots on election day shall be as follows:

(1) A member of the board shall remove the early voting machine results reports from the special, secure absentee by mail and early voting ballot ~~envelope or~~ container.

\* \* \*

(4)

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(b) The board shall sign and certify to the correctness of each zero proof sheet and place all zero proof sheets in the special, secure absentee by mail and early voting ~~envelope or~~ container.

\* \* \*

J. The final absentee by mail and early voting vote report prepared by the parish board of election supervisors shall be transmitted to the clerk of court immediately upon completion of the tabulation of the absentee by mail and early voting ballots on election night. A copy of the record shall be transmitted immediately to the secretary of state, and a copy of the record shall be placed in the special, secure absentee by mail and early voting ~~envelope or~~ container.

\* \* \*

L.(1) Upon completion of the tabulation and counting of the absentee by mail and early voting ballots on election day, the parish board of election supervisors shall return the absentee by mail and early voting ballots and electronic results report to the special, secure absentee by mail and early voting ballot ~~envelope or~~ container, shall seal the ~~envelope or~~ container, and shall deliver the ~~envelope or~~ container to the registrar of voters. The registrar shall preserve the ~~envelope or~~ container and its contents inviolate and, except upon order of a court of competent jurisdiction, shall not allow the absentee by mail and early voting documents to be inspected by anyone until the delay for filing an action contesting the election has lapsed. If an action contesting the election is commenced timely, the registrar shall continue to preserve the ~~envelope or~~ container and its contents inviolate, subject to the orders of the court, until the final judgment in the action has become definitive.

(2)(a)(i) Notwithstanding the provisions of Paragraph (1) of this Subsection, if the number of absentee by mail and early voting ballots cast for all candidates for an office could make a difference in the outcome of the election for such office, upon the written request of a candidate for such office, the board shall recount the absentee by mail ballots by hand or scanning equipment and early voting ballots electronically, unless paper ballots were used for early voting and in such case, the ballots shall be recounted by hand for such office. The registrar shall preserve the ~~envelope or~~ container and its contents inviolate and, except upon the board recounting the absentee by mail ballots, shall not allow the absentee by mail and early voting ballots to be inspected by anyone until the recounting of the absentee by mail and early voting ballots by the board.

(ii) Notwithstanding the provisions of Paragraph (1) of this Subsection, if the number of absentee by mail and early voting ballots cast for and against a proposition could make a difference in the outcome of the election, upon the written request of a person who voted in the proposition election, the board

shall recount the absentee by mail ballots by hand or scanning equipment and early voting ballots electronically, unless paper ballots were used for early voting and in such case, the ballots shall be recounted by hand for such election. The registrar shall preserve the ~~envelope or~~ container and its contents inviolate and, except upon the board recounting the absentee by mail ballots, shall not allow the absentee by mail and early voting ballots to be inspected by anyone until the recounting of the absentee by mail and early voting ballots by the board.

\* \* \*

(c) Upon completion of the recount of the absentee by mail and early voting ballots, the board shall return the absentee by mail and early voting documents to the special, secure absentee by mail and early voting ballot ~~envelope or~~ container, shall reseal the ~~envelope or~~ container, and shall deliver the ~~envelope or~~ container and its contents to the registrar of voters who shall preserve the ~~envelope or~~ container and its contents in the manner provided for in Paragraph (1) of this Subsection.

\* \* \*

(3) A candidate or his representative, in the presence of a majority of the parish board of election supervisors, shall be allowed to inspect the ~~flaps~~ certificates removed from the valid absentee by mail ballots and the ~~flaps~~ removed from the valid early voting ballots ~~when paper ballots are used for early voting~~. All such inspections shall be held at a time set by the secretary of state, in conjunction with the registrar of voters and the clerk of court, or following the recount of absentee by mail and early voting ballots on the fifth day after the election and at any time ordered by a court of competent jurisdiction. If the fifth day after the election falls on a holiday or weekend, such inspection shall be held on the next working day at a time set by the secretary of state, in conjunction with the registrar of voters and the clerk of court, or following the recount of absentee by mail and early voting ballots. Any written request for inspection shall be filed with the clerk of court. The deadline for filing a request for inspection shall be 4:30 p.m. on the third calendar day after the election. Immediately upon receiving any request, the clerk of court shall prominently post in his office a notice of the time and place where the inspection will occur and the name of the candidate requesting the inspection. The candidate requesting the inspection shall be responsible for all reasonable costs associated with such inspection, which shall be payable to the clerk of court. The costs shall be paid at the time the written request for the inspection is filed with the clerk of court and shall be paid in cash or by certified or cashier's check on a state or national bank or credit union, United States postal money order, or money order issued by a state or national bank or credit union.

\* \* \*

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

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\* \* \*

(2) If a challenge in accordance with the provisions of Subsection A of this Section is sustained, the vote shall not be counted, the ballot or early voting confirmation sheet shall be placed in the special, secure absentee by mail and early voting ballot ~~envelope or~~ container, and the board shall notify the voter in writing of the challenge and the cause therefor. This notification shall be on a form provided by the secretary of state and shall be signed by at least a majority of the members of the board. The notice of the challenge and the cause therefor shall be given within four business days by mail, addressed to the voter at his place of residence. The board shall retain a copy of the notification. However, if the challenge is based upon a change of residence within the parish or is based upon a change of residence outside the parish that has occurred within the last three months, the ballot shall be counted provided that the voter confirmed his current address as shown by the affidavit of the absentee by mail ballot ~~envelope flap~~ certificate or early voting confirmation sheet or, if the voter is on the inactive list of voters, as shown by the information provided on an address confirmation ~~card~~ notice.

(3)(a) If a challenge in accordance with the provisions of Subsection B of this Section is sustained, the vote shall not be counted, the board shall write “rejected” and the cause therefor across the ballot envelope or early voting confirmation sheet, and shall place the ballots and early voting confirmation sheets so rejected in the special, secure absentee by mail and early voting ballot ~~envelope or~~ container. The board shall notify the voter in writing of the challenge and the cause therefor. The notification shall be on a form provided by the secretary of state and shall be signed by at least a majority of the members of the board. The notice of the challenge and the cause therefor shall be given within four business days by mail addressed to the voter at his place of residence. The board shall retain a copy of the notification.

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

\* \* \*

§1333. Nursing home early voting program; voting by persons residing in a nursing home

\* \* \*

E. The registrar shall notify the applicant by letter, at the return nursing home address shown on the request, the day on which a deputy registrar or other qualified person selected by the registrar will be present at the nursing home to permit the applicant to cast his ballot. The registrar shall assign a

number to the applicant, that shall be stamped or entered in ink on the upper right side of the letter and also shall be entered in clearly distinguishable figures on the ~~flap~~ of the absentee by mail ballot envelope that will contain the absentee by mail ballot to be delivered to that applicant on the day designated in the letter. If the letter is mailed by the registrar prior to his receipt of the absentee by mail ballots for the election, he shall enter the name of the applicant, his address, ward and precinct, and the number assigned to the applicant on a list that he shall keep for the purpose and, upon receipt of the absentee by mail ballots for the election, he shall enter the number on the absentee by mail ballot envelope as provided in this Subsection.

\* \* \*

G. The voting by each voter shall be accomplished in the following manner:  
(1) The voter shall present to the registrar the letter he received from the registrar that bears the reply number assigned as provided in Subsection E of this Section. The registrar shall compare the number on the letter with the number on the absentee by mail ballot envelope in his possession and, if they are identical, he shall hand the envelope containing the absentee by mail ballot to the voter. However, if the voter is on the inactive list of voters, the voter must complete an address confirmation ~~card~~ notice prior to receiving the envelope containing the absentee by mail ballot.

\* \* \*

(3) The voter shall mark his ballot as provided in R.S. 18:1310(A). The voter then shall place the absentee by mail ballot in the absentee by mail ballot envelope, sign the included certificate, and seal the envelope, ~~and sign the certificate on the absentee by mail ballot envelope flap~~.

\* \* \*

(7) Upon receipt of an address confirmation ~~card~~ notice, the registrar shall reinstate the voter to the official list of voters.

\* \* \*

Section 2. R.S. 18:110(A)(3), 154(I) and (J), 443(F), 443.2(6), 444(F), 445(A)(3), and 585 are hereby repealed in their entirety.

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

Approved by the Governor, June 6, 2023.

A true copy:  
R. Kyle Ardoin  
Secretary of State

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**ACT No. 92**

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HOUSE BILL NO. 527  
BY REPRESENTATIVE BROWN  
AN ACT

To designate the Louisiana Highway 1247 Bridge over Bayou Lafourche in Labadieville, Louisiana, as the “Commander Glenn Daigle Memorial Bridge”; and to provide for related matters.  
Be it enacted by the Legislature of Louisiana:

Section 1. The bridge on Louisiana Highway 1247 over Bayou Lafourche in Labadieville, Louisiana, shall be known and is hereby designated as the “Commander Glenn Daigle Memorial Bridge”.

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

Approved by the Governor, June 6, 2023.

A true copy:  
R. Kyle Ardoin  
Secretary of State

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**ACT No. 93**

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HOUSE BILL NO. 561  
BY REPRESENTATIVE SCHEXNAYDER  
AN ACT

To amend and reenact R.S. 17:3215(8), relative to the Louisiana State University Agricultural Center; to provide for the responsibilities of the Louisiana State University Agricultural Center; and to provide for related matters.

Be it enacted by the Legislature of Louisiana:

Section 1. R.S. 17:3215(8) is hereby amended and reenacted to read as follows:

§3215. Louisiana State University system  
The Louisiana State University system is composed of the institutions under the supervision and management of the Board of Supervisors of Louisiana State University and Agricultural and Mechanical College as follows:

\* \* \*

(8) The Center for Agricultural Sciences and Rural Development, generally known as the Louisiana State University Agricultural Center, which

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



administers the agricultural extension and research programs of the board throughout the state. The center shall also be responsible for conducting river water research and agricultural youth development and education programs, including FFA and 4-H.

Approved by the Governor, June 6, 2023.

