

**DAILY PROOF OF THE OFFICIAL JOURNAL  
OF THE  
SENATE  
OF THE  
STATE OF LOUISIANA**

**FOURTEENTH DAY'S PROCEEDINGS**

**Forty-Third Regular Session of the Legislature  
Under the Adoption of the  
Constitution of 1974**

Senate Chamber  
State Capitol  
Baton Rouge, Louisiana

Wednesday, May 3, 2017

The Senate was called to order at 3:45 o'clock P.M. by Hon. John A. Alario Jr., President of the Senate.

**Morning Hour**

**CONVENING ROLL CALL**

The roll being called, the following members answered to their names:

**PRESENT**

Mr. President	Donahue	Peacock
Allain	Erdey	Perry
Appel	Fannin	Peterson
Barrow	Gatti	Riser
Boudreaux	Hewitt	Smith, G.
Carter	Johns	Smith, J.
Chabert	Lambert	Thompson
Claitor	Luneau	Ward
Cortez	Mills	
Total - 26		

**ABSENT**

Bishop	Martiny	Morrish
Colomb	Milkovich	Tarver
LaFleur	Mizell	Walsworth
Long	Morrell	White
Total - 12		

The President of the Senate announced there were 26 Senators present and a quorum.

**Prayer**

The prayer was offered by Pastor Oren Conner, following which the Senate joined in the Pledge of Allegiance to the flag of the United States of America.

**Reading of the Journal**

On motion of Senator Luneau, the reading of the Journal was dispensed with and the Journal of May 2, 2017, was adopted.

**Introduction of Senate Resolutions**

Senator Morrish asked for and obtained a suspension of the rules to read Senate Resolutions a first and second time.

**SENATE RESOLUTION NO. 70—  
BY SENATOR THOMPSON**

**A RESOLUTION**

To commend and congratulate the lifters and coaches of the Delhi Charter School boys powerlifting team on winning the 2017 Louisiana High School Athletic Association Division V, Class 1A State Powerlifting Championship.

The resolution was read by title and placed on the Calendar for a second reading.

**SENATE RESOLUTION NO. 71—  
BY SENATOR RISER**

**A RESOLUTION**

To commend the Republic of China, known as Taiwan, for positive economic relations with Louisiana.

The resolution was read by title and placed on the Calendar for a second reading.

**SENATE RESOLUTION NO. 72—  
BY SENATOR MILLS**

**A RESOLUTION**

To designate Thursday, May 18, 2017, as March of Dimes Day at the Louisiana State Capitol.

The resolution was read by title and placed on the Calendar for a second reading.

**SENATE RESOLUTION NO. 73—  
BY SENATOR MORRISH**

**A RESOLUTION**

To recognize May 4, 2017, as Dental Hygiene Day at the Louisiana Senate.

On motion of Senator Morrish the resolution was read by title and adopted.

**SENATE RESOLUTION NO. 74—  
BY SENATOR MORRISH**

**A RESOLUTION**

To commend Mabel Guillotte Alexander upon the occasion of her one hundredth birthday.

On motion of Senator Morrish the resolution was read by title and adopted.

**Introduction of  
Senate Concurrent Resolutions**

Senator Barrow asked for and obtained a suspension of the rules to read Senate Concurrent Resolutions a first and second time.

**SENATE CONCURRENT RESOLUTION NO. 65—  
BY SENATOR PEACOCK**

**A CONCURRENT RESOLUTION**

To commend and congratulate the students, faculty, administrators, and alumni of Bossier High School on the occasion of its Centennial celebration and to pay tribute to the accomplishments of its many graduates.

The resolution was read by title and placed on the Calendar for a second reading.

**SENATE CONCURRENT RESOLUTION NO. 66—  
BY SENATOR COLOMB**

**A CONCURRENT RESOLUTION**

To commend the efforts of The Links, Incorporated and to designate Monday, May 8, 2017, as Louisiana Links Day at the state capitol.

The concurrent resolution was read by title. Senator Barrow moved to adopt the Senate Concurrent Resolution.

**ROLL CALL**

The roll was called with the following result:

**YEAS**

Mr. President	Erdey	Morrish
Allain	Fannin	Peacock
Appel	Gatti	Perry
Barrow	Hewitt	Peterson
Bishop	Johns	Riser
Boudreaux	Lambert	Smith, G.
Carter	Luneau	Smith, J.
Chabert	Martiny	Thompson

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Claitor	Milkovich	Walsworth
Cortez	Mills	Ward
Donahue	Mizell	White
Total - 33		

NAYS

Total - 0

ABSENT

Colomb	Long	Tarver
LaFleur	Morrell	
Total - 5		

The Chair declared the Senate adopted the Senate Concurrent Resolution and ordered it sent to the House.

**SENATE CONCURRENT RESOLUTION NO. 67—**  
BY SENATOR ALLAIN

A CONCURRENT RESOLUTION

To memorialize the Congress of the United States to pass legislation or to adopt policies allowing Louisiana to manage the Gulf of Mexico red snapper fishery out to two hundred nautical miles off the coast of Louisiana.

The resolution was read by title and placed on the Calendar for a second reading.

**Senate Bills and Joint Resolutions  
on Second Reading**

**SENATE BILL NO. 254— (Substitute of Senate Bill No. 235 by Senator Morrell)**

BY SENATORS MORRELL AND GARY SMITH  
AN ACT

To amend and reenact R.S. 47:6007(B)(1), (8), (11) as amended by Acts 2015, No. 129, (14), (16) as amended by Acts 2015, No. 141, (17) as amended by Acts 2015, No. 129, (21), (24), the introductory paragraph of R.S. 47:6007(C)(1), R.S. 47:6007(C)(1)(a) and (b), the introductory paragraphs of R.S. 47:6007(C)(1)(c) and (4), R.S. 47:6007(C)(4)(f) as amended by Acts 2015, No. 129 and 134, R.S. 47:6007(D)(1)(a) and (2)(c)(i) as amended by Acts 2015, No. 141, (d), (D)(2)(e)(i) as amended by Acts 2015, No. 144, and (I), to enact R.S. 47:6007(B)(28), (29), (30), (31), (32), (D)(1)(d)(v) and (2)(a)(ii) and (e)(iv), and (J), and to repeal R.S. 47:6007(B)(4), (11) as amended by Acts 2015, Nos. 134 and 144, (16) as amended by Acts 2015, No. 134 and 412, (17)(c), (d), and (e) all as amended by Acts 2015, Nos. 134, 141, 142, 143, 144, and 412, (23), (C)(1)(d), (C)(4)(f) as amended by Acts 2015, No. 144, (D)(2)(c)(i) as amended by Acts 2015, No. 412, (D)(2)(e)(i) as amended by Acts 2015, Nos. 129, 141, and 412, relative to the motion picture production tax credit; to provide for definitions applicable to the credit; to provide for base investment credit enhancements; to provide for conditions required to earn the credit; to provide for payroll credits for qualified entertainment companies; to provide for credit caps, structured pay outs, and project size limitations; to remove duplicate provisions; to provide for a sunset date; to provide for an effective date; and to provide for related matters.

On motion of Senator Morrell the bill was read by title, ordered engrossed and recommitted to the Committee on Finance.

**Senate Resolutions on  
Second Reading**

**SENATE RESOLUTION NO. 67—**  
BY SENATOR THOMPSON

A RESOLUTION

To commemorate the eightieth anniversary of the American System of Conservation Funding.

On motion of Senator Thompson the resolution was read by title and adopted.

**SENATE RESOLUTION NO. 68—**

BY SENATOR BISHOP

A RESOLUTION

To urge and request the governing or management board of each charter school to include in its membership at least one parent or legal guardian of a student enrolled in the school who shall be elected by the parents or legal guardians representing at least a majority of the students attending the school.

The resolution was read by title and referred by the President to the Committee on Education.

**SENATE RESOLUTION NO. 69—**

BY SENATOR CORTEZ

A RESOLUTION

To recognize Tuesday, May 9, 2017, as Ports Day at the state capitol.

On motion of Senator Cortez the resolution was read by title and adopted.

**Message from the House**

**ASKING CONCURRENCE IN  
HOUSE BILLS AND JOINT RESOLUTIONS**

May 2, 2017

To the Honorable President and Members of the Senate:

I am directed to inform your honorable body that the House of Representatives has finally passed and asks your concurrence in the following House Bills and Joint Resolutions:

- |            |            |            |
|------------|------------|------------|
| HB No. 27  | HB No. 140 | HB No. 144 |
| HB No. 158 | HB No. 160 | HB No. 324 |
| HB No. 432 | HB No. 438 | HB No. 487 |
| HB No. 611 | HB No. 510 | HB No. 17  |
| HB No. 318 | HB No. 379 | HB No. 471 |
| HB No. 674 | HB No. 6   | HB No. 79  |
| HB No. 83  | HB No. 89  | HB No. 98  |
| HB No. 111 | HB No. 155 | HB No. 165 |
| HB No. 168 | HB No. 188 | HB No. 192 |
| HB No. 159 |            |            |

Respectfully submitted,  
ALFRED W. SPEER  
Clerk of the House of Representatives

**House Bills and Joint Resolutions  
on First Reading**

**HOUSE BILL NO. 6—**

BY REPRESENTATIVE HOLLIS

AN ACT

To enact R.S. 22:1019, relative to the Patient Protection and Affordable Care Act of 2010, P.L. 111-148; to provide for an exemption for Louisiana residents from the penalties imposed for noncompliance with the provisions of the Patient Protection and Affordable Care Act; to require state officials to request waivers from certain provisions of the Patient Protection and Affordable Care Act; and to provide for related matters.

The bill was read by title and placed on the Calendar for a second reading.

**HOUSE BILL NO. 17—**

BY REPRESENTATIVE TERRY BROWN  
AN ACT

To enact R.S. 51:703(K), relative to the disclosure of certain account information; to provide for the release of certain account information of a decedent by a dealer; to provide for certain required documents; and to provide for related matters.

The bill was read by title and placed on the Calendar for a second reading.

**HOUSE BILL NO. 27—**

BY REPRESENTATIVE CONNICK  
AN ACT

To amend and reenact R.S. 14:35.3(B)(5) and 37.7(B)(2) and R.S. 46:2132(4), relative to victims of domestic abuse; to amend the definition of "household member" for purposes of domestic abuse battery, domestic abuse aggravated assault, and domestic abuse assistance; and to provide for related matters.

The bill was read by title and placed on the Calendar for a second reading.

**HOUSE BILL NO. 79—**

BY REPRESENTATIVE FOIL  
AN ACT

To amend and reenact R.S. 17:223(A), 416.1(B), and 3996(B)(2), relative to student discipline; to prohibit the use of corporal punishment in public elementary and secondary schools for students with exceptionalities, except gifted and talented students; and to provide for related matters.

The bill was read by title and placed on the Calendar for a second reading.

**HOUSE BILL NO. 83—**

BY REPRESENTATIVE MARINO  
AN ACT

To amend and reenact Code of Criminal Procedure Articles 551(B), 553(A) and (C), 831, 832, 833(A) and (C), and 900(A)(introductory paragraph), (B), and (C) and to enact Code of Criminal Procedure Articles 556(E), 556.1(F), and 562, relative to presence of the defendant; to provide relative to an incarcerated defendant's appearance at arraignment, the entry of his plea, and probation violation hearing; to authorize the incarcerated defendant to appear by way of simultaneous audio-visual transmission; to provide the procedure and requirements for using simultaneous audio-visual transmission; to provide relative to a defendant's waiver of certain rights; to provide relative to the use of electronic signatures; and to provide for related matters.

The bill was read by title and placed on the Calendar for a second reading.

**HOUSE BILL NO. 89—**

BY REPRESENTATIVE DAVIS  
AN ACT

To amend and reenact R.S. 22:1662(2), relative to claims adjusters; to allow non-licensed claims adjusters to adjust certain losses that do not exceed five hundred dollars; and to provide for related matters.

The bill was read by title and placed on the Calendar for a second reading.

**HOUSE BILL NO. 98—**

BY REPRESENTATIVE BISHOP  
AN ACT

To amend and reenact R.S. 30:87(A), (B), and (F) and to repeal R.S. 30:87(D), relative to oilfield site restoration fees; to provide relative to the applicability of the fees; to remove certain references; to repeal the provision that oilfield site restoration fees are proportional to severance tax collected on the production of the well; and to provide for related matters.

The bill was read by title and placed on the Calendar for a second reading.

**HOUSE BILL NO. 111—**

BY REPRESENTATIVE BISHOP  
AN ACT

To enact R.S. 17:267 and 3996(B)(44), relative to required instruction; to require instruction in litter prevention and awareness for public school students in certain grades; to provide relative to materials used for such instruction; to require public school governing authorities to adopt rules and regulations to implement such instruction; and to provide for related matters.

The bill was read by title and placed on the Calendar for a second reading.

**HOUSE BILL NO. 140—**

BY REPRESENTATIVE GREGORY MILLER  
AN ACT

To amend and reenact R.S. 47:1965 and to enact R.S. 40:36(H), relative to records relating to ad valorem tax assessments; to require the registrar of vital records to provide information to assessors concerning deaths occurring in the state; to provide with respect to requirements and procedures; to provide for effectiveness; and to provide for related matters.

The bill was read by title and placed on the Calendar for a second reading.

**HOUSE BILL NO. 144—**

BY REPRESENTATIVE ZERINGUE  
AN ACT

To amend and reenact R.S. 49:214.5.5, relative to integrated coastal restoration projects; to provide relative to immovable property interests that can be acquired by public entities for integrated coastal protection purposes; to provide for a term of acquisition of certain immovable property interests for integrated coastal protection; and to provide for related matters.

The bill was read by title and placed on the Calendar for a second reading.

**HOUSE BILL NO. 155—**

BY REPRESENTATIVE DANAHAY  
AN ACT

To amend and reenact R.S. 15:587(A)(1)(a), relative to criminal identification and information; to provide relative to the Louisiana Bureau of Criminal Identification and Information; to require the bureau to make available to the House and Governmental Affairs Committee criminal history record and identification files; and to provide for related matters.

The bill was read by title and placed on the Calendar for a second reading.

**HOUSE BILL NO. 158—**

BY REPRESENTATIVE DUSTIN MILLER  
AN ACT

To authorize and provide for the transfer of certain state property; to authorize the transfer of certain state property in St. Landry 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.

The bill was read by title and placed on the Calendar for a second reading.

**HOUSE BILL NO. 159—**

BY REPRESENTATIVE DUSTIN MILLER  
AN ACT

To enact R.S. 40:2154.1 and to repeal R.S. 40:2154(A)(14), relative to behavioral health services providers; to provide for healthcare provider licensing and regulatory functions of the Louisiana Department of Health; to provide for applicability of the Behavioral Health Services Provider Licensing Law; to require

certain healthcare providers to be licensed as behavioral health services providers; to require such providers to complete applications for licenses by a certain date; and to provide for related matters.

The bill was read by title and placed on the Calendar for a second reading.

**HOUSE BILL NO. 160—**  
BY REPRESENTATIVE GREGORY MILLER  
AN ACT

To amend and reenact R.S. 18:564(D)(1)(a)(introductory paragraph) and (2)(b) and 1309.3(D)(1)(a)(introductory paragraph) and to enact R.S. 18:106(C)(2)(d), 564(D)(1)(a)(iv) and (2)(a)(iv), and 1309.3(D)(1)(a)(iv) and (v), relative to voting; to provide relative to eligibility for certain persons to receive assistance in voting on election day and during early voting; to provide procedures and requirements for receiving assistance in voting; and to provide for related matters.

The bill was read by title and placed on the Calendar for a second reading.

**HOUSE BILL NO. 165—**  
BY REPRESENTATIVE ANDERS  
AN ACT

To amend and reenact R.S. 22:984, relative to the identification of a health benefit plan insurer and sponsor; to require that dental benefit plan documentation identify the plan's insurer; to require information on the face of the identification documentation regarding the level of insurance coverage; and to provide for related matters.

The bill was read by title and placed on the Calendar for a second reading.

**HOUSE BILL NO. 168—**  
BY REPRESENTATIVE CARPENTER  
AN ACT

To amend and reenact R.S. 18:171(C)(1) and (2), relative to reports to election officials concerning persons with felony convictions; to provide relative to the duties of registrars of voters and officials in the Department of State and the Department of Public Safety and Corrections relative to such reports; to provide for the information required to be reported; to provide deadlines for such reports; and to provide for related matters.

The bill was read by title and placed on the Calendar for a second reading.

**HOUSE BILL NO. 188—**  
BY REPRESENTATIVE CROMER  
AN ACT

To amend and reenact R.S. 22:2444, relative to the funding of an external review of a health insurance issuer; to provide that the issuer pay the cost of the review; to provide for documentation of the costs; to provide for appeal; and to provide for related matters.

The bill was read by title and placed on the Calendar for a second reading.

