

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

TWENTY-EIGHTH 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 31, 2017

The Senate was called to order at 4:15 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	Gatti	Morrish
Allain	Johns	Peacock
Boudreaux	Long	Perry
Carter	Luneau	Riser
Chabert	Martiny	Smith, G.
Claitor	Milkovich	Thompson
Colomb	Mills	Walsworth
Cortez	Mizell	Ward
Donahue	Morrell	
Total - 26		

ABSENT

Appel	Fannin	Peterson
Barrow	Hewitt	Smith, J.
Bishop	LaFleur	Tarver
Erdey	Lambert	White
Total - 12		

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

Prayer

The prayer was offered by Father Chuck Swanson, 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 Donahue, the reading of the Journal was dispensed with and the Journal of May 30, 2017, was adopted.

Message from the House

**PASSED SENATE BILLS AND
JOINT RESOLUTIONS**

May 31, 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 the following Senate Bills and Joint Resolutions:

SENATE BILL NO. 143—

BY SENATOR CHABERT AND REPRESENTATIVES STEVE CARTER, DAVIS, GISCLAIR AND STOKES

AN ACT

To amend and reenact R.S. 36:204(B)(6) and R.S. 56:1687(6) and (9), and to enact R.S. 36:204(B)(9) and (10), relative to the powers and duties of the secretary of culture, recreation and tourism; to provide for the procedure for the sale, lease, and sublease of state parks land; to provide for concession leases; and to provide for related matters.

Reported without amendments.

SENATE BILL NO. 199—

BY SENATORS ERDEY, THOMPSON AND WALSWORTH

AN ACT

To enact R.S. 33:4712.17, relative to property and buildings; to provide for the sharing of public equipment; to provide for use of public equipment among public entities; to provide for a definition; and to provide for related matters.

Reported without amendments.

SENATE BILL NO. 200—

BY SENATOR ERDEY

AN ACT

To enact R.S. 33:3887(C), relative to the Livingston Parish Sewer District; to provide for an increase in the membership of the board of supervisors; and to provide for related matters.

Reported without amendments.

SENATE BILL NO. 5—

BY SENATOR LUNEAU

AN ACT

To amend and reenact R.S. 33:3887.5, relative to Sewerage District No. 2 of Rapides Parish; to authorize a per diem for members of the board of supervisors; and to provide for related matters.

Reported without amendments.

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 without amendments.

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 without amendments.

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 without amendments.

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 with amendments.

SENATE BILL NO. 147—
BY SENATOR RISER

AN ACT

To amend and reenact R.S. 29:40, 102, 116, 120(C)(1), 132, and 136, relative to the Military Department; to provide for leasing for military purposes; to provide for the jurisdiction of courts-martial; to provide for the regulation of the Military Department; to provide for the composition and conduct of disciplinary proceedings of service members; to provide for administration of disciplinary hearings and actions; to provide for exceptional circumstances; and to provide for related matters.

Reported with amendments.

SENATE BILL NO. 36—
BY SENATOR MARTINY

AN ACT

To amend and reenact R.S. 46:1056(A) and (B), relative to employment contracts in hospital service districts; to provide for authority to execute certain employment contracts; to provide for definitions; to provide for employment terms; and to provide for related matters.

Reported with amendments.

SENATE BILL NO. 52—
BY SENATOR LONG

AN ACT

To amend and reenact R.S. 13:5554(G)(1) and to enact R.S. 13:5554(FF), relative to the premium costs of group hospital and health insurance for retired sheriffs and retired deputy sheriffs; to provide relative to premium costs for retired sheriffs and retired deputy sheriffs of the Natchitoches Parish Sheriff's Office; to provide for eligibility for payment of premium costs; to provide for applicability; and to provide for related matters.

Reported with amendments.

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

Message from the House

DISAGREEMENT TO HOUSE BILL

May 31, 2017

To the Honorable President and Members of the Senate:

I am directed to inform your honorable body that the House of Representatives has refused to concur in the proposed Senate Amendment(s) to **House Bill No. 33** by Representative Pearson, and ask the President to appoint on the part of the Senate a committee to confer with a like committee from the House on the disagreement.

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

Introduction of Senate Resolutions

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

SENATE RESOLUTION NO. 155—
BY SENATOR BOUDREAUX

A RESOLUTION

To express the sincere condolences of the Senate of the Legislature of Louisiana upon the death of Peter Douglas Broussard.

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

SENATE RESOLUTION NO. 156—
BY SENATOR JOHNS

A RESOLUTION

To commend the Louisiana Business Incubation Association for its contributions to the economic prosperity of Louisiana and its businesses.

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

SENATE RESOLUTION NO. 157—
BY SENATOR MORRELL

A RESOLUTION

To urge and request the secretary of the Department of Revenue to reevaluate the taxation of certain BP settlements issued to oystermen and shrimpers, to request that the secretary temporarily suspend collection efforts with regard to tax assessed on the BP payments to oystermen and shrimpers, and to request that the secretary assist recipients of taxable BP settlement payments with abatements of penalties and interest and with installment agreements and offers in compromise.

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

SENATE RESOLUTION NO. 158—
BY SENATORS CHABERT AND ALLAIN

A RESOLUTION

To commend the Ellender Memorial High School Lady Patriots basketball team upon winning the Class 4A state championship.

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

SENATE RESOLUTION NO. 159—
BY SENATOR ALLAIN

A RESOLUTION

To urge and request that the Louisiana State Law Institute study the classification of mineral royalties under Louisiana law for the purposes of bankruptcy proceedings.

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

SENATE RESOLUTION NO. 160—
BY SENATOR GATTI

A RESOLUTION

To commend and congratulate Yellow Pine Christian Church on the occasion of its one hundred fifteenth anniversary.

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

Rules Suspended

Senator Allain asked for and obtained a suspension of the rules to allow the Senate Committee on Natural Resources to hear **Senate Resolution No. 159** without the required 1:00 P.M. posting time.

Introduction of
Senate Concurrent Resolutions

SENATE CONCURRENT RESOLUTION NO. 118—
BY SENATOR MORRISH AND REPRESENTATIVE GUINN

A CONCURRENT RESOLUTION

To express the sincere condolences of the Legislature of Louisiana upon the death of James Paul "Jimmy" Martin, former state representative and mayor of Welsh.

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

SENATE CONCURRENT RESOLUTION NO. 119—

BY SENATOR CORTEZ

A CONCURRENT RESOLUTION

To commend St. Thomas More High School Cougars boys soccer team and Head Coach Casey Friend on their second consecutive Division II State Championship.

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

**Senate Resolutions on
Second Reading**

SENATE RESOLUTION NO. 152—

BY SENATOR PETERSON

A RESOLUTION

To recognize Thursday, June 1, 2017, as the thirty-third annual Red and White Day at the Louisiana Legislature.

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

SENATE RESOLUTION NO. 153—

BY SENATORS WARD AND BARROW

A RESOLUTION

To express the sincere and heartfelt condolences of the Senate of the Legislature of Louisiana upon the passing of Ronald Lee "Ronnie" Nolan Jr. of Denham Springs, Louisiana.

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

SENATE RESOLUTION NO. 154—

BY SENATOR MILLS

A RESOLUTION

To urge and request the Department of Natural Resources to study potential solutions that may mitigate spoil banks created as a result of the construction and maintenance of pipelines.

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

Rules Suspended

Senator Chabert asked for and obtained a suspension of the rules to allow the Senate Committee on Natural Resources to hear **Senate Resolution No. 154** without the required 1:00 P.M. posting time.

**Senate Concurrent Resolutions on
Second Reading**

SENATE CONCURRENT RESOLUTION NO. 117—

BY SENATOR WALSWORTH

A CONCURRENT RESOLUTION

To create and provide for the Louisiana Historical Archives Task Force to study the conditions, issues, needs, and problems relative to the preservation of the state's historical archives and records and to recommend any action or legislation that the task force deems necessary or appropriate.

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

Rules Suspended

Senator Walsworth asked for and obtained a suspension of the rules to allow the Senate Committee on Education to hear **Senate Concurrent Resolution No. 117** without the required 1:00 P.M. posting time.

Message from the House

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

May 30, 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. 255 HB No. 489 HB No. 444
HB No. 519 HB No. 681

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

House Bills and Joint Resolutions

Senator Peacock asked for and obtained a suspension of the rules to read House Bills and Joint Resolutions a first and second time by title and refer them to committee.

HOUSE BILL NO. 255—

BY REPRESENTATIVE GARY CARTER

A JOINT RESOLUTION

Proposing to amend Article VII, Section 10.3(C)(3) and (4) of the Constitution of Louisiana and to add Article VII, Section 10.3(A)(5) and (C)(5) of the Constitution of Louisiana, to provide for deposits into and the uses of the Budget Stabilization Fund; to provide for certain limitations and requirements; to provide for submission of the proposed amendment to the electors; and to provide for related matters.

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

HOUSE BILL NO. 444—

BY REPRESENTATIVES SEABAUGH, BROADWATER, AND GLOVER

A JOINT RESOLUTION

Proposing to add Article VII, Section 21(N) of the Constitution of Louisiana, to provide for ad valorem tax exemptions; to establish an exemption for certain property subject to a cooperative endeavor agreement requiring payments in lieu of taxes; to provide for requirements and limitations; to provide for submission of the proposed amendment to the electors; and to provide for related matters.

The bill was read by title and referred by the President to the Committee on Revenue and Fiscal Affairs.

HOUSE BILL NO. 489—

BY REPRESENTATIVE LEGER

AN ACT

To enact R.S. 15:827.2 and 827.3, relative to the reinvestment of savings realized from criminal justice reforms; to require the Department of Public Safety and Corrections to collect and make available certain information and data relative to the prison and community supervision population; to authorize the Department of Public Safety and Corrections to promulgate rules and regulations; to provide guidelines on the type of information and data to be collected; to provide relative to the calculation of savings realized by the Department of Public Safety and Corrections; to require the reinvestment of a portion of the savings realized; and to provide for related matters.

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

May 31, 2017

HOUSE BILL NO. 519—
BY REPRESENTATIVES EMERSON AND JAMES
AN ACT

To amend and reenact Chapter 1-C of Title 37 of the Louisiana Revised Statutes of 1950, comprised of R.S. 37:31 through 36, relative to provisional licenses issued to ex-offenders through the "Provisional Licenses for Ex-Offenders Act"; to delete the term "provisional" from the entirety of the Act to create the "Licenses for Ex-Offenders Act"; to modify with respect to requirements applicable to the issuance of licenses to ex-offenders; to provide with respect to terms for licenses and reporting requirements of ex-offenders, entities issuing licenses, and certain departments and divisions; 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. 681— (Substitute for House Bill No. 177 by Representative Moreno)

BY REPRESENTATIVES MORENO, BAGNERIS, COX, GLOVER, HALL, JACKSON, JAMES, TERRY LANDRY, MARCELLE, MARINO, NORTON, PIERRE, AND SMITH

AN ACT

To enact R.S. 46:233.3 and to repeal R.S. 46:233.2 and 237(D), relative to eligibility for benefits of certain public assistance programs; to provide relative to Supplemental Nutrition Assistance Program eligibility; to provide relative to eligibility for cash assistance funded through the Temporary Assistance for Needy Families program; to provide for eligibility for such programs of persons convicted of certain drug-related felonies; to provide an effective date; to provide for drug testing; and to provide for related matters.

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

Message from the House

ASKING CONCURRENCE IN HOUSE CONCURRENT RESOLUTIONS

May 30, 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. 26 HCR No. 106 HCR No. 107
HCR No. 108 HCR No. 109 HCR No. 64
HCR No. 58 HCR No. 52 HCR No. 55

Respectfully submitted, ALFRED W. SPEER

Clerk of the House of Representatives

House Concurrent Resolutions

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

HOUSE CONCURRENT RESOLUTION NO. 26—

BY REPRESENTATIVE MORENO
A CONCURRENT RESOLUTION

To direct the Louisiana State Police Crime Lab and the Louisiana attorney general to study and make recommendations on the implementation of and protocols for the effective use of a sexual assault collection kit tracking system in Louisiana, and to report their findings to the legislature no later than January 1, 2018.

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

HOUSE CONCURRENT RESOLUTION NO. 52—

BY REPRESENTATIVE THIBAUT
A CONCURRENT RESOLUTION

To extend the existence of the False River Watershed Council until January 13, 2020, and provide for its membership.

The resolution was read by title and referred by the President to the Committee on Natural Resources

HOUSE CONCURRENT RESOLUTION NO. 55—

BY REPRESENTATIVE NORTON
A CONCURRENT RESOLUTION

To create the Medicaid Integrated Care Assessment Task Force to make a thorough study and evaluation of Louisiana's current statewide system of healthcare delivery for Medicaid enrollees with serious mental illness.

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

HOUSE CONCURRENT RESOLUTION NO. 58—

BY REPRESENTATIVE HILFERTY
A CONCURRENT RESOLUTION

To urge and request the bureau of family health of the Louisiana Department of Health to evaluate the feasibility and desirability of implementing a "baby box" program as a means of reducing infant mortality, and to report findings of the evaluation to the legislative committees on health and welfare.

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

HOUSE CONCURRENT RESOLUTION NO. 64—

BY REPRESENTATIVE DWIGHT
A CONCURRENT RESOLUTION

To authorize and direct the Department of Public Safety and Corrections to work in conjunction with the Louisiana Sheriffs' Association to study methods of oversight and supervision for inmates participating in work release programs.

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

HOUSE CONCURRENT RESOLUTION NO. 106—

BY REPRESENTATIVE DUSTIN MILLER
A CONCURRENT RESOLUTION

To recognize Thursday, June 1, 2017, as Nurse Practitioners Day at the state capitol.

The resolution was read by title. Senator Boudreaux moved to concur in the House Concurrent Resolution.

ROLL CALL

The roll was called with the following result:

YEAS

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

Total - 37

NAYS

Total - 0

ABSENT

Donahue
Total - 1

The Chair declared the Senate concurred in the House Concurrent Resolution and ordered it returned to the House.

HOUSE CONCURRENT RESOLUTION NO. 107—

BY REPRESENTATIVES LEOPOLD, 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, CREWS, 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, 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 AND SENATORS ALARIO, ALLAIN, APPEL, BARROW, BISHOP, BOUDREAUX, CARTER, CHABERT, CLAITOR, COLOMB, 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

A CONCURRENT RESOLUTION

To commend Mr. Blaine S. Kern upon the momentous occasion of his ninetieth birthday.

The resolution was read by title. Senator Carter moved to concur in the House Concurrent Resolution.

ROLL CALL

The roll was called with the following result:

YEAS

Mr. President	Gatti	Peacock
Allain	Hewitt	Perry
Appel	Johns	Peterson
Barrow	LaFleur	Riser
Bishop	Lambert	Smith, G.
Boudreaux	Long	Smith, J.
Carter	Luneau	Tarver
Chabert	Martiny	Thompson
Claitor	Milkovich	Walsworth
Colomb	Mills	Ward
Cortez	Mizell	White
Erdey	Morrell	
Fannin	Morrish	
Total - 37		

NAYS

Total - 0

ABSENT

Donahue
Total - 1

The Chair declared the Senate concurred in the House Concurrent Resolution and ordered it returned to the House.

HOUSE CONCURRENT RESOLUTION NO. 108—

BY REPRESENTATIVE HOFFMANN AND SENATOR WALSWORTH
A CONCURRENT RESOLUTION

To commend Dr. Elaine Fichter upon the celebration of her ninety-seventh birthday, and to congratulate Dr. Fichter and her daughter, Dr. Lauren Mickey on their distinguished careers as healthcare practitioners.

The resolution was read by title. Senator Walsworth moved to concur in the House Concurrent Resolution.

ROLL CALL

The roll was called with the following result:

YEAS

Mr. President	Gatti	Peacock
Allain	Hewitt	Perry
Appel	Johns	Peterson
Barrow	LaFleur	Riser
Bishop	Lambert	Smith, G.
Boudreaux	Long	Smith, J.
Carter	Luneau	Tarver
Chabert	Martiny	Thompson
Claitor	Milkovich	Walsworth
Cortez	Mills	Ward
Donahue	Mizell	White
Erdey	Morrell	
Fannin	Morrish	
Total - 37		

NAYS

Total - 0

ABSENT

Colomb
Total - 1

The Chair declared the Senate concurred in the House Concurrent Resolution and ordered it returned to the House.

HOUSE CONCURRENT RESOLUTION NO. 109—

BY REPRESENTATIVE SHADOIN AND SENATOR FANNIN
A CONCURRENT RESOLUTION

To commend the Choudrant High School Aggies boys' baseball team upon winning the 2017 Class B state championship.

The resolution was read by title. Senator Fannin moved to concur in the House 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	Peterson
Bishop	LaFleur	Riser
Boudreaux	Lambert	Smith, G.
Carter	Long	Smith, J.
Chabert	Luneau	Tarver
Claitor	Martiny	Thompson
Colomb	Milkovich	Walsworth
Cortez	Mills	Ward
Donahue	Mizell	White
Erdey	Morrell	
Total - 38		

May 31, 2017

NAYS

Total - 0

ABSENT

Total - 0

The Chair declared the Senate concurred in the House Concurrent Resolution and ordered it returned to the House.

Rules Suspended

Senator Chabert asked for and obtained a suspension of the rules to allow the Senate Committee on Natural Resources to hear House Concurrent Resolution No. 52 without the required 1:00 P.M. posting time.

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 31, 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:

HOUSE BILL NO. 468— BY REPRESENTATIVE EMERSON AN ACT

To amend and reenact R.S. 37:563(introductory paragraph) and (13) through (17) and to enact R.S. 37:563(18) through (22) and 581.1; relative to the Louisiana Cosmetology Act; to provide for definitions; to define unregulated services and establish natural hair braiding as an unregulated service; to provide for state preemption; 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 31, 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 RESOLUTION NO. 146— BY SENATOR MILLS A RESOLUTION

To urge and request the Louisiana Board of Pharmacy to consider alternative training and certification options for pharmacy technicians.

Reported favorably.

HOUSE CONCURRENT RESOLUTION NO. 11— BY REPRESENTATIVES EDMONDS, BAGLEY, HOFFMANN, HORTON, POPE, AND STAGNI

A CONCURRENT RESOLUTION

To memorialize the United States Congress to take such actions as are necessary to amend Title XIX of the Social Security Act relative to the Medicaid program in order to authorize state Medicaid fraud control units to investigate and prosecute Medicaid recipient fraud.

Reported favorably.

HOUSE CONCURRENT RESOLUTION NO. 51— BY REPRESENTATIVE JACKSON

A CONCURRENT RESOLUTION

To authorize and direct the Louisiana Department of Health to promulgate administrative rules requiring reporting of immunization information.

Reported with amendments.

HOUSE CONCURRENT RESOLUTION NO. 56— BY REPRESENTATIVE ABRAHAM

A CONCURRENT RESOLUTION

To authorize and direct the Department of Children and Family Services to study and develop a procedure by which parents who are awaiting a criminal trial or sentencing can work with the department to access all necessary information, materials, and resources to develop a reasonable plan of appropriate care for their child, regardless of whether the child is currently in the custody of the department.

Reported with amendments.

HOUSE CONCURRENT RESOLUTION NO. 100— BY REPRESENTATIVE EDMONDS

A CONCURRENT RESOLUTION

To recognize and acknowledge the proliferation of pornography among Louisiana children to be a public health hazard which leads to a broad spectrum of individual and societal harms and denounce pornography as a corroding influence on childhood in our state.

Reported favorably.

HOUSE CONCURRENT RESOLUTION NO. 103— BY REPRESENTATIVE JACKSON

A CONCURRENT RESOLUTION

To urge and request the Louisiana Public Health Institute and the Louisiana Cancer Prevention and Control Programs of the School of Public Health of the Louisiana State University Health Sciences Center-New Orleans, jointly, to lead a collaborative effort to improve cancer investigation and intervention functions in this state, and to develop recommendations to the legislature concerning effective and responsible practices for issuing local public health notifications regarding cancer incidence.

Reported favorably.

HOUSE BILL NO. 238— BY REPRESENTATIVE BILLIOT

AN ACT

To amend and reenact R.S. 9:315.44(A)(introductory paragraph) and to enact R.S. 9:315.44(C) and 315.46(D), relative to license suspension for failure to pay child support; to authorize the electronic transmission of a certification of noncompliance to licensing authorities; to authorize an interagency agreement with a licensing authority to facilitate the development, implementation, and use of a transmission system; to authorize the electronic transmission of a compliance release certificate to licensing authorities; and to provide for related matters.

Reported favorably.

HOUSE BILL NO. 306—

BY REPRESENTATIVE JOHNSON
AN ACT

To amend and reenact R.S. 46:460.36(D) and to repeal R.S. 46:460.36(B), (C), and (E), relative to Medicaid managed care pharmacy reimbursements; to provide for the base of reimbursement for prescription drugs; to repeal provisions regarding ingredient cost reimbursement; to repeal requirements for a dispute process; to repeal cost provisions; and to provide for related matters.

Reported favorably.

HOUSE BILL NO. 395—

BY REPRESENTATIVE DUSTIN MILLER
AN ACT

To amend and reenact R.S. 28:54(A) and (C), 55(A) through (D) and (E)(1) and (5), 56(C) and (G)(4), 59(A) through (C), 454.6(A)(introductory paragraph), (5), and (6) and (B) and to enact R.S. 28:454.6(A)(7), relative to involuntary mental health treatment; to make technical corrections; to provide for judicial commitment hearings; to provide for commitment of prisoners; to establish an effective date; and to provide for related matters.

Reported favorably.

HOUSE BILL NO. 405—

BY REPRESENTATIVE HOFFMANN
AN ACT

To enact Subpart E of Part I of Chapter 5-E of Title 40 of the Louisiana Revised Statutes of 1950, to be comprised of R.S. 40:1248.1 through 1248.6, relative to services for persons with disabilities; to provide relative to financing of such services through the Medicaid program; to establish reimbursement methodologies for providers of such services; to provide for duties of the Louisiana Department of Health relative to the Medicaid long-term care system; to provide for plans of care for persons receiving long-term care services; to require administrative rulemaking; and to provide for related matters.

Reported favorably.

HOUSE BILL NO. 436—

BY REPRESENTATIVES TALBOT, HOLLIS, LEBAS, DUSTIN MILLER, MORENO, AND THIBAUT
AN ACT

To enact Part VIII of Chapter 12 of Title 40 of the Louisiana Revised Statutes of 1950, to be comprised of R.S. 40:2255.1 and 2255.11, relative to prescription drug prices; to provide for definitions; to require disclosure of prescription drug price information; and to provide for related matters.

Reported favorably.

HOUSE BILL NO. 459—

BY REPRESENTATIVES BACALA AND HOFFMANN
AN ACT

To amend and reenact R.S. 46:440.1(E)(2) and to enact Subpart D-1 of Part VI-A of Chapter 3 of Title 46 of the Louisiana Revised Statutes of 1950, to be comprised of R.S. 46:440.4 through 440.8, relative to Medicaid fraud detection and prevention; to create a task force on coordination of Medicaid fraud detection and prevention initiatives; to provide for the membership, purposes, and duties of the task force; to authorize appropriation of monies in the Medical Assistance Programs Fraud Detection Fund for activities of the task force; to provide for a termination date; and to provide for related matters.

Reported with amendments.

HOUSE BILL NO. 486—

BY REPRESENTATIVE JOHNSON
AN ACT

To amend and reenact Children's Code Articles 611(A)(1)(b), 616(A) through (D), 616.1(A), R.S. 15:1110.2(A) through (C), R.S.46:51.2(A)(1)(b), (2), and (3), (E)(2), (F)(1), and (H), and 1414.1(A) through (C), and R.S. 49:992(D)(9), to enact Children's Code Articles 616(E), (H), and (I), 616.1(F), and 616.1.1, and to repeal R.S. 15:1110.2(D) and (E) and R.S. 46:51.2(A)(4) through (11) and (13) and (E)(1)(d) and 1414.1(D) and (E), relative to the state central registry maintained by the Department of Children and Family Services; to require a state repository; to provide for central registry information; to authorize a fee for registry searches; to provide the right to an appeal in certain situations; to provide for employment prohibitions; to provide for an exemption relative to the division of administrative law; to provide for an effective date; and to provide for related matters.

Reported favorably.

HOUSE BILL NO. 684— (Substitute for House Bill No. 321 by Representative Gisclair)

BY REPRESENTATIVE GISCLAIR
AN ACT

To enact R.S. 40:31.38, relative to permit fees for milk and dairy farms and plants; to require a permit fee for dairy farms, dairy plants, and single service milk and milk product container or closure manufacturing plants; to set the amount of the fees; to provide for definitions; to provide for an effective date; and to provide for related matters.

Reported favorably.

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 31, 2017

To the President and Members of the Senate:

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

HOUSE BILL NO. 664—

BY REPRESENTATIVES HOFFMANN, TERRY BROWN, CHANEY, JACKSON, LEGER, RICHARD, AND ZERINGUE
AN ACT

To amend and reenact R.S. 22:832(C)(6)(introductory paragraph) and to enact R.S. 22:832(C)(6)(c), relative to the insurance premium tax credit; to provide criteria for a health maintenance organization to be eligible for a premium tax credit for a qualifying Louisiana investment; and to provide for related matters.

Reported favorably.

Respectfully submitted,
JOHN SMITH
Chairman

REPORT OF COMMITTEE ON
FINANCE

Senator Eric LaFleur, Chairman on behalf of the Committee on Finance, submitted the following report:

May 31, 2017

To the President and Members of the Senate:

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

SENATE RESOLUTION NO. 149—
BY SENATOR CORTEZ

A RESOLUTION

To establish the Best Practices in Public Contracts Task Force to study best practices from other states to determine a fair method to evaluate bids on public works contracts based on best value instead of lowest cost.

Reported with amendments.

HOUSE CONCURRENT RESOLUTION NO. 8—
BY REPRESENTATIVE BARRAS

A CONCURRENT RESOLUTION

To provide for a hospital stabilization formula pursuant to Article VII, Section 10.13 of the Constitution of Louisiana; to establish the level and basis of hospital assessments; to establish certain reimbursement enhancements for inpatient and outpatient hospital services; to establish certain criteria for the implementation of the formula; and to provide for related matters.

Reported favorably.

HOUSE BILL NO. 132—
BY REPRESENTATIVE EDMONDS

AN ACT

To amend and reenact R.S. 39:57.1(B) and to enact R.S. 39:57.1(C) and 73(C)(5), relative to state expenditures; to provide for initial expenditure allocations of the operating budget; to provide for approval of changes to initial expenditure allocations; to provide for the reporting of certain transfers of funds; to require electronic posting of certain information; to provide for an effective date; and to provide for related matters.

Reported with amendments.

HOUSE BILL NO. 354—
BY REPRESENTATIVE THIBAUT

A JOINT RESOLUTION

Proposing to amend Article VII, Section 27(B) of the Constitution of Louisiana, relative to the Transportation Trust Fund; to establish the Construction Subfund; to provide for the use of the monies deposited into the fund; to provide for the sources and uses of monies in the subfund; to provide for effectiveness; to provide for submission of the proposed amendment to the electors; and to provide for related matters.

Reported with amendments.

HOUSE BILL NO. 554—
BY REPRESENTATIVES SCHRODER, BERTHELOT, AND EDMONDS
AN ACT

To amend and reenact R.S. 39:1600(D)(1), (2)(introductory paragraph), and (3) and to enact R.S. 39:1600(D)(4), relative to public contracts; to provide for the requirements of reverse

auctions for certain purchases in the Procurement Code; and to provide for related matters.

Reported favorably.

Respectfully submitted,
ERIC LAFLEUR
Chairman

**Senate Bills and Joint Resolutions
on Second Reading
Reported by Committees**

SENATE BILL NO. 158—
BY SENATOR MILKOVICH

AN ACT

To amend and reenact R.S. 17:416.13(D)(2)(a), (c), and (d), and (3)(f)(i), to enact R.S. 17:416.13(I), and to repeal R.S. 17:416.13(D)(3)(d)(iii), relative to student behavior and conduct; to provide relative to bullying; to provide relative to required reporting of incidences of bullying; to provide relative to record keeping; to provide relative to permitted actions by school employees to prevent bullying; to provide relative to protection of school employees from retaliation; to provide relative to parental notification; to provide relative to parental relief; and to provide for related matters.