A true copy:  
R. Kyle Ardoin  
Secretary of State

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**ACT No. 94**

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**HOUSE BILL NO. 579**  
**BY REPRESENTATIVES DUBUISSON AND KNOX**  
**AN ACT**

To amend and reenact the heading of Subpart G of Part IV of Chapter 4 of Title 22 of the Louisiana Revised Statutes of 1950 and to enact R.S. 22:1371 through 1375, relative to pet insurance; to provide for definitions; to provide for disclosures; to provide for policy conditions; to provide for wellness program sales practices; to provide for producer training; 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 Subpart G of Part IV of Chapter 4 of Title 22 of the Louisiana Revised Statutes of 1950 is hereby amended and reenacted and R.S. 22:1371 through 1375 are hereby enacted to read as follows:

**SUBPART G. CROP AND LIVESTOCK PET INSURANCE**

**§1371. Definitions**

A. If a pet insurer uses any of the terms defined in this Section in a policy of pet insurance, the pet insurer shall use the definitions of those terms as provided in this Section and include the definitions in Subsection C of this Section in the policy. The pet insurer shall also make the definitions available through a link on the main page of the pet insurer's website or the pet insurer's program administrator's website.

B. Nothing in this Section prohibits or limits the types of exclusions pet insurers may use in their policies, nor requires pet insurers to utilize any of the limitations or exclusions defined in this Section.

C. For the purposes of this Subpart, the following definitions apply:

(1) "Chronic condition" means a condition that can be treated or managed, but not cured.

(2) "Congenital anomaly or disorder" means a condition that is present from birth, whether inherited or caused by the environment, which may cause or contribute to illness or disease.

(3) "Hereditary disorder" means an abnormality that is genetically transmitted from parent to offspring that may cause illness or disease.

(4)(a) "Orthopedic" means conditions affecting the bones, skeletal muscle, cartilage, tendons, ligaments, and joints.

(b) Orthopedic conditions include but are not limited to elbow dysplasia, hip dysplasia, intervertebral disc degeneration, patellar luxation, and ruptured cranial cruciate ligaments.

(c) Orthopedic conditions do not include cancers or metabolic, hemopoietic, or autoimmune diseases.

(5) "Pet insurance" means a property insurance policy that provides coverage for accidents and illnesses of pets.

(6)(a) "Preexisting condition" means any condition for which any of the following are true prior to the effective date of a pet insurance policy or during any waiting period:

(i) A veterinarian-provided medical advice.

(ii) The pet received previous treatment.

(iii) Based on information from verifiable sources, the pet had signs or symptoms directly related to the condition for which a claim is being made.

(b) A condition for which coverage is afforded on a policy shall not be considered a preexisting condition on any renewal of the policy.

(7) "Renewal" means to issue and deliver at the end of an insurance policy period a policy which supersedes a policy previously issued and delivered by the same pet insurer or affiliated pet insurer, which provides types and limits of coverage substantially similar to those contained in the policy being superseded.

(8) "Veterinarian" means an individual who holds a valid license to practice veterinary medicine from the appropriate licensing entity in the jurisdiction in which he practices.

(9) "Veterinary expenses" means the costs associated with medical advice, diagnosis, care, or treatment provided by a veterinarian, including but not limited to the cost of drugs prescribed by a veterinarian.

(10) "Waiting period" means the period of time specified in a pet insurance policy that is required to transpire before some or all of the coverage in the policy can begin.

(11)(a) "Wellness program" means a subscription or reimbursement based program that is separate from an insurance policy and provides goods and services to promote the general health, safety, or wellbeing of a pet.

(b) If a wellness program constitutes a contract whereby one undertakes to indemnify another or pay a specified amount upon determinable contingencies, it is transacting in the business of insurance and is subject to the provisions of this Title.

(c) The definition provided in this Paragraph shall not be interpreted to classify a contract directly between a service provider and a pet owner, that only involves the two parties, as being the business of insurance, unless other

indications of insurance also exist.

**§1372. Disclosures**

A. A pet insurer transacting pet insurance shall make all of the following disclosures to consumers:

(1) Whether the policy excludes coverage due to any of the following:

(a) A preexisting condition.

(b) A hereditary disorder.

(c) A congenital anomaly or disorder.

(d) A chronic condition.

(2) If the policy includes any exclusions other than those in Paragraph (1) of this Subsection, the following statement shall be included in the policy: "Other exclusions may apply. Please refer to the exclusions section of the policy for more information."

(3) Whether any policy provision limits coverage through a waiting or affiliation period, a deductible, coinsurance, or an annual or lifetime policy limit.

(4) Whether the pet insurer reduces coverage or increases premiums based on the insured's claim history, the age of the covered pet, or a change in the geographic location of the insured.

(5) Whether the underwriting company differs from the brand name used to market and sell the product.

B.(1) Unless the insured has filed a claim under the pet insurance policy, a pet insurance applicant shall have the right to examine and return the policy, certificate, or endorsement to the company or an agent or insurance producer of the company within fifteen days of receipt and the right to have the premium refunded if, after examination of the policy, certificate, or endorsement, the applicant is not satisfied for any reason.

(2) A pet insurer shall include the following statement or substantially similar language on the first page of a policy, certificate, or endorsement, or attached thereto, with specific instructions for a policyholder to return such policy, certificate, or endorsement:

"You have fifteen days from the day you receive this policy, certificate, or endorsement to review it and return it to the company if you decide not to keep it. You are not required to tell the company why you are returning it. If you decide not to keep it, simply return it to the company at its administrative office or you may return it to the agent or insurance producer that you bought it from, if you have not filed a claim. You must return it within fifteen days of the day you first received it, if you do not want to keep it. The company shall refund the full amount of any premium paid within thirty days after it receives the returned policy, certificate, or endorsement. The premium refund shall be sent directly to the person who paid it. If returned within fifteen days of the day first received, the policy, certificate, or endorsement will be void as if it had never been issued."

C. A pet insurer shall disclose a summary description of the basis or formula utilized to determine claim payments under the pet insurance policy, prior to policy issuance and through a link on the pet insurer's website main page or the pet insurer's program administrator's website main page.

D. A pet insurer that uses a benefit schedule to determine claim payments under a pet insurance policy shall do both of the following:

(1) Disclose the applicable benefit schedule in the policy.

(2) Disclose all benefit schedules used by the pet insurer under its pet insurance policies through a link on the pet insurer's website main page or the pet insurer's program administrator's website main page.

E. A pet insurer that determines claim payments under a pet insurance policy based on usual and customary fees, or any other reimbursement limitation based on prevailing veterinary service provider charges, shall do both of the following:

(1) Include a usual and customary fee limitation provision in the policy that describes the pet insurer's methodology for determining usual and customary fees and an explanation as to how the methodology is applied in calculating claim payments.

(2) Disclose the pet insurer's methodology for determining usual and customary fees through a link on the pet insurer's website main page or the pet insurer's program administrator's website main page.

F. If a medical examination by a licensed veterinarian is required to effectuate coverage, the pet insurer shall disclose the required aspects of the examination prior to purchase and disclose that examination documentation may result in a preexisting condition exclusion.

G. The pet insurer shall disclose to consumers the waiting periods and applicable requirements prior to a consumer's purchase of a policy.

H. The pet insurer shall include in pet insurance policies a summary of all disclosures required in Subsections A through G of this Section in a separate document titled "Insurer Disclosure of Important Policy Provisions."

I. The pet insurer shall provide a copy of the "Insurer Disclosure of Important Policy Provisions" document provided for in Subsection H of this Section through a link on the pet insurer's website main page or the pet insurer's program administrator's website main page.

J. Upon issuance or delivery of a new pet insurance policy, the pet insurer shall provide the policyholder with a copy of the "Insurer Disclosure of Important Policy Provisions" document provided for in Subsection H of this Section in at least twelve-point type.

K. Upon issuance or delivery of a pet insurance policy to a policyholder, the pet insurer shall include a written disclosure with the following information, printed in twelve-point boldface type:

(1) The department's mailing address, toll-free telephone number, and website address.

(2) The address and customer service telephone number of the pet insurer or the agent or broker of record.

(3) A statement advising the policyholder to contact the broker or agent for assistance if the policy was issued or delivered by an agent or broker.

L. The disclosures required pursuant to this Section shall be in addition to any other disclosures required by law, rule, or regulation.

§1373. Policy conditions

A. A pet insurer may issue policies that exclude coverage based on one or more preexisting conditions, if appropriate disclosures are provided to the policyholder. The pet insurer has the burden of proving that a preexisting condition exclusion applies to the condition for which a claim is being made.

B.(1) A pet insurer may issue policies that impose waiting periods upon effectuation of the policy, not to exceed thirty days, for illnesses or orthopedic conditions not resulting from an accident. Waiting periods for accidents are prohibited.

(2) A pet insurer utilizing a waiting period in compliance with this Subsection shall include a provision in the policy that allows the waiting period to be waived upon completion of a medical examination. A pet insurer may require the examination to be conducted by a licensed veterinarian after the purchase of the policy.

(3) A medical examination performed pursuant to Paragraph (2) of this Subsection shall be paid for by the policyholder, unless the policy provides that the pet insurer will pay for the examination.

(4) A pet insurer may specify elements to be included as part of the examination and require documentation thereof, if the specifications do not unreasonably restrict a policyholder's option to have the waiting periods waived as provided in Paragraph (2) of this Subsection.

(5) Waiting periods and the requirements applicable thereto shall be disclosed to consumers prior to the policy purchase.

(6) Waiting periods shall not be applied to renewals of existing coverage.

C. A pet insurer shall not require a veterinary examination of a covered pet for a policyholder to have a policy renewed.

D. If a pet insurer includes any prescriptive, wellness, or noninsurance benefits in the policy form, such provisions shall be made part of the policy contract and shall conform to all applicable provisions of this Title and department rules and regulations.

E. Eligibility to purchase a pet insurance policy shall not be based on participation, or lack of participation, in a separate wellness program.

§1374. Sales practices

A. Pet insurers and producers shall not market a wellness program as pet insurance.

B. If a wellness program is sold by a pet insurer or producer, all of the following apply:

(1) The purchase of the wellness program shall not be a requirement to the purchase of pet insurance.

(2) The costs of the wellness program shall be separate and identifiable from any pet insurance policy sold by a pet insurer or producer.