**HOUSE BILL NO. 192—**  
BY REPRESENTATIVES MORENO, BAGLEY, HORTON, JOHNSON, RICHARD, STAGNI, AND TALBOT  
AN ACT

To enact R.S. 40:978(G) and (H), relative to opioid prescriptions; to provide for a seven-day limit on prescriptions; to provide for exceptions to the limitation; to authorize a prescription to be filled for a lesser quantity than the maximum prescribed amount; and to provide for related matters.

The bill was read by title and placed on the Calendar for a second reading.

**HOUSE BILL NO. 318—**  
BY REPRESENTATIVES BERTHELOT, TERRY BROWN, CARPENTER, STEVE CARTER, FRANKLIN, GISCLAIR, GUINN, HALL, HAVARD, HILL, HOWARD, NORTON, PIERRE, POPE, STEFANSKI, AND WHITE  
AN ACT

To enact R.S. 29:27.1, relative to parking for disabled veterans; to provide free parking for disabled veterans at airports; to establish identification requirements; to provide for the duration of time the veteran may park for free; and to provide for related matters.

The bill was read by title and placed on the Calendar for a second reading.

**HOUSE BILL NO. 324—**  
BY REPRESENTATIVE PIERRE  
AN ACT

To amend and reenact R.S. 32:171(Section heading), (A)(1), (2), (3), and (4), (C), (D), (E), (F)(3), and (H) and 172(D), relative to railroad crossings; to provide for on-track equipment; to provide for the designation of on-track equipment as a railway vehicle drivers must approach cautiously; to provide for the responsibility of railroad companies; and to provide for related matters.

The bill was read by title and placed on the Calendar for a second reading.

**HOUSE BILL NO. 379—**  
BY REPRESENTATIVE BAGNERIS  
AN ACT

To enact R.S. 48:1660.1, relative to the Regional Transit Authority; to authorize the use of public-private partnership contracts by the authority for certain projects; to provide for procedure; and to provide for related matters.

The bill was read by title and placed on the Calendar for a second reading.

**HOUSE BILL NO. 432—**  
BY REPRESENTATIVE SHADOIN  
AN ACT

To amend and reenact R.S. 34:852.6(A) and to enact R.S. 32:702(17) and 705(B)(4), relative to transactions executing the transfer of certificates of title of certain movable property; to provide for definitions; to regulate certain transactions transferring certificates of title of movable property; to impose certain procedural requirements; and to provide for related matters.

The bill was read by title and placed on the Calendar for a second reading.

**HOUSE BILL NO. 438—**  
BY REPRESENTATIVE ZERINGUE  
AN ACT

To amend and reenact R.S. 38:330.1(C)(1)(b)(ii), 330.1(F)(1), 330.3(A)(1)(c) and (B), and 330.8(B)(1), relative to flood protection authorities; to provide for the qualifications for appointment to the board of commissioners of the Southeast Louisiana Flood Protection Authority-West Bank; to provide relative to flood protection authority spending across the various levee districts; to provide relative to flood protection authority spending for joint costs of management, planning, design, construction, operation and maintenance, repair, replacement, and rehabilitation of the Hurricane and Storm Damage Risk Reduction System; to provide relative to funding for drainage projects outside the Hurricane and Storm Damage Risk Reduction System; and to provide for related matters.

The bill was read by title and placed on the Calendar for a second reading.

**HOUSE BILL NO. 471—**

BY REPRESENTATIVE FOIL

## AN ACT

To amend and reenact R.S. 51:911.21, 911.22(5), (7), (8.1), (10)(introductory paragraph), (11), and (12), 911.24(A)(1) through (3) and (6), (B)(introductory paragraph) and (L), 911.26(A)(1), (D)(1) through (3), (F)(1) through (4) and (10), 911.29, 911.30, 911.32(E), 911.36, 911.38, 911.39, 911.41, 911.43, 911.46, 912.3(introductory paragraph) and (7), 912.5(A), 912.21(introductory paragraph), (1), (2), (4), (6), and (9) through (12), 912.22(introductory paragraph), (1), and (7), 912.25(2) and (3), 912.26, 912.27(A)(1) and (B) through (D), 912.28(A), and 912.52(B)(5), to enact R.S. 51:911.22(13), 911.24(C)(3), 911.26(F)(11), and 912.21(13), and to repeal R.S. 51:911.24(K), 911.26(A)(3), 911.26(J), and 911.28(A)(10); relative to provisions applicable to manufactured and modular housing; to expand Parts XIV, XIV-A, and XIV-B of Chapter 2 of Title 51 of the Louisiana Revised Statutes of 1950 with respect to greater inclusion of and applicability to modular housing; to modify and create definitions; to provide with respect to requirements of retailers, developers, and transporters; to provide with respect to members at large and authority of the Louisiana Manufactured Housing Commission; to require consumers to provide certain written notice to the commission with respect to defects; to modify certain installation standards; to provide with respect to licensure of installers and transporters; to increase certain civil penalties for violations; to repeal certain licensing requirements and fees applicable to manufactured home brokers; to repeal obsolete provisions relative to the commission; to provide for technical corrections; and to provide for related matters.

The bill was read by title and placed on the Calendar for a second reading.

**HOUSE BILL NO. 487—**

BY REPRESENTATIVE TERRY LANDRY

## AN ACT

To amend and reenact R.S. 32:410.1(A), (B), (C), (D), and (E) and to enact R.S. 14:70.7(D), relative to fictitious, fraudulent, or facsimile identification documents; to prohibit novelty, unofficial, or fraudulent credentials intended to simulate certain identification credentials issued by governmental entities; to clarify unacceptable defenses for violations of this prohibition; to provide for penalties; and to provide for related matters.

The bill was read by title and placed on the Calendar for a second reading.

**HOUSE BILL NO. 510—**

BY REPRESENTATIVE LANCE HARRIS

## AN ACT

To designate a portion of Louisiana Highway 1 in Alexandria, Louisiana as the "Deputy Marshal Glen Denning DeVanie Memorial Highway"; and to provide for related matters.

The bill was read by title and placed on the Calendar for a second reading.

**HOUSE BILL NO. 611—**

BY REPRESENTATIVE GLOVER

## AN ACT

To enact R.S. 48:1844, relative to interstate highways; to designate a certain portion of Interstate 49 in Shreveport as the T.J. Hawkins, Craig E. Lear, Cooper Road USA Expressway; to provide an effective date; and to provide for related matters.

The bill was read by title and placed on the Calendar for a second reading.

**HOUSE BILL NO. 674— (Substitute for House Bill No. 614 by Representative Gisclair)**

BY REPRESENTATIVE GISCLAIR

## AN ACT

To authorize the use of certain state property near Grand Isle for seafood research; to provide relative to protecting the state's

natural resources; to provide relative to the use of certain waters for oyster farming research; to provide relative to the specification of the boundaries and size of the areas in which the research will be conducted; and to provide for related matters.

The bill was read by title and placed on the Calendar for a second reading.

**Message from the House****ASKING CONCURRENCE IN HOUSE CONCURRENT RESOLUTIONS**

May 2, 2017

To the Honorable President and Members of the Senate:

I am directed to inform your honorable body that the House of Representatives has finally passed and asks your concurrence in the following House Concurrent Resolutions:

HCR No. 53

Respectfully submitted,  
ALFRED W. SPEER  
Clerk of the House of Representatives

**House Concurrent Resolutions on First Reading****HOUSE CONCURRENT RESOLUTION NO. 53—**

BY REPRESENTATIVES HAZEL, GAROFALO, AND MARINO AND SENATOR DONAHUE

## A CONCURRENT RESOLUTION

To commend the Holy Cross Tigers upon winning the 2017 All-State Sugar/LHSAA Division I state wrestling championship.

The resolution was read by title and placed on the Calendar for a second reading.

**House Bills and Joint Resolutions on Second Reading****HOUSE BILL NO. 7—**

BY REPRESENTATIVE WHITE

## AN ACT

To enact R.S. 15:255(S), relative to witness fees for off-duty law enforcement officers; to authorize the transfer of certain witness fee surplus funds within Washington Parish; to provide for the transfer procedures and use of such funds; to provide for definitions; and to provide for related matters.

The bill was read by title and referred by the President to the Committee on Judiciary B.

**HOUSE BILL NO. 94—**

BY REPRESENTATIVES JIMMY HARRIS, AMEDEE, BAGNERIS, CHAD BROWN, GARY CARTER, ROBBY CARTER, COUSSAN, EDMONDS, GAINES, GLOVER, HAZEL, HODGES, JACKSON, LEGER, LEOPOLD, MAGEE, MARINO, JAY MORRIS, SHADOIN, AND ZERINGUE

## AN ACT

To amend and reenact R.S. 13:587.4(A) and 5401(A) and (B)(1) and (2) and to repeal R.S. 13:5401(C), relative to reentry courts; to authorize the creation of a reentry division in all district courts; to remove the enumerated district courts authorized to create reentry divisions; to require certain criteria for eligibility and suitability; to provide for certain requirements of the court; and to provide for related matters.

The bill was read by title and referred by the President to the Committee on Judiciary B.

May 3, 2017

HOUSE BILL NO. 107—  
BY REPRESENTATIVES ZERINGUE AND MAGEE  
AN ACT

To amend and reenact R.S. 13:783(F)(7), relative to group insurance expenses of the clerk of court's offices; to provide for the Terrebonne Parish clerk of court's group insurance expenses; and to provide for related matters.

The bill was read by title and referred by the President to the Committee on Judiciary B.

HOUSE BILL NO. 325—  
BY REPRESENTATIVE THIBAUT  
AN ACT

To amend and reenact R.S. 9:154(A)(10) and R.S. 13:842 and to repeal R.S. 13:843.1, relative to unused advanced court costs; to provide procedures for the repayment and retention of unused advanced court costs; to provide relative to the presumption of abandonment under the Uniform Unclaimed Property Act; to provide an exception to abandonment; to repeal certain provisions for the refunding of unused advanced court costs; and to provide for related matters.

The bill was read by title and referred by the President to the Committee on Judiciary A.

HOUSE BILL NO. 329—  
BY REPRESENTATIVE BAGNERIS  
AN ACT

To amend and reenact R.S. 33:9077(D) and (F)(5)(b), relative to Orleans Parish; to provide relative to the Lake Barrington Subdivision Improvement District; to provide relative to the governing board of the district; to provide relative to the membership of the board; to provide relative to the special taxes and fees levied within the district; to provide relative to the renewal of such taxes and fees; and to provide for related matters.

The bill was read by title and referred by the President to the Committee on Local and Municipal Affairs.

HOUSE BILL NO. 492—  
BY REPRESENTATIVES MAGEE, HOFFMANN, AND STOKES  
AN ACT

To amend and reenact R.S. 40:1253.2(A)(introductory paragraph) and (3)(f) and (g), 1253.3(B), and 1253.4(A) and R.S. 46:460.31(introductory paragraph) and (4) and 460.51(5) and (8) and to enact R.S. 40:1253.2(A)(3)(h), R.S. 46:460.51(13), and Subpart D of Part XIII of Chapter 3 of Title 46 of the Louisiana Revised Statutes of 1950, to be comprised of R.S. 46:460.81 through 460.88, relative to the Louisiana Medicaid program; to provide for duties of the Louisiana Department of Health in administering the Medicaid managed care program; to correct references to the name of such program; to establish a process for review of healthcare provider claims submitted to Medicaid managed care organizations; to provide for reviews of claim payment determinations which are adverse to healthcare providers; to provide for appeals of decisions rendered through such review process; to establish a panel for selection of independent reviewers; to provide reporting requirements; to provide for penalties; to provide for administrative rulemaking; and to provide for related matters.

The bill was read by title and referred by the President to the Committee on Health and Welfare.

Reports of Committees

The following reports of committees were received and read:

REPORT OF COMMITTEE ON

COMMERCE, CONSUMER PROTECTION  
AND INTERNATIONAL AFFAIRS

Senator Daniel R. Martiny, Chairman on behalf of the Committee on Commerce, Consumer Protection and International Affairs, submitted the following report:

May 3, 2017

To the President and Members of the Senate:

I am directed by your Committee on Commerce, Consumer Protection and International Affairs to submit the following report:

SENATE BILL NO. 37—  
BY SENATOR MARTINY  
AN ACT

To amend and reenact R.S. 37:2353(C)(5), 2354(B)(1), 2356(A)(6), and 2359(C) and to enact R.S. 37:21(B)(12) and 2354(B)(4) and (5), relative to the Louisiana State Board of Examiners of Psychologists; to provide for an exemption granted to certain boards; to provide for authority to conduct hearings; to provide for hearing fees; to provide for informal resolution fees; to provide for experience substitutions; to provide for authority to withhold license; to provide for an effective date; and to provide for related matters.

Reported with amendments.

SENATE BILL NO. 114—  
BY SENATOR APPEL  
AN ACT

To enact R.S. 45:844.45.1, relative to advanced service; to authorize local government to provide advanced services in public airports; to provide for terms and conditions; and to provide for related matters.

Reported with amendments.

SENATE BILL NO. 193—  
BY SENATOR CORTEZ  
AN ACT

To amend and reenact R.S. 37:844 and to enact R.S. 37:874(C) and (D), relative to embalming and funeral directing; to provide for certificate renewals; to provide for notice; to provide for a time frame for compliance; to provide for refunds of certain reinstatement fees; to provide for an effective date; and to provide for related matters.

Reported with amendments.

SENATE BILL NO. 217—  
BY SENATOR ERDEY  
AN ACT

To amend and reenact R.S. 37:2810(A) and (C)(2)(a), relative to chiropractors; to require the addition of one hour of ethics training as part of continuing education requirements; and to provide for related matters.

Reported with amendments.

Respectfully submitted,  
DANIEL R. MARTINY  
Chairman

**REPORT OF COMMITTEE ON  
HEALTH AND WELFARE**

Senator Fred H. Mills, Jr., Chairman on behalf of the Committee on Health and Welfare, submitted the following report:

May 3, 2017

To the President and Members of the Senate:

I am directed by your Committee on Health and Welfare to submit the following report:

**SENATE BILL NO. 59—**  
BY SENATORS MILLS, JOHNS, MORRISH AND GARY SMITH  
AN ACT

To enact R.S. 37:1741.1, relative to prescription drug price information; to provide for disclosure of certain information; to provide for a form; to provide for penalties; to provide for rulemaking authority; to provide for an effective date; and to provide for related matters.

Reported with amendments.

**SENATE BILL NO. 216—**  
BY SENATORS TARVER AND LAFLEUR  
AN ACT

To amend and reenact R.S. 28:53(B)(1), (2)(a) and (b), and (F), relative to physicians assistants; to provide for authority to issue an emergency certificate; to provide with respect to certificate documentation; to provide authority to require transportation; and to provide for related matters.

Reported with amendments.

Respectfully submitted,  
FRED H. MILLS JR.  
Chairman

**REPORT OF COMMITTEE ON  
INSURANCE**

Senator John Smith, Chairman on behalf of the Committee on Insurance, submitted the following report:

May 3, 2017

To the President and Members of the Senate:

I am directed by your Committee on Insurance to submit the following report:

**SENATE BILL NO. 6—**  
BY SENATOR JOHN SMITH  
AN ACT

To amend and reenact R.S. 42:883(D), relative to the Office of Group Benefits; to provide relative to the quorum for the Group Benefits Policy and Planning Board; and to provide for related matters.

Reported favorably.

**SENATE BILL NO. 44—**  
BY SENATOR JOHN SMITH  
AN ACT

To amend and reenact R.S. 22:2313(A), relative to producers' authority to sell insurance policies issued by the Louisiana Citizens Property Insurance Corporation; to provide for reciprocity for producers in other states; and to provide for related matters.

Reported favorably.

**SENATE BILL NO. 45—**  
BY SENATOR JOHN SMITH  
AN ACT

To amend and reenact R.S. 22:2055(13) and to enact R.S. 22:46(19), relative to the definition of ocean marine insurance; and to provide for related matters.

Reported with amendments.

**SENATE BILL NO. 56—**  
BY SENATOR LONG  
AN ACT

To amend and reenact R.S. 22:1563(A), relative to reporting of administrative actions against an insurance producer; to provide with respect to the reporting of actions taken by a governmental or nongovernmental agency against an insurance producer; and to provide for related matters.

Reported favorably.

**SENATE BILL NO. 184—**  
BY SENATOR LUNEAU  
AN ACT

To enact R.S. 22:2062(A)(2)(c), relative to the Louisiana Insurance Guaranty Association; to provide with respect to the exhaustion of other coverage; to provide for the exclusion of a credit against uninsured and underinsured motorist policies upon the insolvency of the insurer; and to provide for related matters.

Reported favorably.