Reported with amendments by the Committee on Education.

SENATE COMMITTEE AMENDMENTS

Amendments proposed by Senate Committee on Education to Original Senate Bill No. 158 by Senator Milkovich

AMENDMENT NO. 1

On page 1, line 2, after "and (d)," delete the remainder of the line and insert "and (3)(f)(i), to enact"

AMENDMENT NO. 2

On page 1, line 5, between "bullying;" and "to provide" insert "to provide relative to record keeping;"

AMENDMENT NO. 3

On page 1, line 8, between "relief;" and "and to" delete "to provide relative to confidentiality of records;"

AMENDMENT NO. 4

On page 1, line 11, after "and (d)," delete the remainder of the line and insert "and (3)(f)(i) are hereby"

AMENDMENT NO. 5

On page 2, line 14, between "**receipt**" and the period "." insert "**and shall retain a copy of each bullying report received for at least ten years**"

AMENDMENT NO. 6

On page 2, line 28, after "**grounds**" delete the remainder of the line and insert a period "."

AMENDMENT NO. 7

On page 2, delete line 29

AMENDMENT NO. 8

On page 4, at the end of line 1, delete "an"

AMENDMENT NO. 9

On page 4, delete lines 2 through 4 and insert "**one of the following two options:**

(aa) Have the student who was determined to be the victim of an act of bullying transferred to another school operated by the governing authority of the public elementary or secondary school in which the student was enrolled when the documented incident of bullying occurred.

(bb) Have the student who was determined to have committed the act of bullying transferred to another school operated by the governing authority of the public elementary or secondary school in which the student was enrolled when the documented incident of bullying occurred."

AMENDMENT NO. 10

On page 4, delete lines 6 through 16

AMENDMENT NO. 11

On page 4, between lines 27 and 28, insert the following:

"Section 3. This Act shall be known and may be cited as the "Haley Danielle Cox and the Katlin Simone Loux Act"."

AMENDMENT NO. 12

On page 4, at the beginning of line 28, change "Section 3." to "Section 4."

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

**House Bills and Joint Resolutions
on Second Reading
Reported by Committees**

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.

Reported favorably by the Committee on Judiciary B. The bill was read by title and referred to the Legislative Bureau.

HOUSE BILL NO. 26—

BY REPRESENTATIVE BARRAS

AN ACT

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

Reported with amendments by the Committee on Natural Resources.

SENATE COMMITTEE AMENDMENTS

Amendments proposed by Senate Committee on Natural Resources to Engrossed House Bill No. 26 by Representative Barras

AMENDMENT NO. 1

On page 1, line 7, delete "Office of State Lands" and insert "office of state lands and the secretary of the Department of Wildlife and Fisheries"

AMENDMENT NO. 2

On page 1, line 15, delete "Office of State Lands is" and insert "office of state lands and the secretary of the Department of Wildlife and Fisheries are"

AMENDMENT NO. 3

On page 1, line 20, after "commissioner of administration" insert ", the secretary of the Department of Wildlife and Fisheries,"

AMENDMENT NO. 4

On page 1, line 21, after "property." insert the following: "The proceeds of any sale of all or any portion of the above parcel of property shall be deposited into the Louisiana Wildlife and Fisheries Conservation Fund. In the event that the agreement authorized by this Section is not entered into on or before January 1, 2020, the authorization to convey, transfer, assign, lease, or deliver any interest in that property pursuant to this Act shall terminate and be null and void on that date and thereafter."

On motion of Senator Chabert, the committee amendment was adopted. The amended bill was read by title and referred to the Legislative Bureau.

HOUSE BILL NO. 44—

BY REPRESENTATIVES JENKINS, BACALA, BOUIE, CARMODY, CARPENTER, GARY CARTER, GAROFALO, HALL, JIMMY HARRIS, HORTON, HUNTER, JEFFERSON, LYONS, MAGEE, MARCELLE, NORTON, RICHARD, SMITH, AND STEFANSKI

AN ACT

To amend and reenact Children's Code Article 312(A) and (B), relative to juvenile court jurisdiction over adults; to provide relative to juvenile court jurisdiction over adults in certain criminal proceedings; to provide relative to the exceptions to such jurisdiction; to provide for jurisdiction over adults in criminal proceedings involving certain offenses against children; and to provide for related matters.

Reported favorably by the Committee on Judiciary A. The bill was read by title and referred to the Legislative Bureau.

HOUSE BILL NO. 46—

BY REPRESENTATIVE ROBBY CARTER

AN ACT

To amend and reenact R.S. 33:423.17, relative to the Amite City Police Department; to provide that the police chief shall appoint, promote, discipline, and discharge police personnel subject to limitations; and to provide for related matters.

Reported favorably by the Committee on Local and Municipal Affairs. The bill was read by title and referred to the Legislative Bureau.

HOUSE BILL NO. 49—

BY REPRESENTATIVE BISHOP

AN ACT

To amend and reenact R.S. 30:136.3(B)(1), relative to the Mineral and Energy Operation Fund; to provide for revenues to be credited to the fund; and to provide for related matters.

Reported favorably by the Committee on Finance. The bill was read by title and referred to the Legislative Bureau.

HOUSE BILL NO. 58—

BY REPRESENTATIVE PUGH

AN ACT

To amend and reenact R.S. 33:4169(C), relative to Sewerage District No. 1 for Tangipahoa Parish; to provide relative to the collection of fees imposed by the district; to require certain water system operators to collect such fees; and to provide for related matters.

Reported favorably by the Committee on Local and Municipal Affairs. The bill was read by title and referred to the Legislative Bureau.

HOUSE BILL NO. 66—

BY REPRESENTATIVE MAGEE

AN ACT

To amend and reenact R.S. 13:976, relative to court reporters; to provide relative to fees for transcripts in the Thirty-Second Judicial District; to provide for fees for cases on appeal; to provide for private civil contracts in matters not on appeal; to

May 31, 2017

provide for a contingent effective date; and to provide for related matters.

Reported favorably by the Committee on Judiciary A. The bill was read by title and referred to the Legislative Bureau.

HOUSE BILL NO. 70—

BY REPRESENTATIVE HORTON
AN ACT

To amend and reenact R.S. 33:2495.3(A) and to enact R.S. 33:2555.2, relative to the cities of Baton Rouge, Bossier City, and Lafayette and Fire Protection District No. 2 of Ward 4 of Calcasieu Parish; to provide relative to the classified fire service; to provide relative to persons selected for appointment to entry-level positions; to provide relative to the formal training of such persons; and to provide for related matters.

Reported favorably by the Committee on Local and Municipal Affairs. The bill was read by title and referred to the Legislative Bureau.

HOUSE BILL NO. 73—

BY REPRESENTATIVE MACK
AN ACT

To amend and reenact R.S. 13:5807.2(C), relative to the collection and use of fees by the marshal of the city of Hammond; to provide for an increase in the maximum use of fees for operational expenses of the office; and to provide for related matters.

Reported favorably by the Committee on Judiciary A. The bill was read by title and referred to the Legislative Bureau.

HOUSE BILL NO. 76—

BY REPRESENTATIVE HAVARD
AN ACT

To amend and reenact R.S. 33:4574.1.1(A)(37), relative to hotel occupancy taxes in West Feliciana Parish; to authorize the West Feliciana Parish Tourist Commission to levy additional hotel occupancy taxes, subject to voter approval; to provide relative to the hotel occupancy tax levied by West Feliciana Parish; and to provide for related matters.

Reported favorably by the Committee on Local and Municipal Affairs. The bill was read by title and referred to the Legislative Bureau.

HOUSE BILL NO. 77—

BY REPRESENTATIVES BERTHELOT AND BISHOP
AN ACT

To amend and reenact R.S. 30:2531(A)(2)(b) and (B)(2)(b) and 2531.1(D)(1), relative to littering; to provide for criminal and civil penalties; to provide for community service; and to provide for related matters.

Reported favorably by the Committee on Judiciary C. The bill was read by title and referred to the Legislative Bureau.

HOUSE BILL NO. 78—

BY REPRESENTATIVE DWIGHT
AN ACT

To amend and reenact R.S. 40:966(C)(2) and 967(C) and to repeal R.S. 40:966(C)(3), relative to the Uniform Controlled Dangerous Substances Law; to provide relative to penalties for possession of phencyclidine as a Schedule II Controlled Dangerous Substance; and to provide for related matters.

Reported favorably by the Committee on Judiciary C. The bill was read by title and referred to the Legislative Bureau.

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.

Reported with amendments by the Committee on Education.

SENATE COMMITTEE AMENDMENTS

Amendments proposed by Senate Committee on Education to Engrossed House Bill No. 79 by Representative Foil

AMENDMENT NO. 1

On page 1, line 5, between "students;" and "and to" insert "to provide for definitions;"

AMENDMENT NO. 2

On page 2, before line 1, insert the following:
"B.(1)(a) Corporal punishment means using physical force to discipline a student, with or without an object. Corporal punishment includes hitting, paddling, striking, spanking, slapping, or any other physical force that causes pain or physical discomfort.

(b) Corporal punishment does not include:
(i) The use of reasonable and necessary physical restraint of a student to protect the student, or others, from bodily harm or to obtain possession of a weapon or other dangerous object from a student.

(ii) The use of seclusion and restraint as provided in R.S. 17:416.21."

AMENDMENT NO. 3

On page 2, at the beginning of line 1, change "B." to "(2)"

AMENDMENT NO. 4

On page 2, line 5, after "R.S. 17:1942" delete the period "." and insert "or to a student who has been determined to be eligible for services under Section 504 of the Rehabilitation Act of 1973 and has an Individual Accommodation Plan."

On motion of Senator Morrish, the committee amendment was adopted. The amended bill was read by title and referred to the Legislative Bureau.

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.

Reported with amendments by the Committee on Judiciary C.

SENATE COMMITTEE AMENDMENTS

Amendments proposed by Senate Committee on Judiciary C to Engrossed House Bill No. 83 by Representative Marino

AMENDMENT NO. 1

On page 1, line 3, after "833(A) and (C)," delete "and" and insert "893(A) and (B)," and after "900(A)(introductory paragraph)," delete the remainder of the line and insert "and (A)(5) and (6), (B), and (C), and 903.1, R.S. 13:5304(B)(10)(b), and R.S. 15:571.3(B) and (D), 574.2(C)(1) and (2) and (D)(1), (6)(introductory paragraph), (8)(a), and (9), 574.4(A)(1), (B)(1) and (C)(2), 574.4.1(A)(1), 574.6, 574.7(B)(1)(introductory paragraph) and (C), 574.9(D), (E), (F) and (G), 574.20, and 828(B) and (C), and to enact"

AMENDMENT NO. 2

On page 1, line 4, after "556.1(F), delete the remainder of the line and insert "562, 893(G), 895.6, 895.7 and 899.2, and R.S. 15:574.2(C)(4), 574.4(F), 574.7(D), 574.9(H), 827(A)(7) and 828(D), and to repeal Code of Criminal Procedure Article 900(A)(7), relative to criminal justice;

AMENDMENT NO. 3

On page 1, at the beginning of line 5, delete "of the defendant,"

AMENDMENT NO. 4

On page 1, line 10, after "signatures;" insert the following: "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 discharge from probation and from parole; 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 treatment furloughs; to provide for the terms of medical parole and medical treatment furlough; to provide for revocation of medical parole or medical treatment 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;"

AMENDMENT NO. 5

On page 1, line 13, after "833(A) and (C)," delete the remainder of the line and insert "893(A) and (B), 900(A)(introductory paragraph) and (A)5 and (6), (B), and (C), and 903.1 are hereby amended and"

AMENDMENT NO. 6

On page 1, line 14, after "556.1(F)," delete the remainder of the line and insert "562, 893(G), 895.6, 895.7, and 899.2 are hereby"

AMENDMENT NO. 7

On page 3, line 10, after "consent" insert "and the consent of the district attorney"

AMENDMENT NO. 8

On page 6, between lines 12 and 13, insert the following:
"Art. 893. Suspension and deferral of sentence and probation in felony cases

A.(1) When it appears that the best interest of the public and of the defendant will be served, the court, after a first, or second, or third conviction of a noncapital felony, may suspend, in whole or in part, the imposition or execution of either or both sentences, where suspension is allowed under the law, and in either or both cases place the defendant on probation under the supervision of the division of probation and parole. The court shall not suspend the sentence of a

second or third conviction of R.S. 14:73.5. Except as provided in Paragraph G of this Article, the period of probation shall be specified and shall not be more than three years.

(2) The court shall not suspend the sentence of a conviction for an offense that is designated in the court minutes as a crime of violence pursuant to Article 890.3, 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. 14:73-5, 81.1; or 81.2. The period of probation shall be specified and shall not be less than one year nor more than five years.

(3) The suspended sentence shall be regarded as a sentence for the purpose of granting or denying a new trial or appeal.

(4) Supervised release as provided for by Chapter 3-E of Title 15 of the Louisiana Revised Statutes of 1950 shall not be considered probation and shall not be limited by the five-year or three-year periods for probation provided for by the provisions of this Paragraph.

B.(1)(a) Notwithstanding any other provision of law to the contrary, when it appears that the best interest of the public and of the defendant will be served, the court, after a fourth conviction of operating a vehicle while intoxicated pursuant to R.S. 14:98, The court may suspend, in whole or in part, the imposition or execution of the sentence when the defendant was not offered such alternatives prior to his fourth conviction of operating a vehicle while intoxicated and the following conditions exist:

(i) The sentence is for a third conviction of any of the following:

(aa) A noncapital felony for which a defendant could have his sentence suspended under Paragraph A of this Article had the conviction been for a first or second offense.

(bb) A violation of the Uniform Controlled Dangerous Substances Law.

(cc) A third conviction of operating a vehicle while intoxicated in violation of R.S. 14:98.

(ii) It appears that suspending the sentence is in the best interest of the public and the defendant.

(iii)(a) The district attorney consents to the suspension of the sentence.

(iv)(b) The court orders the defendant to do any of the following:

(aa)(i) Enter and complete a program provided by the drug division of the district court pursuant to R.S. 13:5301 et seq. When a case is assigned to the drug division probation program pursuant to the provisions of R.S. 13:5301 et seq., with the consent of the district attorney, the court may place the defendant on probation for a period of not more than eight years if the court determines that successful completion of the program may require that period of probation to exceed the five-year limit. If necessary to assure successful completion of the drug division probation program, the court may extend the duration of the probation period. The period of probation as initially fixed or as extended shall not exceed eight years.

(bb)(ii) Enter and complete an established driving while intoxicated court or sobriety court program, as agreed upon by the trial court and the district attorney. When a case is assigned to an established driving while intoxicated court or sobriety court program, with the consent of the district attorney, the court may place the defendant on probation for a period of not more than eight years if the court determines that successful completion of the program may require that period of probation to exceed the five-year limit. If necessary to assure successful completion of the drug division probation program, the court may extend the duration of the probation period. The period of probation as initially fixed or as extended shall not exceed eight years.

(cc)(iii) Reside for a minimum period of one year in a facility which conforms to the Judicial Agency Referral Residential Facility Regulatory Act, R.S. 40:2852.

(dd)(iv) Enter and complete the Swift and Certain Probation Pilot Program established pursuant to R.S. 13:5371 et seq. When a case is assigned to this pilot program, with the consent of the district attorney, the court may place the defendant on probation for a period of not less than one year and not more than eight years if the court determines that successful completion of the program may require that period of probation to exceed the five-year limit. If necessary to

ensure successful completion of the program, the court may extend the duration of the probation period. The period of probation as initially fixed or as extended shall not exceed eight years.

(b)(2) When suspension is allowed under this Paragraph, the defendant shall be placed on probation under the supervision of the division of probation and parole. The period of probation shall be specified and shall not be less than two years nor more than five years, except as provided in Subitems (a)(iv)(aa), (bb), and (dd) of this Subparagraph Paragraph G of this Article. The suspended sentence shall be regarded as a sentence for the purpose of granting or denying a new trial or appeal.

(2) Notwithstanding any other provisions of law to the contrary, the sentencing alternatives available in Subparagraph (1) of this Paragraph, shall be made available to offenders convicted of a fourth offense violation of operating a vehicle while intoxicated pursuant to R.S. 14:98, only if the offender had not been offered such alternatives prior to his fourth conviction of operating a vehicle while intoxicated.

G. If the court, with the consent of the district attorney, orders a defendant, upon a third conviction or fourth felony conviction, to enter and complete a program provided by the drug division of the district court pursuant to R.S. 13:5301, an established driving while intoxicated court or sobriety court program, or the Swift and Certain Probation Pilot Program established pursuant to R.S. 13:5371, the court may place the defendant on probation for a period of not more than eight years if the court determines that successful completion of the program may require that period of probation to exceed the three-year limit. The court may not extend the duration of the probation period solely due to unpaid fees and fines. The period of probation as initially fixed or as extended shall not exceed eight years.

Art. 895.6. Discharge credits; probation

A. (1) Every defendant on felony probation pursuant to Article 895 for an offense other than a crime of violence as defined in R.S. 14:2(B) or a sex offense as defined in R.S. 15:541 shall earn discharge credits for compliance with the terms and conditions of probation supervision to reduce the term of supervision. A defendant shall earn credits equal to thirty days for every calendar month of compliance with the terms and conditions of his probation. A defendant shall not receive credits for any partial calendar month of felony probation.

(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.

B. If the chief probation and parole officer, upon recommendation by a probation officer, has reasonable cause to believe that a defendant on felony probation has not been compliant with the conditions of his probation in a given calendar month, he shall notify the sentencing judge within five business days of learning of the incident of noncompliance. If, within five business days of receiving the notification, the judge does not make a ruling to the contrary, thirty days of earned discharge credits will be rescinded from the defendant. Credits may only be rescinded for a month in which the defendant is found not to be in compliance.

C. The Department of Corrections shall develop written policies and procedures for the implementation of earned discharge credits for defendants on felony probation supervision provided for by the provisions of this Article. The policies and procedures shall include but not be limited to written guidelines regarding the process to earn discharge credits and the application of the credits toward the reduction of the term of supervision. The Department of Corrections shall also collect data on the implementation of earned discharge credits, including the names of defendants that earned credits, how many credits are applied to each defendant, and reductions to supervision periods at the time of discharge.

D. The Department of Corrections shall maintain a record of credits earned by each defendant under this Article. Every six months from the date the defendant is placed on probation, the department shall notify the defendant of the current earned compliance discharge date for the defendant's term of supervision and the overall sentence of the defendant.

E. The Department of Corrections shall notify the court no less than sixty days prior to the expected discharge date. Nothing in this Article shall prohibit the department from requesting that the court terminate the probation supervision prior to the discharge date.

F. When a defendant's total probation is satisfied through a combination of time served on felony probation and earned discharge credits, the court shall order the termination of the probation of the defendant.

G. For purposes of this Article, "calendar month of compliance" shall be defined as any one of the twelve periods of time in which the calendar is divided in which none of the following occur:

- (1) A violation report is submitted by a probation officer.
- (2) An administrative sanction is issued by a probation officer pursuant to Article 899.1.
- (3) A defendant absconds from supervision in any of the following ways:
 - (a) Fails to report within five business days after release from custody.
 - (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.
 - (c) The defendant serves a term of imprisonment pursuant to Article 900.

Art. 895.7. Discharge credits; parole

A. (1) Every defendant on parole pursuant to R.S. 15:574.4.2 for an offense other than a crime of violence as defined in R.S. 14:2(B) or a sex offense as defined in R.S. 15:541 shall earn discharge credits for compliance with the terms and conditions of parole supervision to reduce the term of supervision. A defendant shall earn credits equal to thirty days for every calendar month of compliance with the terms and conditions of his parole supervision. A defendant shall not receive credits for any partial calendar month of parole.

(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.

B. If the chief probation and parole officer, upon recommendation by a parole officer, has reasonable cause to believe that a defendant on parole has not been compliant with the conditions of his parole in a given calendar month, he shall notify the committee on parole within five business days of learning of the incident of noncompliance. If, within five business days of receiving the notification, the committee on parole does not make a ruling to the contrary, thirty days of earned discharge credits shall be rescinded from the defendant. Credits may only be rescinded for a month in which the defendant is found not to be in compliance.

C. The Department of Corrections shall develop written policies and procedures for the implementation of earned discharge credits for defendants on parole supervision provided for by the provisions of this Article. The policies and procedures shall include but not be limited to written guidelines regarding the process to earn discharge credits and the application of the credits toward the reduction of the term of supervision. The Department of Corrections shall also collect data on the implementation of earned discharge credits, including the names of defendants that earned credits, how many credits are applied to each defendant, and reductions to supervision periods at the time of discharge.

D. The Department of Corrections shall maintain a record of credits earned by each defendant under this Article. Every six months from the date the defendant is released on parole, the department shall notify the defendant of the current earned compliance discharge date for the defendant's term of supervision and the overall sentence of the defendant.

E. The Department of Corrections shall notify the committee on parole no less than sixty days prior to the expected discharge date. Nothing in this Article shall prohibit the department from requesting that the committee on parole terminate parole supervision prior to the termination date.

F. When a defendant's total sentence is satisfied through a combination of time served on parole and earned discharge credits,

the Department of Corrections, without order by the committee, shall discharge the defendant.

G. For purposes of this Article, "calendar month of compliance" shall be defined as any one of the twelve periods of time in which the calendar is divided in which none of the following occur:

- (1) A violation report is submitted by a parole officer.
- (2) An administrative sanction is issued by a parole officer pursuant to R.S. 15:574.7.
- (3) A defendant absconds from supervision in any of the following ways:
 - (a) Fails to report within five business days after release from custody.
 - (b) Fails to report, as ordered by the committee on parole 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.
 - (c) The defendant serves a term of imprisonment pursuant to R.S. 15:574.9.

* * *

Art. 899.2. Administrative sanctions for technical violations; offenses other than crimes of violence or sex offenses

A. Each time a defendant on probation for a crime other than a crime of violence as defined in R.S. 14:2(B) or a sex offense as defined in R.S. 15:541(24) violates a condition of his probation, a probation agency is authorized to use administrative sanctions to address a technical violation committed by a defendant when all of the following occur:

- (1) The defendant, after receiving written notification of the right to a hearing before a court and the right to counsel provides a written waiver of a probation violation hearing.
- (2) The defendant admits to the violation or affirmatively chooses not to contest the violation alleged in the probation violation report.
- (3) The defendant consents to the imposition of administrative sanctions by the Department of Public Safety and Corrections.

B. The department shall promulgate rules to implement the provisions of this Article to establish the following:

- (1)(a) A system of structured, administrative sanctions which shall be imposed for technical violations of probation and which shall take into consideration the following factors:
 - (i) The severity of the violation behavior.
 - (ii) The prior violation history.
 - (iii) The severity of the underlying criminal conviction.
 - (iv) The criminal history of the probationer.
 - (v) Any special circumstances, characteristics, or resources of the probationer.
 - (vi) Protection of the community.
 - (vii) Deterrence.
 - (viii) The availability of appropriate local sanctions, including

but not limited to jail, treatment, community service work, house arrest, electronic surveillance, restitution centers, work release centers, day reporting centers, or other local sanctions.

(b) Incarceration shall not be used for the first or second lowest-level violations, including but not limited to a first positive drug test; association with known felons or persons involved in criminal activity; changing residence without permission, failure to initially report as required; failure to pay restitution up to three months; failure to report as instructed; travel without permission; and unemployment and failure to seek employment within ninety days.

(c) Incarceration shall not be used for first or second violations of alcohol use or admission, except for defendants convicted of operating a vehicle while intoxicated pursuant to R.S. 14:98; defendants convicted of domestic abuse battery pursuant to R.S. 14:35.3 committed by one family member, household member, or dating partner against another; or defendants convicted of violation of a protective order pursuant to R.S. 14:79 committed by one family member, household member, or dating partner against another.

(2) Procedures to provide a probationer with written notice of the right to a probation violation hearing to determine whether the probationer violated the conditions of probation alleged in the violation report and the right to be represented by counsel at state expense at that hearing if financially eligible.

(3) Procedures for a probationer to provide written waiver of the right to a probation violation hearing, to admit to the violation or

affirmatively choose not to contest the violation alleged in the probation violation report, and to consent to the imposition of administrative sanctions by the department.

(4) The level and type of sanctions that may be imposed by probation officers and other supervisory personnel.

(5) The level and type of violation behavior that warrants a recommendation to the court that probation be revoked.

(6) Procedures notifying the probationer, the district attorney, the defense counsel of record, and the court of probation of a violation admitted by the probationer and the administrative sanctions imposed.

(7) Such other policies and procedures as are necessary to implement the provisions of this Article and to provide adequate probation supervision.

C. If the administrative sanction imposed pursuant to the provisions of this Article is jail confinement, the confinement shall not exceed ten days per violation and shall not exceed a total of sixty days per year.

D. For purposes of this Article, "technical violation" means any violation of a condition of probation, except that it does not include any of the following:

- (1) A new felony conviction.
- (2) A conviction for an intentional misdemeanor directly affecting the person.
- (3) An allegation of a subsequent criminal act pursuant to R.S. 14:2(B).
- (4) An allegation of a subsequent criminal act pursuant to R.S. 15:541.
- (5) An allegation of domestic abuse battery pursuant to R.S. 14:35.3 committed by one family member, household member, or dating partner against another.
- (6) An allegation of violation of protective order pursuant to R.S. 14:79 committed by one family member, household member, or dating partner against another."

AMENDMENT NO. 9

On page 6, between lines 23 and 24, insert the following:

"(5)(a) Order that the probation be revoked. In the event of revocation the defendant shall serve the sentence suspended, with or without credit for the time served on probation at the discretion of the court. If the imposition of sentence was suspended, the defendant shall serve the sentence imposed by the court at the revocation hearing.

(b) Notwithstanding the provisions of Item(a) of this Subparagraph, in the event of revocation for a defendant placed on probation for the conviction of an offense other than a crime of violence as defined in R.S. 14:2(B) or a sex offense as defined in R.S. 15:541, the defendant shall serve the sentence suspended with credit for time served on probation.

(6)(a) Notwithstanding the provisions of Subparagraph (A)(5) of this Article, any defendant who has been placed on probation by the drug division probation program pursuant to R.S. 13:5304, and who has had his probation revoked under the provisions of this Article for a technical violation of drug division probation as determined by the court, may be ordered to be committed to the custody of the Department of Public Safety and Corrections and be required to serve a sentence of not more than twelve months without diminution of sentence in the intensive incarceration program pursuant to the provisions of R.S. 15:574.4.4. Upon successful completion of the program, the defendant shall return to active, supervised probation with the drug division probation program for a period of time as ordered by the court, subject to any additional conditions imposed by the court and under the same provisions of law under which the defendant was originally sentenced. If an offender is denied entry into the intensive incarceration program for physical or mental health reasons or for failure to meet the department's suitability criteria, the department shall notify the sentencing court for resentencing in accordance with the provisions of Article 881.1.

(b) Notwithstanding the provisions of Subparagraph (A)(5) of this Article, any defendant who has been placed on probation by the court for the conviction of an offense other than a crime of violence as defined in R.S. 14:2(B) or of a sex offense as defined in R.S. 15:541(24), and who has had his probation revoked under the

May 31, 2017

provisions of this Article for his first a technical violation of his probation as determined by the court, shall be required to serve a sentence of not more than ninety days without diminution of sentence, without diminution of sentence, as follows:

- (i) For the first technical violation, not more than fifteen days.
- (ii) For the second technical violation, not more than thirty days.
- (iii) For a third or subsequent technical violation, not more than forty-five days.