(3) The terms and conditions for the wellness program shall be separate from any pet insurance policy sold by a pet insurer or producer.

(4) The products and coverages available through the wellness program shall not duplicate products or coverages available through the pet insurance policy.

(5) The advertising of the wellness program shall not be misleading and shall be in accordance with the provisions of this Section.

(6) The pet insurer or producer shall make all of the following disclosures to consumers, printed in twelve-point boldface type:

(a) Wellness programs are not insurance.

(b) The address and customer service telephone number of the pet insurer or producer or broker of record.

(c) The department's mailing address, toll-free telephone number, and website address.

C. Coverages included in the pet insurance policy contract described as "wellness" benefits are insurance.

§1375. Producer training

A. An insurance producer shall not sell, solicit, or negotiate a pet insurance product until the producer is licensed in a major line of authority and has completed the required training identified in Subsection C of this Section.

B. An insurer shall ensure that its producers are trained on the topics prescribed in Subsection C of this Section and on the coverages and conditions of its pet insurance products.

C. The training required pursuant to this Section shall include information on the following topics:

(1) Preexisting conditions and waiting periods.

(2) The differences between pet insurance and noninsurance wellness programs.

(3) Hereditary disorders, congenital anomalies and disorders, chronic conditions, and how pet insurance policies interact with those conditions and disorders.

(4) Rating, underwriting, renewal, and other related administrative topics.

D. The satisfaction of the training requirements of another state that are substantially similar to the provisions of Subsection C of this Section shall be deemed to satisfy the training requirements in this state.

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

Approved by the Governor, June 6, 2023.

A true copy:

R. Kyle Ardoin

\* As it appears in the enrolled bill

Secretary of State

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**ACT No. 95**

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**SENATE BILL NO. 21**

BY SENATORS PRICE, ALLAIN, BARROW, BERNARD, BOUDREAUX, BOUIE, CARTER, CORTEZ, DUPLESSIS, FESI, FIELDS, FOIL, HARRIS, HEWITT, JACKSON, LAMBERT, LUNEAU, MCMATH, MILLIGAN, REESE, SMITH, STINE, TARVER AND WOMACK AND REPRESENTATIVES BOYD, BRASS, BRYANT, WILFORD CARTER, COX, FISHER, GAINES, GLOVER, GREEN, HUGHES, ILLG, JEFFERSON, JENKINS, MIKE JOHNSON, TRAVIS JOHNSON, JORDAN, KNOX, LAFLEUR, LARVADAIN, LYONS, MOORE, PHELPS, PIERRE, SELDERS AND WILLARD Prefiled Pursuant to Article III, Section 2(A)(4)(b)(i) of the Constitution of Louisiana.

**AN ACT**

To enact R.S. 49:149.36, relative to the names of state buildings; to name the Department of Transportation and Development headquarters building in Baton Rouge; and to provide for related matters.

Be it enacted by the Legislature of Louisiana:

Section 1. R.S. 49:149.36 is hereby enacted to read as follows:

**§149.36. Governor P.B.S. Pinchback Building**

**The state building situated in the city of Baton Rouge, having the municipal address of 1201 Capitol Access Road, and generally known as the Department of Transportation and Development headquarters building, is hereby named and shall hereafter be known as the Governor P.B.S. Pinchback Building.**

Approved by the Governor, June 6, 2023.

A true copy:

R. Kyle Ardoin

Secretary of State

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**ACT No. 96**

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**SENATE BILL NO. 30**

**BY SENATOR FOIL**

Prefiled Pursuant to Article III, Section 2(A)(4)(b)(i) of the Constitution of Louisiana.

**AN ACT**

To enact R.S. 17:3088.1, relative to the Achieving a Better Life Experience in Louisiana Fund; to provide for the transfer of monies in a program account of a deceased designated beneficiary; to prohibit certain claims against the program account of a deceased designated beneficiary; and to provide for related matters.

Be it enacted by the Legislature of Louisiana:

Section 1. R.S. 17:3088.1 is hereby enacted to read as follows:

**§3088.1. ABLE accounts of deceased designated beneficiary; termination; transfer of monies; prohibited actions**

**A. Notwithstanding any other provision of law to the contrary, when a designated beneficiary dies, the program account established on his behalf shall be terminated. Monies remaining in the account, after payment of all of the designated beneficiary's qualified disability expenses defined in this Chapter, may be transferred as specified by the account's owner to either another ABLE program account permitted by Section 529A of the Internal Revenue Code or to the estate of the designated beneficiary.**

**B. If the program account of a deceased designated beneficiary does not specify where monies remaining in the account are to be transferred, the remaining monies shall be deposited in the Disability Services Fund separate account established by R.S. 28:826(B)(2)(d) to be appropriated and used as provided in R.S. 28:826(C)(1)(c).**

**C. The state shall not file a claim for payment under Subsection (f) of Section 529A of the Internal Revenue Code or seek recovery of any amount remaining in the program account of a deceased designated beneficiary for payments made for qualified disability expenses.**

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

Approved by the Governor, June 6, 2023.

A true copy:

R. Kyle Ardoin

Secretary of State

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**ACT No. 97**

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**SENATE BILL NO. 45**

**BY SENATOR ABRAHAM**

Prefiled Pursuant to Article III, Section 2(A)(4)(b)(i) of the Constitution of Louisiana.

**AN ACT**

To enact R.S. 17:3911(C)(5), relative to the data collection system; to provide relative to the process required for the state Department of Education to change certain information assigned to a student; and to provide for related

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



matters.  
Be it enacted by the Legislature of Louisiana:  
Section 1. R.S. 17:3911(C)(5) is hereby enacted to read as follows:  
§3911. Data collection system; establishment

C. The department shall:  
(5) Obtain concurrence of the city, parish, or other local public school system prior to changing the exit code assigned to a student by the school system.

Section 2. This Act shall become effective upon signature by the governor or, if not signed by the governor, upon expiration of the time for bills to become law without signature by the governor, as provided by Article III, Section 18 of the Constitution of Louisiana. If vetoed by the governor and subsequently approved by the legislature, this Act shall become effective on the day following such approval.  
Approved by the Governor, June 6, 2023.  
A true copy:  
R. Kyle Ardoin  
Secretary of State

ACT No. 98  
SENATE BILL NO. 52  
BY SENATORS TARVER AND FRED MILLS  
Prefiled Pursuant to Article III, Section 2(A)(4)(b)(i)  
of the Constitution of Louisiana.  
AN ACT

To amend and reenact R.S. 49:951(9), 952(A), 954(A), (C), the introductory paragraph of 954(D), and 954(E), 966(K)(2), and 968(E), relative to the Administrative Procedure Act; to make technical corrections beyond the authority of the Louisiana State Law Institute to certain citations in the Administrative Procedure Act as amended by Act 211 of the 2021 Regular Session and Act 663 of the 2022 Regular Session; to provide for an effective date; and to provide for related matters.

Be it enacted by the Legislature of Louisiana:  
Section 1. R.S. 49:951(9), 952(A), 954(A), (C), the introductory paragraph of 954(D), and 954(E), 966(K)(2), and 968(E) are hereby amended and reenacted to read as follows:  
§951. Definitions  
As used in this Chapter:

(9) “Rulemaking” means the process employed by an agency for the formulation of a rule. Except where the context clearly provides otherwise, the procedures for adoption of rules and of emergency rules as provided in R.S. 49:961 and 962 shall also apply to adoption, increase, or decrease of fees. The fact that a statement of policy or an interpretation of a statute is made in the decision of a case or in an agency decision upon or disposition of a particular matter as applied to a specific set of facts involved does not render the same a rule within this definition or constitute specific adoption thereof by the agency so as to be required to be issued and filed as provided in this Subsection.

§952. Construction and effect; judicial cognizance  
A. Nothing in this Chapter shall be held to diminish the constitutional rights of any person or to limit or repeal additional requirements imposed by statute or otherwise recognized by law. Notwithstanding the foregoing, and except as provided in R.S. 49:954, any and all statutory requirements regarding the adoption or promulgation of rules other than those contained in R.S. 49:953, 961, 962, 965, and 966 are hereby superseded by the provisions of this Chapter and are repealed. Except as otherwise required by law, all requirements or privileges relating to evidence or procedure shall apply equally to agencies and persons. Every agency is granted all authority necessary to comply with the requirements of this Chapter through the issuance of rules or otherwise.

§954. Exemptions from provisions of Chapter  
A. This Chapter shall not be applicable to the Board of Tax Appeals, the Department of Revenue, with the exception of the Louisiana Tax Commission that shall continue to be governed by this Chapter in its entirety, unless otherwise specifically provided by law, and the administrator of the Louisiana Employment Security Law; however, the provisions of R.S. 49:951(2), (4), (3), (5), (6), (8), and (7); (9), 953, 956, 961, 962, 965, 966, 969, and 970 shall be applicable to the board, department, and administrator.

C. The provisions of R.S. 49:968, 978-2, 978.1, and 979 shall not be applicable to any rule, regulation, or order of any agency subject to a right of review under the provisions of R.S. 30:12.

D. The provisions of R.S. 49:968, 978-2, 978.1, and 979 shall not apply to any rule, regulation, or policy and procedure statements issued by or for the Department of Public Safety and Corrections, corrections services, concerning:

E. The provisions of R.S. 49:968, 978-2, 978.1, and 979 shall apply only to the regulations and policies of the Department of Public Safety and Corrections, corrections services, that affect the substantial rights of, or administrative remedies available to, the public or any offender incarcerated in a state

correctional facility or local jail facility.  
§966. Review of agency rules; fees  
K.  
(2) The report required by Paragraph (1) of this Subsection shall also contain a recitation of each petition and submission, if any, received by the agency pursuant to R.S. 49:961 49:964 during the previous calendar year and the agency’s response to each petition and submission, if any were received.

§968. Judicial review of validity or applicability of rules  
E. Upon a determination by the court that any statement, guide, requirement, circular, directive, explanation, interpretation, guideline, or similar measure constitutes a rule as defined by R.S. 49:951(6) and that such measure has not been properly adopted and promulgated pursuant to this Chapter, the court shall declare the measure invalid and inapplicable. It shall not be necessary that all administrative remedies be exhausted.