Respectfully submitted,  
JOHN SMITH  
Chairman

**REPORT OF COMMITTEE ON  
TRANSPORTATION, HIGHWAYS  
AND PUBLIC WORKS**

Senator Patrick Page Cortez, Chairman on behalf of the Committee on Transportation, Highways and Public Works, submitted the following report:

May 3, 2017

To the President and Members of the Senate:

I am directed by your Committee on Transportation, Highways and Public Works to submit the following report:

**SENATE BILL NO. 80—**  
BY SENATOR BISHOP  
AN ACT

To enact R.S. 32:398(N), relative to traffic accidents; to authorize a civilian traffic control officer or entity to investigate a traffic accident in any parish with a population of not less than two hundred fifty-five thousand nor more than three hundred fifty thousand, based upon the latest federal decennial census; to provide for exceptions; to provide for qualifications and training; and to provide for related matters.

Reported with amendments.

**SENATE BILL NO. 101—**  
BY SENATOR RISER  
AN ACT

To enact R.S. 47:490.1.1, relative to military honor license plates; to provide for issuance of a military honor license plate with an identical number for a motorcycle and a boat trailer to veterans and other military personnel; and to provide for related matters.

Reported with amendments.

SENATE BILL NO. 152—  
BY SENATOR CARTER

AN ACT

To amend and reenact R.S. 40:2405.5(D), to enact R.S. 32:412(O) and R.S. 40:1321(R), and to repeal R.S. 40:2405.5(F), relative to motor vehicles; to provide for identification of persons with special needs; to require law enforcement training regarding mental health; and to provide for related matters.

Reported with amendments.

SENATE BILL NO. 154—  
BY SENATOR CARTER

AN ACT

To enact R.S. 32:45, relative to traffic; to require posting notification of a mobile and fixed location speed camera; and to provide for related matters.

Reported with amendments.

SENATE BILL NO. 239—  
BY SENATOR MORRELL

AN ACT

To amend and reenact R.S. 47:463.60(B), relative to special prestige license plates; to provide with respect to the "Animal Friendly" prestige license plate; to provide for an increase of the annual royalty fee; to provide for an effective date; and to provide for related matters.

Reported favorably.

HOUSE BILL NO. 30—  
BY REPRESENTATIVE SCHEXNAYDER

AN ACT

To enact R.S. 47:463.192, relative to motor vehicle special prestige license plates; to provide for the "Louisiana Patriot Guard Riders" specialty license plate; to provide for the creation, issuance, and design of such license plates; to provide relative to the fee and distribution of fees for such plates; to authorize the promulgation of rules and regulations relative to the creation and implementation of a special prestige license plate; to provide an effective date; and to provide for related matters.

Reported favorably.

HOUSE BILL NO. 476—  
BY REPRESENTATIVES HAZEL, TERRY BROWN, CARPENTER, STEVE CARTER, HALL, MARCELLE, PIERRE, POPE, AND STEFANSKI

AN ACT

To amend and reenact R.S. 46:122(A)(1) and R.S. 47:463.131(A), (B)(2), and (D), relative to the Louisiana Military Family Assistance Fund; to provide relative to the Support Our Troops special prestige license plate; to provide for the design of the license plate; to provide for the license plate fee; and to provide for related matters.

Reported favorably.

Respectfully submitted,  
PATRICK PAGE CORTEZ  
Chairman

Senate Bills and Joint Resolutions  
on Second Reading  
Reported by Committees

SENATE BILL NO. 35—  
BY SENATOR COLOMB

AN ACT

To amend and reenact R.S. 40:966(I), relative to the Uniform Controlled Dangerous Substances Law; to provide exemptions from arrest and prosecution under the Uniform Controlled Dangerous Substances law to persons and other entities lawfully in possession of medical marijuana; and to provide for related matters.

Reported with amendments by the Committee on Judiciary C.

SENATE COMMITTEE AMENDMENTS

Amendments proposed by Senate Committee on Judiciary C to Original Senate Bill No. 35 by Senator Colomb

AMENDMENT NO. 1

On page 2, delete lines 22 through 29, and on page 3, delete lines 1 through 3, and insert the following:

**"(3) Any licensee or its subordinate contractor licensed by the Department of Agriculture and Forestry to produce marijuana pursuant to R.S. 40:1046, and any employee, board member, director, or agent of a marijuana licensee or its subordinate contractor licensed pursuant to R.S. 40:1046, shall not be subject to arrest or prosecution for possession, manufacture, preparation, distribution, purchase, preparation, or transportation of marijuana, marijuana preparations, and marijuana paraphernalia under this Section. This defense shall be a complete bar to arrest and prosecution. This Paragraph shall not prevent the imposition of penalties for diversion of marijuana or other conduct outside the scope of the state-sponsored medical marijuana program or for violations of Department of Agriculture and Forestry rules and regulations."**

AMENDMENT NO. 2

On page 3, between lines 13 and 14, insert the following:

**"Any person conducting research as the licensee pursuant to R.S. 40:1046 and any employee, board member, director, agent, or any person conducting research in partnership with the licensee shall not be subject to arrest or prosecution for possession, manufacture, preparation, distribution, purchase, preparation, or transportation of marijuana, marijuana preparations, and marijuana paraphernalia under this Section. This defense shall be a complete bar to arrest and prosecution. This Paragraph shall not prevent the imposition of penalties for diversion of marijuana or other conduct outside the scope of the state-sponsored medical marijuana program or for violations of Department of Agriculture and Forestry rules and regulations."**

On motion of Senator Claitor, the committee amendment was adopted. The amended bill was read by title, ordered engrossed and passed to a third reading.

SENATE BILL NO. 43—

BY SENATOR MARTINY

AN ACT

To amend and reenact R.S. 13:2590(B), the introductory paragraph of 2590.1(B), and (C), relative to justice of the peace courts; to provide for court costs; to provide for distribution of court costs; to provide for court costs in certain parishes; to provide for agreements in cases with out-of-constable jurisdiction; and to provide for related matters.

Reported favorably by the Committee on Judiciary A. The bill was read by title, ordered engrossed and passed to a third reading.

SENATE BILL NO. 72—

BY SENATOR MILKOVICH

AN ACT

To enact Code of Civil Procedure Art. 1636.1, relative to contradictory hearings in civil proceedings; to provide for the right to present oral arguments; to provide with respect to waiver of oral argument and nullity of a judgment when oral argument is not allowed; and to provide for related matters.

Reported with amendments by the Committee on Judiciary A.

SENATE COMMITTEE AMENDMENTS

Amendments proposed by Senate Committee on Judiciary A to Original Senate Bill No. 72 by Senator Milkovich



AMENDMENT NO. 1

On page 1, delete lines 4 and 5 and insert "respect to reasonable control of oral argument by the court, waiver of oral argument, and grounds for setting aside a judgment obtained in violation of requirements; and to provide for related matters."

AMENDMENT NO. 2

On page 1, line 11, after "waived" insert "only"

AMENDMENT NO. 3

On page 1, between lines 12 and 13, insert

**"B. Reasonable control over oral argument presented under this Article may be exercised by the court."**

AMENDMENT NO. 4

On page 1, delete lines 13 through 16 and insert

**"C. The obtaining of a judgment in violation of this Article shall be mandatory grounds for setting aside the judgment and seeking a new hearing, by motion brought within thirty days after the clerk has mailed, or the sheriff has served, the notice of judgment as required by Article 1913."**

On motion of Senator Ward, the committee amendment was adopted. The amended bill was read by title, ordered engrossed and passed to a third reading.

**SENATE BILL NO. 81—**  
BY SENATOR BISHOP

AN ACT

To amend and reenact Children's Code Article 405(A) and (B) and to enact Children's Code Article 116(4.1), relative to curators; to provide for definitions; to provide for the payment of fees; and to provide for related matters.

Reported with amendments by the Committee on Judiciary A.

**SENATE COMMITTEE AMENDMENTS**

Amendments proposed by Senate Committee on Judiciary A to Original Senate Bill No. 81 by Senator Bishop

AMENDMENT NO. 1

On page 1, line 2, delete "Article 405(A) and (B)" and insert "Articles 405(A) and (B), 1016(A), and 1025.4(A)(2),"

AMENDMENT NO. 2

On page 1, line 3, delete "Article 116(4.1)" and insert "Articles 116(4.1), 643(C), 1004(D)(6), 1015(10), and 1023(C),"

AMENDMENT NO. 3

On page 1, after line 4, after "fees;" delete the remainder of the line and insert "to provide relative to unidentified parents; to provide relative to termination of parental rights; to provide relative to right to counsel; to provide relative to conference scheduling; and to provide for related matters."

AMENDMENT NO. 4

On page 1, line 6, delete "Article 405(A) and (B)" and insert "Articles 405(A) and (B), 1016(A), and 1025.4(A)(2)"

AMENDMENT NO. 5

On page 1, line 7, delete "Article 116(4.1) is" and insert "Articles 116(4.1), 643(C), 1004(D)(6), 1015(10), 1023(C) are"

AMENDMENT NO. 6

On page 2, after line 24, insert  
"Art. 643. Service; absentee or unidentified parent; curator ad hoc  
\* \* \*

**C. If the father is unidentified, it is not necessary to appoint a curator ad hoc for that parent. The father shall be considered unidentified if the biological father's name is not provided on the birth certificate, there is no presumed father, and no party to the proceedings is able to provide a first and last name of a putative**

**father or alias sufficient to provide a reasonable possibility of identification and location.**

\* \* \*  
Art. 1004. Petition for termination of parental rights; authorization to file  
\* \* \*

D. The department may petition for the termination of parental rights of the parent of the child when any of the following apply:  
\* \* \*

**(6) The child is in foster care and, despite diligent efforts by the department to identify the child's father, his identity is unknown and termination is authorized by 1015(10).**  
\* \* \*

Art. 1015. Grounds  
The grounds for termination of parental rights are:  
\* \* \*

**(10) The child is in the custody of the department pursuant to a court order for at least one year, unless sooner permitted by the court, and the identity of the child's father remains unknown despite diligent efforts by the department to identify and locate the father by the following:**

**(a) In the course of investigating the case and providing services to the family the department has been unable to learn the identity of the father.**

**(b) No party to the proceedings is able to provide a first and last name of a putative father or alias sufficient to provide a reasonable possibility of identification and location.**

**(c) A certified copy of the child's birth certificate with no one indicated thereon as the father of the child, or the father listed has been determined not to be the biological father of the child.**

**(d) A recent certificate from the putative father registry indicating that no person is listed or registered as the child's father.**

**(e) A recent certificate from the clerk of court in the parish in which the child was born indicating that no acknowledgment with respect to this child has been recorded.**  
\* \* \*

Art. 1016. Right to counsel

A. The child and the identified parent shall each have the right to be represented by separate counsel in a termination proceeding brought under this Title. Neither the child nor anyone purporting to act on his behalf may be permitted to waive the child's right to counsel.  
\* \* \*

Art. 1023. Service; absentee parent, unidentified father  
\* \* \*

**C. If the father is unidentified, it is not necessary to appoint a curator ad hoc for that parent. The father shall be considered unidentified if the biological father's name is not provided on the birth certificate, there is no presumed father, and no party to the proceedings is able to provide a first and last name of a putative father or alias sufficient to provide a reasonable possibility of identification and location.**  
\* \* \*

Art. 1025.4. Prehearing and scheduling conference; order

A. At the appearance, on its own motion or on motion of counsel, the court shall direct counsel for the petitioner, for the parents, and for the child to appear before it for a conference to consider the following:  
\* \* \*

(2) Efforts to identify and locate an unidentified or absent parent and relatives or other individuals willing and able to offer a wholesome and stable home for the child.  
\* \* \*

On motion of Senator Ward, the committee amendment was adopted. The amended bill was read by title, ordered engrossed and passed to a third reading.

**SENATE BILL NO. 121—**  
BY SENATOR WARD

AN ACT

To amend and reenact Code of Civil Procedure Articles 1421 and 1464, R.S. 23:1123, 1124, 1203(E), 1221(4)(s)(ii), 1307 and 1317.1, R.S. 39:1952(14)(e), and R.S. 46:2136(A)(4), relative

to court-ordered and other mandatory physical and mental examinations; to provide relative to such examinations in certain civil and administrative matters, procedures, and claims; to provide for consistency in terminology and nomenclature, and to provide for related matters.

Reported favorably by the Committee on Judiciary A. The bill was read by title, ordered engrossed and passed to a third reading.

SENATE BILL NO. 139—  
BY SENATOR MARTINY

AN ACT

To amend and reenact Code of Criminal Procedure Arts. 893(A) and (B), the introductory paragraph of 899.1(A), (B), and (D), 900(A)(5), (6), and (7), and 903.1, R.S. 13:5304(B)(10)(b), and (c), and R.S. 15:571.3(B) and (D), 574.2(C)(1) and (2) and (D)(1), the introductory paragraph of (6), (8)(a), and (9), 574.4(A)(1) and (2), (B)(1) and (C)(2), 574.4.1(A)(1), 574.4.2(B), 574.4.3(A)(1), 574.6, 574.7(B), 574.9(D), (E), (F) and (G), 574.20, and 828(B) and (C), and to enact Code of Criminal Procedure Arts. 893(G), 895.6, and 895.7, and R.S. 15:574.2(C)(4), 574.4(F), 574.9(H), 827(A)(7) and 828(D), relative to criminal justice; to provide for alternatives to incarceration; to provide for release from incarceration and from supervision; to provide for felony probation and parole; to provide for suspension and deferral of sentence; to provide for the term of probation and of parole; to provide for extended probation periods; to provide for discharge credits for felony probation and for parole; to provide for the earning of discharge credits; to provide for the regulation of number of credits earned; to provide for methods to rescind credits; to provide for notice; to provide for the satisfaction of sentences; to provide for administrative sanctions; to provide for technical violations of probation and of parole; to authorize use of administrative sanctions; to provide for a system of administrative rewards; to provide for probation and for parole revocation; to provide for sentences imposed for technical violations of probation and of parole; to provide for credit for time served; to provide for the substance abuse probation program; to provide for diminution of sentence; to provide for good time; to provide for earning rates for good time; to provide for the committee on parole; to provide for meetings of the committee on parole; to provide for voting; to provide for administrative parole; to provide for notice to victims; to provide for notice for victim's spouse or next of kin; to provide for parole eligibility; to provide for parole eligibility for offenders serving a life sentence; to provide for parole hearings; to provide for conditions of parole; to provide for custody and supervision of parolees; to provide for modification of parole; to provide for suspension of probation and of parole; to provide for return to custody hearings; to provide for detainers; to provide for enforceability of detainers; to provide for medical parole; to authorize medical furloughs; to provide for the term of medical parole and furlough; to provide for revocation of medical parole or furlough for improved health; to provide for written case plans; to provide for classification and treatment programs; to provide for credit for participation in certain programs; to provide relative to good time for offenders sentenced as habitual offenders; to provide for rulemaking; to provide for record collection; to provide for maintenance of records; to provide for effective dates; and to provide for related matters.

Reported with amendments by the Committee on Judiciary C.

SENATE COMMITTEE AMENDMENTS

Amendments proposed by Senate Committee on Judiciary C to Original Senate Bill No. 139 by Senator Martiny

AMENDMENT NO. 1

On page 1, line 4, after "13:5304(B)(10)(b)," delete "and (c),"

AMENDMENT NO. 2

On page 1, line 5, after "574.4(A)(1)" delete "and (2)"

AMENDMENT NO. 3

On page 1, line 6, delete "574.4.2(B),"

AMENDMENT NO. 4

On page 2, line 15, after "medical" and before "furloughs" insert "treatment" and change "term" to "terms"

AMENDMENT NO. 5

On page 2, line 16, after "and" and before "furlough" insert "medical treatment" and after "or" and before "furlough" insert "medical treatment"

AMENDMENT NO. 6

On page 3, line 6, after "Article 890.3" delete the remainder of the line and delete lines 7 and 8 and insert the following: **"except a first conviction for an offense with a maximum prison sentence of ten years or less that was not committed against a family member, household member, or dating partner, or of a second or third conviction if the second or third conviction is for a violation of R.S."**

AMENDMENT NO. 7

On page 5, delete line 21 and insert **"felony conviction, to enter and complete a"**

AMENDMENT NO. 8

On page 6, line 4, after "A." insert "(1)"

AMENDMENT NO. 9

On page 6, line 8, after "**probation.**" delete the remainder of the line and delete line 9 in its entirety.

AMENDMENT NO. 10

On page 6, between lines 11 and 12, insert the following: **"(2) Notwithstanding Subparagraph (1) of this Paragraph and any other law to the contrary, discharge credits may not be earned in conjunction with any other credits received toward a defendant's term of probation. If a defendant receives credit toward his term of probation for any other reason, he shall not receive discharge credits for that period of time."**

AMENDMENT NO. 11

On page 7, line 15, delete "**calendar month**" and insert "**one of the twelve periods of time in which the calendar is divided**"

AMENDMENT NO. 12

On page 7, delete lines 21 through 24 and insert **"(b) Fails to report, as ordered by the court or directed by the probation officer, for a scheduled meeting with a probation officer, and fails to make contact with a probation officer within thirty days of the missed meeting."**

AMENDMENT NO. 13

On page 7, line 25, change "**(d)**" to "**(c)**"

AMENDMENT NO. 14

On page 7, line 28, after "**A.**" insert "**(1)**"

AMENDMENT NO. 15

On page 8, line 3, after "**supervision.**" delete the remainder of the line and delete line 4 in its entirety.