(c) The defendant shall be given credit for time served prior to the revocation hearing for time served in actual custody while being held for a technical violation in a local detention facility, state institution, or out-of-state institution pursuant to Article 880. The term of the revocation for a technical violation shall begin on the date the court orders the revocation. Upon completion of the imposed sentence for the technical revocation, the defendant shall return to active and supervised probation for a period equal to the remainder of the original period of probation subject to any additional conditions imposed by the court. The provisions of this Paragraph shall apply only to the defendant's first revocation for a technical violation.

(d) If a defendant completes ninety days of court-recommended substance abuse treatment he shall receive ninety days credit toward his term of probation.

(e) A "technical violation", as used in this Paragraph, means any violation except a felony conviction, except it shall not include any of the following:

- (i) Being arrested, charged, or convicted of any of the following:
 - (aa) A felony.
 - (bb) A violation of any provision of Title 40 of the Louisiana Revised Statutes of 1950, except for misdemeanor possession of marijuana or tetrahydrocannabinol, or chemical derivatives thereof, as provided in R.S. 40:966(E)(1), which shall be considered a "technical violation".
 - (cc) Any intentional misdemeanor directly affecting the person.
 - (dd) At the discretion of the court, any attempt to commit any intentional misdemeanor directly affecting the person.
 - (ee) At the discretion of the court, any attempt to commit any other misdemeanor.
 - (ii) Being in possession of a firearm or other prohibited weapon.
 - (iii) Failing to appear at any court hearing.
 - (iv) Absconding from the jurisdiction of the court.
 - (v) Failing to satisfactorily complete a drug court program if ordered to do so as a special condition of probation.
 - (vi) At the discretion of the court, failing to report to the probation officer for more than one hundred twenty consecutive days.

AMENDMENT NO. 10

On page 7, after line 4, insert the following:

"Art. 903.1. Substance abuse probation program; eligibility

A. In order to be eligible for the substance abuse probation program, the defendant must be charged with a violation of a statute of this state relating to the use and possession of or possession with intent to distribute any narcotic drugs, coca leaves, marijuana, stimulants, depressants, or hallucinogenic drugs, or where there is a significant relationship between the use of alcohol or drugs and the crime before the court, shall not be excluded from participation pursuant to the provisions of Paragraph B of this Article and shall be charged with any of the following offenses:

- (1) Felony possession of a controlled dangerous substance as defined in R.S. 40:966(C), 967(C), 968(C), or 969(C).
- (2) Except as provided in Subparagraph (3) of this Paragraph, possession with intent to distribute a controlled dangerous substance as defined in R.S. 40:966(A), 967(A), 968(A), or 969(A) where the offense involves less than twenty-eight grams of the controlled dangerous substance.
- (3) Possession with intent to distribute marijuana or synthetic cannabinoids as defined in R.S. 40:966(A) where the offense involves less than one pound of marijuana or synthetic cannabinoids.

B. The provisions of this Article shall not apply to any defendant who has been convicted of a crime of violence as defined in R.S. 14:2(B), 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, or a sex

offense as defined in R.S. 15:541, or any defendant who has participated in or declined to participate in a drug division probation program as provided for in R.S. 13:5301 et seq.

Section 2. R.S. 13:5304(B)(10)(b) is hereby amended and reenacted to read as follows:

§5304. The drug division probation program

B. Participation in probation programs shall be subject to the following provisions:

(10) In order to be eligible for the drug division probation program, the defendant must satisfy each of the following criteria:

(b) The crime before the court cannot be a crime of violence as defined in R.S. 14:2(B), 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, or an offense of domestic abuse battery which is punishable by imprisonment at hard labor as provided in R.S. 14:35.3.

Section 3. R.S. 15:571.3(B) and (D), 574.2(C)(1) and (2) and (D)(1), (6)(introductory paragraph), (8)(a) and (9), 574.4(A)(1), (B)(1) and (C)(2), 574.4.1(A)(1), 574.6, 574.7(B)(1)(introductory paragraph) and (C), 574.9(D), (E), (F), and (G), 574.20 and 828(B) and (C) are hereby amended and reenacted and R.S. 15:574.2(C)(4), 574.4(F), 574.7(D), 574.9(H), 827(A)(7) and 828(D) are hereby enacted to read as follows:

§571.3. Diminution of sentence for good behavior

B.(1)(a) Unless otherwise prohibited, every inmate offender in the custody of the department who has been convicted of a felony, except an inmate offender convicted a second time of a crime of violence as defined by R.S. 14:2(B), and sentenced to imprisonment for a stated number of years or months, may earn, in lieu of incentive wages, a diminution of sentence by good behavior and performance of work or self-improvement activities, or both, to be known as "good time". Those inmates offenders serving life sentences will be credited with good time earned which will be applied toward diminution of their sentences at such time as the life sentences might be commuted to a specific number of years. The secretary shall establish regulations for awarding and recording of good time and shall determine when good time has been earned toward diminution of sentence. The amount of diminution of sentence allowed under the provisions of this Section shall be at the 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 behavior prior to sentencing for the particular sentence imposed as authorized by the provisions of Code of Criminal Procedure Article 880.

(b) The provisions of Subparagraph (a) of this Paragraph shall be applicable to persons offenders convicted of offenses or revoked on probation or parole on or after January 1, 1992 and who are not serving a sentence for the following offenses:

- (i) A sex offense as defined in R.S. 15:541.
- (ii) A crime of violence as defined in R.S. 14:2(B).
- (iii) Any offense which would constitute a crime of violence as defined in R.S. 14:2(B) or a sex offense as defined in R.S. 15:541, regardless of the date of conviction.

(2)(a) An inmate offender convicted a first time of a crime of violence as defined in R.S. 14:2(B), without a prior conviction of a crime of violence as defined in R.S. 14:2(B) or a sex offense as defined in R.S. 15:541, shall earn diminution of sentence at a rate of three days for every seventeen one day for every three days in actual custody held on the imposed sentence, including time spent in custody with good behavior prior to sentencing for the particular sentence imposed as authorized by Code of Criminal Procedure Article 880.

(b) The provisions of this Paragraph shall not apply to an offender if his instant conviction is for a crime that is a crime of violence as defined in R.S. 14:2(B) and a sex offense as defined in 15:541.

(c) The provisions of this Paragraph shall apply only to offenders convicted of offenses or revoked on probation or parole on or after November 1, 2017.

(3) A person shall not be eligible for diminution of sentence for good behavior if he has been convicted of or pled guilty to, or where adjudication has been deferred or withheld for, a violation of any one of the following offenses:

- (a) Rape (R.S. 14:41);
- (b) Aggravated or first degree rape (R.S. 14:42);
- (c) Forecible or second degree rape (R.S. 14:42.1);
- (d) Simple or third degree rape (R.S. 14:43);
- (e) Sexual battery (R.S. 14:43.1);
- (f) Second degree sexual battery (R.S. 14:43.2);
- (g) Oral sexual battery (R.S. 14:43.3);
- (h) Intentional exposure to AIDS virus (R.S. 14:43.5);
- (i) Repealed by Acts 2014, No. 602, §7, eff. June 12, 2014;
- (j) Repealed by Acts 2014, No. 602, §7, eff. June 12, 2014;
- (k) Felony carnal knowledge of a juvenile (R.S. 14:80);
- (l) Indecent behavior with juveniles (R.S. 14:81);
- (m) Pornography involving juvenile (R.S. 14:81.1);
- (n) Molestation of a juvenile or a person with a physical or mental disability (R.S. 14:81.2);
- (o) Computer-aided solicitation of a minor (R.S. 14:81.3);
- (p) Crime against nature (R.S. 14:89);
- (q) Aggravated crime against nature (R.S. 14:89.1);
- (r) Sexual battery of persons with infirmities (R.S. 14:93.5);

(4) Diminution of sentence shall not be allowed an inmate in the custody of the Department of Public Safety and Corrections if the inmate has been convicted one or more times under the laws of this state, any other state, or the federal government of any one or more of the following crimes or attempts to commit any of the following crimes:

- (a) Felony carnal knowledge of a juvenile;
- (b) Indecent behavior with juveniles;
- (c) Molestation of a juvenile or a person with a physical or mental disability;
- (d) Crime against nature as defined by R.S. 14:89(A)(2);
- (e) Aggravated crime against nature as defined by R.S. 14:89.1(A)(2);

D.(1) Diminution of sentence shall not be allowed an inmate offender in the custody of the Department of Public Safety and Corrections if the instant offense is a second offense crime of violence as defined by R.S. 14:2(B) crime of violence as defined by R.S. 14:2(B) and the offender has two or more prior convictions for a crime of violence as defined by R.S. 14:2(B) or a sex offense as defined by R.S. 15:541.

(2) Diminution of sentence shall not be allowed an offender in the custody of the Department of Public Safety and Corrections if the instant offense is a sex offense as defined by R.S. 15:541.

§574.2. Committee on parole, Board of Pardons; membership; qualifications; vacancies; compensation; domicile; venue; meetings; quorum; panels; powers and duties; transfer of property to committee; representation of applicants before the committee; prohibitions

C.(1) The committee shall meet in a minimum of three-member panels at the adult correctional institutions on regular scheduled dates, not less than every three months. Such dates are to be determined by the chairman. Except as provided for in Paragraph (2) of this Subsection or in cases where the offender is released pursuant to Paragraph (4) of this Subsection, three votes of a three-member panel shall be required to grant parole, or, if the number exceeds a three-member panel, a unanimous vote of those present shall be required to grant parole.

(2) ~~The~~ Except in cases where the offender is released pursuant to Paragraph (4) of this Subsection, the committee may grant parole with two votes of a three-member panel, or, if the number exceeds a three-member panel, a majority vote of those present if all of the following conditions are met:

- (a) The offender has not been convicted of a sex offense as defined in R.S. 15:541 or an offense which would constitute a sex offense as defined in R.S. 15:541, regardless of the date of conviction.
- (b) The offender has not committed any major disciplinary offenses in the twelve consecutive months prior to the parole

eligibility date. A major disciplinary offense is an offense identified as a Schedule B offense by the Department of Public Safety and Corrections in the Disciplinary Rules and Procedures of Adult Offenders.

(c) The offender has completed the mandatory minimum of one hundred hours of pre-release programming in accordance with R.S. 15:827.1 if such programming is available at the facility where the offender is incarcerated.

(d) The offender has completed substance abuse treatment as applicable.

(e) The offender has obtained a GED credential, unless the offender has previously obtained a high school diploma or is deemed by a certified educator as being incapable of obtaining a GED credential due to a learning disability. If the offender is deemed incapable of obtaining a GED credential, the offender must complete at least one of the following: a literacy program, an adult basic education program, or a job skills training program.

(f) The offender has obtained a low-risk level designation determined by a validated risk assessment instrument approved by the secretary of the Department of Public Safety and Corrections.

(4)(a) Notwithstanding any provision of law to the contrary, each offender convicted of an offense other than a crime of violence as defined in R.S. 14:2(B) or a sex offense as defined in R.S. 15:541 after November 1, 2017, and eligible for parole pursuant to R.S. 15:574.4(A)(1), except those sentenced under R.S. 15:529.1, shall be released on administrative parole on the offender's parole eligibility date without a hearing before the committee if all of the following conditions are met:

(i) Beginning January 1, 2021, the offender has completed a case plan pursuant to R.S. 15:827(A)(7), except as provided in Subparagraph (b) of this Paragraph.

(ii) The offender's charge or amended charge on the bill of information was 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 district attorney of the parish in which the conviction occurred or a victim of the offender has not requested that the committee on parole conduct a hearing.

(iii) The offender has not committed any major disciplinary offenses in the twelve consecutive months prior to the administrative parole eligibility date. A major disciplinary offense is an offense identified as a Schedule B offense by the Department of Public Safety and Corrections in the Disciplinary Rules and Procedures for Adult Offenders.

(iv) The offender has agreed to the conditions of supervision.
 (b) If the offender has met the conditions provided in Items (ii), (iii), and (iv) of Subparagraph (a) of this Paragraph, he shall still be released on administrative parole if the case plan was not created for him or the incomplete case plan was not the fault of the offender.

D. In accordance with the provisions of this Part, the committee on parole shall have the following powers and duties:

(1) ~~To~~ Except as provided in Paragraph (C)(4) of this Section, to determine the time and conditions of release on parole of any person offender who has been convicted of a felony and sentenced to imprisonment, and confined in any penal or correctional institution in this state.

(6) ~~To~~ Except as provided in Paragraph (C)(4) of this Section, to consider all pertinent information with respect to each prisoner offender who is incarcerated in any penal or correctional institution in this state at least one month prior to the parole eligible date and thereafter at such other intervals as it may determine, which information shall be a part of the inmate's offender's consolidated summary record and which shall include:

(8)(a) To notify the district attorney of the parish where the conviction occurred. The notification shall be in writing and shall be issued at least thirty sixty days prior to the hearing date. For offenders eligible for release pursuant to Paragraph (C)(4) of this Section, the notification shall be in writing and shall be issued at least ninety days prior to the offender's administrative parole eligibility date. If the offender's charge or amended charge on the bill of information was a crime of violence as defined in R.S. 14:2(B) or a sex offense as defined in R.S. 15:541, the district attorney of the parish in which the conviction occurred shall have thirty days from

the date of notification to object to the offender's release on administrative parole and may request that the committee on parole conduct a hearing. The district attorney of the parish where the conviction occurred shall be allowed to review the record of the offender since incarceration, including but not limited to any educational or vocational training, rehabilitative program participation, disciplinary conduct, and risk assessment score. The district attorney shall be allowed to present testimony to the committee on parole and submit information relevant to the proceedings, except as provided in Paragraph (C)(4) of this Section.

(9)(a) To notify the victim, or the spouse or next of kin of a deceased victim, when the offender is scheduled for a parole hearing. The notification shall be in writing and sent no less than thirty six days prior to the hearing date. The notice shall advise the victim, or the spouse or next of kin of a deceased victim, of their rights with regard to the hearing. The notice is not required when the victim, or the spouse or next of kin of a deceased victim, advises the committee in writing that such notification is not desired. The victim, or the spouse or next of kin of a deceased victim, shall be allowed to testify at the hearing. The victim, or the spouse or next of kin of a deceased victim, shall be allowed to testify directly, or in rebuttal to testimony or evidence offered by or on behalf of the offender, or both.

(b) To notify the victim, or the spouse or next of kin of a deceased victim of those offenders eligible for release pursuant to Paragraph (C)(4) of this Section. The notification shall meet all requirements set forth in Subparagraph (9)(a) of this Section except that it shall give notice of the offender's administrative parole eligibility date and be sent no less than ninety days prior to the offender's administrative parole eligibility date. If the offender's charge or amended charge on the bill of information was a crime of violence as defined in R.S. 14:2(B) or a sex offense as defined in R.S. 15:541, the victim, or the spouse or next of kin of a deceased victim shall have thirty days from the date of notification to object to the offender's release on administrative parole and may request that the committee on parole conduct a hearing.

§574.4. Parole; eligibility

A.(1)(a) Unless eligible at an earlier date and except as provided for in Subparagraph (b) of this Paragraph and Subsection B of this Section, a person; otherwise eligible for parole, convicted of a first felony offense shall be eligible for parole consideration upon serving twenty-five percent of the sentence imposed. The provisions of this Subparagraph shall not apply to any person whose instant offense is a crime of violence as defined in R.S. 14:2(B), a sex offense as defined in R.S. 15:541, or any offense which would constitute a crime of violence as defined in R.S. 14:2(B) or a sex offense as defined in R.S. 15:541, regardless of the date of conviction. Notwithstanding any provisions of law to the contrary, the provisions of this Subparagraph shall be applicable to persons convicted of offenses or persons that have had probation or parole revoked prior to and on or after, November 1, 2017. thirty-three and one-third percent of the sentence imposed. Upon conviction of a second felony offense, such person shall be eligible for parole consideration upon serving fifty percent of the sentence imposed. A person convicted of a third or subsequent felony offense shall not be eligible for parole.

(b)(i) Notwithstanding the provisions of Subparagraph (a) of this Paragraph, a person, otherwise eligible for parole, convicted of a first felony offense shall be eligible for parole consideration upon serving twenty-five percent of the sentence imposed. The provisions of this Subparagraph shall not apply to any person who has been convicted of a crime of violence as defined in R.S. 14:2(B), has been convicted of a sex offense as defined in R.S. 15:541, has been sentenced as a habitual offender pursuant to R.S. 15:529.1, or is otherwise ineligible for parole. A person, otherwise eligible for parole, whose instant offense is a second conviction of a crime of violence as defined in R.S. 14:2(B) or a first or second conviction of a sex offense as defined in R.S. 15:541 shall be eligible for parole consideration upon serving seventy-five percent of the sentence imposed. A person convicted a third or subsequent time of a crime of violence as defined in R.S. 14:2(B) or a third or subsequent time of a sex offense as defined in R.S. 15:541 shall not be eligible for parole.

(ii) Notwithstanding the provisions of Subparagraph (b)(i) of this Paragraph, a person, otherwise eligible for parole, convicted of a

crime of violence as defined in R.S. 14:2(B) who does not have a prior felony conviction for a crime of violence as defined in R.S. 14:2(B) or a prior felony conviction for a sex offense as defined in R.S. 15:541 shall be eligible for parole consideration upon serving sixty-five percent of the sentence imposed. The provisions of this Item shall not apply to any person convicted of a sex offense as defined in R.S. 15:541.

(iii) The provisions of this Subparagraph shall be applicable only to persons convicted of offenses or revoked on probation or parole on or after November 1, 2017.

(ii) Notwithstanding the provisions of Subparagraph (a) of this Paragraph, a person, otherwise eligible for parole, convicted of a second felony offense shall be eligible for parole consideration upon serving thirty-three and one-third percent of the sentence imposed. The current 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 current offense or offenses and the expiration of the person's maximum sentence or sentences of the previous conviction or convictions, or between the expiration of his maximum sentence or sentences of each preceding conviction and the date of the commission of the following offense or offenses. In computing the intervals of time, 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 the ten-year periods between the expiration of the person's maximum sentence or sentences and the next succeeding offense or offenses. The provisions of this Item shall not apply to any person who has been convicted of a crime of violence as defined in R.S. 14:2(B), has been convicted of a sex offense as defined in R.S. 15:541, has been sentenced as a habitual offender pursuant to R.S. 15:529.1, or is otherwise ineligible for parole.

(iii) Any person eligible for parole pursuant to the provisions of this Subparagraph shall not be eligible for parole pursuant to the provisions of Subparagraph (a) of this Paragraph.

(iv) Nothing in this Subparagraph shall prevent a person from reapplying for parole as provided by rules adopted in accordance with the Administrative Procedure Act.

B.(1) No person shall be eligible for parole consideration who has been convicted of armed robbery and denied parole eligibility under the provisions of R.S. 14:64. Except as provided in Paragraph (2) of this Subsection, and except as provided in Paragraph (A)(5) and Subsections D, and E, and F of this Section, no prisoner serving a life sentence shall be eligible for parole consideration until his life sentence has been commuted to a fixed term of years. No prisoner sentenced as a serial sexual offender shall be eligible for parole. No prisoner may be paroled while there is pending against him any indictment or information for any crime suspected of having been committed by him while a prisoner. Notwithstanding any other provisions of law to the contrary, a person convicted of a crime of violence and not otherwise ineligible for parole shall serve at least seventy sixty-five percent of the sentence imposed, before being eligible for parole. The victim or victim's family shall be notified whenever the offender is to be released provided that the victim or victim's family has completed a Louisiana victim notice and registration form as provided in R.S. 46:1841 et seq., or has otherwise provided contact information and has indicated to the Department of Public Safety and Corrections, Crime Victims Services Bureau, that they desire such notification.

C.(1)

(2) In Except as provided in R.S. 15:574.2(C)(4), in cases where the offender has been convicted of, or where adjudication has been deferred or withheld for the perpetration or attempted perpetration of a violation of a sex offense as defined in R.S. 15:541 and parole is permitted by law and the offender is otherwise eligible, the committee shall consider reports, assessments, and clinical information, as available, including any testing and recommendations by mental health professionals, as to all of the following:

(i) Whether the offender has successfully completed the sex offender program.

(ii) Whether, in the expert's opinion, there is a likelihood that the offender will or will not repeat the criminal conduct and that the offender will or will not be a danger to society.

(b) ~~The~~ Except as provided in R.S. 15:574.2(C)(4), the committee shall render its decision ordering or denying the release of the prisoner on parole only after considering this clinical evidence where such clinical evidence is available.

* * *

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 July 2, 1973, and prior to June 29, 1979.

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

(3) The committee on parole has granted parole with a unanimous vote of those present.

§574.4.1. Parole consideration and hearings

A.(1) The parole hearings shall be conducted in a formal manner in accordance with the rules formulated by the committee and with the provisions of this Part. ~~Before~~ Except as provided in R.S. 15:574.2(C)(4), before the parole of any prisoner is ordered, such prisoner shall appear before and be interviewed by the committee, except those incarcerated in parish prisons or parish correctional centers, in which case one committee member may conduct the interview. The committee may order a reconsideration of the case or a rehearing at any time.

* * *

§574.6. Parole term; automatic discharge

The parole term, when the committee orders a ~~prisoner~~ an offender released on parole, shall be for the remainder of the ~~prisoner's~~ offender's sentence, ~~without any diminution of sentence for good behavior with credits for compliance with the terms and conditions of parole supervision pursuant to Code of Criminal Procedure Article 895.7.~~ When the parolee has completed his full parole term, he shall be discharged from parole by the Department of Public Safety and Corrections without order by the committee, provided that:

(1) No warrant has been issued by the committee for the arrest of the parolee.

(2) No detainer has been issued by the parole officer for the detention of the parolee pending revocation proceedings.

(3) No indictment or bill of information is pending for any felony the parolee is suspected to have committed while on parole.

§574.7. Custody and supervision of parolees; modification or suspension of supervision; violation of conditions of parole; sanctions; alternative conditions; administrative sanctions

* * *

B.(1) At the time a defendant is released on parole for a crime of violence as defined in R.S. 14:2(B) or a sex offense as defined in R.S. 15:541, the committee on parole may make a determination as to whether a defendant is eligible for the imposition of administrative sanctions as provided for in this Section. If authorized to do so by the committee, each time a parolee violates a condition of parole, a parole officer may use administrative sanctions to address a technical violation committed by a parolee when all of the following occur:

* * *

C. (1) Each time a parolee on parole for a crime other than a crime of violence as defined in R.S. 14:2(B) or a sex offense as defined in R.S. 15:541 violates a condition of parole, a parole officer is authorized to use administrative sanctions to address a technical violation committed by a parolee when all of the following occur:

(a) The parolee, after receiving written notification of his right to a hearing before a court and right to counsel, provides a written waiver of a parole violation hearing.

(b) The parolee admits to the violation or affirmatively chooses not to contest the violation alleged in the parole violation report.

(c) The parolee consents to the imposition of administrative sanctions by the Department of Public Safety and Corrections.

(2) The department shall promulgate rules to implement the provisions of this Subsection to establish the following:

(a) A system of structured, administrative sanctions which shall be imposed for technical violations of parole and which shall take into consideration the following factors:

(i) The severity of the violation behavior.

(ii) The prior violation history.

(iii) The severity of the underlying criminal conviction.

(iv) The criminal history of the parolee.

(v) Any special circumstances, characteristics, or resources of the parolee.

(vi) Protection of the community.

(vii) Deterrence.

(viii) The availability of appropriate local sanctions, including but not limited to jail, treatment, community service work, house arrest, electronic surveillance, restitution centers, work release centers, day reporting centers, or other local sanctions.

(ix) Incarceration shall not be used for first or second lowest-level violations, including but not limited to first positive drug test; association with known felons or persons involved in criminal activity; changing residence without permission; failure to initially report as required; failure to pay restitution up to three months; failure to report as instructed; travel without permission; and unemployment and failure to seek employment within ninety days.

(x) Incarceration shall not be used for first or second violations of alcohol use or admission, except for defendants convicted of operating a vehicle while intoxicated pursuant to R.S. 14:98; defendants convicted of domestic abuse battery pursuant to R.S. 14:35.3 committed by one family member, household member, or dating partner against another; or defendants convicted of violation of a protective order pursuant to R.S. 14:79 committed by one family member, household member, or dating partner against another.

(b) Procedures to provide a parolee with written notice of the right to a parole violation hearing to determine whether the parolee violated the conditions of parole alleged in the violation report and the right to be represented by counsel at state expense at that hearing if financially eligible.

(c) Procedures for a parolee to provide written waiver of the right to a parole violation hearing, to admit to the violation or affirmatively choose not to contest the violation alleged in the parole violation report, and to consent to the imposition of administrative sanctions by the department.

(d) The level and type of sanctions that may be imposed by parole officers and other supervisory personnel.

(e) The level and type of violation behavior that warrants a recommendation to the board that parole be revoked.

(f) Procedures notifying the parolee and the committee on parole of a violation admitted by the parolee and the administrative sanctions imposed.

(g) Such other policies and procedures as are necessary to implement the provisions of this Subsection and to provide adequate parole supervision.

(3) If the administrative sanction imposed pursuant to the provisions of this Subsection is jail confinement, the confinement shall not exceed ten days per violation and shall not exceed a total of sixty days per year.

(4) For purposes of this Subsection, "technical violation" means any violation of a condition of parole, that does not include any of the following:

(a) A new felony conviction.

(b) A conviction for an intentional misdemeanor directly affecting the person.

(c) An allegation of a subsequent criminal act that if proven would be a crime of violence as defined in R.S. 14:2(B).

(d) An allegation of a subsequent criminal act that if proven would be a sex offense as defined in R.S. 15:541.

(e) An allegation of domestic abuse battery pursuant to R.S. 14:35.3 committed by one family member, household member, or dating partner against another.

(f) An allegation of violation of protective order pursuant to R.S. 14:79 committed by one family member, household member, or dating partner against another.

D.(1) If the chief probation and parole officer, upon recommendation by a parole officer, has reasonable cause to believe that a parolee has violated the conditions of parole, he shall notify the committee, and shall cause the appropriate parole officer to submit the parolee's record to the committee. After consideration of the record submitted, and after such further investigation as it may deem necessary, the committee may order:

(a) The issuance of a reprimand and warning to the parolee.
(b) That the parolee be required to conform to one or more additional conditions of parole which may be imposed in accordance with R.S. 15:574.4.

(c) That the parolee be arrested, and upon arrest be given a prerevocation hearing within a reasonable time, at or reasonably near the place of the alleged parole violation or arrest, to determine whether there is probable cause to detain the parolee pending orders of the parole committee.

(2) Upon receiving a summary of the prerevocation proceeding, the committee may order the following:

(a) The parolee's return to the physical custody of the Department of Public Safety and Corrections, corrections services, to await a hearing to determine whether his parole should be revoked.

(b) As an alternative to revocation, that the parolee, as a condition of parole, be committed to a community rehabilitation center or a substance abuse treatment program operated by, or under contract with, the department, for a period of time not to exceed six months, without benefit of good time, provided that such commitment does not extend the period of parole beyond the full parole term. Upon written request of the department that the offender be removed for violations of the rules or regulations of the community rehabilitation center or substance abuse program, the committee shall order that the parole be revoked, with credit for time served in the community rehabilitation center.

§574.9. Revocation of parole for violation of condition; committee panels; return to custody hearing; duration of reimprisonment and reparole after revocation; credit for time served; revocation for a technical violation

D. When a detainer is issued by the parole officer for an allegation of the commission of another crime, it is enforceable until bond is set by the judge for the new crime. When the bond is set, the detainer shall expire and the parolee may be released upon posting of the bond.

DE. Parole revocation shall require two votes of a three-member panel of parole committee members or, if the number of members present exceeds a three-member panel, a majority vote of those members present and voting, and the order of revocation shall be reduced to writing and preserved.

EF. When the parole of a parolee has been revoked by the committee for violation of the conditions of parole, the parolee shall be returned to the physical custody of the Department of Public Safety and Corrections, corrections services, and serve the remainder of his sentence as of the date of his release on parole, and any credit for time served for good behavior while on parole. The parolee shall be given credit for time served prior to the revocation hearing for time served in actual custody while being held for a parole violation in a local detention facility, state institution, or out-of-state institution pursuant to Code of Criminal Procedure Article 880.