Section 2. This Act shall become effective upon signature by the governor or, if not signed by the governor, upon expiration of the time for bills to become law without signature by the governor, as provided by Article III, Section 18 of the Constitution of Louisiana. If vetoed by the governor and subsequently approved by the legislature, this Act shall become effective on the day following such approval.  
Approved by the Governor, June 6, 2023.

A true copy:  
R. Kyle Ardoin  
Secretary of State

ACT No. 99  
SENATE BILL NO. 81  
BY SENATOR MCMATH AND REPRESENTATIVES  
KNOX AND GAROFALO  
Prefiled Pursuant to Article III, Section 2(A)(4)(b)(i)  
of the Constitution of Louisiana.  
AN ACT

To enact R.S. 17:7.8, relative to the qualifications of public school teachers; to provide for the associate educator program; to provide for minimum requirements for individuals participating in the program; to provide relative to pay of program participants; to provide relative to rules for the program; and to provide for related matters.

Be it enacted by the Legislature of Louisiana:  
Section 1. R.S. 17:7.8 is hereby enacted to read as follows:  
§7.8. Associate educator program; authority; rules; participant requirements  
A.(1) The State Board of Elementary and Secondary Education may provide for the associate educator program through which a governing authority of a public elementary or secondary school may authorize certain individuals with associate’s degrees to serve as teachers.

(2) The state board shall promulgate rules and regulations in accordance with the Administrative Procedure Act for the implementation and administration of this Section and may provide by rule for additional qualifications and requirements for the program that are not inconsistent with this Section.

(3) A governing authority may establish stricter participation requirements than those provided pursuant to this Section or by the rules promulgated by the state board.

B. An individual who serves as a teacher through the program authorized by this Section, referred to in this Section as a “participant”, shall:

(1) Have an associate’s degree from an accredited college or university.  
(2) Be continuously enrolled in an undergraduate teacher education program at an accredited college or university for the purpose of obtaining a bachelor’s degree.

(3) Be at least twenty-five years of age.  
(4) Meet all other qualifications provided pursuant to this Section, board rules, or requirements of the governing authority.

C. An individual shall not participate in the program for more than five years.  
D.(1) A participant shall be employed to teach only in the content area related to the participant’s associate’s degree.

(2) A participant shall not teach in a class for students with identified exceptionalities, unless the students are identified as gifted or talented.

E. For a participant enrolled in an approved teacher education program, the hours spent teaching as a participant shall count towards the student teaching hours required pursuant to R.S. 17:7.1.

F. No more than ten percent of the teaching staff of the governing authority shall be program participants.

G. The salary paid to a participant shall not exceed seventy-five percent of the average yearly classroom teacher salary of the employing school system.

H. Subject to the appropriation of funds for such purpose, the governing authority shall assign a mentor teacher to a participant for the purposes of providing on-site teacher training, demonstrating lessons, co-teaching, observation, and providing feedback for improving instruction.

I. Each participant shall participate in weekly teacher collaborations.  
J. The governing authority shall conduct a criminal history record check in

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

accordance with R.S. 17:15 and R.S. 15:587.1 prior to allowing a participant to work as a teacher.

K. The state board shall evaluate the effectiveness of the program and report its findings and conclusions to the legislature no later than December 29, 2028. The report shall be submitted to the David R. Poynter Legislative Research Library as required by R.S. 24:771 and 772.

L. The provisions of this Section shall terminate on December 31, 2033.

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

Approved by the Governor, June 6, 2023.

A true copy:  
R. Kyle Ardoin  
Secretary of State

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**ACT No. 100**

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**SENATE BILL NO. 116**

BY SENATORS HENRY, FESI, KLEINPETER AND WOMACK AND REPRESENTATIVES ADAMS, BOYD, BRASS, CARRIER, ROBBY CARTER, WILFORD CARTER, CORMIER, FISHER, FREEMAN, GAROFALO, GLOVER, GREEN, HORTON, HUGHES, JENKINS, KNOX, LACOMBE, LAFLEUR, LARVADAIN, LYONS, DUSTIN MILLER, MOORE, PHELPS, PIERRE, SCHLEGEL, SELTERS, STAGNI AND WILLARD Prefiled Pursuant to Article III, Section 2(A)(4)(b)(i) of the Constitution of Louisiana.

**AN ACT**

To amend and reenact R.S. 46:1608(A) and (B), relative to the appropriation of funds to the office of elderly affairs; to provide relative to the allocation of funds to parish councils on aging for senior centers; to increase the allocation; to provide for effectiveness; and to provide for related matters. Be it enacted by the Legislature of Louisiana:

Section 1. R.S. 46:1608(A) and (B) are hereby amended and reenacted to read as follows:

§1608. Senior centers; appropriation; allocation of funds; parish-specific provisions

A. The legislature shall appropriate annually to the office of elderly affairs, hereinafter referred to as the “office”, for distribution by the executive director of the office to the various voluntary parish councils on aging, except in Rapides Parish to a corporation or organization which has provided senior center services for a minimum of two years and which is hereinafter referred to as the ~~Rapides Parish area agency~~ **“Rapides Parish area agency”**, for the operation of senior centers throughout the state, funds sufficient to allocate to each parish council on aging, except in Rapides Parish to the Rapides Parish area agency a sum equal to ~~twenty-five~~ **fifty** thousand dollars, plus five dollars and eighteen cents per person above a base population of three thousand persons age sixty years or older who are residents of the parish, as shown by the latest official census estimate, but in no case less than ~~twenty-five~~ **fifty** thousand dollars. The office shall include funds in their annual budget request for increases in funding based on the number of elderly as estimated in the census estimate.

B. Funds appropriated by the legislature pursuant to Subsection A of this Section shall be distributed by the executive director of the office and shall be allocated to each parish council on aging, except in Rapides Parish to the Rapides Parish area agency, in the amount of a sum equal to ~~twenty-five~~ **fifty** thousand dollars, plus five dollars and eighteen cents per person above a base population of three thousand persons age sixty years or older who are residents of the parish as shown by the latest official census estimate, but in no case less than ~~twenty-five~~ **fifty** thousand dollars. The sums so allocated shall be distributed quarterly during the first thirty days of each quarter of the fiscal year. In appropriating funds pursuant to this Section, the legislature shall specifically provide for the allocation of funds to the respective parish councils, except in Rapides Parish to the Rapides Parish area agency, in accordance with 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, June 6, 2023.

A true copy:  
R. Kyle Ardoin  
Secretary of State

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**ACT No. 101**

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**SENATE BILL NO. 120**  
**BY SENATOR WHITE**

Prefiled Pursuant to Article III, Section 2(A)(4)(b)(i) of the Constitution of Louisiana.

**AN ACT**

To amend and reenact R.S. 17:3047.4(C), relative to the M.J. Foster Promise Program; to provide relative to appropriations for the program; and to provide for related matters.

Be it enacted by the Legislature of Louisiana:

Section 1. R.S. 17:3047.4(C) is hereby amended and reenacted to read as follows:

§3047.4. Funding

\* \* \*

C.(1) Implementation of the provisions of this Chapter shall be subject to the appropriation of funds by the legislature.

(2)~~(a)~~ State appropriations for the program shall not exceed ten million ~~five hundred thousand~~ dollars per year for students enrolled in public postsecondary education institutions **or proprietary schools**.

~~(b) State appropriations shall not exceed five hundred thousand dollars for students enrolled in proprietary schools.~~

\* \* \*

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

Approved by the Governor, June 6, 2023.

A true copy:  
R. Kyle Ardoin  
Secretary of State

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**ACT No. 102**

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**SENATE BILL NO. 131**  
**BY SENATOR PRICE**

Prefiled Pursuant to Article III, Section 2(A)(4)(b)(i) of the Constitution of Louisiana.

**AN ACT**

To amend and reenact R.S. 34:2473(B)(3) and (F)(1) and (2), relative to the commission for the Port of South Louisiana; provides for expenditure authority for contracts and purchases to be established by commission bylaws; and to provide for related matters.

Be it enacted by the Legislature of Louisiana:

Section 1. R.S. 34:2473(B)(3) and (F)(1) and (2) are hereby amended and reenacted to read as follows:

§2473. Jurisdictional boundaries; rights and powers of commission and executive director

\* \* \*

B.

\* \* \*

(3) The executive director shall employ such officers, agents, and employees as he finds necessary in the performance of his duties and may prescribe the duties, powers, and compensation of such officers, agents, and employees. The executive director may execute work contracts with the unclassified employees of the port at a salary which does not exceed seventy-five percent of the salary paid the executive director for a period of not more than two years. The executive director shall contract for legal, financial, engineering, and other professional services necessary or expedient in the conduct of the port’s affairs. All contracts for professional services for an amount exceeding ~~twenty-five thousand dollars~~ **the amount allowed by the commission bylaws** shall not be binding or effective until approved by the commission in a public meeting by a record vote of the majority of its membership. In addition, all contracts for professional services exceeding one hundred twenty-five thousand dollars shall be subject to the provisions of ~~R.S. 39:1503 and 1504~~ **R.S. 39:1595(B)** governing requests for proposals and cancellation thereof. The executive director may, upon terms and conditions mutually agreeable, utilize the services of the executive departments of the state.

\* \* \*

F.(1) Any contracts for a duration of more than one year or any contract when the contract amount exceeds ~~twenty-five thousand dollars~~ **the amount allowed by the commission bylaws**, except contracts for employment of unclassified personnel, which are entered into by the executive director in the discharge of his official duties as provided in this Chapter shall not be binding or effective until approved by the commission by a record vote of the majority of its membership.

(2) All purchases which exceed ~~twenty-five thousand dollars~~ **the amount allowed by the commission bylaws** from one person, corporation, or entity entered into by the executive director shall receive the prior approval of the commission by a record vote of a majority of its membership.

Approved by the Governor, June 6, 2023.

A true copy:  
R. Kyle Ardoin  
Secretary of State

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**ACT No. 103**

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**SENATE BILL NO. 160**



BY SENATOR CORTEZ  
Prefiled Pursuant to Article III, Section 2(A)(4)(b)(i)  
of the Constitution of Louisiana.