AMENDMENT NO. 16

On page 8, between lines 5 and 6 insert the following: **"(2) Notwithstanding Subparagraph (1) of this Paragraph and any provision of law to the contrary, discharge credits may not be earned in conjunction with any other credits toward a defendant's term of parole. If a defendant receives credit toward his term of parole for any other reason, he shall not receive discharge credits for that period of time."**

AMENDMENT NO. 17

On page 9, line 8, delete "**calendar month**" and insert "**one of the twelve periods of time in which the calendar is divided**"

## AMENDMENT NO. 18

On page 9, delete lines 14 through 17 and insert

**"(b) Fails to report, as ordered by the court or directed by the parole officer, for a scheduled meeting with a parole officer, and fails to make contact with a parole officer within thirty days of the missed meeting."**

## AMENDMENT NO. 19

On page 9, line 18, change "**(d)**" to "**(c)**"

## AMENDMENT NO. 20

On page 10, line 19, delete "**known felons or persons**" and insert "**people known to be**"

## AMENDMENT NO. 21

On page 11, delete lines 18 and 19 in their entirety.

## AMENDMENT NO. 22

On page 14, line 4, after "**(d)**" delete the remainder of the line and insert "**If a**"

## AMENDMENT NO. 23

On page 15, at the end of line 21 and the beginning of line 22, delete "**, except for Class D and E felonies,**" and insert "**, except for a first conviction of an offense with a maximum prison sentence of ten years or less that was not committed against a family member, household member, or dating partner.**"

## AMENDMENT NO. 24

On page 15, line 25, after "R.S. 13:5304(B)(10)(b)" delete "and (c) are" and insert "is"

## AMENDMENT NO. 25

On page 16, line 7, delete "**, except for Class D and E felonies,**" and insert "**, except a first conviction of an offense with a maximum prison sentence of ten years or less that was not committed against a family member, household member, or dating partner.**"

## AMENDMENT NO. 26

On page 16, delete lines 10 through 12

## AMENDMENT NO. 27

On page 16, line 15, after "574.4(A)(1)" delete "and (2)"

## AMENDMENT NO. 28

On page 16, line 16, delete "574.4.2(B),"

## AMENDMENT NO. 29

On page 17, delete lines 4 and 5 and insert the following: "rate of ~~one and one half day for every one day~~ **thirteen days for every seven days** in actual custody served on the imposed sentence, including time spent in custody with good"

## AMENDMENT NO. 30

On page 17, at the end of line 7, change ":", to ".", and delete lines 8 through 11

## AMENDMENT NO. 31

On page 17, line 24, after "rate of" delete the remainder of the line and insert "**one day for every three**"

## AMENDMENT NO. 32

On page 18, line 3, delete "**July**" and insert "**November**"

## AMENDMENT NO. 33

On page 20, line 27, after "**offender**" insert "**convicted after November 1, 2017 and**" and change "**R.S. 15:574.4(A)**" to "**R.S. 15:574.4(A)(1)**"

## AMENDMENT NO. 34

On page 22, line 5, delete "thirty" and insert "**sixty**"

## AMENDMENT NO. 35

On page 22, line 8, delete "**forty-five**" and insert "**ninety**"

## AMENDMENT NO. 36

On page 22, line 18, delete "thirty" and insert "**sixty**"

## AMENDMENT NO. 37

On page 23, line 1, delete "**forty-five**" and insert "**ninety**"

## AMENDMENT NO. 38

On page 23, line 15, change "**July**" to "**November**"

## AMENDMENT NO. 39

On page 24, line 1, after "**imposed,**" insert "**The offense shall not be counted as a second or subsequent offense if more than ten years have lapsed between the date of the commission of the instant offense and the expiration of the offender's maximum sentence of the previous conviction, or between the expiration of the offender's maximum sentence of each preceding conviction and the date of the commission of the following offense.**"

## AMENDMENT NO. 40

On page 24, line 10, delete "**fifty-five**" and insert "**sixty-five**"

## AMENDMENT NO. 41

On page 25, delete lines 10 through 23

## AMENDMENT NO. 42

On page 25, line 25, after "B.(1)" delete the remainder of the line and insert "No"

## AMENDMENT NO. 43

On page 26, line 7, delete "**fifty**" and insert "**sixty**"

## AMENDMENT NO. 44

On page 27, delete lines 3 through 29 and insert the following:

**"F. Notwithstanding any provision of law to the contrary, an offender serving a life sentence for second degree murder (R.S. 14:30.1), shall be eligible for parole consideration pursuant to the provisions of this Subsection if all of the following conditions are met:**

**(1) The offender committed the offense after August 1, 1973 and prior to June 29, 1979.**

**(2) The offender has served at least thirty years of the sentence imposed.**

**(3) The offender has reached the age of fifty."**

## AMENDMENT NO. 45

On page 28, delete lines 10 through 21

## AMENDMENT NO. 46

On page 32, line 18, after "**for**" delete the remainder of the line and delete line 19 and insert "**an allegation of the commission of another crime, it is enforceable until bond is set by the judge for the new crime. When**"

## AMENDMENT NO. 47

On page 33, line 26, after "**(iii)**" delete the remainder of the line and insert "**If the**"

## AMENDMENT NO. 48

On page 35, line 28, after "**Medical**" insert "**Treatment**"

## AMENDMENT NO. 49

On page 35 delete line 29 and on page 36 delete lines 1 through 20 in their entirety and insert the following:

**"(1) The committee on parole shall establish the medical treatment furlough program to be administered by the department for the purpose of utilizing off site medical facilities for an eligible offender's medical treatment. Medical treatment furlough shall not be available to any offender who is awaiting execution.**

**(2)(a) An offender eligible for consideration for release under the medical treatment furlough program shall be any**

offender who is ineligible for release on medical parole pursuant to Subsection B of this Section and is determined by the department to be to a limited mobility offender.

(b) For the purposes of this Section, "limited mobility offender" means any offender who is unable to perform activities of daily living without help or is confined to a bed or chair, including but not limited to prolonged coma and medical ventilation.

(3) Notwithstanding any provision of law to the contrary, the committee on parole may authorize the release of an eligible offender on medical treatment furlough when all of the following conditions are met:

(a) Placement in an acute care hospital, nursing home, or other appropriate medical facility able to meet the offender's medical and treatment needs is secured.

(b) All confinement and level of supervision requirements that the committee deems necessary are secured.

(c) The committee determines that the offender does not present a substantial flight risk."

AMENDMENT NO. 50

On page 36, at the beginning of line 22, insert "medical treatment"

AMENDMENT NO. 51

On page 36, line 29, after "or" and before "furlough" insert "medical treatment"

AMENDMENT NO. 52

On page 37, line 2, after "or" and before "furlough" insert "medical treatment"

AMENDMENT NO. 53

On page 37, at the end of line 4, insert "treatment"

AMENDMENT NO. 54

On page 37, line 6, after "medical" and before "furlough" insert "treatment"

AMENDMENT NO. 55

On page 37, line 9, after "medical" and before "furlough" insert "treatment"

AMENDMENT NO. 56

On page 37, line 12, after "medical" and before "furlough" insert "treatment"

AMENDMENT NO. 57

On page 37, at the beginning of line 17, insert "medical treatment"

AMENDMENT NO. 58

On page 37, line 18, after "medical" and before "furlough" insert "treatment"

AMENDMENT NO. 59

On page 37, line 21, after "or" and before "furlough" insert "medical treatment"

AMENDMENT NO. 60

On page 37, line 22, after "medical" and before "furlough" insert "treatment"

AMENDMENT NO. 61

On page 37, at the beginning of line 24 after "parole or" insert "medical treatment" and at the end of the line after "or medical" insert "treatment"

AMENDMENT NO. 62

On page 37, line 27, after "medical" and before "furlough" insert "treatment"

AMENDMENT NO. 63

On page 38, at the beginning of line 2, after "and medical" insert "treatment"

AMENDMENT NO. 64

On page 38, at the beginning of line 3, insert "treatment"

AMENDMENT NO. 65

On page 38, line 17, after "implemented" and before "only" insert "beginning on November 1, 2017 and"

AMENDMENT NO. 66

On page 39, delete lines 25 through 29 and delete page 40 in its entirety and insert the following:

"Section 4. This Act shall become effective on November 1, 2017; if vetoed by the governor and subsequently approved by the legislature, this Act shall become effective on November 1, 2017, or on the day following such approval by the legislature, whichever is later."

On motion of Senator Claitor, the committee amendment was adopted. The amended bill was read by title, ordered engrossed and passed to a third reading.

SENATE BILL NO. 169—

BY SENATOR BARROW

AN ACT

To amend and reenact R.S. 15:574.20, relative to medical parole; to authorize medical furloughs; to provide for the term of medical parole and furlough; to provide for revocation of medical parole or furlough for improved health; to provide for written case plans; to provide for classification and treatment programs; to provide for eligibility; and to provide for related matters.

Reported without action by the Committee on Judiciary B.

Senator Gary Smith moved that the bill be withdrawn from the files of the Senate.

Senator Barrow moved as a substitute motion that the bill be engrossed and passed to a Third Reading.

**ROLL CALL**

The roll was called with the following result:

YEAS

Barrow	Gatti	Morrell
Bishop	LaFleur	Morrish
Boudreaux	Luneau	Peacock
Carter	Milkovich	Peterson
Chabert	Mills	Smith, G.
Total - 15		

NAYS

Mr. President	Fannin	Perry
Appel	Hewitt	Riser
Claitor	Johns	Smith, J.
Cortez	Lambert	Walsworth
Donahue	Martiny	Ward
Erdey	Mizell	White
Total - 18		

ABSENT

Allain	Long	Thompson
Colomb	Tarver	
Total - 5		

The Chair ruled the substitution motion failed to pass.

The Chair declared that the bill was withdrawn from the files of the Senate.

SENATE BILL NO. 220—  
BY SENATOR ALARIO

AN ACT

To amend and reenact R.S. 14:60(A) and (B), 67(B), 67.16(C), (D), (E), (F), and (G), 67.25(D), 67.26(C) and (E), 68(B), 68.4(B), 68.7(B), 69(B) and (C), 70.2(C), 70.4(E), 71(C), (D), (E), (F), and (G), 94(B), (C), and (D), 95(B), (C), (D), (E), (F), (G), (H), and (I), and 95.1(B) and R.S. 40:966(B), (C), (D), (E), (F), and (G), 967(B), (C), (D), and (E), 968(B) and (C), 969(B), (C), and (D), 970(B) and (C), to enact Subpart A-1 of Part I of Chapter 1 of Title 14 of the Louisiana Revised Statutes of 1950, comprised of R.S. 14:6.1 through 6.3 and 69(D), and to repeal R.S. 14:62.8, 67.1, 67.2, 67.6, 67.7, 67.8, 67.9, 67.10, 67.16(H), 67.18, 67.20, 67.21, 67.24, 67.25(E), 67.28, 67.30, 68.5, 71(H) and (I), 94(E) and (F), 95(J) and (K) and R.S. 40:966(H) and (I), and 967(F) and (G), relative to the adoption of a felony class system; to provide relative to legislative findings and intent; to provide relative to classes of designated felonies; to provide relative to penalties; and to provide for related matters.

Reported with amendments by the Committee on Judiciary C.

SENATE COMMITTEE AMENDMENTS

Amendments proposed by Senate Committee on Judiciary C to Original Senate Bill No. 220 by Senator Alario

AMENDMENT NO. 1

On page 1, at the beginning of line 2 after "To amend and reenact" delete the remainder of the line and delete lines 3 through 11 and insert the following: "R.S. 14:52(B), 54.1(B), 56(B)(1) and (2), 62.2(B), 62.8(B), 67(B), 67.25(D), 67.26(C), 68(B), 68.4(B), 68.7(B), 69(B) and (C), 70.2(C), 70.4(E), 71(C), (D), (E), (F), and (G), 82(C)(3), 95.1(B), 202.1(C), and 230(E)(4) and R.S. 40:966(B), (C), (D), (E), and (F), 967(B) and (C), 968(B) and (C), 969(B), (C), and (D), and 970(B) and (C), to enact R.S. 14:69(D) and Chapter 3 of Title 14 of the Louisiana Revised Statutes of 1950, comprised of R.S. 14:601, and R.S. 40:967(D), and to repeal R.S. 14:2(B)(8), (25), and (29), 56.1, 56.2, 56.3, 67.1, 67.2, 67.3, 67.6, 67.7, 67.8, 67.9, 67.10, 67.18, 67.20, 67.21, 67.24, 67.25(E), 67.28, 67.30, and 68.5, 71(H) and (I), and 211 and R.S. 40:966(G), (H) and (I) and 967(F) and (G), relative to felony and misdemeanor offenses; to provide relative to penalties for certain felony and misdemeanor offenses;"

AMENDMENT NO. 2

On page 1, at the beginning of line 12, delete "system;"

AMENDMENT NO. 3

On page 1, delete line 13 and insert "to create and provide for the membership, duties, and reporting requirements of the Louisiana Felony Class System Task Force; and to provide for"

AMENDMENT NO. 4

On page 1, at the beginning of line 16 after "Section 1." delete the remainder of the line and delete line 17 and insert the following: "R.S. 14:52(B), 54.1(B), 56(B)(1) and (2), 62.2(B), 62.8(B), 67(B), 67.15(C), 67.25(D), 67.26(C), 68(B), 68.4(B), 68.7(B), 69(B) and (C), 70.2(C), 70.4(E), 71(C), (D), (E), (F), and (G), 82(C)(3), 95.1(B), 202.1(C), and 230(E)(4) are"

AMENDMENT NO. 5

On page 2, delete lines 1 through 3

AMENDMENT NO. 6

On page 2, delete lines 5 through 29, delete pages 3 through 70 in their entirety, and on page 71, delete lines 1 through 13, and insert the following:

"§52. Simple arson

\* \* \*

B. Whoever commits the crime of simple arson, where the damage done amounts to five hundred dollars or more, shall be fined not more than fifteen thousand dollars and imprisoned at hard labor for not less than two years nor more than fifteen years.

\* \* \*

§54.1. Communicating of false information of planned arson

\* \* \*  
B. Whoever commits the crime of communicating of false information of arson or attempted arson shall be imprisoned at hard labor for not more than ~~twenty~~ **fifteen** years.

\* \* \*

§56. Simple criminal damage to property

\* \* \*

B.(1) Whoever commits the crime of simple criminal damage to property where the damage is less than ~~five hundred one thousand~~ dollars shall be fined not more than one thousand dollars or imprisoned for not more than six months, or both.

(2) Where the damage amounts to ~~five hundred one thousand~~ dollars but less than fifty thousand dollars, the offender shall be fined not more than one thousand dollars or imprisoned with or without hard labor for not more than two years, or both.

\* \* \*

§62.2. Simple burglary of an inhabited dwelling

\* \* \*

B. Whoever commits the crime of simple burglary of an inhabited dwelling shall be imprisoned at hard labor for not less than one year, ~~without benefit of parole, probation or suspension of sentence~~; nor more than twelve years.

\* \* \*

§62.8. Home invasion

\* \* \*

~~B.(1) Except as provided in Paragraphs (2) and (3) of this Subsection, whoever~~ **Whoever** commits the crime of home invasion shall be fined not more than five thousand dollars and shall be imprisoned at hard labor for ~~not more than twenty-five years~~ **not less than one year nor more than thirty years**.

~~(2) Whoever commits the crime of home invasion while armed with a dangerous weapon shall be fined not more than seven thousand dollars and shall be imprisoned at hard labor for not less than five years nor more than thirty years.~~

~~(3) Whoever commits the crime of home invasion when, at the time of the unauthorized entering, there is present in the dwelling or structure any person who is under the age of twelve years, is sixty-five years of age or older, or who has a developmental disability as defined in R.S. 28:451.2, shall be fined not more than ten thousand dollars and shall be imprisoned at hard labor for not less than ten nor more than twenty-five years. At least ten years of the sentence imposed shall be served without benefit of parole, probation, or suspension of sentence.~~

\* \* \*

§67. Theft

\* \* \*

B.(1) Whoever commits the crime of theft when the misappropriation or taking amounts to a value of twenty-five thousand dollars or more shall be imprisoned, ~~with or without at~~ hard labor; for not ~~less than five years~~ nor more than twenty years, or may be fined not more than fifty thousand dollars, or both.

(2) When the misappropriation or taking amounts to a value of five thousand dollars or more, but less than a value of twenty-five thousand dollars, the offender shall be imprisoned, with or without hard labor, for not more than ten years, or may be fined not more than ten thousand dollars, or both.

(3) When the misappropriation or taking amounts to a value of ~~seven hundred fifty one thousand~~ dollars or more, but less than a value of five thousand dollars, the offender shall be imprisoned, with or without hard labor, for not more than five years, or may be fined not more than three thousand dollars, or both.