FG. Any such prisoner whose parole has been revoked may be considered by the committee for reparole in accordance with the provisions of this Part.

GH.(1)(a)(i) Except as provided in Subparagraph (b) of this Paragraph, any Any offender who has been released on parole and whose parole supervision is being revoked pursuant to the provisions of this Subsection for a technical violation of the conditions of parole as determined by the committee on parole, shall be required to serve the following sentences:

(aa)(i) For the first technical violation, the offender shall serve not more than ninety fifteen days.

(bb)(ii) For a second technical violation, the offender shall serve not more than one hundred twenty thirty days.

(cc)(iii) For a third or subsequent technical violation, the offender shall serve not more than one hundred eighty forty-five days.

(ii)(b) The sentences imposed pursuant to Item (i) of this Subparagraph (a) of this Paragraph shall be served without diminution of sentence or credit for time served prior to the revocation for a technical violation. The term of the revocation for the technical violation shall begin on the date the committee on parole orders the revocation. Upon completion of the imposed technical revocation sentence, the offender shall return to active

parole supervision for the remainder of the original term of supervision.

(c) If the offender completes ninety days of committee-recommended substance abuse treatment, he shall receive ninety days of credit toward his term of parole.

(d) The offender shall be given credit toward service of his sentence for time spent in actual custody prior to the revocation hearing while being held for a technical violation in a local detention facility, state institution, or out-of-state institution.

(b)(e) The provisions of Subparagraph (a) of this Paragraph shall not apply to the following offenders:

(i) Any offender released on parole for the conviction of a crime of violence as defined in R.S. 14:2(B).

(ii) Any offender released on parole for the conviction of a sex offense as defined in R.S. 15:541.

(iii) Any offender released on parole who is subject to the sex offender registration and notification requirements of R.S. 15:541 et seq.

(2) A "technical violation", as used in this Subsection, means any violation except a new felony conviction. ~~It shall not include any of the following:~~

~~(a) Being arrested, charged, or convicted of any of the following:~~

~~(i) A felony.~~

~~(ii) Repealed by Acts 2010, No. 510, §1, eff. Aug. 15, 2010.~~

~~(iii) Any intentional misdemeanor directly affecting the person.~~

~~(iv) At the discretion of the committee on parole, any attempt to commit any intentional misdemeanor directly affecting the person.~~

~~(v) At the discretion of the committee on parole, any attempt to commit any other misdemeanor.~~

~~(b) Being in possession of a firearm or other prohibited weapon.~~

~~(c) Failing to appear at any court hearing.~~

~~(d) Absconding from the jurisdiction of the committee on parole.~~

§574.20. Medical parole program; eligibility; revocation

A.(1) Notwithstanding the provisions of this Part or any other law to the contrary, any person sentenced to the custody of the Department of Public Safety and Corrections may, upon referral by the department, be considered for medical parole by the committee on parole. Medical parole consideration shall be in addition to any other parole for which an inmate may be eligible, but shall not be available to any inmate who is awaiting execution Notwithstanding the provisions of this Part or any other law to the contrary, any offender sentenced to the custody of the Department of Public Safety and Corrections may, upon referral by the department, be considered for medical parole or medical treatment furlough by the committee on parole. Consideration for parole or furlough under this Section shall be in addition to any other parole for which an offender may be eligible.

(2) Medical parole shall not be available to any inmate serving time for the violation of R.S. 14:30, first degree murder; or R.S. 14:30.1, second degree murder.

B. Medical Parole

(1) The committee on parole shall establish the medical parole program to be administered by the Department of Public Safety and Corrections. An inmate offender eligible for consideration for release under the program shall be any person offender who, because of an existing medical or physical condition, is determined by the department to be within one of the following designations:

(1)(a) "Permanently disabled inmate offender" means any person offender who is unable to engage in any substantial gainful activity by reason of any medically determinable physical impairment which can be expected to result in death or which is or can be expected to be permanently irreversible.

(2)(b) "Terminally ill inmate offender" means any inmate offender who, because of an existing medical condition, is irreversibly terminally ill. For the purposes of this Section, "terminally ill" is defined as having a life expectancy of less than one year due to an underlying medical condition.

(2) Medical parole shall not be available to any offender serving a sentence for a conviction of first degree murder (R.S. 14:30) or second degree murder (R.S. 14:30.1) or awaiting execution.

C. Medical Treatment Furlough

(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 monitoring, security, and supervision requirements that the committee deems necessary are secured by the division of probation and parole.

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

D. No inmate offender shall be recommended for medical parole or medical treatment furlough pursuant to this Section by the department until full consideration has been given to the inmate's offender's crime and criminal history, length of time served in custody, institutional conduct, an indication that the inmate offender represents a low risk to himself or society, and a medical assessment of the inmate's offender's condition. In the assessment of risk, emphasis shall be given to the inmate's offender's medical condition and how this relates to his overall risk to society.

DE. The authority to grant medical parole or medical treatment furlough pursuant to this Section shall rest solely with the committee on parole, and the committee shall establish additional conditions of the parole or medical treatment furlough in accordance with the provisions of this Subpart. The Department of Public Safety and Corrections shall identify those inmates offenders who may be eligible for medical parole or medical treatment furlough based upon available medical information. In considering an inmate offender for medical parole or medical treatment furlough, the committee may require that additional medical evidence be produced or that additional medical examinations be conducted. The committee on parole shall determine the risk to public safety and shall grant medical parole or medical treatment furlough only after determining that the inmate offender does not pose a threat to public safety.

EF. The parole term of an inmate offender released on medical parole or medical treatment furlough shall be for the remainder of the inmate's offender's sentence, without diminution of sentence for good behavior. Supervision of the parolee offender shall consist of periodic medical evaluations at intervals to be determined by the committee at the time of release.

FG. If it is discovered through the supervision of the medical parolee or medical treatment furlough that his condition has improved such that he would not then be eligible for medical parole or medical treatment furlough under the provisions of this Subpart, the committee may order that the person offender be returned to the custody of the Department of Public Safety and Corrections to await a hearing to determine whether his parole or medical treatment furlough shall be revoked. Any person offender whose medical parole or medical treatment furlough is revoked due to an improvement in his condition shall resume serving the balance of his sentence with credit given for the duration of the medical parole or medical treatment furlough. If the person's offender's medical parole or medical treatment furlough is revoked due to an improvement in his condition, and he would be otherwise eligible for parole, he may then be considered for parole under the provisions of R.S. 15:574.4. Medical parole and medical treatment furlough may also be revoked for violation of any condition of the parole as established by the committee on parole.

GH. The committee on parole shall promulgate such rules as are necessary to effectuate this Subpart, including rules relative to the conduct of medical parole and medical treatment furlough hearings, and the conditions of medical parole and medical treatment furlough release.

* * *

§827. Duties of Department of Public Safety and Corrections

A. In addition to other duties imposed upon the department it shall be the duty of the department to:

* * *

(7) Establish a procedure that provides for each offender who is sentenced to one hundred eighty days or more in the custody of the Department of Public Safety and Corrections, a written case plan that is based on the results of an assessment of the offender's risk and needs and includes participation in programming that addresses the needs identified in that assessment. For offenders eligible for administrative parole pursuant to R.S. 15:574.2(C)(4), the department shall notify the committee in writing of an offender's compliance or noncompliance with the case plan not less than sixty days before an offender's administrative parole release date. The provisions of this Paragraph shall be implemented to the extent that funds are appropriated for this purpose and to the extent that it is consistent with the available resources.

* * *

§828. Classification and treatment programs; qualified sex offender programs; reports; earned credits

* * *

B. The secretary shall adopt rules and regulations for local jail facilities and state correctional institutions to encourage voluntary participation by inmates offenders in certified treatment and rehabilitation programs, including but not limited to basic education, job skills training, values development and faith-based initiatives, therapeutic programs, and treatment programs. When funds are provided, such educational programs shall be available at each penal or correctional institution under the jurisdiction of the department. The rules and regulations may include provisions for furloughs or the awarding of earned credits toward the reduction of the projected good time parole supervision date. Offenders may be awarded up to ninety days toward the reduction of the projected good time parole supervision date for satisfactory participation in each approved program pursuant to the provisions of this Subsection, but no offender shall receive more than three hundred sixty days total earned credits toward the reduction of the projected good time parole supervision date for program participation.

C. Notwithstanding any other provision of law to the contrary, any offender in the custody of the Department of Public Safety and Corrections who has been sentenced as an habitual offender pursuant to the provisions of R.S. 15:529.1 may earn additional good time for participation in certified treatment and rehabilitation programs as provided for in Subsection B of this Section, unless the offender was convicted of a sex offense as defined by R.S. 15:541 or a crime of violence as defined by R.S. 14:2(B); offender's instant offense is one of the following:

(1) A sex offense as defined in R.S. 15:541.

(2) A crime of violence as defined in R.S. 14:2(B) and the offender has two or more prior convictions of a crime of violence as defined in R.S. 14:2(B) or a sex offense as defined in R.S. 15:541.

D. Offenders who are otherwise eligible under this Section who are participating in the workforce development work release program pursuant to R.S. 15:1199.9, shall be eligible to earn an additional one hundred eighty days of credit towards the reduction of the projected good time parole supervision date.

Section 4. Code of Criminal Procedure Article 900(A)(7) is hereby repealed in its entirety.

Section 5. 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 and referred to the Legislative Bureau.

May 31, 2017

HOUSE BILL NO. 84—
BY REPRESENTATIVE DUSTIN MILLER
AN ACT

To amend and reenact Section 2 of Act No. 194 of the 2015 Regular Session of the Legislature, relative to court reporter fees; to provide relative to an increase in court reporter fees for the Twenty-Seventh Judicial District; to provide for a contingent effective date; and to provide for related matters.

Reported favorably by the Committee on Judiciary A. The bill was read by title and referred to the Legislative Bureau.

HOUSE BILL NO. 85—
BY REPRESENTATIVES PRICE, BACALA, BAGNERIS, BERTHELOT, BOUIE, DWIGHT, EDMONDS, RICHARD, AND SCHEXNAYDER
AN ACT

To enact R.S. 40:1665.2(B)(17) and (C)(4), relative to survivors of law enforcement officers killed while performing their duties; to provide for financial benefits for survivors of federal law enforcement agents killed in Louisiana; and to provide for related matters.

Reported with amendments by the Committee on Local and Municipal Affairs.

SENATE COMMITTEE AMENDMENTS

Amendments proposed by Senate Committee on Local and Municipal Affairs to Engrossed House Bill No. 85 by Representative Price

AMENDMENT NO. 1

On page 2, at the end of line 5, delete the period "." and insert "and the officer was participating in the enforcement of Louisiana laws."

On motion of Senator Colomb, the committee amendment was adopted. The amended bill was read by title and recommitted to the Committee on Finance.

HOUSE BILL NO. 88—
BY REPRESENTATIVES GREGORY MILLER, GAINES, AND SCHEXNAYDER AND SENATOR GARY SMITH
AN ACT

To enact R.S. 33:4712.17, relative to the naming of a law enforcement training facility in St. John the Baptist Parish; to provide for an exception to the statutory prohibition of naming of a public building after a living person; to authorize the St. John the Baptist Parish Sheriff to name a certain building after a living person; and to provide for related matters.

Reported favorably by the Committee on Local and Municipal Affairs. The was read by title and referred to the Legislative Bureau.

HOUSE BILL NO. 93—
BY REPRESENTATIVE MIGUEZ
AN ACT

To amend and reenact R.S. 11:1307(B), 2185, and 2235 and to enact R.S. 40:1665.4, relative to law enforcement officers; to authorize an immediate family member of a qualified law enforcement officer to purchase his duty firearm upon death; to provide for certain criteria; and to provide for related matters.

Reported favorably by the Committee on Judiciary B. The bill was read by title and referred to the Legislative Bureau.

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.

Reported favorably by the Committee on Natural Resources. The bill was read by title and recommitted to the Committee on Finance.

HOUSE BILL NO. 104—
BY REPRESENTATIVE LEOPOLD
AN ACT

To amend and reenact R.S. 13:996.66(A), relative to the judicial expense fund for the Twenty-Fifth Judicial District Court; to increase certain fees and costs in civil and criminal matters; to provide for a contingent effective date; and to provide for related matters.

Reported favorably by the Committee on Judiciary A. The bill was read by title and referred to the Legislative Bureau.

HOUSE BILL NO. 109—
BY REPRESENTATIVE DEVILLIER
AN ACT

To amend and reenact R.S. 47:337.14(E), relative to the central sales tax collection commission of St. Landry Parish; to provide relative to the membership of the commission; and to provide for related matters.

Reported favorably by the Committee on Local and Municipal Affairs. The bill was read by title and referred to the Legislative Bureau.

HOUSE BILL NO. 113—
BY REPRESENTATIVE BROADWATER
AN ACT

To amend and reenact R.S. 17:3351.20(A)(1) and (F), relative to fees charged to students at public postsecondary education institutions; to extend the authority of a public postsecondary education management board to establish, adjust, and increase certain fees; to provide limitations; to extend the requirement that such boards report annually to the legislature relative to such fees; and to provide for related matters.

Reported favorably by the Committee on Education. The bill was read by title and recommitted to the Committee on Revenue and Fiscal Affairs.

HOUSE BILL NO. 115—
BY REPRESENTATIVE CROMER
AN ACT

To amend and reenact Civil Code Articles 2350, 2369.3, and 2375, relative to community property; to provide relative to a community enterprise; to provide for the effect of a judgment of separation of property upon reconciliation; and to provide for related matters.

Reported favorably by the Committee on Judiciary A. The bill was read by title and referred to the Legislative Bureau.

HOUSE BILL NO. 120—
BY REPRESENTATIVE JACKSON
AN ACT

To amend and reenact R.S. 13:5530(A)(1), (2), (4), and (12)(a), (b), and (c), relative to sheriffs; to provide for an increase in certain fees in civil matters; to provide for a contingent effective date; and to provide for related matters.

Reported favorably by the Committee on Judiciary B. The bill was read by title and referred to the Legislative Bureau.

HOUSE BILL NO. 121—
BY REPRESENTATIVE GREGORY MILLER
AN ACT

To amend and reenact Code of Civil Procedure Article 3396.18, relative to the independent administration of estates; to provide for the sealing of the detailed descriptive list; to provide court authorization for the release of relevant information to certain parties; and to provide for related matters.

Reported favorably by the Committee on Judiciary A. The bill was read by title and referred to the Legislative Bureau.

HOUSE BILL NO. 126—
BY REPRESENTATIVE BACALA
AN ACT

To amend and reenact R.S. 13:2590(A)(introductory paragraph), (B), and (C) and 3921(A) and to enact R.S. 13:2590(D), relative to collection of costs or fees; to provide relative to processing fees prior to payment to a creditor; to provide relative to fees collected by constables of justice of the peace courts; and to provide for related matters.

Reported favorably by the Committee on Judiciary A. The bill was read by title and referred to the Legislative Bureau.

HOUSE BILL NO. 130—
BY REPRESENTATIVE DEVILLIER
AN ACT

To amend and reenact R.S. 17:3882(4) through (7), 3902(B)(5), 3991(B)(1)(a)(i) and (b)(i), and 3997(D)(2), to enact R.S. 17:3882(8) and 3973(4), and to repeal R.S. 17:3973(1), relative to students; to provide that economically disadvantaged students shall be included as a factor in determining teacher evaluations and requirements for enrollment of at-risk students in certain charter schools; to remove references to students eligible for free and reduced price meals as factors used in such teacher evaluations and charter school enrollment requirements; and to provide for related matters.

Reported favorably by the Committee on Education. The bill was read by title and referred to the Legislative Bureau.

HOUSE BILL NO. 133—
BY REPRESENTATIVE EDMONDS
AN ACT

To enact R.S. 17:3357, relative to the public postsecondary education management boards; to require the Board of Supervisors of Louisiana State University and Agricultural and Mechanical College, the Board of Supervisors of Southern University and Agricultural and Mechanical College, the Board of Supervisors for the University of Louisiana System, and the Board of Supervisors of Community and Technical Colleges to develop plans and submit them to the legislature; to provide for the content of such plans; to provide for an initial submission deadline and subsequent submission frequency; and to provide for related matters.

Reported favorably by the Committee on Education. The bill was read by title and referred to the Legislative Bureau.

HOUSE BILL NO. 139—
BY REPRESENTATIVE MCFARLAND
AN ACT

To enact R.S. 39:366.12 and 1603.1, relative to public contracts; to require prior approval of certain actions related to the procurement of professional, personal, consulting, and social services; to require prior approval of agreements relating to the lease or operation of certain hospitals; to provide for exceptions; to provide for effectiveness; and to provide for related matters.

Reported with amendments by the Committee on Finance.

SENATE COMMITTEE AMENDMENTS

Amendments proposed by Senate Committee on Finance to Engrossed House Bill No. 139 by Representative McFarland

AMENDMENT NO. 1
On page 1, line 5, delete "to provide for exceptions;"

AMENDMENT NO. 2
On page 1, line 11, after "entering into" insert ", amending."

AMENDMENT NO. 3
On page 1, line 15, after "agreement" insert ", amendment."

AMENDMENT NO. 4
On page 2, delete line 1 and insert "A. No request for"

AMENDMENT NO. 5
On page 2, delete lines 6 through 11

AMENDMENT NO. 6
On page 2, line 22, delete "prior"

AMENDMENT NO. 7
On page 2, line 23, delete "review or"

On motion of Senator LaFleur, the committee amendment was adopted. The amended bill was read by title and referred to the Legislative Bureau.

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.

Reported favorably by the Committee on Natural Resources. The bill was read by title and referred to the Legislative Bureau.

HOUSE BILL NO. 146—
BY REPRESENTATIVE DEVILLIER
AN ACT

To enact R.S. 46:1053(C)(2)(h), relative to Hospital Service District No. 1 of St. Landry Parish; to provide relative to the per diem paid to members of the governing board of the district; and to provide for related matters.

Reported favorably by the Committee on Local and Municipal Affairs. The bill was read by title and referred to the Legislative Bureau.

HOUSE BILL NO. 147—
BY REPRESENTATIVE GAROFALO
AN ACT

To amend and reenact R.S. 33:1236(21)(b) and (30)(b), relative to St. Bernard Parish; to authorize the parish governing authority to enact ordinances requiring property owners to remove deleterious growths, trash, debris, and other noxious matter; to provide relative to liens granted in favor of the parish governing authority with respect to such properties; and to provide for related matters.

Reported favorably by the Committee on Local and Municipal Affairs. The bill was read by title and referred to the Legislative Bureau.

HOUSE BILL NO. 154—
BY REPRESENTATIVE CARPENTER
AN ACT

To enact R.S. 13:5713(M), relative to autopsy reports; to provide relative to the disclosure of information related to an autopsy; and to provide for related matters.

Reported favorably by the Committee on Judiciary A. The bill was read by title and referred to the Legislative Bureau.

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

May 31, 2017

reservation of mineral rights; to provide terms and conditions; to provide an effective date; and to provide for related matters.

Reported favorably by the Committee on Natural Resources. The bill was read by title and referred to the Legislative Bureau.

HOUSE BILL NO. 176—
BY REPRESENTATIVE LYONS
AN ACT

To amend and reenact R.S. 46:1606(A) and (B)(1), relative to the office of elderly affairs; to eliminate the cap on the amount any parish voluntary councils on aging may receive; and to provide for related matters.

Reported favorably by the Committee on Finance. The bill was read by title and referred to the Legislative Bureau.

HOUSE BILL NO. 178—
BY REPRESENTATIVE SIMON
AN ACT

To amend and reenact R.S. 17:3141.2(introductory paragraph) and (5)(introductory paragraph) and to enact R.S. 17:3141.2(5)(q), relative to proprietary schools; to exclude certain educator preparation programs from the definition of proprietary school; to provide that such programs are not subject to licensing by the Board of Regents; and to provide for related matters.

Reported favorably by the Committee on Education. The bill was read by title and referred to the Legislative Bureau.

HOUSE BILL NO. 224—
BY REPRESENTATIVE MORENO
AN ACT

To enact R.S. 47:302.56, 322.49, and 332.55, relative to the disposition of certain sales and use tax collections in Orleans Parish; to establish the New Orleans Quality of Life Fund as a special fund in the state treasury; to provide for the deposit of monies into the fund; to provide for the use of such monies; to provide for an effective date; and to provide for related matters.

Reported with amendments by the Committee on Finance.

SENATE COMMITTEE AMENDMENTS

Amendments proposed by Senate Committee on Finance to Engrossed House Bill No. 224 by Representative Moreno

AMENDMENT NO. 1
On page 2, delete lines 6 through 8 and insert "Rental Administration."

On motion of Senator LaFleur, the committee amendment was adopted. The amended bill was read by title and referred to the Legislative Bureau.

HOUSE BILL NO. 230—
BY REPRESENTATIVE STOKES
AN ACT

To amend and reenact R.S. 47:716.1 and 818.2(4), relative to aviation gasoline; to provide for the definition of aviation gasoline; and to provide for related matters.

Reported favorably by the Committee on Revenue and Fiscal Affairs. The bill was read by title and referred to the Legislative Bureau.

HOUSE BILL NO. 237—
BY REPRESENTATIVES BARRAS, ABRAMSON, DAVIS, DEVILLIER, DWIGHT, JIMMY HARRIS, HORTON, HUVAL, JIM MORRIS, SCHEXNAYDER, SEABAUGH, AND STOKES
AN ACT

To amend and reenact R.S. 51:1787(K), relative to the sunset of the Enterprise Zone program; to extend the sunset date; to provide for effectiveness; and to provide for related matters.

Reported favorably by the Committee on Revenue and Fiscal Affairs. The bill was read by title and referred to the Legislative Bureau.

HOUSE BILL NO. 241—
BY REPRESENTATIVE CHAD BROWN
AN ACT

To enact R.S. 32:402.1(B) and (C) and to repeal R.S. 32:402.1(A)(3)(c), relative to driver education and preclicensing training courses; to increase requirements within driver education and preclicensing courses; to provide for the establishment of a curriculum relative to the economic effects of littering; to require the course curriculum include a section on how to respond to a traffic stop; to provide for the establishment of rules, regulations, and requirements for the course; and to provide for related matters.

Reported with amendments by the Committee on Transportation, Highways and Public Works.

SENATE COMMITTEE AMENDMENTS

Amendments proposed by Senate Committee on Transportation, Highways and Public Works to Engrossed House Bill No. 241 by Representative Chad Brown

AMENDMENT NO. 1
On page 1, line 14, after "economic" insert "and adverse"

On motion of Senator Cortez, the committee amendment was adopted. The amended bill was read by title and referred to the Legislative Bureau.

HOUSE BILL NO. 242—
BY REPRESENTATIVE EMERSON
AN ACT

To amend and reenact R.S. 17:3981(4) and 3982(A)(1)(a)(i), relative to charter school proposals; to require the State Board of Elementary and Secondary Education and local public school boards to deliver to charter applicants certain information relative to third-party evaluations of charter proposals; to provide requirements with regard to such delivery; and to provide for related matters.

Reported favorably by the Committee on Education. The bill was read by title and referred to the Legislative Bureau.

HOUSE BILL NO. 244—
BY REPRESENTATIVE HILFERTY
AN ACT

To enact Code of Evidence Article 902(11), relative to the admissibility of business records; to provide relative to the self-authentication of business records; and to provide for related matters.

Reported favorably by the Committee on Judiciary A. The bill was read by title and referred to the Legislative Bureau.

HOUSE BILL NO. 260—
BY REPRESENTATIVE TERRY BROWN
AN ACT

To repeal Subpart B-6-A of Part IV of Chapter 1 of Title 33 of the Louisiana Revised Statutes of 1950, comprised of R.S. 33:130.161 through 130.169, relative to the Grant Parish Economic and Industrial Development District; to repeal provisions relative to the creation, powers, and governance of the district; to provide for an effective date; and to provide for related matters.

Reported favorably by the Committee on Local and Municipal Affairs. The bill was read by title and referred to the Legislative Bureau.

HOUSE BILL NO. 268—

BY REPRESENTATIVE JIMMY HARRIS
AN ACT

To enact R.S. 15:587.5 and 587.6, R.S. 23:1657.1, R.S. 36:254.3 and 701.1, R.S. 39:15.1.1 and 15.1.2, R.S. 46:51.3, and R.S. 47:1504.1, relative to criminal history records checks; to provide for criminal history records checks for current and prospective employees, contractors, and subcontractors of agencies with access to federal tax information, criminal history record information, or state issued REAL ID information; to provide relative to the procedures and costs for the criminal history records checks; to provide for the use of these records; to provide for a definition; and to provide for related matters.

Reported favorably by the Committee on Finance. The bill was read by title and referred to the Legislative Bureau.

HOUSE BILL NO. 277—

BY REPRESENTATIVE JAMES
AN ACT

To enact R.S. 40:2404.2 and to repeal R.S. 40:2405.5, relative to peace officers; to provide for training of peace officers; to provide for minimum training requirements; to provide for annual training; to provide for certain mandatory basic and annual certification hours for peace officers; to provide for an emergency effective date; and to provide for related matters.

Reported favorably by the Committee on Judiciary B. The bill was read by title and referred to the Legislative Bureau.

HOUSE BILL NO. 280—

BY REPRESENTATIVES MARINO AND STOKES
AN ACT

To amend and reenact R.S. 40:79(A)(2)(a), relative to adoptions; to provide relative to birth certificates in certain cases of adoptions by step-parents; and to provide for related matters.

Reported favorably by the Committee on Judiciary A. The bill was read by title and referred to the Legislative Bureau.

HOUSE BILL NO. 291—

BY REPRESENTATIVE DANAHAY
AN ACT

To amend and reenact R.S. 46:1053(C)(2)(d), relative to the Calcasieu Cameron Hospital Service District; to provide relative to the per diem paid to members of the board of commissioners of the district; and to provide for related matters.

Reported favorably by the Committee on Local and Municipal Affairs. The bill was read by title and referred to the Legislative Bureau.

HOUSE BILL NO. 293—

BY REPRESENTATIVE AMEDEE
AN ACT

To amend and reenact R.S. 42:1441(A) and to enact R.S. 42:1441(D), relative to the limitation of liability of the state; to provide relative to liability for damage caused by district attorneys; to provide for indemnification; to provide relative to the attorney general; to provide for payment of a judgment; to provide for applicability; and to provide for related matters.

Reported with amendments by the Committee on Judiciary B.

SENATE COMMITTEE AMENDMENTS

Amendments proposed by Senate Committee on Judiciary B to Reengrossed House Bill No. 293 by Representative Amedee

AMENDMENT NO. 1

On page 1, line 18, after "attorney" delete "or" and insert "and"

AMENDMENT NO. 2

On page 1, line 19, after "damages" insert ", costs, or attorney fees"

AMENDMENT NO. 3

On page 2, line 3, after "office," insert the following: "The attorney general may authorize the district attorney to employ special counsel. If such authorization is given, the attorney general must approve the district attorney's choice of special counsel. Compensation for legal services provided by the district attorney, attorney general, or special counsel shall be set in accordance with the attorney general's fee schedule and such attorney fees and costs shall be paid by the state. Legal services provided in defense of a claim, demand, suit, complaint, or petition as provided for in this Subsection shall not be construed as enforcement of the statute challenged."

AMENDMENT NO. 4

On page 2, delete lines 9 through 23 and insert the following:
"(3) Payment of a final judgment or consent judgment shall be by legislative appropriation. Payment of legal services to defend the claim, demand, suit, complaint, or petition as provided for in this Subsection shall be by legislative appropriation. A majority of the members of the litigation subcommittee of the Joint Legislative Committee on the Budget must approve any payment five hundred thousand dollars or more for legal services to defend the claim, demand, suit, or petition or payment of a final judgment or consent judgement that is five hundred thousand dollars or more. Notwithstanding any provision of law to the contrary, the subcommittee may meet in executive session to consider such appropriations.