AN ACT

To amend and reenact R.S. 4:147 and 164(C)(1), and R.S. 27:361(E)(3)(a), relative to the Louisiana State Racing Commission; to provide for powers and duties; to provide for rulemaking authority and prohibitions; to provide for a facility maintenance and improvement fund; and to provide for related matters.

Be it enacted by the Legislature of Louisiana:

Section 1. R.S. 4:147 and 164(C)(1) are hereby amended and reenacted to read as follows:

§147. Specific duties of commission

A. The commission shall carry out the provisions of this Part, including the following specific duties:

(1)(a) To assign the dates race meetings may be conducted in this state at a particular track, including dates which limit racing at a particular track for quarter horses only, provided that:

(i) It shall prohibit the conducting of any thoroughbred race meetings having the same or overlapping dates for such race meetings at thoroughbred race tracks within a radius of one hundred miles of each other.

(ii) It shall prohibit the conducting of any exclusively quarter horse race meetings having the same or overlapping dates for such race meetings at any other exclusively quarter horse track within a radius of one hundred miles of each other.

(b) To set the minimum number of live races required per race day at a particular track.

~~(2)(a) The commission shall~~ To appoint three stewards to serve each day of each race meeting conducted under the provisions of this Part. One of the stewards shall be appointed by the commission to represent the Louisiana State Racing Commission and shall be designated as the state steward who shall upon appointment be residing in the state.

(b) The amount to be paid by the commission to the state steward as compensation for his services shall be at least the same amount paid to the two stewards appointed to represent an association, and the association shall reimburse the commission in an amount equal to the amount paid by it to the state steward as his compensation, as aforesaid, which amount shall be considered an additional fee due the state by an association for the privileges granted in its license.

(c) Two of the stewards shall be nominated by the association conducting a race meeting under the provisions of this Part and, prior to serving as such, shall be approved and appointed by the commission. The amounts to be paid these two stewards as compensation for their services shall be paid by the association nominating them, which amounts shall also be considered an additional fee due the state by an association for the privileges granted in its license.

(d) The commission may appoint other stewards to be compensated by it and assign to each such duties as are consistent with this Part; however, such other stewards shall not serve as a steward in the stewards stand during any race meeting conducted under the provisions of this Part, except with the written consent of the association conducting such race meeting.

(e) The commission shall be required to show just cause for not appointing any racing official submitted to it for its approval.

(3) To make an annual report to the governor of its operation, its own actions and rulings, and the receipts derived under the provisions of this Part; and to offer such practical suggestions as it deems proper to accomplish more fully the purposes of this Part.

(4) To require of each applicant seeking a license to operate a race meeting an application setting forth:

(a) The full name of the person, and if a corporation the name of the state under which it is incorporated, and the names of the corporation's agents for the service of process within Louisiana.

(b) If an association or corporation, the names of the stockholders and directors of the corporation or the names of the members of the association.

(c) The exact location where it is desired to conduct or hold a racing meet.

(d) Whether or not the racing plant is owned or leased, and if leased the name and address of the owner, or if the owner is a corporation, the names of its directors and shareholders. However, nothing in this Part prevents any person from applying to the commission for a permit to conduct races where the racing plant has not yet been constructed.

(e) A statement of the assets and liabilities of the person applying for a license.

(f) The kind of racing to be conducted and the dates requested.

(g) Such other information as the commission may require.

(5) To require an oath of every applicant, by the person or executive officer of the association or corporation, stating that the information contained in the application is true.

(6) To make rules and regulations for the holding, conducting, and operating of all ~~race tracks~~, race meets; and races held in Louisiana, provided such regulations are uniform in their application and effect.

(7) ~~Make To make~~ rules and regulations providing for minimum standards and infrastructure investments required for each association regarding facility maintenance and facility improvements including but not limited to track surface, barns, grandstands, and paddocks in order for the association or licensee to conduct race meets at a particular track.

(8) ~~Make To make~~ rules and regulations providing for ~~minimum~~ full-time

and seasonal employment ~~requirements including but not limited to food service, marketing, recommendations for~~ pari-mutuel windows; and kiosk repair staffing in order for the association or licensee to conduct race meets at a particular track.

(9) To make rules and regulations applicable to offtrack wagering facility licensees for pari-mutuel wagering that occurs in a sports book lounge of an entity licensed by the Louisiana Gaming Control Board to conduct sports wagering pursuant to Chapter 10 of Title 27 of the Louisiana Revised Statutes of 1950.

**B. The commission shall not make rules regarding the operation or hours of operation of a racetrack other than matters necessary to the holding of such race meetings and pari-mutuel wagering.**

\* \* \*

§164. Facility maintenance and improvement fund

\* \* \*

C.(1) ~~After July 1, 2023~~ **If an association is found not to be in compliance with the minimum standards and infrastructure investments by the date set by the commission for compliance**, ten percent of gross profits shall be deposited into the fund, **up to a maximum of three million dollars**, until such time that all commission-required facility maintenance and improvements have been completed as determined by the commission. Such deposits shall be made at the same time as the state tax is paid.

\* \* \*

Section 2. R.S. 27:361(E)(3)(a) is hereby amended and reenacted to read as follows:

§361. Conduct of slot machine gaming; temporary conduct

\* \* \*

E.(1)

\* \* \*

(3)(a) Notwithstanding Paragraph (1) of this Subsection, upon notification from the Louisiana State Racing Commission that the licensed eligible facility is not in compliance with R.S. 4:164 but is cooperating with the commission and working towards compliance, the board may grant or renew a license **pursuant to Paragraph (1) of this Subsection or** for a probationary period ~~not to exceed one year. Barring extenuating circumstances as determined by the board, the probationary period shall not be extended beyond one year. After the probationary period, the board shall either grant or renew the license pursuant to Paragraph (1) of this Subsection for the remainder of the term or revoke the license.~~ **to be determined by the board.**

\* \* \*

Section 3. This Act shall become effective on July 1, 2023; 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, 2023, whichever is later.

Approved by the Governor, June 6, 2023.

A true copy:

R. Kyle Ardoin  
Secretary of State

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**ACT No. 104**

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SENATE BILL NO. 190

BY SENATOR SMITH

Prefiled Pursuant to Article III, Section 2(A)(4)(b)(i)  
of the Constitution of Louisiana.

AN ACT

To amend and reenact R.S. 37:2159.1(7)(a), relative to home improvement contracting; to prohibit contractors from engaging in certain acts related to an insured's property insurance claim; to provide relative to the assignment of any rights, benefits, proceeds, or causes of action of an insured; to provide for terms, requirements, and conditions; and to provide for related matters.

Be it enacted by the Legislature of Louisiana:

Section 1. R.S. 37:2159.1(7)(a) is hereby amended and reenacted to read as follows:

§2159.1. Home improvement contracting; prohibited acts; property insurance  
The following acts are prohibited by persons or companies performing home improvement contracting services:

\* \* \*

(7)(a) Accepting an assignment of any rights, benefits, proceeds, or causes of action of an insured under a property insurance policy prior to completing the work described in the home improvement contract and the property insurer conducting its initial examination of the damage caused by the covered peril. The assignment of any rights, benefits, proceeds, or causes of action shall be limited to the scope of work and fees provided in the home improvement contract, which shall comply with the provisions of R.S. 37:2159.1. **Prior to any payment to a person or company performing home improvement contracting services by the property insurer pursuant to an assignment of any rights, benefits, proceeds, or causes of action, the insured shall approve of the payment in writing.**

Approved by the Governor, June 6, 2023.

A true copy:

R. Kyle Ardoin  
Secretary of State

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ACT No. 105

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SENATE BILL NO. 191

BY SENATOR SMITH

Prefiled Pursuant to Article III, Section 2(A)(4)(b)(i)  
of the Constitution of Louisiana.

AN ACT

To enact R.S. 17:3704, relative to public postsecondary education institutions; to prohibit certain partnership agreements with gaming entities; to provide for an exception; and to provide for related matters.

Be it enacted by the Legislature of Louisiana:

Section 1. R.S. 17:3704 is hereby enacted to read as follows:

**§3704. Public postsecondary education institutions; prohibited partnerships; exception**

**A. No public postsecondary education institution shall enter into any partnerships that promote, market or advertise sports wagering activity with any entity licensed by the Louisiana Gaming Control Board, the Louisiana State Racing Commission, or the office of charitable gaming, other than alumni networks with content solely focused on responsible gaming initiatives or problem gambling awareness.**

**B. The provisions of this Section shall not be construed to cause impairment of any existing obligation, contract, or partnership in effect prior to the effective date of this Act.**

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

Approved by the Governor, June 6, 2023.

A true copy:

R. Kyle Ardoin

Secretary of State

ACT No. 106

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SENATE BILL NO. 206

BY SENATOR MILLIGAN

Prefiled Pursuant to Article III, Section 2(A)(4)(b)(i)  
of the Constitution of Louisiana.

AN ACT

To amend and reenact R.S. 17:1826.2(A)(2) and (3), (B)(1)(a) and (b), and (C)(4)(a), 1826.3(A)(1)(b) and (c), (C), (D)(6), and (E), 1826.4(A), (B)(2), (C), and (D) as enacted by Section 1 of Act 767 of the 2022 Regular Session, relative to the Higher Education Foreign Security Act of 2022; to provide for foreign gift reporting; to provide for definitions; to provide for screening of foreign researchers; to provide for foreign travel; to provide for research institutions; and to provide for related matters.

Be it enacted by the Legislature of Louisiana:

Section 1. R.S. 17:1826.2(A)(2) and (3), (B)(1)(a) and (b), and (C)(4)(a), 1826.3(A)(1)(b) and (c), (C), (D)(6) and (E), 1826.4(A), (B)(2), (C) and (D) as enacted by Section 1 of Act 767 of the 2022 Regular Session are hereby amended and reenacted to read as follows:

§1826.2. Foreign gift reporting

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

\* \* \*

(2) “Contract” means any agreement for the acquisition by purchase, lease, or barter of property or services by a foreign source for the direct benefit or use of any of the parties, and any purchase, lease, or barter of property or services from a foreign ~~country of concern~~ **adversary**.