(4) When the misappropriation or taking amounts to less than a value of ~~seven hundred fifty one thousand~~ dollars, the offender shall be imprisoned for not more than six months, or may be fined not more than one thousand dollars, or both. If the offender in such cases has been convicted of theft two or more times previously, upon any subsequent conviction he shall be imprisoned, with or without hard labor, for not more than two years, or may be fined not more than two thousand dollars, or both.

\* \* \*

§67.25. Organized retail theft

\* \* \*

D.(1) Whoever commits the crime of organized retail theft when the aggregate amount of the misappropriation, taking, purchasing,

possessing, procuring, receiving, or concealing in any one-hundred-eighty-day period amounts to a value ~~less than five hundred of~~ **twenty-five thousand dollars or more** shall be imprisoned ~~with or without~~ **at hard labor for not more than two twenty** years, or may be fined not more than ~~two fifty~~ **thousand dollars, or both.**

~~E.~~ **(2) Whoever commits the crime of organized retail theft when the aggregate amount of the misappropriation, taking, purchasing, possessing, procuring, receiving, or concealing in any one-hundred-eighty-day period amounts to a value ~~more than five hundred of~~ **five thousand dollars or more, but less than a value of twenty-five thousand** dollars shall be imprisoned with or without hard labor for not more than ten years, or may be fined not more than ten thousand dollars, or both.**

**(3) Whoever commits the crime of organized retail theft when the aggregate amount of the misappropriation, taking, purchasing, possessing, procuring, receiving, or concealing in any one-hundred-eighty-day period amounts to a value of one thousand dollars or more but less than a value of five thousand dollars shall be imprisoned, with or without hard labor, for not more than five years.**

**(4) When the misappropriation or taking amounts to less than a value of one thousand dollars, the offender shall be imprisoned for not more than six months, or may be fined not more than one thousand dollars, or both. If the offender in such cases has been convicted of theft two or more times previously, upon any subsequent conviction the offender shall be imprisoned, with or without hard labor, for not more than two years, or fined not more than two thousand dollars, or both.**

§67.26. Theft of a motor vehicle

\* \* \*

C.(1) Whoever commits the crime of theft of a motor vehicle when the misappropriation or taking amounts to a ~~sum of one thousand five hundred dollars or more~~ shall be imprisoned, with or without hard labor, for not more than ~~ten years~~ **value of five thousand dollars or more shall be imprisoned at hard labor for not more than twenty years,** or may be fined not more than three thousand dollars, or both.

(2) Whoever commits the crime of theft of a motor vehicle when the misappropriation or taking amounts to a ~~sum of five hundred dollars or more but less than one thousand five hundred dollars~~ shall be imprisoned, with or without hard labor, for not more than ~~five years~~ **value of five thousand dollars or more, but less than a value of twenty-five thousand dollars, shall be imprisoned at hard labor for not more than ten years,** or may be fined not more than ~~two ten~~ **thousand dollars, or both.**

(3) Whoever commits the crime of theft of a motor vehicle when the misappropriation or taking amounts to a ~~sum of less than five hundred dollars~~ shall be imprisoned for not more than ~~six months~~ **value of one thousand dollars or more but less than a value of five thousand dollars shall be imprisoned, with or without hard labor, for not more than five years,** or may be fined not more than ~~one three~~ **thousand dollars, or both.**

**(4) When the misappropriation or taking amounts to less than a value of one thousand dollars, the offender shall be imprisoned for not more than six months, or fined not more than one thousand dollars, or both. If the offender in such cases has been convicted of theft two or more times previously, then upon any subsequent conviction the offender shall be imprisoned for not more than two years, or fined not more than two thousand dollars, or both.**

\* \* \*

§68. Unauthorized use of a movable

\* \* \*

B. Whoever commits the crime of unauthorized use of a movable having a value of ~~five hundred~~ **one thousand** dollars or less shall be fined not more than five hundred dollars, imprisoned for not more than six months, or both. Whoever commits the crime of unauthorized use of a movable having a value in excess of ~~five hundred~~ **one thousand** dollars shall be fined not more than five thousand dollars, imprisoned, with or without hard labor, for not more than ~~five two~~ **years, or both.**

\* \* \*

§68.4. Unauthorized use of a motor vehicle

\* \* \*

B. Whoever commits the crime of unauthorized use of a motor vehicle shall be fined not more than five thousand dollars or imprisoned with or without hard labor for not more than ~~ten two~~ **years or both.**

\* \* \*

§68.7. Receipts and universal product code labels; unlawful acts

\* \* \*

B.(1) Except as provided in Paragraphs (3) and (4) of this Subsection, whoever violates the provisions of this Section shall be subject to the following ~~penalties:~~

(a) When the fair market value of the goods which are the subject of the falsified retail sales receipts or universal product code labels, as described in Subsection A of this Section, ~~equals one thousand five hundred dollars or more,~~ imprisonment, with or without hard labor, for not more than ~~ten years~~ **amounts to a value of twenty-five thousand dollars or more, the offender shall be imprisoned at hard labor for not more than twenty years,** or a fine not to exceed ~~three~~ **twenty-five** thousand dollars, or both.

(b) When the fair market value of the goods which are the subject of the falsified retail sales receipts or universal product code labels, as described in Subsection A of this Section, ~~equals five hundred dollars or more but less than one thousand five hundred dollars,~~ imprisonment, with or without hard labor, for not more than ~~five years~~ **amounts to a value of five thousand dollars or more, but less than a value of twenty-five thousand dollars, shall be imprisoned, with or without hard labor, for not more than ten years,** or a fine of not more than ~~two ten~~ **thousand dollars, or both.**

(c) When the fair market value of the goods which are the subject of the falsified retail sales receipts or universal product code labels, as described in Subsection A of this Section, ~~is less than five hundred dollars,~~ imprisonment for not more than ~~six months~~ **amounts to a value of one thousand dollars or more but less than five thousand dollars, the offender shall be imprisoned, with or without hard labor, for not more than five years,** or a fine not to exceed ~~five hundred~~ **three thousand** dollars, or both. If a person is convicted of violating the provisions of this Section in a manner consistent with this Subparagraph two or more times previously, upon any subsequent conviction, he shall be imprisoned, with or without hard labor, for not more than two years, or may be fined not more than two thousand dollars, or both.

**(d) When the fair market value of the goods which are the subject of the falsified retail sales receipts or universal product code labels, as described in Subsection A of this Section, amounts to a value of less than one thousand dollars, the offender shall be imprisoned for not more than six months, or fined not more than five hundred dollars, or both. If a person is convicted of violating the provisions of this Section in a manner consistent with this Subparagraph two or more times previously, upon any subsequent conviction, he shall be imprisoned, with or without hard labor, for not more than two years, or fined not more than two thousand dollars, or both.**

(2) When there has been a violation of this Section by a number of distinct acts of the offender, the aggregate amount of the goods taken shall determine the grade of the offense.

(3) Possessing more than one fraudulent retail sales receipt or universal product code label in violation of the provisions of this Section shall be punishable by imprisonment, with or without hard labor, for a period not to exceed ten years, or a fine not to exceed three thousand dollars, or both.

**(4) Possessing a device which has as its specific purpose the manufacture of fraudulent retail sales receipts or universal product code labels in violation of the provisions of this Section shall be punishable by imprisonment, with or without hard labor, for a period not to exceed five years, or a fine not to exceed three thousand dollars, or both.**

§69. Illegal possession of stolen things

\* \* \*

B.(1) Whoever commits the crime of illegal possession of stolen things, when the value of the things is ~~one thousand five hundred dollars or more,~~ shall be imprisoned, with or without hard labor, for not more than ~~ten years~~ **twenty-five thousand dollars or more, shall be imprisoned at hard labor for not more than twenty years,** or may be fined not more than ~~three fifty~~ **thousand dollars, or both.**

(2) When the value of the stolen things is ~~five hundred dollars or more, but less than one thousand five hundred dollars~~, the offender shall be imprisoned, with or without hard labor, for not more than ~~five years~~ **five thousand dollars or more, but less than a value of twenty-five thousand dollars, the offender shall be imprisoned, with or without hard labor, for not more than ten years**, or may be fined not more than ~~two ten thousand dollars~~, or both.

(3) **When the value of the stolen things is one thousand dollars or more, but less than a value of five thousand dollars, the offender shall be imprisoned, with or without hard labor, for not more than five years, or may be fined not more than three thousand dollars, or both.**

(4) When the value of the stolen things is less than ~~five hundred one thousand~~ dollars, the offender shall be imprisoned for not more than six months or may be fined not more than one thousand dollars, or both. If the offender in such cases has been convicted of ~~receiving stolen things or illegal possession of stolen things~~ **theft** two or more times previously, upon any subsequent conviction, he shall be imprisoned, with or without hard labor, for not more than two years, or may be fined not more than two thousand dollars, or both.

~~(4)C.~~ When the offender has committed the crime of illegal possession of stolen things by a number of distinct acts, the aggregate of the amount of the things so received shall determine the grade of the offense.

~~E.D.~~ It shall be an affirmative defense to a violation of this Section committed by means of possessing, that the accused, within seventy-two hours of his acquiring knowledge or good reason to believe that a thing was the subject of robbery or theft, reports that fact or belief in writing to the district attorney in the parish of his domicile.

~~D. Repealed by Acts 2001, No. 944, §4.~~

\* \* \*

§70.2. Refund or access device application fraud

C.(1) Whoever commits the crime of refund fraud shall be fined not more than five hundred dollars or imprisoned for not more than six months, or both.

(2) Whoever commits the crime of access device application fraud when the misappropriation or taking amounts to a value of ~~one thousand five hundred dollars or more~~ shall be imprisoned, with or without hard labor, for not more than ~~ten years~~ **twenty-five thousand dollars or more shall be imprisoned at hard labor for not more than twenty years**, or may be fined not more than ~~three fifty thousand~~ dollars, or both.

(3) ~~When~~ **Whoever commits the crime of access device application fraud** when the misappropriation or taking amounts to a value of ~~five hundred thousand~~ dollars or more, but less than a value of ~~one twenty-five thousand five hundred~~ dollars, the offender shall be imprisoned, with or without hard labor, for not more than ~~five ten~~ years, or may be fined not more than ~~two ten~~ thousand dollars, or both.

(4) **Whoever commits the crime of access device application fraud when the misappropriation or taking amounts to a value of one thousand dollars or more but less than a value of five thousand dollars shall be imprisoned, with or without hard labor, for not more than five years, or may be fined not more than three thousand dollars, or both.**

(5) When the misappropriation or taking amounts to less than a value of ~~five hundred one thousand~~ dollars, the offender shall be imprisoned for not more than six months, or may be fined not more than five hundred dollars, or both. If the offender in such cases has been convicted of theft two or more times previously, upon any subsequent conviction he shall be imprisoned, with or without hard labor, for not more than two years, or may be fined not more than ~~one two~~ thousand dollars, or both.

\* \* \*

§70.4. Access device fraud

E.(1) A person who commits the crime of access device fraud when the misappropriation or taking amounts to a value of ~~one twenty-five thousand five hundred~~ dollars or more shall be imprisoned, with or without ~~at~~ hard labor, for not more than ~~ten twenty~~ years, or fined not more than ~~five twenty-five~~ thousand dollars, or both.

(2) When the misappropriation or taking amounts to a value of at least ~~five hundred five thousand~~ dollars or more, but less than a value of ~~one thousand five hundred twenty-five thousand~~ dollars, the offender shall be imprisoned, with or without hard labor, for not more than ~~five ten~~ years, or fined not more than ~~three ten~~ thousand dollars, or both.

(3) **When the misappropriation or taking amounts to a value of one thousand dollars or more, but less than a value of five thousand dollars, the offender shall be imprisoned, with or without hard labor, for not more than five years, or may be fined not more than three thousand dollars, or both.**

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

~~(4)5)~~ Upon a third or subsequent conviction of a violation of the provisions of this Section ~~theft~~, the offender shall be imprisoned, with or without hard labor, for not more than ~~ten two~~ years, or may be fined not more than ~~ten two~~ thousand dollars, or both.

\* \* \*

§71. Issuing worthless checks

C.(1) Whoever commits the crime of issuing worthless checks, when the amount of the check or checks is ~~one thousand five hundred twenty-five thousand~~ dollars or more, shall be imprisoned, with or without ~~at~~ hard labor, for not more than ~~ten twenty~~ years, or may be fined not more than ~~three fifty thousand~~ dollars, or both.

~~D.~~(2) When the amount of the check or checks is ~~five hundred thousand~~ dollars or more, but less than ~~one twenty-five thousand five hundred~~ dollars, the offender shall be imprisoned, with or without hard labor, for not more than ~~five ten~~ years, or may be fined not more than ~~two ten~~ thousand dollars, or both.

(3) **When the amount of the check or checks is more than one thousand dollars, but less than five thousand dollars, the offender shall be imprisoned, with or without hard labor, for not more than five years, or may be fined not more than three thousand dollars, or both.**

~~E.~~(4) When the amount of the check or checks is less than ~~five hundred one thousand~~ dollars, the offender shall be imprisoned for not more than six months, or may be fined not more than five hundred dollars, or both. If the offender in such cases has been convicted of ~~issuing worthless checks~~ **theft** two or more times previously, upon any subsequent conviction he shall be imprisoned, with or without hard labor, for not more than two years, or ~~may~~ be fined not more than ~~one two~~ thousand dollars, or both.

~~F.D.~~ When the offender has issued more than one worthless check within a one hundred eighty-day period, the amount of several or all worthless checks issued during that one hundred eighty-day period may be aggregated to determine the grade of the offense.

~~G.E.~~ In addition to any other fine or penalty imposed under this Section, the court shall order as part of the sentence restitution in the amount of the check or checks, plus a fifteen dollar per check service charge payable to the person or entity that initially honored the worthless check or checks, an authorized collection agency, or justice of the peace. In the event the fifteen dollar per check service charge is paid to a person or entity other than one who initially honored the worthless check or checks, the court shall also order as part of the sentence restitution equal to the amount that the bank or other depository charged the person or entity who initially honored the worthless check, plus the actual cost of notifying the offender of nonpayment as required in Paragraph A(2).

~~H.F.~~ In any prosecution for a violation of this Section, the prosecution may enter as evidence of a violation of this Section any check, draft, or order for the payment of money upon any bank or other depository which the bank or other depository has refused to honor because the person who issued the check, draft, or order did not have sufficient credit with the bank or other depository for the payment of that check, draft, or order in full upon its presentation.

~~I.G.~~ In addition to the provisions of Subsection ~~H F~~, in any prosecution for a violation of this Section, the prosecution may enter as evidence of a violation of this Section any tangible copy, facsimile, or other reproduction of the check, draft, or order, or any electronic reproduction of the check, draft, or order, or any other form of the record of the check, draft, or order, provided that the

tangible copy, facsimile, or other reproduction, or the electronic reproduction, or the other form of the record of the check, draft, or order has been made, recorded, stored, and reproduced in accordance with the requirements of the Louisiana Office of Financial Institutions, or in accordance with the requirements of the federal agency which regulates the bank or other depository, and provided that the appropriate officer of the bank or other depository has certified that the tangible copy, facsimile, or other reproduction, or the electronic copy, or the other form of the record of the check, draft, or order for the payment of money has been made, stored, and reproduced in accordance with the requirements of the Louisiana Office of Financial Institutions, or in accordance with the requirements of the federal agency which regulates the bank or other depository, and is a true and correct record of the transaction involving the check, draft, or order upon which the prosecution is based.

§82. Prostitution; definition; penalties; enhancement

C.(1)

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

(3) On a third and subsequent conviction, the offender shall be imprisoned, with or without hard labor, for not less than two nor more than four years and shall be fined not more than five hundred dollars nor more than four thousand dollars.

§95.1. Possession of firearm or carrying concealed weapon by a person convicted of certain felonies

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

B. Whoever is found guilty of violating the provisions of this Section shall be imprisoned at hard labor for not less than ten five nor more than twenty years without the benefit of probation, parole, or suspension of sentence and be fined not less than one thousand dollars nor more than five thousand dollars. Notwithstanding the provisions of R.S. 14:27, whoever is found guilty of attempting to violate the provisions of this Section shall be imprisoned at hard labor for not more than seven and one-half years and fined not less than five hundred dollars nor more than two thousand five hundred dollars.

§202.1. Residential contractor fraud; penalties

C.(1)

When the misappropriation or intentional taking amounts to a value of less than five hundred one thousand dollars, the offender shall be imprisoned for not more than six months, fined not more than one thousand dollars, or both. If the offender in such cases has been convicted of theft two or more times previously, then upon conviction the offender shall be imprisoned, with or without hard labor, for not more than two years, or fined not more than two thousand dollars.

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

(2) When the misappropriation or intentional taking amounts to a value of five hundred one thousand dollars or more, but less than one five thousand five hundred dollars, the offender shall be imprisoned, with or without hard labor, for not more than five years, or may be fined not more than two three thousand dollars, or both.