(4) The attorney defending the claim, demand, suit, complaint, or petition, provided for in this Subsection shall submit to the subcommittee a concise abstract of the facts and principles of law on which the claim is based. The abstract shall also include a detailed analysis of the calculation of damages, attorneys fees, costs, and interest thereon. The abstract and other information submitted to the subcommittee shall be public record, except material that reflects the mental impressions, conclusions, opinions, or theories of an attorney."

AMENDMENT NO. 5

On page 2, line 27, after "damages" insert ", costs, or attorney fees"

AMENDMENT NO. 6

On page 2, after line 28, insert the following:
"Section 2. This Act shall become effective upon signature by the governor or, if not signed by the governor, upon expiration of the time for bills to become law without signature by the governor, as provided by Article III, Section 18 of the Constitution of Louisiana. If vetoed by the governor and subsequently approved by the legislature, this Act shall become effective on the day following such approval."

On motion of Senator Gary Smith, the committee amendment was adopted. The amended bill was read by title and recommitted to the Committee on Finance.

HOUSE BILL NO. 300—

BY REPRESENTATIVE DAVIS AND SENATOR MORRELL AND REPRESENTATIVES FOIL AND STOKES
AN ACT

To amend and reenact R.S. 47:6015(C)(2), (D), (E)(1), and (J) relative to the research and development tax credit program; to provide for definitions; to provide for credit rates; to provide for transferability of credits; to provide for application; and to provide for related matters.

Reported with amendments by the Committee on Revenue and Fiscal Affairs.

SENATE COMMITTEE AMENDMENTS

Amendments proposed by Senate Committee on Revenue and Fiscal Affairs to Reengrossed House Bill No. 300 by Representative Davis

AMENDMENT NO. 1

On page 1, line 4, after "credits;" delete the remainder of the line in its entirety and insert the following: "to extend the termination of the

credit; to provide for applicability; to provide for an effective date; and to"

AMENDMENT NO. 2

On page 2, line 8, between "a" and "federal" insert "Phase I or II grant from the federal Small Business Technology Transfer Program or a"

AMENDMENT NO. 3

On page 2, line 16, between "the" and "Small" insert "Small Business Technology Transfer Program or the"

AMENDMENT NO. 4

On page 2, at the end of line 20, delete "The" and insert "A"

AMENDMENT NO. 5

On page 3, at the end of line 3, insert "The notification submitted to the Department of Revenue shall include a transfer processing fee of two hundred dollars per transferee."

AMENDMENT NO. 6

On page 3, line 20, between "incurred" and "or" insert ", Small Business Technology Transfer Program funds received"

On motion of Senator Morrell, the committee amendment was adopted. The amended bill was read by title and referred to the Legislative Bureau.

HOUSE BILL NO. 307—

BY REPRESENTATIVE LYONS
AN ACT

To enact R.S. 39:1624(A)(10) and R.S. 47:1508(B)(41) and 1678, relative to tax clearances from the Department of Revenue; to require a tax clearance for the issuance or renewal of a sales tax resale certificate; to require a tax clearance for approval of certain state contracts; to provide for exceptions; to provide for an effective date; and to provide for related matters.

Reported favorably by the Committee on Revenue and Fiscal Affairs. The bill was read by title and referred to the Legislative Bureau.

HOUSE BILL NO. 309—

BY REPRESENTATIVE MORENO
AN ACT

To amend and reenact R.S. 46:1842, 1843, and 1844(A)(2)(b), (L), (M)(1) and (2), and (O) and to enact R.S. 46:1845 and 1845.1, relative to crime victims; to provide relative to eligibility; to provide relative to a return of property; to provide for notification of pardon or parole; to provide additional rights for victims of sexual assault; to provide for notification of rights; to provide for duties and responsibilities; to provide for a sexual assault advocate; to provide relative to the right to privacy; to provide procedures and requirements; to provide definitions; and to provide for related matters.

Reported with amendments by the Committee on Judiciary B.

SENATE COMMITTEE AMENDMENTS

Amendments proposed by Senate Committee on Judiciary B to Engrossed House Bill No. 309 by Representative Moreno

AMENDMENT NO. 1

On page 1, line 2, after "reenact" and before "R.S. 46:1842" insert "R.S. 15:260 and"

AMENDMENT NO. 2

On page 1, line 3, after "R.S. 46:1845" delete the remainder of the line and insert a comma ", " and "relative to rights of crime victims; to provide relative"

AMENDMENT NO. 3

On page 1, line 4, change "eligibility" to "applicability"

AMENDMENT NO. 4

On page 1, line 12, after "R.S. 46:1845" and before "hereby" delete "and 1845.1 are" and insert "is"

AMENDMENT NO. 5

On page 2, line 5, change "sexual" to "sex" after "offense" and before the period "." insert "or human trafficking-related offense as defined or enumerated in R.S. 46:1844(W)"

AMENDMENT NO. 6

On page 3, line 5, after "address" insert and ", email address,"

AMENDMENT NO. 7

On page 3, line 17, change "sexual" to "sex" and after "offense" and before the period "." insert "or human trafficking-related offense as defined or enumerated in R.S. 46:1844(W)"

AMENDMENT NO. 8

On page 4, line 1, change "identifies" to "presents"

AMENDMENT NO. 9

On page 4, line 4, after "identified" delete the remainder of the line

AMENDMENT NO. 10

On page 4, at the beginning of line 5, delete "victim"

AMENDMENT NO. 11

On page 4, line 7, after "when" and before "person" change "the" to "that"

AMENDMENT NO. 12

On page 4, line 8, after "offense" delete the remainder of the line and insert the following: ", is the defendant, or has been identified as the perpetrator, regardless of whether the person is in custody."

AMENDMENT NO. 13

On page 5, line 18, after "notify" insert "the victim or the victim's family and"

AMENDMENT NO. 14

On page 6, delete lines 2 through 27 and delete pages 7 through 9 in their entirety and on page 10, delete lines 1 through 10 and insert the following:

"A.(1) The rights provided to victims of sexual assault contained in this Section attach whether a victim seeks the assistance of either a law enforcement official or a healthcare provider. A victim of sexual assault retains all the rights of these provisions regardless of whether the victim receives a forensic medical examination or whether a sexual assault collection kit is administered.

(2) Notwithstanding any other provision of law to the contrary, nothing in this Section shall be construed to negate or impair any provision of law relative to the mandatory reporting of crimes against children under the age of eighteen years or to negate or impair the investigation or prosecution of any crime against children under the age of eighteen.

B. A victim of sexual assault has the right to be notified of and to request the presence of a sexual assault advocate during the administration of a forensic medical examination or a scheduled interview by a law enforcement official if a sexual assault advocate is reasonably available. Nothing in this Section shall be construed to prohibit the conducting of a forensic medical examination or an interview by a law enforcement official in the absence of a sexual assault advocate.

C.(1) The district attorney, prior to trial, shall make reasonable efforts to interview the victim or designated family member to determine the facts of the case and whether the victim or the family is requesting restitution.

(2) All law enforcement and judicial agencies shall provide a private setting for conducting all interviews of a victim of sexual assault. "Private setting" shall mean an enclosed room from which the occupants are not visible or otherwise identifiable and whose conversations cannot be heard from outside the room. Only those persons directly and immediately related to the interviewing of the victim, specifically the victim, a social worker, psychologist, or other

professional, a victim advocate designated by the sheriff's office or a representative from a not-for-profit victim service organization including but not limited to rape crisis centers, sexual assault centers, domestic violence advocacy groups, and alcohol abuse or substance abuse groups providing emotional support to the victim, shall be present unless the victim requests the exclusion of such person from the interview, and when appropriate, the parent or parents of the victim.

(3) The victim of sexual assault and the victim's family may refuse any requests for interviews with the attorney for the defendant or any employee or agent working for the attorney for the defendant. If the victim of sexual assault is a minor, the parent or guardian of the victim may refuse to permit the minor to be interviewed by the attorney for the defendant or any employee or agent working for the attorney for the defendant. Before any victim of sexual assault may be subpoenaed to testify on behalf of a defendant at any pretrial hearing, the defendant shall show good cause at a contradictory hearing with the district attorney why the subpoena should be issued. Willful disregard of the rights of victims and witnesses as provided in this Paragraph may be punishable as contempt of court.

D. The failure to comply with the provisions of this Section shall not affect the admissibility of any evidence in a civil or criminal proceeding, nor shall any sentence, plea, conviction, or other final disposition be invalidated due to the failure to comply with the provisions of this Section. Nothing in this Section shall be construed as creating a cause of action by or on behalf of any person for an award of costs or attorney fees, for the appointment of counsel for a victim, or for any cause of action for compensation or damages against the state of Louisiana, a political subdivision, a public agency, or a court, or any officer, employee, or agent thereof. Nothing in this Section precludes filing for a writ of mandamus as provided in the Code of Civil Procedure to compel the performance of a ministerial duty required by law.

Section 2. R.S. 15:260 is hereby amended and reenacted to read as follows:

§260. Production of certain records of a victim under age eighteen, conditions

A. If the defendant is charged with a violation of R.S. 14:93 or any provision of Subpart C of Part II, Subpart B of Part IV, or Subpart A(1) or A(4) of Part V of Chapter 1 of Title 14 of the Louisiana Revised Statutes of 1950, and the victim was under the age of eighteen at the time of the offense, R.S. 14:93.2.3, or sex offense or human trafficking-related offense as defined in or enumerated in R.S. 46:1844(W), a subpoena or court order compelling the production of medical, psychological, school, or other records pertaining to the victim shall not be issued upon request of the defendant unless the subpoena or court order identifies the records sought with particularity and is reasonably limited as to subject matter, and the court finds, after a contradictory hearing with the state, that the requested records are likely to be relevant and admissible at trial and are not sought for the purpose of harassing the victim.

B. Any records obtained by the defendant or his attorney without full compliance with the provisions of this Section shall be inadmissible in any criminal proceeding.

C. The district attorney shall provide written notice to the victim, or counsel for the victim if applicable, of the contradictory hearing required by the provisions of this Section.

D. Willful violation of the provisions of this Section may be punishable as contempt of court."

On motion of Senator Gary Smith, the committee amendment was adopted. The amended bill was read by title and referred to the Legislative Bureau.

HOUSE BILL NO. 323—

BY REPRESENTATIVE FRANKLIN
AN ACT

To amend and reenact R.S. 4:732(A) through (E)(introductory paragraph) and (G) and 739(A)(1) and (2)(e) and (F) and to enact R.S. 4:707(J), 732(H) and (I), and 739(A)(2)(f), relative to charitable gaming; to authorize the conducting of progressive mega jackpot bingo; to provide with respect to jackpots for progressive bingo and progressive mega jackpot bingo games; to provide for exceptions to amount of prizes awarded during a

bingo session; to provide for applicability; to provide relative to the net profit charitable organizations and distributors receive from progressive bingo and progressive mega jackpot bingo games; to provide with respect to Electronic Bingo Card Dabber Devices; to allow those devices to provide for networking of charitable gaming organizations; to provide relative to the sales of progressive mega jackpot bingo; to provide for player tracking; to provide relative to regulatory authority; and to provide for related matters.

Reported favorably by the Committee on Judiciary B. The bill was read by title and referred to the Legislative Bureau.

HOUSE BILL NO. 327—

BY REPRESENTATIVE SCHEXNAYDER
AN ACT

To enact R.S. 13:996.69, relative to a courthouse building fund in Ascension Parish; to provide relative to the Twenty-Third Judicial District Court and the Parish Court for the Parish of Ascension; to establish an Ascension Parish Courthouse Building Fund; to provide for additional charges for initial filing and pleadings filed in civil matters; to provide for dedication, purpose, and disbursement of such funds; to provide for a reduction of charges in certain cases; to authorize cooperative endeavor agreements; to provide for a contingent effective date; 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 Engrossed House Bill No. 327 by Representative Schexnayder

AMENDMENT NO. 1

On page 3, delete line 20 and insert
"D. The judges of the"

AMENDMENT NO. 2

On page 4, delete lines 15 through 28

AMENDMENT NO. 3

On page 5, delete lines 1 and 2

On motion of Senator Ward, the committee amendment was adopted. The amended bill was read by title and recommitted to the Committee on Revenue and Fiscal Affairs.

HOUSE BILL NO. 333—

BY REPRESENTATIVE JEFFERSON
AN ACT

To amend and reenact R.S. 47:1519(B) and 1520(A)(1)(c), (e), and (g) and (2), (B), and (C) and to enact R.S. 47:1519(D) and 1520(A)(3), relative to tax returns and payments; to provide for the payment of taxes by electronic funds transfer; to authorize the secretary to require the electronic filing of tax returns; to provide for exceptions; to provide with respect to certain penalties; to require rulemaking; to provide for effectiveness; and to provide for related matters.

Reported favorably by the Committee on Revenue and Fiscal Affairs. The bill was read by title and referred to the Legislative Bureau.

HOUSE BILL NO. 343—

BY REPRESENTATIVE FRANKLIN
AN ACT

To amend and reenact Children's Code Articles 1004(B), (D), (F), and (I), 1035(B), 1036(C)(introductory paragraph), (D)(introductory paragraph), and (E), and 1036.2(E), relative to termination of parental rights; to provide relative to grounds for termination; to provide for technical corrections; and to provide for related matters.

May 31, 2017

Reported favorably by the Committee on Judiciary A. The bill was read by title and referred to the Legislative Bureau.

HOUSE BILL NO. 382—
BY REPRESENTATIVE BERTHELOT
AN ACT

To amend and reenact R.S. 39:1305(F), relative to budget adoption procedures in certain municipalities; to limit the authority of the governing authorities of certain municipalities to amend a proposed budget; and to provide for related matters.

Reported favorably by the Committee on Local and Municipal Affairs. The bill was read by title and referred to the Legislative Bureau.

HOUSE BILL NO. 412—
BY REPRESENTATIVE LEBAS
AN ACT

To enact R.S. 17:436.1(L) and 3996(B)(13), relative to the administration of medication at public schools; to except sunscreen from requirements and restrictions pertaining to the administration of medication to public school students; to authorize a student to possess and self-apply sunscreen; to authorize a public school employee to volunteer to apply sunscreen to a student under certain circumstances; to provide a limitation of liability; and to provide for related matters.

Reported with amendments by the Committee on Education.

SENATE COMMITTEE AMENDMENTS

Amendments proposed by Senate Committee on Education to Reengrossed House Bill No. 412 by Representative LeBas

AMENDMENT NO. 1

On page 1, at the end of line 17 and the beginning of line 18, delete "that is regulated by the Food and Drug Administration"

On motion of Senator Morrish, the committee amendment was adopted. The amended bill was read by title and referred to the Legislative Bureau.

HOUSE BILL NO. 427—
BY REPRESENTATIVE DUSTIN MILLER
AN ACT

To amend and reenact R.S. 47:297(H)(2)(a), (b), and (c) and (3) and to enact R.S. 47:297(H)(4) through (7), relative to income tax credits for certain healthcare professionals; to provide for the income tax credit for certain medical professionals in medically underserved areas; to provide for eligibility; to provide for the administration of the credit; to authorize the promulgation of rules and regulations; to limit the annual amount of the tax credits certified and granted; to provide for effectiveness; and to provide for related matters.

Reported with amendments by the Committee on Revenue and Fiscal Affairs.

SENATE COMMITTEE AMENDMENTS

Amendments proposed by Senate Committee on Revenue and Fiscal Affairs to Reengrossed House Bill No. 427 by Representative Dustin Miller

AMENDMENT NO. 1

On page 3, line 5, after "credit," insert: "The tax credit shall be earned when the taxpayer's eligibility is certified by the Louisiana Department of Health. However, in the event the taxpayer does not maintain the requirements of this Section any amounts certified are subject to disallowance or recapture. No taxpayer shall receive the credit provided pursuant to this Subsection more than five years."

AMENDMENT NO. 2

On page 3, delete lines 24 through 26, and insert:

"(7) No credit shall be certified pursuant to the provisions of this Subsection for applications received by the Louisiana Department of Health on or after January 1, 2021.

Section 2. This Act shall become effective on January 1, 2018."

HOUSE BILL NO. 437—
BY REPRESENTATIVE WHITE
AN ACT

To enact R.S. 32:402.1(B), relative to the classroom instruction portion of an approved driver education prelicensing training course; to authorize the classroom portion of a prelicensing training course to be provided by alternative methods of instruction; to establish approval requirements for the alternative method of instruction; to prohibit any portion of the classroom instruction of the driver education course for persons under the age of eighteen to be provided by alternative methods; to authorize the Department of Public Safety and Corrections, public safety services, to establish rules and regulations as determined necessary to define requirements; and to provide for related matters.

Reported with amendments by the Committee on Transportation, Highways and Public Works.

SENATE COMMITTEE AMENDMENTS

Amendments proposed by Senate Committee on Transportation, Highways and Public Works to Engrossed House Bill No. 437 by Representative White

AMENDMENT NO. 1

On page 1, delete lines 2 through 4, and insert the following: "To enact R.S. 32:402.1(B), relative to driver education; to authorize an alternative instruction method to deliver the classroom instruction portion of an approved "prelicensing training course";"

AMENDMENT NO. 2

On page 1, line 6, change "driver education course" to ""driver education course""

AMENDMENT NO. 3

On page 1, line 17, change "prelicensing training course" to ""prelicensing training course""

AMENDMENT NO. 4

On page 2, line 6, change "prelicensing" to ""prelicensing" and on line 7, change "course" to "course""

AMENDMENT NO. 5

On page 2, line 8, change "Secion," to "Section" and after "method" delete " "

AMENDMENT NO. 6

On page 2, line 9, change "prelicensing training course" to ""prelicensing training course""

AMENDMENT NO. 7

On page 2, line 11, change "driver" to ""driver" and on line 12, after "course" delete " " and after "Section" delete " "

AMENDMENT NO. 8

On page 2, line 17, change "prelicensing" to ""prelicensing" and on line 18, change "course." to "course", which rules shall be subject to oversight review by the House and Senate committees on transportation, highways, and public works."

On motion of Senator Cortez, the committee amendment was adopted. The amended bill was read by title and referred to the Legislative Bureau.

HOUSE BILL NO. 446—

BY REPRESENTATIVE MARINO
AN ACT

To amend and reenact R.S. 47:1508(B)(8) and (11), relative to the confidentiality of tax records; to provide for the confidentiality of certain taxpayer information; to provide for the disclosure of information relative to tobacco settlement enforcement; to provide for the confidentiality of information shared by the state relative to the NPM Adjustment Settlement Agreement; and to provide for related matters.

Reported with amendments by the Committee on Revenue and Fiscal Affairs.

SENATE COMMITTEE AMENDMENTS

Amendments proposed by Senate Committee on Revenue and Fiscal Affairs to Reengrossed House Bill No. 446 by Representative Marino

AMENDMENT NO. 1

On page 2, line 18, after "firms" and before "retained" insert the following: "including, but not limited to, the data clearinghouse contemplated by the settlements referenced below, that are"

On motion of Senator Morrell, the committee amendment was adopted. The amended bill was read by title and referred to the Legislative Bureau.

HOUSE BILL NO. 450—

BY REPRESENTATIVE ABRAMSON
AN ACT

To amend and reenact R.S. 33:9091.12(D)(1)(a) and (F)(2) and (4), relative to the Upper Audubon Security District in Orleans Parish; to provide relative to the governing board of the district; to provide relative to the parcel fee levied within the district; to provide relative to the amount, expiration, and renewal of such fee; and to provide for related matters.

Reported with amendments by the Committee on Local and Municipal Affairs.

SENATE COMMITTEE AMENDMENTS

Amendments proposed by Senate Committee on Local and Municipal Affairs to Engrossed House Bill No. 450 by Representative Abramson

AMENDMENT NO. 1

On page 2, at the end of line 4, change "seven" to "six"

On motion of Senator Colomb, the committee amendment was adopted. The amended bill was read by title and referred to the Legislative Bureau.

HOUSE BILL NO. 451—

BY REPRESENTATIVE ABRAMSON
AN ACT

To amend and reenact R.S. 33:9091.3(D)(1)(a) and (F)(1) and (3)(a) and (c), relative to the Audubon Area Security District in Orleans Parish; to provide relative to membership on the governing board of the district; to provide relative to the parcel fee levied within the district; to provide relative to the amount, expiration, and renewal of the fee; and to provide for related matters.

Reported favorably by the Committee on Local and Municipal Affairs. The bill was read by title and referred to the Legislative Bureau.

HOUSE BILL NO. 454—

BY REPRESENTATIVE ABRAMSON
AN ACT

To amend and reenact R.S. 47:6020(C)(2)(b), (D)(1), (2)(a) and (b), and (5)(a) and (b), and (F)(2), to enact R.S. 47:6020(G), and to repeal R.S. 47:6020(D)(1) and (2)(a) and Section 3 of Act No.

414 of the 2011 Regular Session of the Legislature, as amended by Act No. 104 of the 2015 Regular Session of the Legislature relative to tax credits; to provide for the termination date for the Angel Investor Tax Credit Program; to provide for the amount of the credit; to provide with respect to the claiming of the credit; to provide for effectiveness; and to provide for related matters.

Reported with amendments by the Committee on Revenue and Fiscal Affairs.

SENATE COMMITTEE AMENDMENTS

Amendments proposed by Senate Committee on Revenue and Fiscal Affairs to Reengrossed House Bill No. 454 by Representative Abramson

AMENDMENT NO. 1

On page 1, line 3, after "(2)(a)" and before "and" insert: "as amended by Section 5 of Act No. 125 of the 2015 Regular Session of the Legislature"

AMENDMENT NO. 2

On page 1, line 5, after "Legislature" and before "relative" insert a comma ","

AMENDMENT NO. 3

On page 1, delete lines 13 and 14, and insert:
"G. No credits shall be granted or reserved under this program for reservation applications received by the department on or after July 1, 2021."

AMENDMENT NO. 4

On page 4, line 27, after "Legislature" and before "amending" delete "of Louisiana" and insert the following: "as amended by Act No. 29 of the 2016 First Extraordinary Session of the Legislature"

On motion of Senator Morrell, the committee amendment was adopted. The amended bill was read by title and referred to the Legislative Bureau.

HOUSE BILL NO. 460—

BY REPRESENTATIVES BERTHELOT, ABRAHAM, AMEDEE, BACALA, BAGNERIS, BARRAS, BILLIOT, CHAD BROWN, TERRY BROWN, CARMODY, ROBBY CARTER, STEVE CARTER, CHANEY, CONNICK, COX, DEVILLIER, EDMONDS, FALCONER, FOIL, FRANKLIN, GISCLAIR, LANCE HARRIS, HAVARD, HAZEL, HORTON, HOWARD, HUVAL, JOHNSON, JONES, LEOPOLD, LYONS, MARCELLE, MARINO, MCFARLAND, MIGUEZ, NORTON, POPE, PUGH, PYLANT, REYNOLDS, RICHARD, SCHEXNAYDER, SCHRODER, SHADOIN, STAGNI, STEFANSKI, AND STOKES

AN ACT

To enact R.S. 22:347(A)(1)(c) and R.S. 40:1593.1, relative to the authority of the state fire marshal to purchase group insurance; to provide for disposition of monies; to provide for definitions; to provide for legislative findings; to authorize the purchase of certain group insurance; to require certain qualifications for benefit eligibility; to limit eligibility; to provide for procedure; and to provide for related matters.

Reported with amendments by the Committee on Finance.

SENATE COMMITTEE AMENDMENTS

Amendments proposed by Senate Committee on Finance to Reengrossed House Bill No. 460 by Representative Berthelot

AMENDMENT NO. 1

On page 3, line 19, after "brain," insert "breast,"

AMENDMENT NO. 2

On page 3, line 20, after "pancreas," insert "reproductive tract,"

On motion of Senator LaFleur, the committee amendment was adopted. The amended bill was read by title and referred to the Legislative Bureau.

May 31, 2017

HOUSE BILL NO. 466—

BY REPRESENTATIVE CHANEY
AN ACT

To amend and reenact R.S. 3:2364 and 2366(A), (B), (C), (D)(introductory paragraph), and (E)(introductory paragraph) and (1), and R.S. 47:120.71(section heading) and (A) and to repeal R.S. 3:2365, relative to the Louisiana Animal Control Advisory Task Force; to provide for the creation of the Louisiana Animal Control Advisory Task Force; to provide for task force membership and terms of office; to provide for the powers and duties of the state veterinarian in relation to the task force; to provide for the Louisiana Animal Shelter Registry; to provide for the Louisiana Animal Welfare Commission income tax checkoff; and to provide for related matters.

Reported with amendments by the Committee on Agriculture, Forestry, Aquaculture, and Rural Development.

SENATE COMMITTEE AMENDMENTS

Amendments proposed by Senate Committee on Agriculture, Forestry, Aquaculture, and Rural Development to Reengrossed House Bill No. 466 by Representative Chaney

AMENDMENT NO. 1

On page 1, at the end of line 3, insert ", to enact R.S. 36:629(C)(9),"

AMENDMENT NO. 2

On page 1, line 4, after "R.S. 3:2365" and before ", relative" insert "and R.S. 36:4(W)"

AMENDMENT NO. 3

On page 1, line 7, after "force;" and before "to provide" insert "to abolish the Louisiana Animal Welfare Commission and the Louisiana Pet Registry;"

AMENDMENT NO. 4

On page 1, line 8, after "Registry; to" and before "the Louisiana" delete "provide for" and insert "direct donations from"

AMENDMENT NO. 5

On page 1, line 9, after "checkoff" and before "; and " insert "to the Louisiana Pet Overpopulation Advisory Council"

AMENDMENT NO. 6

On page 5, line 8, change "six" to "seven"

AMENDMENT NO. 7

On page 5, line 12, change "One individual" to "Two individuals"

AMENDMENT NO. 8

On page 5, line 17, change "its purpose" to "the purposes of this Section"

AMENDMENT NO. 9

On page 6, line 16, change "program" to "task force"

AMENDMENT NO. 10

On page 6, line 17, change "program" to "task force"

AMENDMENT NO. 11

On page 7, between lines 27 and 28, insert the following:
"Section 3. R.S. 36:629(C)(9) is hereby enacted to read as follows:
§629. Transfer of boards, commissions, departments, and agencies to the Department of Agriculture and Forestry
* * *

C. The following agencies as defined by R.S. 36:3 are transferred to and hereafter shall be within the Department of Agriculture and Forestry as provided in R.S. 36:802.3:
* * *

(9) The Louisiana Animal Control Advisory Task Force (R.S. 3:2364).
* * *

AMENDMENT NO. 12

On page 7, line 28, change "Section 3." to "Section 4."

AMENDMENT NO. 13

On page 7, after line 28, insert "Section 5. R.S. 36:4(W) is hereby repealed in its entirety."

On motion of Senator Thompson, the committee amendment was adopted. The amended bill was read by title and referred to the Legislative Bureau.

HOUSE BILL NO. 470—

BY REPRESENTATIVE FALCONER
AN ACT

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

Reported with amendments by the Committee on Natural Resources.

SENATE COMMITTEE AMENDMENTS

Amendments proposed by Senate Committee on Natural Resources to Engrossed House Bill No. 470 by Representative Falconer

AMENDMENT NO. 1

On page 3, at the end of line 41, after "property." insert the following: "If the property described in Section 1 of this Act is subsequently marketed for resale by the Recreation District No. One of St. Tammany Parish, then the state shall retain a right of first refusal."

On motion of Senator Chabert, the committee amendment was adopted. The amended bill was read by title and referred to the Legislative Bureau.

HOUSE BILL NO. 474—

BY REPRESENTATIVE GAROFALO
AN ACT

To amend and reenact R.S. 56:431.2(A)(1) and (B)(2) and to repeal R.S. 56:431.2(B)(3)(d) and (C), relative to alternative oyster culture permits; to authorize the issuance of such permit to a person holding an oyster lease on a privately owned water bottom or dual-claimed water bottom; and to provide for related matters.

Reported favorably by the Committee on Natural Resources. The bill was read by title and referred to the Legislative Bureau.