~~(3) “Foreign country of concern” means any country subject to any sanction or embargo program administered by the Office of Foreign Assets Control within the United States Department of Treasury, including any federal license requirement; custom rules; export controls; restrictions on taking institution property, including but not limited to intellectual property abroad; restrictions on presentations, teaching, and interactions with foreign colleagues; and other subjects important to the research and academic property of the institution, subject to either or both the International Traffic in Arms Regulations, 22 CFR Parts 120 through 130, and the Export Administration Regulations, 15 CFR Parts 730 through 774.~~ **adversary” means any foreign government or foreign non-government person determined by the United States secretary of commerce to have engaged in a long-term pattern or serious instances of conduct significantly adverse to the national security of the United States or security and safety of United States persons as listed in 15 CFR §7.4 Determination of Foreign Adversaries, as amended or renumbered.**

\* \* \*

B.(1)(a) Each institution shall report any gift received directly or indirectly from a foreign source **adversary** with a value of fifty thousand dollars or more. This report shall be made each January thirty-first and July thirty-first and shall include the gifts made during the six-month period ending on the last day of the month immediately preceding the reporting month. The institution shall include in its report gifts received by all affiliate organizations of the institution.

(b) If a foreign source **adversary** provides more than one gift directly or

indirectly to an institution and its affiliate organizations in a single ~~fiscal~~ **calendar** year and the total value of all gifts is fifty thousand dollars or more, then all gifts received from that foreign source shall be reported.

\* \* \*

C. Reports of gifts subject to the requirements of this Section shall include the following information, unless the information is exempt from disclosure under the provisions of this Section or otherwise prohibited or deemed confidential under federal or state law:

\* \* \*

(4)(a) A copy of any gift agreement between the foreign source and the institution, signed by the foreign source and the chief administrative officer of the institution, or their respective designees, which includes a detailed description of the purpose for which the gift is to be used by the institution, the identification of the persons whom the gift is explicitly intended to benefit, and any applicable conditions, requirements, restrictions, or terms made a part of the gift regarding the control of curricula, faculty, student admissions, student fees, or contingencies placed upon the institution to take a specific public position or to award an honorary degree. If an agreement contains information protected from disclosure, an abstract and redacted copy of the disclosure containing information that is not protected shall be submitted in lieu of a copy of the agreement.

\* \* \*

§1826.3. Screening foreign researchers

A.(1) Every person seeking employment with a postsecondary education institution as defined in R.S. 17:1826.2 in a research or research-related support position, or applying as a graduate student for a research or research-related support position, or for a position as a visiting researcher shall, prior to being offered a position of employment, be screened by the institution to determine if any of the following apply to the person:

\* \* \*

(b) The person is a citizen or permanent resident of the United States who has any affiliation with an institution or program ~~in~~ **with** a foreign ~~country of concern as defined in R.S. 17:1826.2~~ **adversary**.

(c) The person has at least one year of prior employment or training in a foreign ~~adversary~~ **adversary** country of ~~concern as defined in R.S. 17:1826.2~~, except for employment or training by an agency of the United States government.

\* \* \*

C. Each applicant for a position listed in Subsection A of this Section shall submit a complete resume and curriculum vitae, including every institution of higher education attended; all previous employment since the applicant's eighteenth birthday; a list of all published material for which the applicant received credit as an author, a researcher, or otherwise or to which the applicant contributed significant research, writing, or editorial support; a list of the applicant's current and pending research funding, and its amount, from any source, including the applicant's role on the project, and a brief description of the research; and a full disclosure of nonuniversity professional activities, including any affiliation with an institution or program in a foreign ~~adversary~~ **adversary** country of ~~concern~~. If an applicant has been continually employed or enrolled in a postsecondary education institution in the United States for twenty years or more, the resume may, but is not required to, include employment history before the most recent twenty-year period.

D. The president or chief administrative officer of the institution shall adopt a policy for the proper screening of all individuals subject to this Part for research-related support positions and shall take necessary and reasonable steps to verify all attendance, employment, publications, and contributions listed in the application prior to any offer of a position to the applicant. Necessary and reasonable steps may include the following:

\* \* \*

(6) Requesting further investigation, including but not limited to a second background check performed by the Federal Bureau of Investigation, the Louisiana State Police, or any other qualified local law enforcement agency, if any of the individual's information provided on the Online Nonimmigrant Visa Application, Form DS-160 raises any security concerns for the institution about the individual's relationship with a foreign ~~country of concern~~ **adversary**.

E. Each institution ~~may direct the research integrity officer~~ **shall develop a policy** to approve an applicant for hire based on a risk-based determination considering the nature of the research and the background and ongoing affiliations of the applicant.

\* \* \*

§1826.4. Foreign travel; research institutions

A. By July 1, 2023, each postsecondary education institution ~~as defined in R.S. 17:1826.2~~ that receives state appropriations and has a research budget of ten million dollars or more shall establish an international travel approval and monitoring program. The program shall require preapproval and screening by the institution for any employment-related foreign travel **to foreign adversary countries** and employment-related foreign activities engaged in by any faculty member, researcher, or any other research department staff **with foreign adversaries**. This requirement is in addition to any other travel approval process applicable to the institution.

B.

\* \* \*

(2) Preapproval shall be based on the binding commitment of the individual traveler not to violate the institution's limitations on travel and activities abroad and to obey all applicable federal laws. Any person subject to this Section traveling abroad representing their respective institution, upon



return, shall report any gifts of funds or promises to pay offered by a foreign country of concern adversary or any entity representing the interests of a foreign country of concern adversary.

C. The postsecondary education institution shall maintain records of all ~~employment-related~~ foreign travel requests and approvals ~~to foreign adversary countries~~; expenses reimbursed by the institution ~~or affiliate organization of the institution~~ during travel, including for transportation, food, and lodging; and payments and honoraria received during the travel and activities, including for transportation, food, and lodging. The institution shall keep records of the purpose of the travel and any records related to the foreign activity review. These records shall be retained for at least three years or any longer period of time required by any other applicable state or federal law.

D. The institution shall provide an annual report of travel to foreign ~~adversary~~ countries of concern ~~as defined in R.S. 17:1826.2~~ listing individual travelers, foreign locations visited, and foreign institutions visited to the board of supervisors of the applicable institution.

\* \* \*

Section 2. This Act shall become effective on July 1, 2023; 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, 2023, whichever is later.

Approved by the Governor, June 6, 2023.

A true copy:

R. Kyle Ardoin  
Secretary of State

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**ACT No. 107**

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**HOUSE BILL NO. 47**

**BY REPRESENTATIVE NELSON AND SENATOR PEACOCK**

**A JOINT RESOLUTION**

Proposing to amend Article VII, Section 10(D)(2)(b)(ii) and (iii) of the Constitution of Louisiana, to provide relative to payment of certain state retirement system unfunded accrued liability; to provide for the amount of nonrecurring state revenue that is required to be appropriated to such debt; to repeal provisions relative to the amount and distribution of such payments required in prior fiscal years; to provide for submission of the proposed amendment to the electors; and to provide for related matters.

Section 1. Be it resolved by the Legislature of Louisiana, two-thirds of the members elected to each house concurring, that there shall be submitted to the electors of the state of Louisiana, for their approval or rejection in the manner provided by law, a proposal to amend Article VII, Section 10(D)(2)(b)(ii) and (iii) of the Constitution of Louisiana, to read as follows:

§10. Expenditure of State Funds  
Section 10.

\* \* \*

(D) Appropriations.

\* \* \*

(2) Except as otherwise provided in this constitution, the appropriation or allocation of any money designated in the official forecast as nonrecurring shall be made only for the following purposes:

\* \* \*

(b)

\* \* \*

~~(ii) For Fiscal Years 2013-2014 and 2014-2015 the legislature shall appropriate no less than five percent of any money designated in the official forecast as nonrecurring to the Louisiana State Employees' Retirement System and the Teachers' Retirement System of Louisiana for application to the balance of the unfunded accrued liability of such systems existing as of June 30, 1988, in proportion to the balance of such unfunded accrued liability of each such system. Any such payments to the public retirement systems shall not be used, directly or indirectly, to fund cost-of-living increases for such systems.~~

~~(iii) For Fiscal Year 2015-2016 and every fiscal year thereafter through Fiscal Year 2023-2024, the legislature shall appropriate no less than ten percent of any money designated in the official forecast as nonrecurring to the Louisiana State Employees' Retirement System and the Teachers' Retirement System of Louisiana for application to the balance of the unfunded accrued liability of such systems existing as of June 30, 1988, in proportion to the balance of such unfunded accrued liability of each such system. Any such payments to the public retirement systems shall not be used, directly or indirectly, to fund cost-of-living increases for such systems.~~

~~(iii) For Fiscal Year 2024-2025 and each fiscal year thereafter, the legislature shall appropriate no less than twenty-five percent of any money designated in the official forecast as nonrecurring to the state retirement systems for application to their unfunded accrued liability. Money appropriated pursuant to this Item shall be applied by the receiving system to its outstanding positive amortization bases in the order in which they were created, from oldest to newest. The legislature may provide by law for a formula to distribute the nonrecurring money between those state retirement systems that have unfunded accrued liability. If the legislature has not provided by law for a distribution formula, nonrecurring money shall be appropriated pursuant to this Item to each system in the proportion that the system's total unfunded accrued liability bears to the total of all state system unfunded accrued liability, using the most recent system valuations adopted by the Public Retirement Systems' Actuarial Committee or its successor. Any payment to~~

~~a state retirement system made pursuant to the provisions of this Item shall not be used, directly or indirectly, to fund cost-of-living increases for such system.~~

\* \* \*

Section 2. Be it further resolved that this proposed amendment shall be submitted to the electors of the state of Louisiana at the statewide election to be held on October 14, 2023.