(3) When the misappropriation or intentional taking amounts to a value of one five thousand five hundred dollars or more but less than twenty-five thousand dollars, the offender shall be imprisoned, with or without hard labor, for not more than ten years, or may be fined not more than three ten thousand dollars, or both.

(4) When the misappropriation or intentional taking amounts to a value of twenty-five thousand dollars or more, the offender shall be imprisoned at hard labor for not more than twenty years, or may be fined not more than fifty thousand dollars, or both.

(5) In determining the amount of the misappropriation or intentional taking, the court shall include the cost of repairing work fraudulently performed by the contractor and the cost of completing work for which the contractor was paid but did not complete.

\* \* \*

§230. Money laundering; transactions involving proceeds of criminal activity

E.(1)

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

(4) Whoever violates the provisions of this Section, if the value of the funds is one hundred thousand dollars or more, shall be imprisoned at hard labor for not less than five two years nor more than ninety-nine fifty years and may be fined not more than fifty thousand dollars.

\* \* \*

CHAPTER 3. LOUISIANA FELONY CLASS SYSTEM TASK FORCE

§601. Louisiana Felony Class System Task Force

A. The legislature hereby finds that it is in the best interest of the public to have, to the greatest extent possible, a clear, regular, and simple sentencing system, whereby nearly every felony offense falls into a class, with sentencing to be imposed by designated class, to ensure consistency across crimes of similar severity and greater transparency for victims, defendants, and criminal justice practitioners. Such a system will henceforth be referred to as a felony class system.

B. Accordingly, the Legislature of Louisiana hereby authorizes and directs the creation of the Louisiana Felony Class System Task Force to study, evaluate, and develop a recommendation for a felony class system to the legislature before the 2018 Regular Session of the Louisiana Legislature.

C.(1) The membership of the task force shall be as follows:

(a) Three persons designated by the president of Louisiana District Attorneys Association.

(b) Three persons designated by the state public defender.

(c) Three persons designated by the chief justice of the Louisiana Supreme Court.

(2)(a) The names of the persons who are to serve on the task force shall be submitted to the chief justice of the Louisiana Supreme Court on or before July 1, 2017.

(b) The chief justice shall call the first meeting of the task force, which meeting shall be held on or before July 15, 2017.

(c) At the first meeting of the task force, its members shall elect from their membership a chairman and vice chairman and such other officers as the task force may deem advisable. The chief justice, or the chief justice's designee, shall preside over the task force until a chairman is elected.

(d) The task force shall meet a minimum of six times between July 15, 2017, and February 1, 2018, and may hold public hearings as part of its evaluation process. Meetings of the task force shall be held in the state capital.

D. The task force shall prepare and submit a final report of its findings and recommendations, including but not limited to any specific and complete draft legislation, to the governor, the speaker of the House of Representatives, the president of the Senate, the chairman of the House Committee on Administration of Criminal Justice, the chairman of the Senate Committee on Judiciary C, and the chief justice of the Louisiana Supreme Court, no later than February 1, 2018. The report shall be made available to the public and the task force shall be abolished upon submission of the report.

E.(1) The task force may apply for, contract for, receive, and expend for purposes of this Chapter any appropriation or grant from the state, its political subdivisions, the federal government, or any other public or private source.

(2) The books and records of the task force shall be subject to audit by the legislative auditor pursuant to R.S. 24:513.

F. This Chapter shall become null and of no effect on February 2, 2018.

Section 2. R.S. 40:966(B), (C), (D), (E), and (F), 967(B) and (C), 968(B) and (C), 969(B), (C), and (D), 970(B) and (C) are hereby amended and reenacted and R.S. 40:967(D) is hereby enacted to read as follows:

§966. Penalty for distribution or possession with intent to distribute narcotic drugs listed in Schedule I; possession of marijuana, possession of synthetic cannabinoids, possession of heroin

\* \* \*

B. Penalties for violation Violations of Subsection A of this Section. Any person who violates Subsection A of this Section with respect to:

(1) Except as otherwise provided in Paragraph (4) Paragraphs (2) and (3) of this Subsection, for a substance classified in Schedule I that is a narcotic drug (all substances in Schedule I preceded by an



asterisk "\*" ), upon conviction shall be sentenced to imprisonment at hard labor for not less than ten nor more than fifty years, at least ten years of which shall be served without benefit of probation or suspension of sentence, and may, in addition, be required to pay a fine of not more than fifty thousand dollars: for an amount of:

**(a) An aggregate weight of less than twenty-eight grams, shall be imprisoned, with or without hard labor, for not less than one year nor more than ten years.**

**(b) An aggregate weight of twenty-eight grams or more, shall be imprisoned at hard labor for not less than one year nor more than twenty years.**

(2) Except as otherwise provided in Paragraph (3) of this Subsection, any other controlled dangerous substance classified in Schedule I, shall upon conviction be sentenced to a term of imprisonment at hard labor for not less than five years nor more than thirty years, at least five years of which shall be served without benefit of parole, probation, or suspension of sentence, and pay a fine of not more than fifty thousand dollars:

(3) A substance classified in Schedule I which is marijuana, tetrahydrocannabinols, or chemical derivatives of tetrahydrocannabinols, or synthetic cannabinoids shall upon conviction be sentenced to a term of imprisonment at hard labor for not less than five nor more than thirty years, and pay a fine of not more than fifty thousand dollars: for an amount of:

**(a) An aggregate weight of less than two and one half pounds, shall be imprisoned, with or without hard labor, for not less than one year nor more than ten years, and pay a fine of not more than fifty thousand dollars.**

**(b) An aggregate weight of two and one half pounds or more, shall be imprisoned at hard labor for not less than one year nor more than twenty years and pay a fine of not more than fifty thousand dollars.**

(4)(a)(3) A substance classified in Schedule I that is the narcotic drug heroin or a mixture or substance containing a detectable amount of heroin or of its analogues upon conviction of a first offense shall be sentenced to a term of imprisonment at hard labor for not less than ten nor more than fifty years, at least ten years of which shall be served without benefit of probation or suspension of sentence, and may, in addition, be required to pay a fine of not more than fifty thousand dollars: for an amount of:

**(a) An aggregate weight of less than twenty-eight grams, shall be imprisoned at hard labor for not less than one year nor more than twenty years and may, in addition, be required to pay a fine of not more than fifty thousand dollars.**

**(b) An aggregate weight of twenty-eight grams or more, shall be imprisoned at hard labor for not less than two years nor more than forty years and may, in addition, be required to pay a fine of not more than fifty thousand dollars.**

(b) A substance classified in Schedule I that is the narcotic drug heroin or a mixture or substance containing a detectable amount of heroin or of its analogues upon conviction of a second or subsequent offense shall be sentenced to a term of imprisonment at hard labor for not less than ten nor more than ninety-nine years, at least ten years of which shall be served without benefit of probation or suspension of sentence, and may, in addition, be required to pay a fine of not more than fifty thousand dollars:

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

(1) A substance classified in Schedule I which is a narcotic drug (all substances in Schedule I preceded by an asterisk), shall be imprisoned at hard labor for not less than four years nor more than ten years and may, in addition, be required to pay a fine of not more than five thousand dollars: **Except as otherwise provided in Paragraphs (2), (3), (4), and (5) of this Subsection, a substance classified in Schedule I for an amount of:**

**(a) An aggregate weight of less than two grams, shall be imprisoned, with or without hard labor, for not more than two years and may, in addition, be required to pay a fine of not more than five thousand dollars.**

**(b) An aggregate weight of two grams or more but less than twenty-eight grams, shall be imprisoned, with or without hard labor, for not less than one year nor more than ten years and may, in addition, be required to pay a fine of not more than five thousand dollars.**

(2) Phencyclidine, shall be sentenced to imprisonment with or without hard labor for not less than five nor more than twenty years and may be sentenced for an amount of an aggregate weight of less than twenty-eight grams, shall be imprisoned at hard labor for not less than one year nor more than twenty years, or required to pay a fine of not more than five thousand dollars, or both.

(3) Any other controlled dangerous substance classified in Schedule I, shall be imprisoned at hard labor for not more than ten years, and may in addition, be required to pay a fine of not more than five thousand dollars:

D. Other penalties for possession. (1) Except as otherwise authorized in this Part:

(a) Any person who knowingly or intentionally possesses twenty-eight grams or more, but less than two hundred grams, of a narcotic drug (all substances in Schedule I preceded by an asterisk "\*" ), shall be sentenced to serve a term of imprisonment at hard labor of not less than five years, nor more than thirty years, and to pay a fine of not less than fifty thousand dollars, nor more than one hundred fifty thousand dollars:

(b) Any person who knowingly or intentionally possesses two hundred grams or more, but less than four hundred grams, of a narcotic drug (all substances in Schedule I preceded by an asterisk "\*" ), shall be sentenced to serve a term of imprisonment at hard labor of not less than ten years, nor more than thirty years, and to pay a fine of not less than one hundred thousand dollars, nor more than three hundred fifty thousand dollars:

(c) Any person who knowingly or intentionally possesses four hundred grams or more of a narcotic drug (all substances in Schedule I preceded by an asterisk "\*" ), shall be sentenced to serve a term of imprisonment at hard labor of not less than fifteen years, nor more than thirty years, and to pay a fine of not less than two hundred fifty thousand dollars, nor more than six hundred thousand dollars:

E. (1) Possession of marijuana:

(a) Except as provided in Subsection F of this Section, on a conviction for violation of Subsection C of this Section with regard to marijuana, tetrahydrocannabinol, or chemical derivatives thereof, the offender shall be punished as follows:

**(3) A substance classified in Schedule I that is marijuana, tetrahydrocannabinol, or chemical derivatives thereof, the offender shall be punished as follows:**

(i)(a) On a first conviction, wherein the offender possesses fourteen grams or less, the offender shall be fined not more than three hundred dollars, imprisoned in the parish jail for not more than fifteen days, or both.

(ii)(b) On a first conviction, wherein the offender possesses more than fourteen grams, the offender shall be fined not more than five hundred dollars, imprisoned in the parish jail for not more than six months, or both.

(iii)(c) Any person who has been convicted of a violation of the provisions of Item (i) or (ii) of this Subparagraph (a) or (b) of this Paragraph and who has not been convicted of any other violation of a statute or ordinance prohibiting the possession of marijuana for a period of two years from the date of completion of sentence, probation, parole, or suspension of sentence shall not be eligible to have the conviction used as a predicate conviction for enhancement purposes. The provisions of this Subparagraph Paragraph shall occur only once with respect to any person.

(b) Except as provided in Subsection F of this Section, on a second conviction for violation of Subsection C of this Section with regard to marijuana, tetrahydrocannabinol or chemical derivatives thereof, the offender shall be fined not more than one thousand dollars, imprisoned in the parish jail for not more than six months, or both:

**(d) On a second conviction the offender shall be fined not more than one thousand dollars, imprisoned in the parish jail for not more than six months, or both.**

(c)(i) Except as provided in Subsection F of this Section, on a third conviction for violation of Subsection C of this Section with regard to marijuana, tetrahydrocannabinol or chemical derivatives

thereof, the offender shall be sentenced to imprisonment with or without hard labor for not more than two years, shall be fined not more than two thousand five hundred dollars, or both.

**(e)(i) On a third conviction the offender shall be sentenced to imprisonment, with or without hard labor, for not more than two years, shall be fined not more than two thousand five hundred dollars.**

(ii) If the court places the offender on probation, the probation shall provide for a minimum condition that he participate in a court-approved substance abuse program and perform four eight-hour days of court-approved community service activities. Any costs associated with probation shall be paid by the offender.

**(d)(i) Except as provided in Subsection F of this Section, on a fourth or subsequent conviction for violation of Subsection C of this Section with regard to marijuana, tetrahydrocannabinol or chemical derivatives thereof, the offender shall be sentenced to imprisonment with or without hard labor for not more than eight years, shall be fined not more than five thousand dollars, or both.**

**(f)(i) On a fourth or subsequent conviction the offender shall be sentenced to imprisonment with or without hard labor for not more than eight years, shall be fined not more than five thousand dollars, or both.**

(ii) If the court places the offender on probation, the probation shall provide for a minimum condition that he participate in a court-approved substance abuse program and perform four eight-hour days of court-approved community service activities. Any costs associated with probation shall be paid by the offender.

**(e)(g) Except as provided in Item (a)(iii) Subparagraph (c) of this Paragraph, a conviction for the violation of any other statute or ordinance with the same elements as Subsection C of this Section prohibiting the possession of marijuana, tetrahydrocannabinol or chemical derivatives thereof, shall be considered as a prior conviction for the purposes of this Subsection relating to penalties for second, third, or subsequent offenders.**

**(f)(h) Except as provided in Item (a)(iii) Subparagraph (c) of this Paragraph, a conviction for the violation of any other statute or ordinance with the same elements as Paragraph (B)(3) of this Section prohibiting the distributing or dispensing or possession with intent to distribute or dispense marijuana, tetrahydrocannabinol or chemical derivatives thereof, or synthetic cannabinoids shall be considered as a prior conviction for the purposes of this Subsection relating to penalties for second, third, or subsequent offenders.**

(2) Possession of synthetic cannabinoids. (a) Except as provided in Subsections F and G of this Section, on a first conviction for violation of Subsection C of this Section with regard to synthetic cannabinoids, the offender shall be fined not more than five hundred dollars, imprisoned for not more than six months, or both.

(b) Except as provided in Subsections F and G of this Section, on a second conviction for violation of Subsection C of this Section with regard to synthetic cannabinoids, the offender shall be fined not less than two hundred fifty dollars nor more than two thousand dollars, imprisoned with or without hard labor for not more than five years, or both.

(c) Except as provided in Subsections F and G of this Section, on a third or subsequent conviction for violation of Subsection C of this Section with regard to synthetic cannabinoids, the offender shall be sentenced to imprisonment with or without hard labor for not more than twenty years, and may, in addition, be fined not more than five thousand dollars.

(d) A conviction for the violation of any other provision of law or ordinance with the same elements as Subsection C of this Section prohibiting the possession of synthetic cannabinoids shall be considered a prior conviction for the purposes of this Paragraph relating to penalties for second, third, or subsequent offenses.

**(4) A substance classified in Schedule I which is a synthetic cannabinoid, the offender shall be punished as follows:**

**(a) On a first conviction, the offender shall be fined not more than five hundred dollars, imprisoned for not more than six months, or both.**

**(b) On a second conviction, the offender shall be fined not less than two hundred fifty dollars nor more than two thousand dollars, imprisoned with or without hard labor for not more than five years, or both.**

**(c) On a third or subsequent conviction, the offender shall be sentenced to imprisonment at hard labor for not more than twenty years, and may, in addition, be fined not more than five thousand dollars.**

**(d) A conviction for the violation of any other provision of law or ordinance with the same elements as this Subsection prohibiting the possession of synthetic cannabinoids shall be considered a prior conviction for the purposes of this Paragraph relating to penalties for second, third, or subsequent offenses.**

(e) A conviction for the violation of any other provision of law or ordinance with the same elements as Paragraph (B)(3) of this Section prohibiting the distributing or dispensing or possession with intent to distribute or dispense synthetic cannabinoids shall be considered a prior conviction for the purposes of this Paragraph relating to penalties for second, third, or subsequent offenses.

(f) If the court places the offender on probation, the probation shall provide for a minimum condition that he participate in a court-approved substance abuse program and perform four eight-hour days of court-approved community service activities. Any costs associated with probation shall be paid by the offender.

**(5) A substance classified in Schedule I that is the narcotic drug heroin or a mixture or substance containing a detectable amount of heroin or of its analogues, or fentanyl or a mixture or substance containing a detectable amount of fentanyl or its analogues, upon conviction for an amount:**

**(a) An aggregate weight of less than two grams, shall be sentenced to a term of imprisonment, with or without hard labor, for not less than two years nor more than four years and may, in addition, be required to pay a fine of not more than five thousand dollars. If the sentence is suspended pursuant to Code of Criminal Procedure Article 893.1, then the court shall order treatment as a condition of probation.**

**(b) An aggregate weight of two grams or more but less than twenty-eight grams, shall be sentenced to a term of imprisonment, with or without hard labor, for not less than one year nor more than ten years and may, in addition be required to pay a fine of not more than five thousand dollars.**

F. Except as otherwise authorized in this Part:

(1) Any person who knowingly or intentionally possesses two and one-half pounds or more, but less than sixty pounds of marijuana, tetrahydrocannabinol or chemical derivatives thereof, or synthetic cannabinoids shall be sentenced to serve a term of imprisonment with or without hard labor of not less than two years, nor more than ten years, and to pay a fine of not less than ten thousand dollars nor more than thirty thousand dollars.

(2) Any person who knowingly or intentionally possesses sixty pounds or more, but less than two thousand pounds of marijuana, tetrahydrocannabinol or chemical derivatives thereof, or synthetic cannabinoids shall be sentenced to serve a term of imprisonment at hard labor of not less than five years, nor more than thirty years, and to pay a fine of not less than fifty thousand dollars nor more than one hundred thousand dollars.