HOUSE BILL NO. 475—

BY REPRESENTATIVES GISCLAIR AND GAROFALO
AN ACT

To amend and reenact R.S. 56:332(N)(2)(c) and to enact R.S. 56:332(N)(2)(d), relative to crab fishing; to authorize the Wildlife and Fisheries Commission to prohibit crab traps in state-owned water bottoms during closed season; and to provide for related matters.

Reported favorably by the Committee on Natural Resources. The bill was read by title and referred to the Legislative Bureau.

HOUSE BILL NO. 481—

BY REPRESENTATIVES JACKSON, BAGNERIS, GARY CARTER, GAINES, JIMMY HARRIS, JAMES, MARINO, AND ZERINGUE AND SENATOR BARROW
AN ACT

To amend and reenact R.S. 15:1212(B)(introductory paragraph), (1), and (4) and 1212.1(B), R.S. 40:2402(3)(a), (c), and (d) and 2405(A)(1) and (2), and R.S. 44:3(A)(introductory paragraph) and 4.1(B)(8), to enact R.S. 15:1212.1(C), (D), (E), and (F) and R.S. 44:4(54), and to repeal R.S. 40:2405(E)(2), relative to law enforcement; to provide relative to the Louisiana Uniform Law Enforcement Statewide Reporting Database; to provide relative

to the information reported to and contained in the database; to provide relative to the use of information in the database; to provide for certain information that is exempt from disclosure; to provide relative to the definition of a peace officer; to provide relative to the time periods within which peace officers are required to obtain training and certification; to provide relative to the Public Records Law; to provide for an emergency effective date; and to provide for related matters.

Reported favorably by the Committee on Judiciary B. The was read by title and referred to the Legislative Bureau.

HOUSE BILL NO. 491—
BY REPRESENTATIVE LEOPOLD
AN ACT

To amend and reenact R.S. 41:1214(B) and to enact R.S. 41:1214(E), relative to the advertisement and bids for the lease of public land; to provide relative to the delivery and acceptance of bids; to provide for a uniform and secure electronic interactive system for submittal of lease bids; and to provide for related matters.

Reported favorably by the Committee on Natural Resources. The bill was read by title and referred to the Legislative Bureau.

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.

Reported with amendments by the Committee on Finance.

SENATE COMMITTEE AMENDMENTS

Amendments proposed by Senate Committee on Finance to Reengrossed House Bill No. 492 by Representative Magee

AMENDMENT NO. 1
On page 1, line 6 after "through" and before the comma ", " delete "460.88" and insert "460.89"

AMENDMENT NO. 2
On page 1, line 14 after "rulemaking;" and before "and" insert "to provide for exclusions;"

AMENDMENT NO. 3
On page 3, line 27 after "through" and before the comma ", " delete "460.88" and insert "460.89"

AMENDMENT NO. 4
On page 8, line 24 after "physician" and before "who" delete "or dentist"

AMENDMENT NO. 5
On page 8, line 25 after "medical" and before "specialty" delete "or dental"

AMENDMENT NO. 6

On page 12, after line 7 insert the following:
"§460.89. Exclusion

A. The provisions of this Subpart shall not be applicable to any claim adjudication or adverse determination rendered by a Dental Coordinated Care Network.

B. For purposes of this Subpart, a "Dental Coordinated Care Network" shall mean a managed care organization, as defined in R.S. 46:460.51, that solely provides dental benefits to Medicaid recipients."

On motion of Senator LaFleur, the committee amendment was adopted. The amended bill was read by title and referred to the Legislative Bureau.

HOUSE BILL NO. 531—
BY REPRESENTATIVE HOFFMANN
AN ACT

To amend and reenact R.S. 17:240(A) and (B), relative to use of tobacco products on school property; to provide for definitions; to repeal the authorization for designated smoking areas on school property; to prohibit the use of tobacco products on school property; to provide for exceptions; and to provide for related matters.

Reported with amendments by the Committee on Education.

SENATE COMMITTEE AMENDMENTS

Amendments proposed by Senate Committee on Education to Reengrossed House Bill No. 531 by Representative Hoffmann

AMENDMENT NO. 1
On page 1, at the end of line 4 and the beginning of line 5, change "on school property" to "in school buildings"

AMENDMENT NO. 2
On page 2, delete lines 3 through 7, and insert the following
"(2) "Smoking" means possession of a lighted cigar, cigarette, pipe, or any other lighted tobacco product; including but not limited to e-cigs, e-cigarettes, electronic cigarettes, advanced personal vaporizers, vape pens, and vape mods."

AMENDMENT NO. 3
On page 2, delete line 10, and insert "in any elementary or secondary school building nor shall any student or school employee smoke, chew, inhale, or absorb, or otherwise consume any tobacco product on any school property; however,"

AMENDMENT NO. 4
On page 2, line 24, between "or" and "vehicle" insert "school"

On motion of Senator Morrish, the committee amendment was adopted. The amended bill was read by title and referred to the Legislative Bureau.

HOUSE BILL NO. 541—
BY REPRESENTATIVE STEVE CARTER
AN ACT

To amend and reenact R.S. 17:22(11) and 2925(A)(2) and to enact R.S. 17:22(12), 407.30, and 1609, relative to students; to require students' Individual Graduation Plans to include plans on how to graduate from high school by the end of grade eleven; to provide funding for other educational purposes using the savings to the state resulting from such early graduation; to require the state superintendent of education to report certain information relative to such early graduation and related savings; to provide for scholarships for such students and to provide for administration and funding for such scholarships; to provide for funding for the Child Care Assistance Program; and to provide for related matters.

Reported favorably by the Committee on Education. The bill was read by title and recommitted to the Committee on Finance.

May 31, 2017

HOUSE BILL NO. 547—

BY REPRESENTATIVE HAZEL

AN ACT

To amend and reenact R.S. 32:412(A)(1), (2), (5), and (6) and (B)(1), (2), and (7)(e)(i)(aa), (cc), (dd)(I), (ee), (ii)(aa), (cc), (dd)(I), and (ee) and R.S. 46:122(A)(1), relative to driver's license fees; to provide for a one dollar increase in driver's license fees to benefit the Louisiana Military Family Assistance Fund; and to provide for related matters.

Reported without action by the Committee on Transportation, Highways and Public Works. The bill was read by title. Senator Cortez moved the bill be indefinitely postponed.

ROLL CALL

The roll was called with the following result:

YEAS

Table with 3 columns of names: Mr. President, Allain, Appel, Barrow, Bishop, Boudreaux, Carter, Claitor, Colomb, Cortez, Donahue, Erdey; Fannin, Gatti, Hewitt, Johns, LaFleur, Long, Luneau, Martiny, Milkovich, Mills, Mizell, Morrell; Morrish, Peacock, Perry, Peterson, Smith, G., Smith, J., Thompson, Walsworth, Ward, White.

Total - 34

NAYS

Total - 0

ABSENT

Table with 2 columns of names: Chabert, Lambert; Riser, Tarver.

Total - 4

The Chair declared House Bill No. 547 was indefinitely postponed.

HOUSE BILL NO. 556—

BY REPRESENTATIVE PEARSON

AN ACT

To amend and reenact R.S. 17:500.1, 1201(C)(1)(b), and 1206.1 and to enact R.S. 17:1200(C), relative to sick leave for public school employees; to provide relative to sick leave benefits to public school teachers, school bus operators, and other school employees who are disabled under certain circumstances; to provide relative to requirements for certification of such disability by a physician; to provide for definitions; and to provide for related matters.

Reported favorably by the Committee on Education. The bill was read by title and referred to the Legislative Bureau.

HOUSE BILL NO. 557—

BY REPRESENTATIVES SEABAUGH AND EDMONDS

AN ACT

To amend and reenact R.S. 15:587.1(D)(2), R.S. 17:15(A)(1)(b), 407.42 and 407.71, and Section 3 of Act No. 646 of the 2016 Regular Session of the Legislature and to repeal R.S. 17:407.41 and Section 2 of Act No. 646 of the 2016 Regular Session of the Legislature, relative to the Department of Education; to authorize the department to request criminal history information on certain personnel of school boards, nonpublic schools, early learning centers, registered family child care providers, registered in-home child care providers; to provide requirements relative to processing fees; to authorize the department to charge

a fee; to provide relative to fingerprinting; to provide relative to effectiveness; to provide relative to implementation; and to provide for related matters.

Reported with amendments by the Committee on Education.

SENATE COMMITTEE AMENDMENTS

Amendments proposed by Senate Committee on Education to Reengrossed House Bill No. 557 by Representative Seabaugh

AMENDMENT NO. 1

On page 3, line 4, after "inspections" insert a period "." and delete the remainder of the line and delete lines 5 and 6 in their entirety

AMENDMENT NO. 2

On page 4, delete lines 3 through 6 and insert ", and for whom the department has received a Louisiana or federal criminal history information report, may be hired on a provisional basis until such time as all required background checks have been completed; however, a provisional employee shall be monitored and supervised at all times by an employee who has a completed criminal background check. Under no circumstances shall an early learning center employ a person in any capacity until the department has received the required Louisiana or federal criminal history information report."

AMENDMENT NO. 3

On page 4, between lines 15 and 16, insert the following:

"C.(1) The State Board of Elementary and Secondary Education shall adopt rules to provide for a procedure whereby an early learning center may obtain a waiver from regulations adopted by the board establishing minimum child-to-staff ratios, when an undue delay in completing required background checks for employees makes it impossible to meet the prescribed ratios.

(2) An early learning center shall not be penalized for failing to meet established minimum child-to-staff ratios, if it demonstrates that a good-faith effort was made to comply with all background check requirements."

AMENDMENT NO. 4

On page 4, line 22, after "child" delete the remainder of the line, delete line 23 in its entirety, and at the beginning of line 24 delete "children"

AMENDMENT NO. 5

On page 5, line 8, after "child" delete the remainder of the line, delete line 9 in its entirety, and at the beginning of line 10, delete "children"

AMENDMENT NO. 6

On page 6, line 18, after "Information" delete the remainder of the line, delete lines 19 and 20, and insert ", and for whom the department has received a Louisiana or federal criminal history information report, may be hired on a provisional basis until such time as all required background checks have been completed; however, a provisional employee shall be monitored and supervised at all times by an employee who has a completed criminal background check. Under no circumstances shall an early learning center employ a person in any capacity until the department has received the required Louisiana or federal criminal history information report."

On motion of Senator Morrish, the committee amendment was adopted. The amended bill was read by title and recommitted to the Committee on Finance.

HOUSE BILL NO. 576—

BY REPRESENTATIVE THIBAUT

AN ACT

To amend and reenact R.S. 46:1053(V)(2), relative to Hospital Service District No. 1 of the parish of Pointe Coupee; to provide relative to the governing board of the district; to provide relative to the membership of the board; to reduce the number of members of the governing authority of Pointe Coupee Parish who may serve on the board; and to provide for related matters.

Reported favorably by the Committee on Local and Municipal Affairs. The bill was read by title and referred to the Legislative Bureau.

HOUSE BILL NO. 589—

BY REPRESENTATIVE BAGNERIS
AN ACT

To enact R.S. 33:4885, relative to local governing authorities; to authorize municipal governing authorities to regulate the accumulation of waste tires on private property; and to provide for related matters.

Reported with amendments by the Committee on Local and Municipal Affairs.

SENATE COMMITTEE AMENDMENTS

Amendments proposed by Senate Committee on Local and Municipal Affairs to Reengrossed House Bill No. 589 by Representative Bagneris

AMENDMENT NO. 1

On page 1, line 10, change "may" to "shall"

AMENDMENT NO. 2

On page 1, delete lines 14 through 16, and insert the following: ", at a minimum, be equal to the amounts provided for in R.S. 30:2418(D)(1) for each tire collected and the municipality shall deposit such minimum amount into the Waste Tire Management Fund. Any waste tire collected for which the municipality has deposited the appropriate amount, shall be deemed a program"

On motion of Senator Colomb, the committee amendment was adopted. The amended bill was read by title and referred to the Legislative Bureau.

HOUSE BILL NO. 590—

BY REPRESENTATIVES HILFERTY AND DAVIS
AN ACT

To amend and reenact R.S. 49:308.5 and to enact R.S. 24:653(N), relative to the review of special treasury funds; to provide for the submission of a plan to review special treasury funds; to provide for the review of and recommendation on certain special treasury funds; to provide for exceptions; to provide for a dedicated fund review subcommittee of the Joint Legislative Committee on the Budget; to provide for an effective date; and to provide for related matters.

Reported favorably by the Committee on Finance. The bill was read by title and referred to the Legislative Bureau.

HOUSE BILL NO. 596—

BY REPRESENTATIVES LEGER AND BISHOP
AN ACT

To amend and reenact R.S. 49:214.6.2(A) and to enact R.S. 49:214.7, relative to the Coastal Protection and Restoration Authority; to authorize the use of outcome-based performance contracts by the Coastal Protection and Restoration Authority for integrated coastal protection; and to provide for related matters.

Reported with amendments by the Committee on Natural Resources.

SENATE COMMITTEE AMENDMENTS

Amendments proposed by Senate Committee on Natural Resources to Reengrossed House Bill No. 596 by Representative Leger

AMENDMENT NO. 1

On page 2, at the end of line 2 and the beginning of line 3, delete "Coastal Protection and Restoration Authority" and insert "authority"

AMENDMENT NO. 2

On page 2, at the end of line 8 and the beginning of line 9, delete "Coastal Protection and Restoration Authority" and insert "authority"

AMENDMENT NO. 3

On page 2, line 19, after "project that" insert "is estimated to cost more than two hundred fifty million dollars or"

AMENDMENT NO. 4

On page 2, at the end of line 22 and the beginning of line 23, delete "Coastal Protection and Restoration Authority Board for approval." and insert "board and the Joint Legislative Committee on the Budget"

AMENDMENT NO. 5

On page 3, line 29, after "to the" delete the remainder of the line

AMENDMENT NO. 6

On page 4, at the beginning of line 1, change "Authority" to "authority"

AMENDMENT NO. 7

On page 4, line 5, after "Section" insert the following: "in accordance with the Administrative Procedure Act and with approval of the Senate Committee on Natural Resources and the House Committee on Natural Resources and Environment"

AMENDMENT NO. 8

On page 4, at the end of line 12 and the beginning of line 13, delete "Coastal Protection and Restoration Fund" and insert "fund"

AMENDMENT NO. 9

On page 5, between lines 16 and 17, insert the following:

"(g) A statement of the proposer's ability and intention to provide equal opportunities in recruitment, selection, appointment, promotion, training, and related employment areas in connection with the outcome-based performance contract."

AMENDMENT NO. 10

On page 8, line 5, change "may" to "shall"

AMENDMENT NO. 11

On page 8, line 11, after "supercede" delete the remainder of the line and insert "and control to the extent of any conflict with any other provisions"

On motion of Senator Chabert, the committee amendment was adopted. The amended bill was read by title and referred to the Legislative Bureau.

HOUSE BILL NO. 608—

BY REPRESENTATIVE WHITE
AN ACT

To amend and reenact R.S. 56:1901, 1902(1) 1903, 1904(A), (B)(introductory paragraph), (C)(2), (D), (E), and (H), and 1907 and to enact R.S. 56:1902(3) and 1904(C)(3), (I), (J), and (K), relative to threatened and endangered species conservation; to include native plants in the species to be conserved by the Wildlife and Fisheries Commission and the Department of Wildlife and Fisheries; and to provide for related matters.

Reported favorably by the Committee on Natural Resources. The bill was read by title and referred to the Legislative Bureau.

HOUSE BILL NO. 617—

BY REPRESENTATIVE LEBAS
AN ACT

To amend and reenact R.S. 48:600.1(B)(1) and (4) and 600.2(B)(1) and (4), relative to district five and six road commissions of St. Landry Parish; to provide relative to the appointment of the commissioners of the boards of district five and six road commissions of St. Landry Parish; and to provide for related matters.

Reported favorably by the Committee on Local and Municipal Affairs. The bill was read by title and referred to the Legislative Bureau.

May 31, 2017

HOUSE BILL NO. 618—

BY REPRESENTATIVE GAROFALO
AN ACT

To amend and reenact R.S. 39:99.27(1), (4), (5), (10), (18), 99.30(A)(introductory paragraph) and (1), 99.38(A), (B), and (C), 99.41, 99.42, and 99.44 and to enact R.S. 39:99.27(19) through (28), relative to the Louisiana Coastal Protection and Restoration Financing Corporation; to authorize the financing, purchasing, owning, and managing payments from the Deepwater Horizon natural resource damage act and the Resources and Ecosystems Sustainability, Tourist Opportunities, and Revived Economies of the Gulf Coast States Act; to provide for terms and conditions associated with the financing, purchasing, owning, and managing; to direct the Louisiana State Law Institute to redesignate section numbers; and to provide for related matters.

Reported with amendments by the Committee on Revenue and Fiscal Affairs.

SENATE COMMITTEE AMENDMENTS

Amendments proposed by Senate Committee on Revenue and Fiscal Affairs to Reengrossed House Bill No. 618 by Representative Garofalo

AMENDMENT NO. 1

On page 4, line 17, after "Revenue" delete the remainder of the line and delete line 18 and insert: "payments, the DWH NRD payments, and the RESTORE payments."

On motion of Senator Morrell, the committee amendment was adopted. The amended bill was read by title and referred to the Legislative Bureau.

HOUSE BILL NO. 627—

BY REPRESENTATIVE DWIGHT
AN ACT

To amend and reenact R.S. 13:964(H) and 964.1(B) and to repeal R.S. 13:964.2, relative to court reporters; to provide for an increase in transcript fees in the Fourteenth Judicial District; to provide for a contingent effective date; and to provide for related matters.

Reported favorably by the Committee on Judiciary A. The bill was read by title and referred to the Legislative Bureau.

HOUSE BILL NO. 629—

BY REPRESENTATIVES ANDERS AND BROADWATER
AN ACT

To amend and reenact R.S. 47:305.25(A)(3), relative to state sales and use tax exemptions; to provide for certain exemptions to the state sales and use tax; to provide for the definition of farm equipment to include polyroll tubing; to provide for effectiveness; and to provide for related matters.

Reported with amendments by the Committee on Revenue and Fiscal Affairs.

SENATE COMMITTEE AMENDMENTS

Amendments proposed by Senate Committee on Revenue and Fiscal Affairs to Engrossed House Bill No. 629 by Representative Anders

AMENDMENT NO. 1

On page 1, line 2, after "reenact" and before the comma, "," delete "R.S. 47:305.25(A)(3)" insert "47:R.S. 301(10)(x)(i) and R.S. 47:302(AA)(introductory paragraph) and to enact R.S. 47:302(AA)(29), 321.1(F)(67), and 305.25(A)(6)"

AMENDMENT NO. 2

On page 1, line 4, after "tubing;" insert: "to provide with respect to the exclusion for residential fuel or gas; to provide with respect to the exemption for purchases and leases by qualifying radiation therapy treatment centers;"

AMENDMENT NO. 3

On page 1, line 7, after "Section 1." delete "R.S. 47:305.25(A)(3) is hereby amended and reenacted" and insert: "R.S. 47:301(10)(x)(i) and R.S. 47:302(AA)(introductory paragraph) are hereby amended and reenacted and R.S. 47:302(AA)(29), 321.1(F)(67), and 305.25(A)(6) are hereby enacted"

AMENDMENT NO. 4

On page 1, between lines 7 and 8, insert:

"§301. Definitions

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

(10) * * *

(x) For purposes of the sales and use tax imposed by the state or any political subdivision whose boundaries are coterminous with those of the state, the terms "retail sale" or "sale at retail" shall not include the following:

(i) The sale or purchase by a person consumer of any fuel or gas, including but not limited to, butane and propane, for residential use by the consumer.

§302. Imposition of tax * * *

AA. Notwithstanding any other provision of this Section to the contrary, except Paragraph (29) of this Subsection, beginning July 1, 2016, the following specific exclusions and exemptions shall be applicable to the tax levied pursuant to the provisions of this Section:

(29) Beginning July 1, 2017, purchases and leases by qualifying radiation therapy treatment centers, as provided in R.S. 47:305.64.

§321.1. Imposition of Tax * * *

F. Notwithstanding any other provision of law to the contrary, including but not limited to any contrary provision of this Chapter, there shall be no exemptions or exclusions as defined in R.S. 47:301 to the tax levied pursuant to the provisions of this Section, except for the sales or purchases of the following items:

(67) Beginning July 1, 2017, purchases and leases by qualifying radiation therapy treatment centers, as provided in R.S. 47:305.64."

AMENDMENT NO. 5

On page 1, delete lines 17 and 18, and insert:

"(6) Beginning October 1, 2017, polyroll tubing for commercial farm irrigation."

AMENDMENT NO. 6

On page 1, delete line 20, and insert:

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

On motion of Senator Morrell, the committee amendment was adopted. The amended bill was read by title and referred to the Legislative Bureau.

HOUSE BILL NO. 640—

BY REPRESENTATIVE STOKES
AN ACT

To amend and reenact R.S. 47:6007(C)(1)(introductory paragraph), relative to income tax credits; to provide with respect to the motion picture production tax credit; to provide for when tax credits are earned; and to provide for related matters.

Reported with amendments by the Committee on Revenue and Fiscal Affairs.

SENATE COMMITTEE AMENDMENTS

Amendments proposed by Senate Committee on Revenue and Fiscal Affairs to Engrossed House Bill No. 640 by Representative Stokes

AMENDMENT NO. 1

On page 1, line 2, after "reenact" delete the remainder of the line, and delete lines 3 and 4, and insert: "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, (9)(b)(i), and (I), to enact R.S. 47:6007(B)(28), (29), (30), (31), (32), (33), (34), and (C)(3)(d), (C)(4)(g), (D)(1)(d)(v) and (2)(a)(i)(gg) and (hh), (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 a maximum overall credit rate; to provide for conditions required to earn the credit; to provide for payroll credits for qualified entertainment companies; to provide for a sunset date for third-party credit transfers; to provide for permanent 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."

AMENDMENT NO. 2

On page 1, delete lines 6 through 21, and on page 2, delete lines 1 through 5, and insert:

"Section 1. 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, (9)(b)(i), and (I) are hereby amended and reenacted and R.S. 47:6007(B)(28), (29), (30), (31), (32), (33), (34), and (C)(3)(d), (C)(4)(g), (D)(1)(d)(v) and (2)(a)(i)(gg) and (hh), (2)(a)(ii), and (e)(iv) and (J) are hereby enacted to read as follows:

§6007. Motion picture production tax credit

B. Definitions. For the purposes of this Section:

(1) "Above the Line ~~services~~ salaries" or "ATL ~~services~~ salaries" means all salary, wages, fees, and fringe benefits paid for services such as those of a producer, executive producer, ~~line producer~~, coproducer, ~~assistant producer~~, actor, director, ~~casting director~~, screenwriter, lead cast, supporting cast, day players, and other services of job positions performed by personnel of the production that are associated with the creative or financial control of a production and customarily considered as above the line services in the film and television industry.

(8) "Louisiana promotional graphic" means a graphical brand or logo for promotion of the state which has been approved by the office for a production, consisting of either of the following:

(a) A five-second long static or animated graphic that promotes Louisiana in the end credits before the below the line crew crawl for the life of the production, and which includes a link to Louisiana on the production's website and online promotions.

(b) An embedded five-second long static or animated graphic that promotes Louisiana during each broadcast worldwide for the life of the production, and which includes a link to Louisiana on the production's website and online promotions.

(11) "Motion picture" means a nationally or internationally distributed feature-length film, short film, video, television pilot, television series, television movie of the week, animated feature film, animated short film, animated television series, commercial, or documentary made in Louisiana, in whole or in part, for theatrical or television viewing, or for viewing on any digital online platform as may be further defined by the office through the promulgation of rules. The term "motion picture" shall not include the production of television coverage of news and athletic events or music festivals.

(14) "Payroll" means all salary, wages, and ~~other compensation of any kind whatsoever, including but not limited to services, benefits, per diem, housing, box rentals and any other type of benefit~~ fringe benefits paid, provided, or rendered to an individual for services relating to a state-certified production and, ~~except for fringe benefits not includible in gross income, for which taxes are withheld and remitted to the Department of Revenue in accordance with R.S. 47:164(D)(2) and taxable in this state as verified by the office through the use of information which may be provided to them upon request by the office from the Louisiana Workforce Commission, or the Department of Revenue. Any information so furnished shall be considered and held confidential and privileged by the Department of Economic Development. However, "payroll" shall exclude any portion of an individual salary in excess of three million dollars.~~

(16) "Production expenditure verification report" means a report issued by a qualified accountant who is unrelated to the motion picture production company and that is a report of the qualified accountant's verification of the motion picture production's cost report of production expenditures. The production expenditure verification report shall contain an opinion from the qualified accountant stating that there are no related party transactions or that material transactions of related party relationships are properly reported and accounted for as required by Paragraph (D)(9) of this Section, adequately disclosed, and explained in the report and that the production's cost report of production expenditures presents fairly, in all material aspects, the production expenditures expended in Louisiana pursuant to the provisions of this Section. The production expenditure verification report shall:

- (a) Be performed in accordance with the accounting standards generally accepted in the United States.
- (b) Be addressed to the party which has engaged the qualified accountant, with a copy addressed to the motion picture production company or motion picture investor tax credit applicant.
- (c) Contain the qualified accountant's name, address, and telephone number.
- (d) Contain a certification that the qualified accountant is unrelated to the motion picture production company.
- (e) Be dated as of the date of completion of the qualified accountant's field work.
- (f) Contain a statement of acknowledgment by the qualified accountant that the state is relying on the qualified production expenditure verification report in the issuance of the tax credits under the provisions of this Section.

(17)(a) "Production expenditures" means preproduction, production, and postproduction expenditures in this state directly relating to a state-certified production, including without limitation the following: set construction and operation; wardrobes, makeup, accessories, and related services; costs associated with photography and sound synchronization, lighting, and related services and materials; editing and related services; rental of facilities and equipment; leasing of vehicles; costs of food and lodging; digital or tape editing, film processing, transfer of film to tape or digital format, sound mixing, special and visual effects; and payroll. For all state-certified productions approved on or after July 1, 2015, this term shall include marketing and promotion expenses of the state-certified production incurred in this state.

(b) For all state-certified productions approved on or after January 1, 2004, this term shall not include expenditures for marketing and distribution, except as otherwise provided by Subparagraph (a) of this Paragraph, non-production related overhead, amounts reimbursed by the state or any other governmental entity, costs related to the transfer of tax credits, amounts that are

paid to persons or entities as a result of their participation in profits from the exploitation of the production, the application fee, state, or local taxes, or any expenditures occurring outside of Louisiana. For all state-certified productions approved on or after January 1, 2016, marketing expenditures shall be considered "production expenditures". This term shall not include expenditures for related party transactions denied or limited by the office pursuant to Paragraph (D)(9) of this Section, the production expenditure verification report fee, expenditures for Above the Line (ATL) salaries for the production that exceed forty percent of total production expenditures in the state for the production, or expenditures for airfare. This term shall not include expenditures for bond fees, insurance premiums, finance fees, loan interest fees, or payments of a similar nature, paid to investors in the production unless such expenditures are made to a Louisiana resident licensed insurance producer that has its principal place of business in this state as required by R.S. 22:1543, a Louisiana financial institution as defined in R.S. 6:2(8), or a Louisiana Business and Industrial Development Company as defined in and provided for in Chapter 39-B of Title 51 of the Louisiana Revised Statutes of 1950, R.S. 51:2386 et seq., that is regulated by the office of financial institutions and which have one or more offices in the state, in which case, the expenditures may be allocated only on a pro rata basis, allocating the fees based on the relative percentage of production activity occurring in and out of state.

(c) For all applications received on or after July 1, 2017, this term shall not include expenditures for catering and craft services unless such expenditures are made to a source within the state.

(d) For all applications received on or after July 1, 2017, this term shall not include procurement company purchases, unless such expenditures are made in Louisiana, or for products or inventory regularly held or maintained by a procurement company in Louisiana. Procurement companies shall provide a report to the production company identifying the source of all goods purchased, and tax credits may be awarded only on a pro rata basis, allocating for in state and out of state purchases.