Section 3. Be it further resolved that on the official ballot to be used at the election, there shall be printed a proposition, upon which the electors of the state shall be permitted to vote YES or NO, to amend the Constitution of Louisiana, which proposition shall read as follows:

Do you support an amendment to require that a minimum of twenty-five percent of any money designated as nonrecurring state revenue be applied toward the balance of the unfunded accrued liability of the state retirement systems? (Amends Article VII, Section 10(D)(2)(b)(ii) and (iii))

A true copy:

R. Kyle Ardoin  
Secretary of State

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**ACT No. 108**

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**HOUSE BILL NO. 34**

**BY REPRESENTATIVES BACALA, ADAMS, JEFFERSON, KNOX, AND  
LAFLEUR  
AN ACT**

To enact R.S. 11:2225.5 and to repeal R.S. 11:107.2, 243(A)(8), 246(A)(8), and 2225(A)(7), relative to the Municipal Police Employees' Retirement System; to establish a funding deposit account; to provide for source of funding therefor; to authorize the board of trustees to adjust employer contribution rates; to provide for additional payments to retirees, survivors, and beneficiaries; to provide for funding of, eligibility for, and payment of the additional payments; to provide for payment of system liabilities; 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. 11:2225.5 is hereby enacted to read as follows:

§2225.5. Funding deposit account

A.(1) There is hereby established a funding deposit account, hereafter in this Section referred to as the "account". The account shall be credited and charged solely as provided in this Section.

(2) The balance in the account shall be set equal to zero as of July 1, 2023.

(3) The funds in the account shall earn interest annually at the board approved valuation interest rate, and the interest shall be credited to the account once a year.

B.(1) Notwithstanding any provision of R.S. 11:103 or 104, for fiscal years beginning on or after July 1, 2023, the board of trustees may require a net direct contribution rate of up to the following applicable limit:

(a)(i) For a year in which the employer contribution rate determined under R.S. 11:103 is equal to or greater than the rate determined under R.S. 11:103 for the previous year, the rate determined under R.S. 11:103 plus eighty-five hundredths of one percentage point.

(ii) For a year in which the employer contribution rate determined under R.S. 11:103 is lower than the rate determined under R.S. 11:103 for the previous year, the rate determined under R.S. 11:103 plus eighty-five hundredths of one percentage point plus one-half of the difference between the rates determined for the two years.

(b) Notwithstanding Subparagraph (a) of this Paragraph, for the 2023-2024 Fiscal Year:

(i) If the employer contribution rate determined under R.S. 11:103 is equal to or greater than the rate under R.S. 11:103 for the previous year, the rate determined under R.S. 11:103 plus forty-two and one-half hundredths of one percentage point.

(ii) If the employer contribution rate determined under R.S. 11:103 is lower than the rate determined under R.S. 11:103 for the previous year, the rate determined under R.S. 11:103 plus forty-two and one-half hundredths of one percentage point plus one-half of the difference between the rates determined for the two years.

(2) For any fiscal year in which the board of trustees sets the direct employer contribution rate higher than the rate determined under R.S. 11:103, excess contributions resulting from the higher rate shall be used as provided in Paragraph (C)(1) of this Section or transferred to the account as provided in Paragraph (C)(2) of this Section.

C.(1) Except as provided in Paragraph (2) of this Subsection, any excess contributions resulting from the board's exercise of its authority pursuant to Paragraph (B)(1) of this Section shall be applied, until exhausted, exclusively to reduce the outstanding balance of the oldest positive amortization base; however, the future payments for such amortization base shall continue to be made according to the original amortization schedule established in compliance with the requirements of Article X, Section 29(E)(3) of the Constitution of Louisiana and R.S. 11:103 until the outstanding balance is fully liquidated.

(2) The board of trustees may dedicate a specific amount of excess contributions, up to the amount generated by setting the rate equal to eighty-five hundredths of one percentage point more than the rate determined under

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

R.S. 11:103, to be used solely to pay additional benefits to retirees, survivors, and beneficiaries. The dedicated amount of funds shall be credited to the account.

D. Beginning with the June 30, 2024, valuation, the board of trustees may, in any fiscal year, direct that the account be charged to provide additional benefits to retirees, survivors, and beneficiaries as provided in Subsection F of this Section.

E. The monies in the account shall not be considered system assets for purposes of calculating employer contributions.

F.(1) Funding for additional benefits for retirees, survivors, and beneficiaries shall be provided only from the funding deposit account and only when sufficient funds are available as determined by the actuary. The additional benefits shall be payable only as determined by the board of trustees, and the board shall determine the following:

(a) Whether the additional benefit will be a nonrecurring lump-sum payment or a permanent benefit increase. Any additional benefit paid under the provisions of this Subsection shall be in the form of a nonrecurring lump sum no more frequently than once in a three-year period.

(b) Whether the additional benefit will be calculated based upon the original or current benefit.

(c) Whether a minimum age will be required to receive an additional benefit.

(d) Whether a minimum period since benefit commencement longer than the period required in Subparagraph (2)(b) of this Subsection will be required to receive an additional benefit.

(2)(a) The amount of any permanent benefit increase shall not exceed three percent of the benefit to be used in the calculation in accordance with Subparagraph (1)(b) of this Subsection.

(b) No additional benefit shall be payable until at least one year has elapsed since benefit commencement.

(3) Approval of additional benefits for retirees, survivors, and beneficiaries as provided in this Subsection shall be made by formal action of the board of trustees and shall be considered amendments to the plan provisions of the retirement system.

Section 2. R.S. 11:107.2, 243(A)(8), 246(A)(8), and 2225(A)(7) are hereby repealed in their entirety.

Section 3. In incorporating the statutory provisions of this Act into the Louisiana Revised Statutes of 1950, the Louisiana State Law Institute:

(1) Shall not renumber the Section enacted by this Act but shall instead replace R.S. 11:2225.5 as enacted by Act No. 360 of the 2022 Regular Session of the Legislature with the same Section as enacted by this Act.

(2) Shall include citations of this Act in all notes regarding the repeal of all statutory provisions repealed in this Act.

Section 4. This Act shall become effective on July 1, 2023; if vetoed by the governor and subsequently approved by the legislature, this Act shall become effective on July 1, 2023, or on the day following such approval by the legislature, whichever is later.

Approved by the Governor, June 6, 2023.

A true copy:

R. Kyle Ardoin  
Secretary of State

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**ACT No. 109**

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**HOUSE BILL NO. 50**  
**BY REPRESENTATIVE WHEAT**  
**AN ACT**

To designate a certain bridge in the highway system; to designate the bridge located on Interstate 55 service road between Lake Maurepas and Lake Pontchartrain as the “Robert E. Mayers, Jr., Memorial Bridge”; and to provide for related matters.

Be it enacted by the Legislature of Louisiana:

Section 1. The bridge located on Interstate 55 service road that connects Lake Maurepas and Lake Pontchartrain shall be known and is hereby designated as the “Robert E. Mayers, Jr., Memorial Bridge”.

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

Approved by the Governor, June 6, 2023.

A true copy:

R. Kyle Ardoin  
Secretary of State

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**ACT No. 110**

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**HOUSE BILL NO. 57**  
**BY REPRESENTATIVE ORGERON**  
**AN ACT**

To designate a portion of Louisiana Highway 657 in Larose, Louisiana, as the “Clarence Marts, Jr., Memorial Highway”; and to provide for related matters.

Be it enacted by the Legislature of Louisiana:

Section 1. The portion of Louisiana Highway 657 between its intersection with Louisiana Highway 1 and Louisiana Highway 3235 in Larose, Louisiana, shall be known and is hereby designated as the “Clarence Marts, Jr., Memorial Highway”.

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

Approved by the Governor, June 6, 2023.

A true copy:

R. Kyle Ardoin  
Secretary of State

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**ACT No. 111**

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**HOUSE BILL NO. 64**  
**BY REPRESENTATIVE BOURRIQUE**  
**AN ACT**

To amend and reenact R.S. 25:214.1, relative to Cameron Parish; to authorize compensation and expense reimbursement for members of the parish library board of control; and to provide for related matters.

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

Be it enacted by the Legislature of Louisiana:

Section 1. R.S. 25:214.1 is hereby amended and reenacted to read as follows: §214.1. ~~Assumption Parish Board of Control~~ Certain parish library boards of control; per diem and reimbursement of expenses

A.(1) The governing authority of ~~Assumption Parish~~ each parish to which this Section applies may compensate members of the ~~Assumption Parish Library Board of Control~~ parish library board of control for attendance at board meetings and may reimburse such members for travel to and from board meetings and for out-of-parish travel required in carrying out their duties as board members.

~~B. (2) In Assumption Parish each parish to which this Section applies, the members of the library board of control may receive:~~

(a) Receive a per diem ~~to be established~~ by the parish governing authority in an amount not to exceed fifty dollars for each regular or special meeting attended, ~~up to a total of for not more than~~ for not more than fifteen meetings in one calendar year, ~~and may be~~

(b) Be reimbursed on a vouchered basis for expenses incurred in attending meetings or otherwise performing services for the board.

(3) Such per diem and reimbursements shall be paid by the parish governing authority out of funds appropriated or otherwise made available for such purposes.

B. This Section applies to Assumption Parish and Cameron Parish.

Approved by the Governor, June 6, 2023.

A true copy:

R. Kyle Ardoin  
Secretary of State

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**ACT No. 112**

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**HOUSE BILL NO. 67**  
**BY REPRESENTATIVES FISHER AND ECHOLS AND SENATORS BARROW, BOUDREAUX, BOUIE, CARTER, CATHEY, FIELDS, HEWITT, JACKSON, LAMBERT, FRED MILLS, MIZELL, MORRIS, PEACOCK, PRICE, SMITH, AND TALBOT**  
**AN ACT**

To amend and reenact R.S. 17:3351(A)(5)(c), to authorize the University of Louisiana System board of supervisors to establish tuition amounts and other fees and charges applicable to the Doctor of Physical Therapy program at the University of Louisiana at Monroe; to provide limitations; and to provide for related matters.

Be it enacted by the Legislature of Louisiana:

Section 1. R.S. 17:3351(A)(5)(c) is hereby amended and reenacted to read as follows:

§3351. General powers, duties, and functions of postsecondary education management boards

A. Subject only to the powers of the Board of Regents specifically enumerated in Article VIII, Section 5 of the Constitution of Louisiana, and as otherwise provided by law, each postsecondary system management board as a body corporate shall have authority to exercise power necessary to supervise and manage the day-to-day operations of institutions of postsecondary education under its control, including but not limited to the following:

(5)

(c)(i) The Board of Supervisors for the University of Louisiana System is authorized to establish the tuition amounts and other fees and charges applicable to students enrolled in the Doctor of Pharmacy ~~Program~~ program at the University of Louisiana at Monroe to be consistent with tuition



amounts and other fees charged to students in Doctor of Pharmacy ~~Programs~~ ~~programs~~ in states comprising the Southern Regional Education Board.