(3) Any person who knowingly or intentionally possesses two thousand pounds or more, but less than ten thousand pounds of marijuana, tetrahydrocannabinol or chemical derivatives thereof, or synthetic cannabinoids shall be sentenced to serve a term of imprisonment at hard labor of not less than ten years nor more than forty years, and to pay a fine of not less than one hundred thousand dollars nor more than four hundred thousand dollars.

(4) Any person who knowingly or intentionally possesses ten thousand pounds or more of marijuana, tetrahydrocannabinol or chemical derivatives thereof, or synthetic cannabinoids shall be sentenced to serve a term of imprisonment at hard labor of not less than twenty-five years, nor more than forty years and to pay a fine of not less than four hundred thousand dollars nor more than one million dollars.

G. With respect to any person to whom the provisions of Subsections D and F of this Section are applicable, the adjudication of guilt or imposition of sentence shall not be suspended, deferred, or withheld, nor shall such person be eligible for probation or parole prior to serving the minimum sentences provided by Subsection D or F of this Section:

**D. If a person knowingly or intentionally possesses a controlled substance as classified in Schedule II, unless such**

substance was obtained directly or pursuant to a valid prescription or order from a practitioner, as provided in R.S. 40:978, while acting in the course of his professional practice, where the amount of the controlled substance is an aggregate weight of twenty-eight grams or more, it shall be considered a violation of Subsection A of this Section:

(1) For marijuana, tetrahydrocannabinol, synthetic cannabinoids, or chemical derivatives thereof, more than two and one half pounds.

(2) For any Schedule I controlled substance, more than twenty-eight grams.

H.E. Notwithstanding any other provision of law to the contrary, unless eligible for parole at an earlier date, a person committed to the Department of Public Safety and Corrections serving a life sentence for the production, manufacturing, distribution, or dispensing or possessing with intent to produce, manufacture, or distribute heroin shall be eligible for parole consideration upon serving at least fifteen years of imprisonment in actual custody.

I.F. Immunity from prosecution. Any person who is a patient of the state-sponsored medical marijuana program in Louisiana, and who possesses medical marijuana in a form permissible under R.S. 40:1046 for a condition enumerated therein, a caregiver as defined in R.S. 15:1503, or any person who is a domiciliary parent of a minor child who possesses medical marijuana on behalf of his minor child in a form permissible under R.S. 40:1046 for a condition enumerated therein pursuant to a legitimate medical marijuana prescription or recommendation, shall not be subject to prosecution for possession or distribution of marijuana under this Section for possessing medical marijuana or dispensing medical marijuana to his minor child who is a patient of the state-sponsored medical marijuana program. This defense must be raised in accordance with R.S. 40:991, and the defendant bears the burden of proof of establishing that the possession or distribution of the marijuana was in accordance with the state-sponsored medical marijuana program. §967. Prohibited acts-Schedule II, penalties

B. Penalties for violation Violations of Subsection A. Except as provided in Subsection F, any Any person who violates Subsection A of this Section with respect to:

(1) Except as otherwise provided in Paragraphs (2) and (3) of this Subsection, a substance classified in Schedule II which is an amphetamine or methamphetamine or which is a narcotic drug, except cocaine or cocaine base or a mixture or substance containing cocaine or its analogues as provided in Schedule H(A)(4) of R.S. 40:964 and except oxycodone as provided in Schedule H(A)(1)(o) of R.S. 40:964 and except methadone as provided in Schedule H(B)(11) of R.S. 40:964 shall be sentenced to a term of imprisonment at hard labor for not less than two years nor more than thirty years; and may, in addition, be sentenced to pay a fine of not more than fifty thousand dollars: for an amount of a controlled substance of:

(a) An aggregate weight of less than twenty-eight grams, shall be imprisoned, with or without hard labor, for not less than one year nor more than ten years and may, in addition, be fined not more than fifty thousand dollars.

(b) An aggregate weight of twenty-eight grams or more, shall be imprisoned at hard labor for not less than one year nor more than twenty years and may, in addition, be fined not more than fifty thousand dollars.

(2) Pentazocine, shall be sentenced to imprisonment at hard labor for not less than two years nor more than ten years, at least two years of which shall be served without benefit of parole, probation, or suspension of sentence, and, in addition, may be sentenced to pay a fine of not more than fifteen thousand dollars.

(3)(a) Production or manufacturing of amphetamine or methamphetamine shall be sentenced to imprisonment at hard labor for not less than ten years nor more than thirty years, at least ten years of which shall be served without benefit of parole, probation, or suspension of sentence, and in addition may be sentenced to pay a fine of not more than five hundred thousand dollars.

(b) This Subparagraph shall be cited as the "Child Endangerment Law." When the state proves in addition to the elements of the crime as set forth in Subsection A of this Section that a minor child twelve years of age or younger is present in the home, mobile home or other inhabited dwelling at the time of the commission of the offense, the

minimum mandatory sentence shall be fifteen years without benefit of parole, probation, or suspension of sentence.

(4)(3)(a) Production or manufacturing of cocaine or cocaine base or a mixture or substance containing cocaine or its analogues as provided in Schedule II(A)(4) of R.S. 40:964 or oxycodone as provided in Schedule II(A)(1)(o) of R.S. 40:964 or methadone as provided in Schedule II(B)(11) of R.S. 40:964 shall be sentenced to imprisonment at hard labor for not less than ten nor more than thirty years, at least ten years of which shall be served without benefit of parole, probation, or suspension of sentence, and may be fined not more than five hundred thousand dollars.

(5) Any other controlled dangerous substance classified in Schedule II except pentazocine, amphetamine, methamphetamine, cocaine, or oxycodone, or methadone shall be sentenced to a term of imprisonment at hard labor for not more than ten years, and in addition may be sentenced to pay a fine of not more than fifteen thousand dollars.

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

(1) Any person who violates this Subsection with respect to pentazocine shall be imprisoned with or without hard labor for not less than two years and for not more than five years and, in addition, may be sentenced to pay a fine of not more than five thousand dollars.

An aggregate weight of less than two grams, shall be imprisoned, with or without hard labor, for not more than two years and, in addition, may be sentenced to pay a fine of not more than five thousand dollars.

(2) Any person who violates this Subsection as to any other controlled dangerous substance shall be imprisoned with or without hard labor for not more than five years and, in addition, may be sentenced to pay a fine of not more than five thousand dollars.

An aggregate weight of two grams or more but less than twenty-eight grams shall be imprisoned, with or without hard labor, for not less than one year nor more than five years and, in addition, may be sentenced to pay a fine of not more than five thousand dollars.

D. If a person knowingly or intentionally possesses a controlled substance as classified in Schedule II, unless such substance was obtained directly or pursuant to a valid prescription or order from a practitioner, as provided in R.S. 40:978 while acting in the course of his professional practice, where the amount of the controlled substance is an aggregate weight of twenty-eight grams or more, it shall be considered a violation of Subsection A of this Section.

D, E. Repealed by Acts 1981, No. 800, §4, cff. Aug. 2, 1981.

§968. Prohibited acts-Schedule III; penalties

B. Penalties for violation Violations of Subsection A. Any person who violates Subsection A of this Section with respect to any controlled dangerous substance classified in Schedule III shall be sentenced to a term of imprisonment, at with or without hard labor, for not more than ten years; and, in addition, may be sentenced to pay a fine of not more than fifteen thousand dollars.

§969. Prohibited acts-Schedule IV; penalties

B. Penalties for violation Violations of Subsection A. Any person who violates Subsection A of this Section with respect to:

(1) Flunitrazepam shall be sentenced to a term of imprisonment at hard labor for not less than five years one year nor more than thirty twenty years and pay a fine of not more than fifty thousand dollars.

(2) Any other controlled dangerous substance classified in Schedule IV, except flunitrazepam, shall be sentenced to a term of imprisonment, at with or without hard labor, for not less than one

year nor more than ten years; and, in addition, may be sentenced to pay a fine of not more than fifteen thousand dollars.

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

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

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

\* \* \*

§970. Prohibited acts-Schedule V; penalties

\* \* \*

B. Penalties for violation ~~Violations~~ of Subsection A. Any person who violates Subsection A of this Section with respect to any controlled dangerous substance classified in Schedule V shall be sentenced to a term of imprisonment, at with or without hard labor, for not less than one year nor more than five years; and, in addition, may be sentenced to pay a fine of not more than five thousand dollars.

C. Possession. It is unlawful for any person unknowingly or intentionally to possess a controlled dangerous substance classified in Schedule V unless such substance was obtained directly or pursuant to a valid prescription or order from a practitioner, or as provided in R.S. 40:978, while acting in the course of his professional practice or except as otherwise authorized by this Part. Any person who violates this section Subsection shall be imprisoned with or without hard labor for not less than one year nor more than five years; and, in addition, may be required to pay a fine of not more than five thousand dollars."

AMENDMENT NO. 7

On page 71, at the beginning of line 14 after "Section 3." delete the remainder of the line and delete lines 15 through 17, and insert the following: "R.S. 14:2(B)(8), (14), (25), and (29), 56.1, 56.2, 56.3, 67.1, 67.2, 67.6, 67.7, 67.8, 67.9, 67.10, 67.18, 67.20, 67.21, 67.24, 67.25(E), 67.28, 67.30, and 68.5, 94(E) and (F), 71(H) and (I), 95(J) and (K) and 211 and R.S. 40:966(H) and (I) and 967(F) and (G) are hereby repealed in their entirety."

On motion of Senator Claitor, the committee amendment was adopted. The amended bill was read by title, ordered engrossed and passed to a third reading.

SENATE BILL NO. 221— BY SENATOR ALARIO

AN ACT

To amend and reenact the introductory paragraph of R.S. 15:529.1(A) and 529.1(C), relative to the Habitual Offender Law; to provide relative to the period of time for which certain prior offenses are used for habitual offender penalty enhancements in the context of a felony class system; to provide for definitions; and to provide for related matters.

Reported with amendments by the Committee on Judiciary C.

SENATE COMMITTEE AMENDMENTS

Amendments proposed by Senate Committee on Judiciary C to Original Senate Bill No. 221 by Senator Alario

AMENDMENT NO. 1

On page 1, line 2, after "To amend and reenact" delete the remainder of the line and insert "R.S. 15:529.1(A)(1), (3)(a), and (4) and (C) and to enact R.S. 15:529.1(I) and (J), relative"

AMENDMENT NO. 2

On page 1, line 3, after "Habitual Offender Law;" delete the remainder of the line and delete lines 4 and 5 and insert "to decrease the cleansing period for offenses that are not crimes of violence or sex offenses; to provide for the reduction by the court of a sentence under the Habitual Offender Law under certain circumstances; and to provide for related"

AMENDMENT NO. 3

On page 1, line 8, after "Section 1." delete the remainder of the line and insert "R.S. 15:529.1(A)(1), (3)(a), and (4) and (C) are hereby"

AMENDMENT NO. 4

On page 1, line 9, after "reenacted" insert "and R.S. 15:529.1(I) and (J) are hereby enacted"

AMENDMENT NO. 5

On page 1, delete lines 12 through 17 and insert the following:

"A. Any person who, after having been convicted within this state of a felony, or who, after having been convicted under the laws of any other state or of the United States, or any foreign government of a crime which, if committed in this state would be a felony, thereafter commits any subsequent felony within this state, upon conviction of said felony, shall be punished as follows:

(1) If the second felony is such that upon a first conviction the offender would be punishable by imprisonment for any term less than his natural life, then the sentence to imprisonment shall be for a determinate term not less than one-half one-third the longest term and not more than twice the longest term prescribed for a first conviction.

\* \* \*

(3) If the third felony is such that upon a first conviction, the offender would be punishable by imprisonment for any term less than his natural life then:

(a) The person shall be sentenced to imprisonment for a determinate term not less than two-thirds one half of the longest possible sentence for the conviction and not more than twice the longest possible sentence prescribed for a first conviction; or

\* \* \*

(4) If the fourth or subsequent felony is such that, upon a first conviction the offender would be punishable by imprisonment for any term less than his natural life then:

(a) The person shall be sentenced to imprisonment for the fourth or subsequent felony for a determinate term not less than the longest prescribed for a first conviction but in no event less than twenty years and not more than his natural life; or

(b) If the fourth felony and no prior felony is defined as a crime of violence under R.S. 14:2(B) or as a sex offense under R.S. 15:541, the person shall be imprisoned for not less than twenty years nor more than twice the longest possible sentence prescribed for a first conviction is less than twenty years, the person shall be imprisoned for twenty years; or

(c) If the fourth felony and two of the prior felonies are felonies defined as a crime of violence under R.S. 14:2(B), a sex offense as defined in R.S. 15:540 et seq. when the victim is under the age of eighteen at the time of commission of the offense, or as a violation of the Uniform Controlled Dangerous Substances Law punishable by imprisonment for ten years or more, or of any other crime punishable by imprisonment for twelve years or more, or any combination of such crimes; the person shall be imprisoned for the remainder of his natural life, without benefit of parole, probation, or suspension of sentence."

AMENDMENT NO. 6

On page 2, delete lines 2 through 22 and insert the following:

"C.(1) Except as provided in Paragraph (2) of this Subsection, the current offense shall not be counted as, respectively, a second, third, fourth, or higher offense if more than ten five years have elapsed between the date of the commission of the current offense or offenses and the expiration of the maximum sentence or sentences of correctional supervision, or term of incarceration if no supervision, for the previous conviction or convictions, or between the expiration of the maximum sentence or

sentences of correctional supervision, or term of incarceration if no supervision, for each preceding conviction or convictions alleged in the multiple offender bill and the date of the commission of the following offense or offenses. In computing the intervals of time as provided herein, any period of parole, probation, or incarceration by a person in a penal institution, within or without the state, shall not be included in the computation of any of said ~~ten-year~~ **five-year** periods between the expiration of the ~~maximum sentence or sentences~~ **correctional supervision, or term of incarceration if no supervision, and the next succeeding offense or offenses.**

(2) **The current offense shall not be counted as, respectively, a second, third, fourth, or higher offense if more than ten years have elapsed between the date of the commission of the current offense or offenses and the expiration of correctional supervision, or term of incarceration if no supervision, for a crime of violence as defined in R.S. 14:2(B) or a sex offense as defined in R.S. 15:541, or between the expiration of correctional supervision, or term of incarceration if no supervision, for each preceding conviction or convictions alleged in the multiple offender bill for a crime of violence as defined in R.S. 14:2(B) or a sex offense as defined in R.S. 15:541 and the date of the commission of the following offense or offenses. In computing the intervals of time as provided herein, any period of parole, probation, or incarceration by a person in a penal institution, within or without the state, shall not be included in the computation of any of said ten-year periods between the expiration of correctional supervision, or term of incarceration if no supervision, for a crime of violence as defined in R.S. 14:2(B) or a sex offense as defined in R.S. 15:541 and the next succeeding offense or offenses.**

I. **If the court finds that a sentence imposed under the provisions of this Section would be constitutionally excessive pursuant to the criteria set forth in *State v. Dorthey*, 623 So.2d 1276 (La., 1993), then the court shall state for the record the reasons for such finding and shall impose the most severe sentence that is not constitutionally excessive.**

J. **For purposes of this Section, "correctional supervision" means any period of parole, probation, or incarceration of a person in a penal institution, either within the state of Louisiana or outside of the state.**

Section 2. This Act shall become effective November 1, 2017, and shall have prospective application only to offenders whose convictions became final on or after November 1, 2017."

On motion of Senator Claitor, the committee amendment was adopted. The amended bill was read by title, ordered engrossed and passed to a third reading.

**SENATE BILL NO. 236—**  
BY SENATOR LAFLEUR

AN ACT

To amend and reenact R.S. 9:5217, R.S. 13:844, R.S. 44:40(A), (B), (C), and (E), 116(A) and (B), and 161, Civil Code Art. 3352(C), and Code of Civil Procedure Art. 258(A), and to enact Code of Civil Procedure Art. 258(D), relative to clerks of court; to provide for fees for services rendered; to provide standards for documents to be recorded; to provide alternate means to maintain copies of recorded documents; to provide indexing standards; to require plans for recording electronic documents; and to provide for related matters.

Reported with amendments by the Committee on Judiciary A.