(21) "Resident" or "resident of Louisiana" means a natural person who is a legal resident and who has been domiciled in the state and has maintained a permanent place of abode in this state for no less than twelve consecutive months required to file a Louisiana resident individual income tax return.

(24) "Source within the state" means a physical facility in Louisiana, operating with posted business hours and employing at least one full-time equivalent employee. Except as otherwise provided in Subparagraph (B)(17)(d) of this Section, procurement companies shall not be considered a source within the state.

(28) "Fringe benefit" means an additional benefit which supplements an employee's salary and may include meal per diems, housing per diems, pension or retirement contributions, health insurance premium payments, box rental that includes an inventory list, and car allowances.

(29) "Independent film production" means a state-certified production, with a production budget no greater than ten million dollars, produced outside of the major film studio system, as approved by the office.

(30) "Legacy credit" is a certified credit that is evidenced by a final certification letter issued before July 1, 2017, that has not expired, that has not been claimed as a credit against state income tax on a tax return filed before July 1, 2017, and that has not been transferred to the Department of Revenue pursuant to the provisions of Subitem (C)(4)(f)(i)(aa) of this Section before July 1, 2017.

(31) "Louisiana screenplay production" means a state-certified production meeting the Louisiana screenplay base investment enhancement eligibility criteria set forth in Subitem (C)(1)(a)(i)(bb) of this Section.

(32) "New jobs" means full-time employment in this state working an average of thirty hours or more per week, filled by residents of the state, at the project site designated in the contract, who were not previously on the QEC's payroll in Louisiana, nor previously on the payroll of the QEC's parent entity, subsidiary, or affiliate in Louisiana, or previously on the payroll of any business

whose physical location and employees are substantially the same as those of the QEC in Louisiana, as approved by the secretary.

(33) "Qualified Entertainment Company (QEC)" means an entity authorized to do business in the state of Louisiana, engaged in the development or distribution of audio, visual, or both audio-visual entertainment products for public consumption, directly or indirectly, certified by the secretary as meeting the eligibility requirements of this Section, and executing a contract providing the terms and conditions for its participation.

(34) "QEC Payroll" means W-2, box 1 wages.

C. Production tax credit; specific productions and projects.

(1) There is hereby authorized a tax credit against state income tax for Louisiana taxpayers for expenditures related to state-certified productions and qualified entertainment companies. The tax credit shall be earned by a motion picture production company at the time expenditures are certified by the office and the secretary for a motion picture production company in a state-certified production. However, credits cannot be applied against a tax or transferred until the expenditures are certified by the office and the secretary. For state-certified productions, expenditures shall be certified no more than once per production, after project completion. However, if at the time of application for initial certification, the office is notified that post-production activities will take place in Louisiana, a supplemental request for certification of expenditures directly related to such post-production activity may be submitted for consideration by the office. The cost of any verification or audit of such expenditures shall be borne by the motion picture production company. The tax credit shall be calculated as a percentage of the total base investment dollars certified per project, or as otherwise provided in this Paragraph.

(a) For state-certified productions approved by the office and the secretary on or after January 1, 2004, but before January 1, 2006: Project-Based Production tax credit. For applications for state-certified productions on or after July 1, 2017:

(i) If the total base investment is greater than three hundred thousand dollars and less than or equal to eight million dollars, each taxpayer shall be allowed a tax credit of ten percent of the actual investment made by that taxpayer: Base investment credit. If the total base investment is greater than three hundred thousand dollars, or if a production is a Louisiana screenplay production, each investor shall be allowed a tax credit of twenty-five percent of the base investment made by the investor. Investors may receive an increased base investment credit rate by satisfying any of the following criteria:

(aa) Out-of-zone filming. A five percent increase in the base investment rate may be allowed for state-certified productions with their production office and sixty percent of principal photography based and occurring outside of the New Orleans Metro Statistical Area, as delineated by the federal Office of Management and Budget, but not including St. John the Baptist Parish.

(bb) Louisiana screenplay. A ten percent increase in the base investment rate may be allowed for state-certified production expenditures equal to or greater than fifty thousand dollars but no greater than five million dollars, based upon a screenplay created by a Louisiana resident as evidenced by documents such as certificate of authorship, a Writers Guild of America registration certificate, the records of the United States Copyright Office, or a reasonable legal opinion issued to the office.

(ii) If the total base investment is greater than eight million dollars, each taxpayer shall be allowed a tax credit of fifteen percent of the actual investment made by that taxpayer: Additional payroll and visual effects credits.

(aa) Louisiana payroll. To the extent that base investment is expended on payroll for Louisiana residents employed in connection with a state-certified production, each investor shall be allowed an additional tax credit of fifteen percent of such payroll.

(bb) Visual effects. To the extent that base investment is expended on visual effects expenditure, each investor shall be allowed an additional tax credit of five percent of such expenditures if at least fifty percent of the visual effects budget is expended for services performed in Louisiana by an approved QEC, or a minimum of one million dollars in qualified visual effects expenditures are made in Louisiana.

(cc) The maximum tax credit that a production can earn pursuant to this Paragraph for the base investment credit, including base

investment increases for out-of-zone filming and Louisiana screenplay, and the additional payroll and visual effects credits is forty percent of base investment.

(iii) The initial certification shall be effective for qualifying expenditures made within a period of twelve months prior to and twelve months after the date of application, and twenty-four months after the date of initial certification, except that:

(aa) State-certified productions for scripted episodic content, with estimated expenditures of at least ten million dollars in qualifying in state expenditures per calendar year, for up to five years, shall be issued an initial certification effective for qualifying expenditures made until sixty months after the date of initial certification, under terms and conditions approved by the office and the secretary, as set forth in the initial certification.

(iv) As a condition of receiving tax credits pursuant to this Section, state-certified productions shall be required to acknowledge the financial assistance of the state of Louisiana, either through the inclusion of a Louisiana promotional graphic, or an alternative marketing option, including a donation to a Louisiana non-profit film grant program, as approved by the office.

(v) As a condition of receiving tax credits pursuant to this Section, state-certified productions shall be required to participate in a career-based learning and training program approved by the office. The secretary and the office shall determine through the promulgation of rules, approved programs as well as the minimum criteria that an applicant must meet in order to qualify according to this Section.

(b) For state-certified productions approved by the office and the secretary on or after January 1, 2006, but before July 1, 2009: Company-based QEC payroll tax credit for Qualified Entertainment Companies approved by the office and the secretary on or after July 1, 2017. To the extent that base investment is expended on payroll for Louisiana residents in connection with a QEC, tax credits shall be earned at the following rates:

(i) If the total base investment is greater than three hundred thousand dollars, each investor shall be allowed a tax credit of twenty-five percent of the base investment made by that investor. Tier 1. A payroll credit of fifteen percent shall be earned for each new job whose QEC payroll is equal to or greater than forty-five thousand dollars per year, up to sixty-six thousand dollars per year.

(ii) To the extent that base investment is expended on payroll for Louisiana residents employed in connection with a state-certified production, each investor shall be allowed an additional tax credit of ten percent of such payroll. However, if the payroll to any one person exceeds one million dollars, this additional credit shall exclude any salary for that person that exceeds one million dollars. Tier 2. A payroll credit of twenty percent shall be earned for each new job whose QEC payroll is equal to or greater than sixty-six thousand dollars per year, but no greater than two hundred thousand dollars per year.

(iii) The initial certification shall be effective for qualifying expenditures made within a period twelve months prior to and twelve months after the date of initial certification.

(c) For state-certified productions approved by the office and the secretary applications for state-certified productions approved on or after July 1, 2009, and before July 1, 2017:

(3) Application of the credit.

(d) In order to prevent disguised sales of the credits, allocations of credits through partnership and membership agreements shall not be recognized unless they have "substantial economic effect" as that term is defined by 26 U.S.C.A. §704 and the federal regulations thereunder.

(4) Transferability of the credit. Except as provided for in Item (f)(iii) Subparagraph (g) of this Paragraph, motion picture tax credits not previously claimed by any taxpayer against its income tax may be transferred or sold to another Louisiana taxpayer or to the office Department of Revenue, subject to the following conditions:

(f)(i) Beginning on and after January 1, 2007, the investor who earned the motion picture investor tax credits may transfer the credits to the office for seventy-two percent of the face value of the credits. Beginning January 1, 2009, and every second year thereafter, the percent of the face value of the tax credits allowed for transferring

credits to the office shall increase two percent until the percentage reaches eighty percent.

(iii)(aa) For projects which receive initial certification that apply on and after July 1, 2009, and before July 1, 2017, the motion picture production company that earned the motion picture production tax credits pursuant to such certification or the company's irrevocable designee, as provided for in Item (iv)(iii) of this Subparagraph, may transfer the credits to the Department of Revenue for eighty-five percent of the face value of the credits in accordance with the procedures and requirements of Item (iii)(ii) of this Subparagraph.

(bb) For projects that apply on and after July 1, 2017, the motion picture production company that earned the motion picture production tax credits pursuant to such certification or the company's irrevocable designee, as provided for in Item (iii) of this Subparagraph, may transfer the credits to the Department of Revenue for ninety percent of the face value of the credits in accordance with the procedures and requirements of Item (ii) of this Subparagraph.

(cc) Beginning July 1, 2017, legacy credits that are recorded in the Louisiana Tax Credit Registry before January 1, 2018, may be transferred to the Department of Revenue for eighty-five percent of face value. The Department of Revenue shall make payment for the legacy credits in the amount to which the transferor is entitled from the current collections of the taxes collected pursuant to Chapter 1 of Subtitle II, of this Title. The Department of Revenue may require the transferor to submit such additional information as may be necessary to administer the provisions of this Section.

(iii)(ii) The Department of Revenue may require the transferor to submit such additional information as may be necessary to administer the provisions of this Section. The secretary of the Department of Revenue shall make payment to the motion picture production company or its irrevocable designee in the amount to which he is entitled from the current collections of the taxes collected pursuant to Chapter 1 of Subtitle II, of this Title provided such tax credits are transferred to the Department of Revenue within one calendar year of certification.

(iv)(iii) A bank or other lender may be named as an irrevocable designee in the initial tax credit certification or other document submitted thereafter by a motion picture production company to the office. As an irrevocable designee, a bank or other lender may elect to have the tax credits issued directly to it from the office, and in addition to the rights of a transferee may also elect to transfer the credits to the Department of Revenue in accordance with the provisions of Items (ii)(i) and (iii)(ii) of this Subparagraph.

(v) The office shall not accept the transfer of motion picture investor tax credits from July 1, 2015 through June 30, 2016.

(g) For projects that apply on and after July 1, 2017, except as provided for in Subparagraph (f) of this Paragraph, motion picture tax credits not previously claimed by any taxpayer against its income tax may not be transferred or sold to another taxpayer.

D. Certification and administration.

(1)(a)(i) Company-based QEC payroll tax credit. It is the intent of the Louisiana Legislature that the tax credits provided in this Section should be used primarily as an inducement for qualified entertainment businesses to permanently locate new or expand existing operations in Louisiana. A business may be eligible for participation in the program if it meets all of the following criteria:

(aa) Is engaged in the development or distribution of audio, visual, or both audio-visual entertainment product for public consumption, directly or indirectly, as approved by the secretary.

(bb) Creates a minimum of five new jobs meeting or exceeding the Tier I minimum wage requirements, in accordance with the provisions of Item (C) (1)(b)(i) of this Section.

(cc) Is approved by the secretary.

(I) The following business types are ineligible:

(aaa) Telecommunication.

(bbb) Any other businesses as determined by rule promulgated by the Department of Economic Development.

(ii) The secretary of the Department of Economic Development and the office shall determine through the promulgation of rules the minimum criteria that a project must meet in order to qualify according to this Section. The secretary, the office, and the division of administration shall determine through the promulgation of rules

May 31, 2017

the minimum criteria that a project must meet in order to qualify according to this Section.

(d) When determining which productions may qualify, the office and the secretary of the Department of Economic Development shall take the following factors into consideration:

(v) Filming location, project size, project type, and availability of tax credits in any given year.

(2)(a) Application. An applicant for the motion picture investor credit shall submit an application for initial certification to the office and the secretary of the Department of Economic Development that includes the following information:

(i) For state-certified productions the application shall include:

(gg) The format of the project, for example whether it is a feature film or television series, and whether it seeks qualification as a QEC, independent film project, or Louisiana screenplay project.

(hh) A statement of which of the base credit rate enhancements or additional credits for payroll or visual effects, if any, will apply to the project and an estimate of expenditures in each applicable category.

(ii) Company-based QEC payroll tax credit. Applications shall be submitted to the office on a form prescribed by the department, or if available submitted electronically, to include such information as may be required by the department to determine if the applicant is qualified.

(c)(i) In order to protect the integrity of the motion picture investor tax credit program by ensuring that tax credits are certified only for eligible expenditures and to provide for uniformity in expenditure verification reporting, the department shall directly engage and assign an independent certified public accountant, hereinafter referred to as "CPA", to prepare, for the department, the required production expenditure verification report on a tax credit applicant's cost report of expenditures or claims. The applicant shall be responsible for and assessed any production expenditure verification report fee which that may be required by law, including any up-front deposit of the fee. For purposes of the report, the applicant shall make all records related to the tax credit application available to the CPA.

(d)(i) The Project-Based Production tax credit. After application review and consideration of all discretionary factors, the office and the secretary shall submit their initial certification or written denial of a project as a state-certified production to investors and to the secretary of the Department of Revenue indicating the total base investment which shall be expended in the state on the state-certified production within sixty days of their receipt of all required information. The initial certification shall include a unique identifying number for each state-certified production and shall provide for a preliminary allocation of tax credits by year.

(ii) Company-based QEC payroll tax credit. After application review and consideration of all discretionary factors, the office and the secretary may execute a contract with an applicant for a period of up to five years, providing the terms and conditions for its participation. A five-year renewal contract may be authorized if the applicant has complied with all the terms of the contract and has not performed any act, nor failed to perform any act, which would have made the applicant liable for suspension, and has complied with the provisions of this Section. The contract shall set forth an estimate of jobs and payroll per calendar year, which will be tentatively allocated to the QEC for annual cap computation purposes.

(e)(i)(aa) No For projects with initial certification letters issued on or after July 1, 2015, no later than six months after the expiration of the initial certification period for the applicable state-certified production, a state-certified motion picture production company applicant shall make a request to the office to proceed to final certification by submitting to the office a cost report of production expenditures to be formatted in accordance with instructions of the office. The applicant shall make all records related to the cost report available for inspection by the office and the qualified accountant selected by the office to prepare the production expenditure

verification report, after which time all such claims to tax credits shall be deemed waived. After review and investigation of the cost report, the accountant shall submit to the office and the secretary a production expenditure verification report. The office and the secretary shall review the production expenditure verification report and may require additional information needed to make a determination as to final certification of all tax credits for that production. Within one hundred twenty days of the receipt of the production expenditure verification report and all required supporting information, the office and the secretary shall issue a tax credit certification letter indicating the amount of tax credits certified for the state-certified production to the applicant for all qualifying expenditures verified by the office. Any expenditures for which tax credits were neither denied nor certified due to insufficient information or other issues, the office and secretary shall diligently work to resolve the outstanding issues in a timely manner, and the office and secretary may subsequently issue a supplemental tax credit certification at the time of such resolution.

(bb) For projects with initial certification letters issued before July 1, 2015, upon project completion or at any time after project costs are deemed final by the motion picture production company or applicant, the applicant shall make a request to the office to proceed to final certification by submitting to the office a cost report of production expenditures to be formatted in accordance with instructions of the office promulgated in compliance with the Administrative Procedure Act. The applicant shall make all records related to the cost report available for inspection by the office and the qualified accountant selected by the office to prepare the production expenditure verification report. After review and investigation of the cost report, and after two levels of review within a CPA firm or a second review through a cooperative endeavor with another CPA, the accountant shall submit to the office, the secretary, and the motion picture production company or motion picture investor tax credit applicant a production expenditure verification report and the affidavit required by Subparagraph (g) of this Paragraph. The office and the secretary shall review the production expenditure verification report and may require additional information needed to make a determination. Within one hundred twenty days of the receipt of the production expenditure verification report and all required supporting information, the office and the secretary shall issue a tax credit certification letter indicating the amount of tax credits certified for the state-certified production to the investors for all qualifying expenditures verified by the office. Any expenditures for which tax credits were neither denied nor certified due to insufficient information or other issues, the office and secretary shall diligently work to resolve the outstanding issues in a timely manner, and the office and secretary may subsequently issue a supplemental tax credit certification at the time of such resolution.

(iv) State-certified productions for scripted episodic content and approved QEC's may submit more than one request for final certification of tax credits, but no more frequently than once per calendar year, in accordance with the terms of the initial certification letter or QEC contract and instructions by the office.

(9) (b) Tax credits certified for goods and services provided by related parties to a state-certified production shall be further limited as follows:

(i) Qualifying production expenditures for Above the Line, or "ATL", services salaries provided by related parties shall be limited to twelve percent of total Louisiana production expenditures.

I. Commencing no later than January 31, 2016, the House Committee on Ways and Means and the Senate Committee on Revenue and Fiscal Affairs shall review the credit authorized pursuant to the provisions of this Section to determine if the economic benefit provided by such credit outweigh the loss of revenue realized by the state as a result of awarding such credit. The House and Senate committees shall make a specific recommendation no later than March 1, 2017, to either continue the credit or to terminate the credit. No credits shall be allowed pursuant to this Section for applications received on or after July 1, 2025.

J. Credit caps, structured pay outs, and project size limitations

(1) Department of Economic Development program issuance cap.

(a) The department shall by rule establish the method of provisionally allocating available tax credits in initial certification letters, and the method for granting tax credits in final tax credit certification letters, including but not limited to a first-come, first-served system, reservation of tax credits for a specific time period, or other method which the department, in its discretion, may find beneficial to the program.

(b) For applications for state-certified productions and qualified entertainment companies submitted on or after July 1, 2017, the total amount of all tax credits granted in a final certification letter by the department in any fiscal year shall not exceed one hundred fifty million dollars. Twenty percent of the annual program cap shall be reserved as follows: five percent for qualified entertainment companies, five percent for Louisiana screenplay productions, and ten percent for independent film productions. If the total amount of credits applied for in any particular year exceeds the aggregate amount of tax credits allowed for that year, the excess shall be treated as having been applied for on the first day of the subsequent year.

(c)(i) If the total amount of credits granted to QEC's in any fiscal year is less than the QEC cap, any residual amount of unused credits shall carry forward for use in subsequent years and may be granted in addition to the QEC cap for each year.

(ii) If the total amount of credits granted in any fiscal year to screenplay productions or independent film productions is less than their respective caps, any residual amount may be available for issuance by the department during that fiscal year as established by rule.

(d) The department shall make reasonable efforts to post a listing of estimated amounts available under the cap on its website.

(2) Department of Revenue taxpayer claim cap.

(a) Beginning July 1, 2017, claims against state income tax allowed on returns for tax credits or transfers of such tax credits, including legacy credits, to the Department of Revenue as provided for in Paragraph (C)(4) of this Section shall be limited to an aggregate total of one hundred eighty million dollars each fiscal year. If less than one hundred eighty million dollars of such tax credits and transfers are allowed in a fiscal year, the remaining amount, plus any amounts remaining from previous fiscal years, shall be added to the one hundred eighty million dollar limit of subsequent fiscal years until that amount of tax credits or tax credit transfers to the Department of Revenue are claimed and allowed.

(b)(i) Claims for tax credits or transfers of tax credits to the Department of Revenue shall be allowed on a first-come, first-served basis. Any taxpayer whose claim for such tax credits or transfer to the Department of Revenue is disallowed because the fiscal year cap has been reached may use the tax credits against state income tax due in an original return filed in the next fiscal year or may transfer tax credits to the Department of Revenue the next fiscal year, and his claim or transfer shall have priority over other claims filed or transfers applied for after the date of his original claim or application for transfer.

(ii) If a claim against state income tax for a tax credit is disallowed because the fiscal year cap has been reached, the Department of Revenue may provide for an abatement of interest pursuant to R.S. 47:1601 and a waiver of delinquent payment penalties pursuant to R.S. 47:1603.

(iii) Any transferor whose transfer of legacy credits to the Department of Revenue exceeds ten million dollars in one fiscal year shall be paid a maximum of ten million dollars that year and may transfer the remaining legacy credits, up to a maximum of ten million dollars for each subsequent fiscal year, to the Department of Revenue and his transfer shall have priority over other transfers applied for after the date of his original application for transfer.

(c) For all completed applications for transfer submitted to the Department of Revenue on or after July 1, 2017, the face value of the credits transferred to the Department of Revenue shall be subtracted from the remaining available Department of Revenue taxpayer claim cap.

(d) The Department of Revenue shall make reasonable efforts to post a listing of estimated amounts available under the cap on its website.

(3) Department of Economic Development individual project issuance cap.

(a) Project-based production tax credit. For applications for state-certified productions on or after July 1, 2017, the maximum amount of credits that may be granted for a single state-certified production shall not exceed twenty million dollars, except for state-certified productions for scripted episodic content that may be granted up to twenty-five million dollars per season.

(b) Company-based QEC payroll tax credit. For applications for qualified entertainment company contracts on or after July 1, 2017, the maximum amount of credits that may be granted for a single company shall not exceed one million dollars per year.

(4) Department of Economic Development individual payroll cap.

(a) Project-based production tax credit. For applications for state-certified productions on or after July 1, 2017, the maximum amount of qualifying payroll expenditures made for the services rendered by an individual, whether directly to an individual, or indirectly through a loan out company, shall be three million dollars per person and no tax credits shall be earned for payroll expenditures in excess of three million dollars per person.

(b) Company-based QEC payroll tax credit. For applications for qualified entertainment company contracts on or after July 1, 2017, the maximum amount of qualifying QEC payroll expenditures shall be two hundred thousand dollars per person, for each employee as reported on a Form W-2, and no tax credits shall be earned for payroll expenditures in excess of two hundred thousand dollars per person.

(5) Department of Economic Development structured pay outs.

(a) The department may, at its discretion, require credits for any size production or approved QEC to be structured over the course of two or more years, as provided for in the initial certification letter or QEC contract.

(b) The department shall by rule establish the circumstances under which a structured pay-out of credits may be required, including but not limited to the availability of tax credits in any given year or the best interests of the state.

Section 2. 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 are hereby repealed.

Section 3. The Louisiana State Law Institute is hereby directed to alphabetize the definitions contained in R.S. 47:6007(B).

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

On motion of Senator Morrell, the committee amendment was adopted. The amended bill was read by title and referred to the Legislative Bureau.

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.

Reported favorably by the Committee on Natural Resources. The bill was read by title and referred to the Legislative Bureau.

May 31, 2017

HOUSE BILL NO. 679— (Substitute for House Bill No. 399 by Representative Garofalo) BY REPRESENTATIVE GAROFALO AN ACT

To enact Part V of Chapter 1 of Code Title XXIV of Title 9 of the Louisiana Revised Statutes of 1950, to be comprised of R.S. 9:5826 and 5827, relative to prescription; to provide relative to preemptive and prescriptive deadlines; to provide relative to legal deadlines; to provide for applicability; and to provide for related matters.

Reported favorably by the Committee on Judiciary A. The bill was read by title and referred to the Legislative Bureau.

Senate Bills and Joint Resolutions Returned from the House of Representatives with Amendments

SENATE BILL NO. 64— BY SENATOR GATTI AN ACT

To amend and reenact R.S. 3:2463(C) and (E) and to enact R.S. 3:2462(6) and 2465(E), relative to animal shelter operating procedures; to authorize animal shelters to post pictures of animals on a social media account or website; to require inspectors and shelter personnel to attend annual training; to provide for definitions; and to provide for related matters.

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

HOUSE COMMITTEE AMENDMENTS

Amendments proposed by House Committee on Agriculture, Forestry, Aquaculture, and Rural Development to Reengrossed Senate Bill No. 64 by Senator Gatti

AMENDMENT NO. 1 On page 2, at the end of line 17, insert "All training required by this Paragraph shall be approved by the state veterinarian."

AMENDMENT NO. 2 On page 2, at the end of line 27, insert "All training required by this Paragraph shall be approved by the state veterinarian."

LEGISLATIVE BUREAU AMENDMENTS

Amendments proposed by Legislative Bureau to Reengrossed Senate Bill No. 64 by Senator Gatti

AMENDMENT NO. 1 In House Committee Amendment No. 2 proposed by the House Committee on Agriculture, Forestry, Aquaculture, and Rural Development to Reengrossed Senate Bill No. 64 by Senator Gatti, on page 1, line 5, change "Paragraph" to "Subsection"

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

ROLL CALL

The roll was called with the following result:

YEAS

Table with 3 columns of names: Mr. President, Allain, Appel, Barrow, Bishop, Boudreaux, Carter, Chabert, Claitor, Fannin, Gatti, Hewitt, Johns, LaFleur, Lambert, Long, Luneau, Martiny, Morrish, Peacock, Perry, Peterson, Riser, Smith, G., Smith, J., Tarver, Thompson

Table with 3 columns of names: Colomb, Cortez, Donahue, Erdey, Milkovich, Mills, Mizell, Morrell, Walsworth, Ward, White

Total - 38 NAYS

Total - 0 ABSENT

Total - 0

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

SENATE BILL NO. 103— BY SENATOR RISER AND REPRESENTATIVE TERRY BROWN AN ACT

To amend and reenact R.S. 56:722(A)(2) and 727, relative to game and fish commissions; to provide for the adoption of rules and regulations; to provide for limitation of liability; to provide for terms and conditions; and to provide for related matters.

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

HOUSE COMMITTEE AMENDMENTS

Amendments proposed by House Committee on Natural Resources and Environment to Reengrossed Senate Bill No. 103 by Senator Riser

AMENDMENT NO. 1 On page 1, line 12, change the comma "," to a period "." and delete "provided that such" and insert the following: "In order to adopt such rules and regulations, the game and fish commission shall hold a public hearing conducted in accordance with the Open Meetings Law where public comment and testimony is received by the game and fish commission. Prior to implementation, such"

AMENDMENT NO. 2 On page 2, line 1, after "effective" delete "after being approved by the" and insert in lieu thereof the following: "only after one of the following occurs: (1) The"

AMENDMENT NO. 3 On page 2, line 3, after "preserve" and before the period "." insert a comma "," and "approves and promulgates the rule or regulation"

AMENDMENT NO. 4 On page 2, line 4, after "Act." insert "(2)"

AMENDMENT NO. 5 On page 2, at the end of line 7, add the following: "The game and fish preserve commission shall publish the adopted rule or regulation in the Louisiana Register, shall submit a copy to the Senate Committee on Natural Resources and the House Committee on Natural Resources and Environment. The rule or regulation shall be subject to legislative review in the same manner as provided in the Administrative Procedure Act, R.S. 49:968(D)."

AMENDMENT NO. 6 On page 2, at the end of line 13, before the period "." insert "or R.S. 56:722(A)(2)"

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

ROLL CALL

The roll was called with the following result:

YEAS

Table listing names of members under YEAS: Mr. President, Allain, Appel, Barrow, Bishop, Boudreaux, Carter, Chabert, Claitor, Colomb, Cortez, Donahue, Erdey, Fannin, Gatti, Hewitt, Johns, LaFleur, Lambert, Long, Luneau, Martiny, Milkovich, Mills, Mizell, Morrell, Morrish, Peacock, Perry, Peterson, Riser, Smith, G., Smith, J., Tarver, Thompson, Walsworth, Ward, White.

Total - 38

NAYS

Total - 0

ABSENT

Total - 0

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

SENATE BILL NO. 109— BY SENATOR CLAITOR

AN ACT

To enact Part V of Chapter 1 of Code Title XXIV of Code Book III of Title 9 of the Louisiana Revised Statutes of 1950, to be comprised of R.S. 9:5836, relative to the effect of obligations during certain emergencies and disasters; to provide relative to suspension of prescription and preemptive periods and other legal deadlines; to provide relative to the extension of prescription and preemptive periods and other legal deadlines; to provide relative to the ratification of Executive Orders JBE 2016-53, 2016-57, and 2016-66; to provide certain terms, conditions, procedures, and requirements; to provide for retroactive application; and to provide for related matters.