(ii) The Board of Supervisors for the University of Louisiana System is authorized to establish the tuition amounts and other fees and charges applicable to students enrolled in the Doctor of Physical Therapy program at the University of Louisiana at Monroe to be consistent with tuition amounts and other fees charged to students in Doctor of Physical Therapy programs in states comprising the Southern Regional Education Board.

Approved by the Governor, June 6, 2023.

A true copy:  
R. Kyle Ardoin  
Secretary of State

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**ACT No. 113**

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HOUSE BILL NO. 80  
BY REPRESENTATIVE GADBERRY  
AN ACT

To amend and reenact R.S. 38:2295(C)(1), relative to plans and specifications for public works; to change the length of time a prime design professional has to approve or deny a product submission; to remove the automatic approval of a product if the prime design professional fails to respond within the allotted time period; to authorize the prime design professional to extend the time period for approval or denial; and to provide for related matters.

Be it enacted by the Legislature of Louisiana:

Section 1. R.S. 38:2295(C)(1) is hereby amended and reenacted to read as follows:

§2295. Plans and specifications; required provisions

\* \* \*

C.(1) A potential supplier may, ~~but is not required to~~, submit a particular product for prior approval other than a product specified in the contract documents, no later than ~~seven~~ fourteen working days prior to the opening of bids. Within ~~three ten~~ days, exclusive of holidays and weekends, after submission, the prime design professional shall furnish to both the public entity and the potential supplier written approval or denial of the product submitted. If the prime design professional fails to respond within the time period provided for in this Paragraph, the ~~submitted product shall be considered approved.~~ bid shall be extended at least seven but not more than twenty-one, working days.

Approved by the Governor, June 6, 2023.

A true copy:  
R. Kyle Ardoin  
Secretary of State

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**ACT No. 114**

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HOUSE BILL NO. 83  
BY REPRESENTATIVE PIERRE  
AN ACT

To amend and reenact R.S. 17:157, relative to toll exemptions on ferries, roads, and bridges; to clarify that the free right of passage on public ferries applies solely to the passage of students traveling during certain hours; to clarify that a toll exemption on roads and bridges applies to all students traveling on school buses between certain hours; to provide a special effective date; and to provide for related matters.

Be it enacted by the Legislature of Louisiana:

Section 1. R.S. 17:157 is hereby amended and reenacted to read as follows:  
§157. ~~Ferries, roads, and toll bridges, etc.;~~ free passage to students

A. ~~The free right of passage over all public ferries, bridges, and roads which are leased out or controlled by the state, parish, or municipality, including the Crescent City Connection and~~ excluding the Greater New Orleans Expressway, for which license is paid or toll exacted, shall provide for free passage of all students in their passage to and from school between the hours of ~~six o'clock~~ 6:00 a.m. and nine thirty o'clock 9:30 a.m., and between ~~two thirty o'clock~~ 2:30 p.m. and nine thirty o'clock 9:30 p.m., provided that rules are adopted in accordance with the provisions of Subsection B C of this Section.

B. ~~The free right of passage over all bridges and roads which are leased out or controlled by the state, parish, or municipality, excluding the Greater New Orleans Expressway, for which license is paid or toll exacted, shall provide for free passage of all students on a school bus, as defined in R.S. 32:1, in their passage to and from school between the hours of 6:00 a.m. and 9:30 a.m., and between 2:30 p.m. and 9:30 p.m., provided that rules are adopted in accordance with the provisions of Subsection C of this Section.~~

B. C. The Department of Transportation and Development ~~shall~~ may, in accordance with the Administrative Procedure Act, adopt rules and regulations for the efficient implementation and enforcement of 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, June 6, 2023.

A true copy:  
R. Kyle Ardoin  
Secretary of State

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**ACT No. 115**

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HOUSE BILL NO. 93  
BY REPRESENTATIVE CARRIER  
AN ACT

To enact R.S. 40:1498(K), relative to Fire Protection District No. 5 of the Parish of Allen, State of Louisiana; to provide relative to per diem paid to member of the district's governing board; and to provide for related matters.

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

Be it enacted by the Legislature of Louisiana:

Section 1. R.S. 40:1498(K) is hereby enacted to read as follows:

§1498. Compensation of board members

\* \* \*

K.(1) Notwithstanding the per diem rate set by Subsection A of this Section but otherwise in accordance therewith and subject to the provisions of Paragraph (2) of this Subsection, members of the governing board of Fire Protection District No. 5 of the Parish of Allen, State of Louisiana may be paid a per diem of one hundred dollars and the district president may be paid a per diem of one hundred fifty dollars.

(2) The district's governing board may increase the per diem its members receive above the amount provided for in Paragraph (1) of this Subsection, but the per diem shall not exceed three hundred dollars.

Approved by the Governor, June 6, 2023.

A true copy:  
R. Kyle Ardoin  
Secretary of State

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**ACT No. 116**

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HOUSE BILL NO. 111  
BY REPRESENTATIVE HUGHES  
AN ACT

To amend and reenact R.S. 47:854(B), relative to tobacco tax; to provide relative to the products to which such tax applies; to provide relative to the exemption from such tax for certain samples of cigars and pipe tobacco products; to revise provisions terminating the exemption; and to provide for related matters.

Be it enacted by the Legislature of Louisiana:

Section 1. R.S. 47:854(B) is hereby amended and reenacted to read as follows:

§854. Declaration of intent and purpose of Chapter

\* \* \*

B. It is further the intent and purpose of this Chapter that where a dealer gives away cigars, cigarettes, or smoking tobacco for advertising or any other purpose whatsoever the products shall be taxed in the same manner as if they were sold, used, consumed, handled, or distributed in this state; however, for the taxable periods beginning on and after January 1, 2013, through December 31, ~~2025, 2030~~, this shall not be construed to include cigars or pipe tobacco, as defined and appropriately labeled in accordance with the Federal Food, Drug, and Cosmetic Act, the Family Smoking Prevention and Tobacco Control Act, also known as the Tobacco Control Act, and all applicable state laws, federal laws, and regulations, sampled on the premises of convention facilities during the convention of the ~~International Premium Cigar and Pipe Retailers Association~~ Premium Cigar Association or its successor.

Approved by the Governor, June 6, 2023.

A true copy:  
R. Kyle Ardoin  
Secretary of State

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**ACT No. 117**

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HOUSE BILL NO. 132  
BY REPRESENTATIVES THOMPSON AND GAROFALO  
AN ACT

To enact R.S. 36:204(B)(11), relative to the Department of Culture, Recreation and Tourism; to authorize the secretary to enter sponsorship agreements and to authorize placement of advertising and sponsorship signs on department property; to require adoption of administrative rules; to require annual reports; and to provide for related matters.

Be it enacted by the Legislature of Louisiana:

Section 1. R.S. 36:204(B)(11) is hereby enacted to read as follows:

§204. Powers and duties of secretary of culture, recreation and tourism

\* \* \*

B. The secretary shall have authority to:

\* \* \*

(11)(a) Enter sponsorship agreements and to authorize the placement, erection, and maintenance of advertising and sponsorship signs on immovable

property, improvements on immovable property, vehicles, vessels, and other assets of the department.

(b) No advertising or sponsorship signs may be placed pursuant to this Paragraph until the secretary promulgates rules and regulations, in accordance with the Administrative Procedure Act, that include, at a minimum, all of the following:

(i) Specifications regarding types of businesses with which sponsorship agreements are authorized and with which sponsorship agreements are prohibited.

(ii) Specifications regarding the size, types, and placement of advertisements and sponsorship signs that will be allowed on or within agency property.

(c) The Department of Culture, Recreation and Tourism shall submit a report by February first each year to the House Committee on Municipal, Parochial and Cultural Affairs, the Senate Committee on Commerce, Consumer Protection, and International Affairs, and the legislature in accordance with R.S. 24:772 summarizing each sponsorship agreement that is in effect at the time of the report.

Approved by the Governor, June 6, 2023.

A true copy:  
R. Kyle Ardoin  
Secretary of State

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**ACT No. 118**  
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HOUSE BILL NO. 138  
BY REPRESENTATIVE CHARLES OWEN  
AN ACT

To enact R.S. 13:2575.10, relative to the city of DeRidder; to provide relative to administrative adjudication of certain ordinance violations; to provide definitions for certain violations; to provide relative to the types of violations subject to administrative adjudication procedures; and to provide for related matters.

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

Be it enacted by the Legislature of Louisiana:

Section 1. R.S. 13:2575.10 is hereby enacted to read as follows:  
§2575.10. Additional administrative adjudication procedures; city of DeRidder

A. As applied in the city of DeRidder, the term “housing violation” as used in this Chapter shall also encompass building codes, zoning, vegetation, and nuisance ordinances, and ordinances that provide for the regulation of sewerage and drainage systems.

B. In the city of DeRidder, the procedures for administrative adjudication provided in this Chapter may also be used in matters involving licensing and permits and any other ordinance violations as determined by the governing authority of the city of DeRidder.

Approved by the Governor, June 6, 2023.

A true copy:  
R. Kyle Ardoin  
Secretary of State

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**ACT No. 119**  
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HOUSE BILL NO. 304  
BY REPRESENTATIVE ORGERON  
AN ACT

To enact R.S. 18:586, relative to vacancies in an elected office; to provide relative to the retirement or resignation of an elected official; to provide relative to appointments and elections to fill such a vacancy; to provide a prohibition; to provide for an effective date; and to provide for related matters.

Be it enacted by the Legislature of Louisiana:

Section 1. R.S. 18:586 is hereby enacted to read as follows:  
§586. Vacancies caused by retirement or resignation; prohibitions

A. No elected official who has retired or resigned from state or local elective office shall be appointed to succeed himself in the office from which he retired or resigned.

B. No elected official who has retired or resigned 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 of the elected official.

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

Approved by the Governor, June 6, 2023.

A true copy:  
R. Kyle Ardoin  
Secretary of State

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