**SENATE COMMITTEE AMENDMENTS**

Amendments proposed by Senate Committee on Judiciary A to Original Senate Bill No. 236 by Senator LaFleur

AMENDMENT NO. 1

On page 1, line 4, after "Civil Procedure" delete the remainder of the line and insert "Arts. 258(D) and 259, relative to clerks of court; to"

AMENDMENT NO. 2

On page 1, line 7, after "documents;" delete the remainder of the line and insert "to provide relative to redaction and contents of certain personal information in filings and recordings; and"

AMENDMENT NO. 3

On page 2, line 15, change "may" to "**may shall**"

AMENDMENT NO. 4

On page 2, line 22, change "**twenty**" to "**twenty-five**"

AMENDMENT NO. 5

On page 2, line 23, change "**twenty-one**" to "**twenty-six**"

AMENDMENT NO. 6

On page 8, delete line 7 and insert "and Code of Civil Procedure Articles 258(D) and 259 are hereby enacted to read as follows:"

AMENDMENT NO. 7

On page 9, after line 3 insert

"Art. 259. **Redaction of certain personal information in filings and recordings**

A. **Except as otherwise required by law or court order, a pleading, motion, or other document filed or recorded with the clerk of court that includes a social security number, taxpayer-identification number, financial account number, birth date, or the name of a person known to be a minor, shall specify only:**

- (1) **the last four digits of the social security number, taxpayer identification number, or financial account number.**
- (2) **the year of the person's birth.**
- (3) **the initials of the minor.**

B. **The failure to comply with the provisions of this Article shall not affect the validity of what is filed or recorded, or provide a basis for the clerk of court to refuse to accept it.**

C. **The clerk of court shall not be liable for loss or damages resulting from the filing or recording of a pleading, motion or other document that fails to comply with the provisions of this Article.**

On motion of Senator Ward, the committee amendment was adopted. The amended bill was read by title, ordered engrossed and passed to a third reading.

**Rules Suspended**

Senator Hewitt asked for and obtained a suspension of the rules to advance to Senate Concurrent Resolutions Returned from the House of Representatives with Amendments.

**Senate Concurrent Resolutions Returned from the House of Representatives with Amendments**

**SENATE CONCURRENT RESOLUTION NO. 62—**  
BY SENATOR MARTINY

A CONCURRENT RESOLUTION

To recognize May 2017 as Building Safety Month.

The concurrent resolution was read by title. Returned from the House of Representatives with amendments:

**HOUSE FLOOR AMENDMENTS**

Amendments proposed by Representative Thomas to Original Senate Concurrent Resolution No. 62 by Senator Martiny

AMENDMENT NO. 1

On page 2, line 22, at the beginning of the line delete "Katherine Mosely Smith" and insert in lieu thereof "Rick Foster"

Senator Martiny moved to concur in the amendments proposed by the House.

May 3, 2017

ROLL CALL

The roll was called with the following result:

YEAS

Mr. President Fannin Peacock
Allain Gatti Perry
Appel Hewitt Peterson
Barrow Johns Riser
Bishop LaFleur Smith, G.
Boudreaux Lambert Smith, J.
Carter Luneau Thompson
Chabert Martiny Walsworth
Claitor Milkovich Ward
Cortez Mills White
Donahue Mizell
Erdey Morrell
Total - 34

NAYS

Total - 0

ABSENT

Colomb Morrell
Long Tarver
Total - 4

The Chair declared the Senate concurred in the amendments proposed by the House.

Senate Concurrent Resolutions on Second Reading Reported by Committees

SENATE CONCURRENT RESOLUTION NO. 31— BY SENATOR WHITE A CONCURRENT RESOLUTION

To continue and provide for the Louisiana Law Enforcement Body Camera Implementation Task Force to study and make recommendations regarding the requirements for implementation and development of best procedures for the use of body cameras and policies for access to and use of body camera recordings by law enforcement agencies in this state, and to provide for a written report of its recommendations and findings not later than sixty days prior to the 2018 Regular Session of the Louisiana Legislature.

Reported favorably by the Committee on Judiciary C.

The resolution was read by title. Senator White moved to adopt the Senate Concurrent Resolution.

ROLL CALL

The roll was called with the following result:

YEAS

Mr. President Fannin Morrish
Allain Gatti Peacock
Appel Hewitt Perry
Barrow Johns Riser
Bishop LaFleur Smith, G.
Boudreaux Lambert Smith, J.
Carter Luneau Thompson
Chabert Martiny Walsworth
Claitor Milkovich Ward
Cortez Mills White
Donahue Mizell
Erdey Morrell
Total - 34

NAYS

Total - 0

ABSENT

Colomb Peterson
Long Tarver
Total - 4

The Chair declared the Senate had adopted the Senate Concurrent Resolution and ordered it sent to the House.

Rules Suspended

Senator Hewitt asked for and obtained a suspension of the rules to revert to the Morning Hour.

Introduction of Senate Resolutions

SENATE RESOLUTION NO. 75— BY SENATOR MARTINY

A RESOLUTION

To express the sincere condolences of the Senate of the Legislature of Louisiana upon the death of G. Frank Purvis.

The resolution was read by title and placed on the Calendar for a second reading.

Reports of Committees

The following reports of committees were received and read:

REPORT OF COMMITTEE ON EDUCATION

Senator Dan W. "Blade" Morrish, Chairman on behalf of the Committee on Education, submitted the following report:

May 3, 2017

To the President and Members of the Senate:

I am directed by your Committee on Education to submit the following report:

SENATE BILL NO. 133— BY SENATOR MORRELL

AN ACT

To amend and reenact R.S. 17:170(E), relative to immunization of persons entering school for the first time; to provide for parental notification if there are students enrolled in a prekindergarten program or licensed day care center who opted not to provide evidence of required immunizations; to provide for confidentiality; and to provide for related matters.

Reported by substitute.

SENATE BILL NO. 215— BY SENATORS TARVER AND LAFLEUR

AN ACT

To enact R.S. 17:3991(C)(1)(c)(v), relative to the admission of children of teachers recruited from other nations to teach at a language immersion charter school; and to provide for related matters.

Reported favorably.

SENATE BILL NO. 233— BY SENATOR LAFLEUR

AN ACT

To enact R.S. 17:10.1(G), relative to the school and district accountability system; to require the State Board of Elementary and Secondary Education to adopt a policy to award additional

points to the school performance score of a school that offers a certified foreign language immersion program; and to provide for related matters.

Reported favorably.

Respectfully submitted,  
 DAN W. "BLADE" MORRISH  
 Chairman

**REPORT OF COMMITTEE ON**

**LABOR AND INDUSTRIAL RELATIONS**

Senator Neil Riser, Chairman on behalf of the Committee on Labor and Industrial Relations, submitted the following report:

May 3, 2017

To the President and Members of the Senate:

I am directed by your Committee on Labor and Industrial Relations to submit the following report:

**SENATE BILL NO. 2—**  
 BY SENATORS MORRELL AND PETERSON  
 AN ACT

To amend and reenact Chapter 6-A of Title 23 of the Louisiana Revised Statutes of 1950, to be comprised of R.S. 23:661 through 669, relative to equal pay; to provide with respect to public policy; to provide for definitions; to further prohibit pay discrimination; to provide for a complaint procedure, penalties, attorney fees, and damages; and to provide for related matters.

Reported favorably.

**SENATE BILL NO. 63—**  
 BY SENATOR GATTI  
 AN ACT

To amend and reenact R.S. 33:2011(B), relative to occupational diseases; to provide with respect to the firefighters; to provide for the classification of certain types of cancer as occupational diseases or infirmities connected with the duties of a firefighter; and to provide for related matters.

Reported with amendments.

Respectfully submitted,  
 NEIL RISER  
 Chairman

**Privileged Report of the Committee on  
 Senate and Governmental Affairs**

**ENROLLMENTS**

Senator Peterson, Chairman on behalf of the Committee on Senate and Governmental Affairs, submitted the following report:

May 3, 2017

To the President and Members of the Senate:

I am directed by your Committee on Senate and Governmental Affairs to submit the following report:

The following Senate Concurrent Resolutions have been properly enrolled:

**SENATE CONCURRENT RESOLUTION NO. 54—**  
 BY SENATOR CHABERT  
 A CONCURRENT RESOLUTION

To recognize Monday, May 22, 2017, as "LUMCON Day" at the Louisiana State Capitol and to commend the members of the Louisiana Universities Marine Consortium for Research and Education.

**SENATE CONCURRENT RESOLUTION NO. 55—**  
 BY SENATORS COLOMB, BARROW, HEWITT, MIZELL AND PETERSON AND REPRESENTATIVES AMEDEE, CARPENTER, DAVIS, EMERSON, HILFERTY, HILL, HODGES, HORTON, NANCY LANDRY, MARCELLE, MORENO, NORTON, SMITH, STOKES, THOMAS AND WHITE  
 A CONCURRENT RESOLUTION

To commend Mackenzie Kay Andrews upon her receipt of a 2017 Women of Excellence Award from the Louisiana Legislative Women's Caucus Foundation in the category of High School Women of Excellence and upon being a recipient of a Louisiana Legislative Women's Caucus Foundation Scholarship.

**SENATE CONCURRENT RESOLUTION NO. 56—**  
 BY SENATORS COLOMB, BARROW, HEWITT, MIZELL AND PETERSON AND REPRESENTATIVES AMEDEE, CARPENTER, DAVIS, EMERSON, HILFERTY, HILL, HODGES, HORTON, JACKSON, NANCY LANDRY, MARCELLE, MORENO, NORTON, SMITH, THOMAS AND WHITE  
 A CONCURRENT RESOLUTION

To commend Bria Janai Williams upon her receipt of a 2017 Women of Excellence Award from the Louisiana Legislative Women's Caucus Foundation in the category of College Women of Excellence and upon being a recipient of a Louisiana Legislative Women's Caucus Foundation Scholarship.

**SENATE CONCURRENT RESOLUTION NO. 57—**  
 BY SENATORS COLOMB, BARROW, HEWITT, MIZELL AND PETERSON AND REPRESENTATIVES AMEDEE, CARPENTER, DAVIS, EMERSON, HILFERTY, HILL, HODGES, HORTON, JACKSON, NANCY LANDRY, MARCELLE, MORENO, NORTON, SMITH, STOKES, THOMAS AND WHITE  
 A CONCURRENT RESOLUTION

To commend Malori Dawn Dupree upon her receipt of a 2017 Women of Excellence Award from the Louisiana Legislative Women's Caucus Foundation in the category of High School Women of Excellence and upon being a recipient of a Louisiana Legislative Women's Caucus Foundation Scholarship.

**SENATE CONCURRENT RESOLUTION NO. 58—**  
 BY SENATOR MILLS  
 A CONCURRENT RESOLUTION

To commend the Southern Mutual Help Association for its support in disaster recovery.

**SENATE CONCURRENT RESOLUTION NO. 59—**  
 BY SENATOR PERRY AND REPRESENTATIVE HENSGENS  
 A CONCURRENT RESOLUTION

To commend Randall Bertrand, coach of the girls' basketball team at Gueydan High School, upon the occasion of being named Louisiana Class 1A Coach of the Year in girls' basketball for the 2016-2017 season.

**SENATE CONCURRENT RESOLUTION NO. 61—**  
 BY SENATOR PERRY AND REPRESENTATIVE MIGUEZ  
 A CONCURRENT RESOLUTION

To commend and congratulate Elijah Mitchell on his outstanding football career at Erath High School and to wish him much success with his upcoming college career at the University of Louisiana at Lafayette as a Ragin' Cajun.

**SENATE CONCURRENT RESOLUTION NO. 63—**  
 BY SENATOR WHITE AND REPRESENTATIVES BACALA, BERTHELOT, CHAD BROWN, CARPENTER, STEVE CARTER, DAVIS, EDMONDS, FOIL, HAVARD, HODGES, IVEY, JAMES, JORDAN, MACK, MARCELLE, POPE, PRICE, SCHEXNAYDER, SMITH AND THIBAUT  
 A CONCURRENT RESOLUTION

To commend and congratulate the city of Baton Rouge, Louisiana, and its citizenry and public officials on the Bicentennial celebration of municipal incorporation and to encourage civic participation in the year-long calendar of events known as BR200.

SENATE CONCURRENT RESOLUTION NO. 64—

BY SENATORS COLOMB, ALARIO, ALLAIN, APPEL, BARROW, BISHOP, BOUDREAU, CARTER, CHABERT, CLAITOR, CORTEZ, DONAHUE, ERDEY, FANNIN, GATTI, HEWITT, JOHNS, LAFLEUR, LAMBERT, LONG, LUNEAU, MARTINY, MILKOVICH, MILLS, MIZELL, MORRELL, MORRISH, PEACOCK, PERRY, PETERSON, RISER, GARY SMITH, JOHN SMITH, TARVER, THOMPSON, WALSWORTH, WARD AND WHITE AND REPRESENTATIVES ABRAHAM, ABRAMSON, AMEDEE, ANDERS, ARMES, BACALA, BAGLEY, BAGNERIS, BARRAS, BERTHELOT, BILLIOT, BISHOP, BOUIE, BROADWATER, CHAD BROWN, TERRY BROWN, CARMODY, CARPENTER, GARY CARTER, ROBBY CARTER, STEVE CARTER, CHANEY, CONNICK, COUSSAN, COX, CROMER, DANAHAY, DAVIS, DEVILLIER, DWIGHT, EDMONDS, EMERSON, FALCONER, FOIL, FRANKLIN, GAINES, GAROFALO, GISCLAIR, GLOVER, GUINN, HALL, JIMMY HARRIS, LANCE HARRIS, HAVARD, HAZEL, HENRY, HENSGENS, HILFERTY, HILL, HODGES, HOFFMANN, HOLLIS, HORTON, HOWARD, HUNTER, HUVAL, IVEY, JACKSON, JAMES, JEFFERSON, JENKINS, JOHNSON, JONES, JORDAN, NANCY LANDRY, TERRY LANDRY, LEBAS, LEGER, LEOPOLD, LYONS, MACK, MAGEE, MARCELLE, MARINO, MCFARLAND, MIGUEZ, DUSTIN MILLER, GREGORY MILLER, MORENO, JAY MORRIS, JIM MORRIS, NORTON, PEARSON, PIERRE, POPE, PRICE, PUGH, PYLANT, REYNOLDS, RICHARD, SCHEXNAYDER, SCHRODER, SEABAUGH, SHADOIN, SIMON, SMITH, STAGNI, STEFANSKI, STOKES, TALBOT, THIBAUT, THOMAS, WHITE AND ZERINGUE

A CONCURRENT RESOLUTION

To express the sincere and heartfelt condolences of the Legislature of Louisiana upon the passing of Rose Landry Long, of Natchitoches, Louisiana, and to celebrate the joyous life of a great lady who was fulfilled by her service to her God, her family, and her community.

Respectfully submitted,
KAREN CARTER PETERSON
Chairman

The foregoing Senate Concurrent Resolutions were signed by the President of the Senate.

Message from the House

SIGNED HOUSE CONCURRENT RESOLUTIONS

May 2, 2017

To the Honorable President and Members of the Senate:

I am directed to inform your honorable body that the Speaker of the House of Representatives has signed the following House Concurrent Resolutions:

HOUSE CONCURRENT RESOLUTION NO. 49—

BY REPRESENTATIVE STOKES

A CONCURRENT RESOLUTION

To designate Wednesday, May 3, 2017, as the National Multiple Sclerosis Society Louisiana State Action Day at the state capitol and to encourage efforts to inform the citizens of Louisiana about multiple sclerosis.

HOUSE CONCURRENT RESOLUTION NO. 50—

BY REPRESENTATIVE CARMODY

A CONCURRENT RESOLUTION

To recognize May 2017 as Building Safety Month, as sponsored by the International Code Council, to raise awareness of the important role of building codes for the health, safety, and welfare of the public.

and asked that the President of the Senate affix his signature to the same.

Respectfully submitted,
ALFRED W. SPEER
Clerk of the House of Representatives

The House Concurrent Resolutions contained herein were signed by the President of the Senate.

ATTENDANCE ROLL CALL

PRESENT

Table with 3 columns: Name, Name, Name. Lists present members including Mr. President, Allain, Appel, Barrow, Bishop, Boudreaux, Carter, Chabert, Claitor, Cortez, Donahue, Erdey, Fannin, Gatti, Hewitt, Johns, LaFleur, Lambert, Luneau, Martiny, Milkovich, Mills, Mizell, Morrell, Morrish, Peacock, Perry, Peterson, Riser, Smith, G., Smith, J., Thompson, Walsworth, Ward, White.

Total - 35

ABSENT

Table with 3 columns: Name, Name, Name. Lists absent members: Colomb, Long, Tarver. Total - 3.

Leaves of Absence

The following leaves of absence were asked for and granted:

Table with 4 columns: Name, Days, Name, Days. Shows leaves for Colomb (1 Day), Tarver (1 Day), Long (1 Day).

Announcements

The following committee meetings for May 8, 2017, were announced:

Table with 3 columns: Committee, Time, Room. Lists Finance (10:00 A.M., Room A), Retirement (1:30 P.M., Room E), Revenue and Fiscal Affairs (12:30 P.M., Hainkel Room).

Adjournment

On motion of Senator Peacock, at 4:30 o'clock P.M. the Senate adjourned until Monday, May 8, 2017, at 3:00 o'clock P.M.

The President of the Senate declared the Senate adjourned.

GLENN A. KOEPP
Secretary of the Senate

DIANE O' QUIN
Journal Clerk