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

HOUSE COMMITTEE AMENDMENTS

Amendments proposed by House Committee on Civil Law and Procedure to Reengrossed Senate Bill No. 109 by Senator Claitor

AMENDMENT NO. 1

On page 1, line 3, after "comprised of" delete the remainder of the line and delete lines 4 through 10 in their entirety and insert the following: "R.S. 9:5826 and 5827, relative to prescription; to provide relative to preemptive and prescriptive deadlines; to provide relative to legal deadlines; to provide for applicability; and to provide for related matters."

AMENDMENT NO. 2

On page 1, delete lines 12 through 17 in their entirety and delete pages 2 and 3 in their entirety and insert the following:

"Section 1. Part V of Chapter 1 of Code Title XXIV of Title 9 of the Louisiana Revised Statutes of 1950, comprised of R.S. 9:5826 and 5827, is hereby enacted to read as follows:

§5826. Purpose

In response to the widespread flooding and power outages that occurred in August of 2016, the governor of this state issued Executive Orders JBE 2016-53, 57, and 66, which, among other things, purports to suspend or extend certain prescriptive periods and preemptive periods. The legislature finds that it is necessary to provide for a clear termination of any suspension or extension

of prescriptive periods and preemptive periods created by these executive orders in order to preserve a fair and consistent application of the laws of prescription and preemption.

§5827. Suspension and extension of prescription and preemption; 2016 flooding disaster

In accordance with Executive Orders JBE 2016-53, 57, and 66, all prescriptive periods, including liberative, acquisitive, and the prescription of nonuse, and all preemptive periods were suspended or extended for a period beginning August 12, 2016, and ending September 30, 2016. To the extent that any prescriptive period or preemptive period would have run on or before September 30, 2017, but for the suspension or extension of the period pursuant to the Executive Orders JBE 2016-53, 57, and 66, the prescriptive or preemptive period will be deemed to have run upon the earlier of: (1) the date calculated pursuant to Louisiana Civil Code Article 3472, or (2) September 30, 2017. The suspension and extension of prescriptive periods and preemptive periods contained in Executive Orders JBE 2016-53, 57, and 66 shall not apply to any prescriptive period or preemptive period accruing on or after October 1, 2017."

LEGISLATIVE BUREAU AMENDMENTS

Amendments proposed by Legislative Bureau to Reengrossed Senate Bill No. 109 by Senator Claitor

AMENDMENT NO. 1

In House Committee Amendment No. 2 proposed by the House Committee on Civil Law and Procedure to Reengrossed Senate Bill No. 109 by Senator Claitor, on page 1, line 10, after "XXIV" and before "of" insert "of Code Book III"

AMENDMENT NO. 2

In House Committee Amendment No. 2 proposed by the House Committee on Civil Law and Procedure to Reengrossed Senate Bill No. 109 by Senator Claitor, on page 1, line 16, change "purports" to "purport"

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

ROLL CALL

The roll was called with the following result:

YEAS

Table listing names of members under YEAS: Mr. President, Allain, Appel, Barrow, Bishop, Boudreaux, Carter, Chabert, Claitor, Colomb, Cortez, Donahue, Erdey, Fannin, Gatti, Hewitt, Johns, LaFleur, Lambert, Long, Luneau, Martiny, Milkovich, Mills, Mizell, Morrell, Morrish, Peacock, Perry, Peterson, Riser, Smith, G., Smith, J., Tarver, Thompson, Walsworth, Ward, White.

Total - 38

NAYS

Total - 0

ABSENT

Total - 0

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

May 31, 2017

SENATE BILL NO. 116—
BY SENATORS MILLS AND BISHOP
AN ACT

To enact Part III of Chapter 2 of Title 24 of the Louisiana Revised Statutes of 1950, to be comprised of R.S. 24:111 through 114, relative to exercise and healthier communities; to create the Work Out Now: WON Louisiana Legislative Commission; to provide for commission membership, powers, duties, and functions; to provide for staff support and finances for the commission; to provide for cooperation with and support for the commission; to provide for an effective date; and to provide for related matters.

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

HOUSE COMMITTEE AMENDMENTS

Amendments proposed by House Committee on House and Governmental Affairs to Reengrossed Senate Bill No. 116 by Senator Mills

AMENDMENT NO. 1

On page 4, line 17, after "duties." delete the remainder of the line and delete lines 18 through 21 and insert the following: "The commission shall meet only during a legislative session at the state capitol."

HOUSE FLOOR AMENDMENTS

Amendments proposed by Representative Schroder to Reengrossed Senate Bill No. 116 by Senator Mills

AMENDMENT NO. 1

Delete the House Committee Amendment by the Committee on House and Governmental Affairs (#2879)

AMENDMENT NO. 2

On page 3, line 3, delete "twelve"

AMENDMENT NO. 3

On page 3, delete lines 4 through 6 and insert:

"(1) The chairman of the Senate Committee on Health and Welfare."

AMENDMENT NO. 4

On page 3, line 7, change "Two members who serve" to "One member who serves"

AMENDMENT NO. 5

On page 3, line 9, change "Two members who serve" to "One member who serves"

AMENDMENT NO. 6

On page 3, line 11, change "Two members who serve" to "One member who serves"

AMENDMENT NO. 7

On page 3, line 13, change "Two members who serve" to "One member who serves"

AMENDMENT NO. 8

On page 3, line 15, change "Two members who serve" to "One member who serves"

AMENDMENT NO. 9

On page 4, line 20, delete "Louisiana State" and delete line 21, and insert "state capitol. No legislator shall receive per diem or mileage reimbursement for attending any commission meeting held when the legislature is not in session or for attending any commission meeting held at a location other than the state capitol."

AMENDMENT NO. 10

On page 4, line 24, after "chairman." delete the remainder of the line and delete lines 25 through 29

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

ROLL CALL

The roll was called with the following result:

YEAS

Mr. President	Fannin	Morrish
Allain	Gatti	Peacock
Appel	Hewitt	Perry
Barrow	Johns	Peterson
Bishop	LaFleur	Riser
Boudreaux	Lambert	Smith, G.
Carter	Long	Smith, J.
Chabert	Luneau	Tarver
Claitor	Martiny	Thompson
Colomb	Milkovich	Walsworth
Cortez	Mills	Ward
Donahue	Mizell	White
Erdey	Morrell	
Total - 38		

NAYS

Total - 0

ABSENT

Total - 0

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

SENATE BILL NO. 125—
BY SENATOR THOMPSON

AN ACT

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

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

HOUSE FLOOR AMENDMENTS

Amendments proposed by Representative Anders to Engrossed Senate Bill No. 125 by Senator Thompson

AMENDMENT NO. 1

On page 4, line 11, after "property." insert the following: "Funds from the sale of the property authorized by this Act shall be made available by the Division of Administration to the Louisiana State University Agricultural Center for use by the Louisiana State University Agricultural Center's Northeast Region for programs, capital improvements, and maintenance of existing facilities and infrastructure."

Section 3."

AMENDMENT NO. 2

On page 4, line 12, change "Section" to "Act"

AMENDMENT NO. 3

On page 4, line 16, change "Section 3." to "Section 4."

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

ROLL CALL

The roll was called with the following result:

YEAS

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

Total - 38

NAYS

Total - 0

ABSENT

Total - 0

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

SENATE BILL NO. 132—
BY SENATOR WHITE

AN ACT

To amend and reenact R.S. 56:1855(M)(2) and to enact R.S. 56:1855(O), relative to the Louisiana Scenic Rivers Act; to provide for certain natural and scenic rivers; to provide exceptions for certain uses on the Amite River, Pearl River, Tchefuncte River, Bogue Falaya River, Abita River, Comite River, and Bayou Manchac; to provide terms, conditions, and procedures; and to provide for related matters.

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

HOUSE COMMITTEE AMENDMENTS

Amendments proposed by House Committee on Natural Resources and Environment to Reengrossed Senate Bill No. 132 by Senator White

AMENDMENT NO. 1

On page 1, line 4, before "Pearl" insert "West"

AMENDMENT NO. 2

On page 2, line 2, after "**operations**" insert "**conducted or contracted for by a political subdivision, the state, or federal government**" and after "**purposes**" delete the comma "2"

AMENDMENT NO. 3

On page 2, at the beginning of line 3, before "**Pearl**" insert "**West**"

HOUSE FLOOR AMENDMENTS

Amendments proposed by Representative Bishop to Reengrossed Senate Bill No. 132 by Senator White

AMENDMENT NO. 1

On page 2, after line 5, insert the following:
"Section 2. This Act shall become effective on June 30, 2018."

HOUSE FLOOR AMENDMENTS

Amendments proposed by Representative Zeringue to Reengrossed Senate Bill No. 132 by Senator White

AMENDMENT NO. 1

On page 1, line 15, after "department" delete the period "." and "Any such permit shall be issued"

AMENDMENT NO. 2

On page 1, line 4, after "**department**" delete the period "." and "**Any such permit shall be issued**"

HOUSE FLOOR AMENDMENTS

Amendments proposed by Representative Pugh to Reengrossed Senate Bill No. 132 by Senator White

AMENDMENT NO. 1

On page 1, line 4, after "Pearl River," and before "Tchefuncte" insert "Tangipahoa River,"

AMENDMENT NO. 2

On page 2, at the beginning of line 3, before "**Pearl**" insert "**Tangipahoa River.**"

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

ROLL CALL

The roll was called with the following result:

YEAS

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

Total - 38

NAYS

Total - 0

ABSENT

Total - 0

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

SENATE BILL NO. 211—
BY SENATOR GARY SMITH

AN ACT

To amend and reenact R.S. 40:1563.1(A)(20) and (C), (D), and (E) and to enact R.S. 14:206.1 and R.S. 40:1563.1(A)(21) and (F), relative to life safety and property protection contracting; to create the crime of life safety and property protection contracting without authority; to provide the elements of the crime; to provide penalties; to provide relative to the authority of the fire marshal to investigate the crime; and to provide for related matters.

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

HOUSE COMMITTEE AMENDMENTS

Amendments proposed by House Committee on Administration of Criminal Justice to Reengrossed Senate Bill No. 211 by Senator Gary Smith

AMENDMENT NO. 1

On page 2, line 10, after "**(3)**" and before "**fine**" delete "**Any**" and insert "**Notwithstanding the provisions of R.S. 15:571.11, any**"

AMENDMENT NO. 2

On page 3, line 18, after "by the" insert "Council on Peace Officer"

May 31, 2017

AMENDMENT NO. 3

On page 3, delete line 19 in its entirety and insert "Standards and Training (P.O.S.T.) or be qualified by the P.O.S.T."

AMENDMENT NO. 4

On page 3, line 20, after "Council" and before the comma "," insert "on Peace Officer Standards and Training"

AMENDMENT NO. 5

On page 4, line 5, after "Enforcement" and before "and" insert "and Administration of Criminal Justice"

Senator Gary Smith moved to concur in the amendments proposed by the House.

ROLL CALL

The roll was called with the following result:

YEAS

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

Total - 38

NAYS

Total - 0

ABSENT

Total - 0

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

SENATE BILL NO. 212—

BY SENATOR GARY SMITH

AN ACT

To amend and reenact R.S. 40:2405(A)(3), relative to peace officers; to provide regarding the authority to carry a concealed weapon by reserve or part-time peace officers; and to provide for related matters.

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

HOUSE COMMITTEE AMENDMENTS

Amendments proposed by House Committee on Administration of Criminal Justice to Engrossed Senate Bill No. 212 by Senator Gary Smith

AMENDMENT NO. 1

On page 1, at the beginning of line 8, change "A.(1)" to "A."

AMENDMENT NO. 2

On page 1, line 10, after "agency" and before the comma "," delete "head" and insert "with which he is employed"

Senator Gary Smith moved to concur in the amendments proposed by the House.

ROLL CALL

The roll was called with the following result:

YEAS

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

Total - 38

NAYS

Total - 0

ABSENT

Total - 0

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

Senate Bills and Joint Resolutions Returned from the House of Representatives with Amendments, Subject To Call

Called from the Calendar

Senator Johns asked that Senate Bill No. 41 be called from the Calendar.

SENATE BILL NO. 41—

BY SENATOR JOHNS

AN ACT

To amend and reenact R.S. 14:46.2(B)(4), 46.3(D)(3), 81.1(E)(5)(c) and (d), 82.1(A), (D)(4), and (E), 83(B)(4), 83.1(B)(4), 83.2(B)(4), 84(B)(4), 85(B)(4), 86(B)(2) and (3), 104(B)(4), 105(B)(4), and 282(B)(4), and R.S. 15:539.1(A), (B)(1), (C), and (E) and 539.2(B)(1), relative to sex offenses; to provide for forfeiture of currency by persons convicted of certain sex offenses; to provide for the disposition and distribution of forfeited currency; and to provide for related matters.

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

HOUSE FLOOR AMENDMENTS

Amendments proposed by Representative Leger to Reengrossed Senate Bill No. 41 by Senator Johns

AMENDMENT NO. 1

On page 1, line 2, after "(d)," delete the remainder of the line

AMENDMENT NO. 2

On page 1, at the beginning of line 3, change "(D)(4), and (E)," to "82.1(D)(4) and (E),"

AMENDMENT NO. 3

On page 1, line 9, after "(d)," delete the remainder of the line and insert "82.1(D)(4) and"

AMENDMENT NO. 4

On page 3, line 16, after "under" and before the semi-colon ";" delete "twenty-one" and insert "eighteen"

AMENDMENT NO. 5

On page 3, delete lines 17 through 23 in their entirety

AMENDMENT NO. 6

On page 4, at the end of line 10, insert "eighteen"

AMENDMENT NO. 7

On page 4, at the beginning of line 11, delete "twenty-one"

AMENDMENT NO. 8

On page 9, line 18, after "under" and before the semi-colon ";," delete "twenty-one" and insert "eighteen"

AMENDMENT NO. 9

On page 10, at the end of line 18, insert "eighteen"

AMENDMENT NO. 10

On page 10, at the beginning of line 19, delete "twenty-one"

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

ROLL CALL

The roll was called with the following result:

YEAS

Mr. President	Gatti	Peacock
Allain	Hewitt	Perry
Appel	Johns	Peterson
Barrow	LaFleur	Riser
Bishop	Lambert	Smith, G.
Boudreaux	Long	Smith, J.
Carter	Luneau	Tarver
Chabert	Martiny	Thompson
Colomb	Milkovich	Walsworth
Cortez	Mills	Ward
Donahue	Mizell	White
Erdey	Morrell	
Fannin	Morrish	
Total - 37		

NAYS

Claitor
Total - 1

ABSENT

Total - 0

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

Called from the Calendar

Senator Johns asked that Senate Bill No. 42 be called from the Calendar.

SENATE BILL NO. 42—

BY SENATORS JOHNS, ALARIO, ALLAIN, BARROW, BISHOP, BOUDREAUX, CARTER, CORTEZ, DONAHUE, ERDEY, GATTI, HEWITT, LONG, LUNEAU, MILKOVICH, MILLS, MIZELL, MORRISH, PERRY, RISER, GARY SMITH, JOHN SMITH, TARVER, THOMPSON AND WALSWORTH

AN ACT

To enact Part II of Chapter 28-B of Title 46 of the Louisiana Revised Statutes of 1950, to be comprised of R.S. 46:2165 through 2168, relative to human trafficking; to provide for the Louisiana Human Trafficking Prevention Commission; to provide for the Louisiana Human Trafficking Prevention Commission Advisory

Board; to provide for duties; to provide for reporting; to provide for the composition of the commission and board; to provide for meetings; and to provide for related matters.

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

HOUSE COMMITTEE AMENDMENTS

Amendments proposed by House Committee on Administration of Criminal Justice to Reengrossed Senate Bill No. 42 by Senator Johns

AMENDMENT NO. 1

On page 1, line 7, after "meetings;" and before "and to" insert "to provide for an effective date;"

AMENDMENT NO. 2

On page 4, line 23, change "State Public Defender" to "state public defender"

AMENDMENT NO. 3

On page 6, line 5, after "to as" and before the comma "," delete "the" and change "advisory board" to "advisory board"

AMENDMENT NO. 4

On page 6, line 24, after "Children" and before "and any" insert a comma ","

AMENDMENT NO. 5

On page 8, between lines 10 and 11, insert the following:

"(22) A member nominated by the Louisiana Chapter of the American Academy of Pediatrics or its designee."

AMENDMENT NO. 6

On page 8, after line 27, insert the following:

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

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

ROLL CALL

The roll was called with the following result:

YEAS

Mr. President	Fannin	Morrish
Allain	Gatti	Peacock
Appel	Hewitt	Perry
Barrow	Johns	Peterson
Bishop	LaFleur	Riser
Boudreaux	Lambert	Smith, G.
Carter	Long	Smith, J.
Chabert	Luneau	Tarver
Claitor	Martiny	Thompson
Colomb	Milkovich	Walsworth
Cortez	Mills	Ward
Donahue	Mizell	White
Erdey	Morrell	
Total - 38		

NAYS

Total - 0

ABSENT

Total - 0

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

Senate Resolutions on Second Reading Reported by Committees

SENATE RESOLUTION NO. 120—

BY SENATORS MILKOVICH, ALARIO, ALLAIN, CARTER, COLOMB, CORTEZ, DONAHUE, ERDEY, GATTI, HEWITT, JOHNS, LAMBERT, LONG, LUNEAU, MARTINY, MIZELL, MORRELL, MORRISH, PEACOCK, PERRY, RISER, GARY SMITH, JOHN SMITH, THOMPSON, WALSWORTH, WARD AND WHITE

A RESOLUTION

To memorialize the Congress of the United States to take such actions as are necessary to support the domestic beef industry.

Reported with amendments by the Committee on Agriculture, Forestry, Aquaculture, and Rural Development.

SENATE COMMITTEE AMENDMENTS

Amendments proposed by Senate Committee on Agriculture, Forestry, Aquaculture, and Rural Development to Original Senate Resolution No. 120 by Senator Milkovich

AMENDMENT NO. 1

On page 1, line 6, between "billion" and "in" insert "dollars"

AMENDMENT NO. 2

On page 2, between lines 26 and 27, insert the following: "BE IT FURTHER RESOLVED that the Congress of the United States is strongly encouraged to adopt import and export policies that will protect the economic survival and prosperity of the domestic beef industry in Louisiana and America and the nation's food supply."

AMENDMENT NO. 3

On page 2, line 28, between "Senate" and "the" delete "and" and insert a comma ","

AMENDMENT NO. 4

On page 2, line 29, between "Representatives" and "each" change "and to" to ", and"

On motion of Senator Thompson, the committee amendment was adopted.

The resolution was read by title. On motion of Senator Milkovich, the amended Senate Resolution was adopted.

SENATE RESOLUTION NO. 125—

BY SENATOR LAMBERT

A RESOLUTION

To urge and request the Department of Transportation and Development to investigate the feasibility of planting bamboo cane or other sound-reducing vegetation along the outer right-of-way of Interstate 10 in Ascension Parish to provide a sound barrier and to reduce mowing expenses incurred by the department.

Reported favorably by the Committee on Transportation, Highways and Public Works.

The resolution was read by title. On motion of Senator Lambert, the Senate Resolution was adopted.

Senate Concurrent Resolutions on Second Reading Reported by Committees

SENATE CONCURRENT RESOLUTION NO. 111—

BY SENATOR MIZELL

A CONCURRENT RESOLUTION

To urge and request the governing authority of each elementary and secondary school to distribute information regarding the public health risks associated with pornography and to encourage parents to install Internet filters on their home computers to protect children from the harms of pornography.

Reported with amendments by the Committee on Education.

SENATE COMMITTEE AMENDMENTS

Amendments proposed by Senate Committee on Education to Original Senate Concurrent Resolution No. 111 by Senator Mizell

AMENDMENT NO. 1

On page 1, line 2, after "request" delete the remainder of the line and insert "the governing authority of each elementary and secondary school"

AMENDMENT NO. 2

On page 1, line 3, change "risk" to "risks"

AMENDMENT NO. 3

On page 1, at the end of line 14, insert a comma ","

AMENDMENT NO. 4

On page 3, line 5, change "level" and "levels"

AMENDMENT NO. 5

On page 3, line 15, after "request" delete the remainder of the line and insert "the governing authority of each elementary and secondary school to"

AMENDMENT NO. 6

On page 3, line 16, change "risk" to "risks"

AMENDMENT NO. 7

On page 3, line 27, after "each" delete the remainder of the line, delete line 28, and insert "governing authority of each elementary and secondary school."

On motion of Senator Morrish, the committee amendment was adopted.

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

ROLL CALL

The roll was called with the following result:

YEAS

Table with 3 columns: Name, Position, and Name. Lists yeas for Mr. President, Allain, Appel, Barrow, Bishop, Boudreaux, Fannin, Gatti, Hewitt, Johns, LaFleur, Lambert, Morrish, Peacock, Perry, Peterson, Risser, and Smith, G.

Carter	Long	Smith, J.
Chabert	Luneau	Tarver
Claitor	Martiny	Thompson
Colomb	Milkovich	Walsworth
Cortez	Mills	Ward
Donahue	Mizell	White
Erdey	Morrell	

Total - 38

NAYS

Total - 0

ABSENT

Total - 0

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

SENATE CONCURRENT RESOLUTION NO. 116—
BY SENATORS MORRISH AND PERRY

A CONCURRENT RESOLUTION

To urge and request the Judicial Council of the Supreme Court of Louisiana to study the feasibility of dividing the Fifteenth Judicial District into three separate judicial districts, one district to be comprised of Acadia Parish, one district to be comprised of Vermilion Parish, and one district to be comprised of Lafayette Parish.

Reported favorably by the Committee on Judiciary A.

The resolution was read by title. Senator Morrish 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	Peterson
Bishop	LaFleur	Riser
Boudreaux	Lambert	Smith, G.
Carter	Long	Smith, J.
Chabert	Luneau	Tarver
Claitor	Martiny	Thompson
Colomb	Milkovich	Walsworth
Cortez	Mills	Ward
Donahue	Mizell	White
Erdey	Morrell	

Total - 38

NAYS

Total - 0

ABSENT

Total - 0

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

**Senate Bills and Joint Resolutions on
Third Reading and Final Passage,
Subject to Call**

Called from the Calendar

Senator Colomb asked that Senate Bill No. 35 be called from the Calendar.

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.

Floor Amendments

Senator Martiny sent up floor amendments.

SENATE FLOOR AMENDMENTS

Amendments proposed by Senator Martiny on behalf of the Legislative Bureau to Engrossed Senate Bill No. 35 by Senator Colomb

AMENDMENT NO. 1

On page 2, line 20, following "of" and before "Board" insert "Louisiana"

AMENDMENT NO. 2

On page 2, line 27, following "purchase," and before "or" delete "preparation"

AMENDMENT NO. 3

On page 3, line 18, following "purchase," and before "or" delete "preparation"

On motion of Senator Martiny, the amendments were adopted.

Floor Amendments

Senator Colomb proposed the following amendments.

SENATE FLOOR AMENDMENTS

Amendments proposed by Senator Colomb to Engrossed Senate Bill No. 35 by Senator Colomb

AMENDMENT NO. 1

On page 1, line 12, delete "arrest and"

AMENDMENT NO. 2

On page 2, at the end of line 1, after "recommendation" insert "issued by a physician licensed by and in good standing with the Louisiana State Board of Medical Examiners"

AMENDMENT NO. 3

On page 2, at the beginning of line 2, after "shall" delete the remainder of the line, delete line 3, and at the beginning of line 4 delete "marijuana paraphernalia under" and insert "be exempt from the provisions of"

AMENDMENT NO. 4

On page 2, at the beginning of line 10, after "prevent the" delete "imposition of penalties" and insert "arrest or prosecution of any person" and after "marijuana" insert "or any of its derivatives"

AMENDMENT NO. 5

On page 2, line 14, after "40:1046, shall" delete the remainder of the line and delete lines 15 and 16

AMENDMENT NO. 6

On page 2, at the beginning of line 17, delete "paraphernalia under" and insert "be exempt from the provisions of" and after "Section" delete the remainder of the line and insert the following: "for possession of marijuana at a location designated by the Louisiana Board of Pharmacy rules and regulations, or distribution of marijuana in a form approved by the Louisiana"

Board of Pharmacy to a patient with a valid recommendation or prescription, in the state-sponsored medical marijuana program."

AMENDMENT NO. 7

On page 2, at the beginning of line 18, delete "and prosecution," and after "prevent the" delete "imposition of penalties" and insert "arrest or prosecution of any person"

AMENDMENT NO. 8

On page 2, line 19, after "marijuana" insert "or any of its derivatives"

AMENDMENT NO. 9

On page 2, line 25, after "40:1046, shall" delete the remainder of the line and delete lines 26 through 29 and insert the following: "be exempt from prosecution under this Section for possession, production, or manufacture of marijuana at the production facility designated by the Department of Agriculture and Forestry or for the transportation of marijuana or any of its derivatives in accordance with the Department of Agriculture and Forestry rules and regulations. This Paragraph shall not"

AMENDMENT NO. 10

On page 3, delete line 1, and insert "prevent the arrest or prosecution of any person for diversion of marijuana from the production facility designated by the Department of Agriculture and Forestry"

AMENDMENT NO. 11

On page 3, line 7, after "40:1046, shall" delete the remainder of the line and delete lines 8 through 10 and insert the following: "be exempt from prosecution under this Section for possession of marijuana or any of its derivatives at a research laboratory designated by the Louisiana Board of Pharmacy or for transportation of marijuana or any of its derivatives in accordance with Louisiana Board of Pharmacy rules and regulations. This Paragraph shall not prevent the arrest or prosecution of any person"

AMENDMENT NO. 12

On page 3, line 11, after "marijuana" insert "from a research laboratory designated by the Louisiana Board of Pharmacy"

AMENDMENT NO. 13

On page 3, line 16, after "licensee shall" delete the remainder of the line and delete lines 17 through 21 and insert the following: "be exempt from prosecution under this Section for the possession, production, or manufacture of marijuana or any of its derivatives at the production facility designated by the Department of Agriculture and Forestry or for the transportation of marijuana or any of its derivatives in accordance with Department of Agriculture and Forestry rules and regulations. This Paragraph shall not prevent the arrest or prosecution of any person for diversion of marijuana or any of its derivatives from the production facility designated by the Department of Agriculture and Forestry or other conduct outside the"

AMENDMENT NO. 14

On page 3, between lines 23 and 24, insert the following:

"(6)(a) The defenses in Paragraph (1) of this Subsection shall be raised by reproducing a patient's medical records that have been created by his attending physician, that contain the recommendation to possess marijuana for therapeutic use in a form permissible under R.S. 40:1046.

(b) Notwithstanding any other provision of law to the contrary, except when the person to be arrested has committed a felony, although not in the presence of the officer, no peace officer may arrest any employee, board member, director, or agent during the course and scope of his employment with the following, pursuant to R.S. 40:1046:

(i) A pharmacy licensed to dispense marijuana for therapeutic use.

(ii) A licensee of marijuana for therapeutic use or its subordinate licensed contractor.

(iii) A testing laboratory of marijuana for therapeutic use, authorized to do business.

(iv) A licensed researcher of marijuana for therapeutic use, performing his official duties.

(c) The defendant shall bear the burden of proving that the possession, manufacture, production, transportation, or distribution was in accordance with the state-sponsored medical marijuana program, the Louisiana Board of Pharmacy rules and regulations, or the Louisiana Department of Agriculture and Forestry rules and regulation, as applicable."

On motion of Senator Colomb, the amendments were adopted.

The bill was read by title. Senator Colomb moved the final passage of the amended bill.

ROLL CALL

The roll was called with the following result:

YEAS

Mr. President	Cortez	Mizell
Allain	Donahue	Morrell
Barrow	Hewitt	Peterson
Bishop	Johns	Smith, G.
Boudreaux	Lambert	Smith, J.
Carter	Long	Tarver
Chabert	Luneau	Ward
Claitor	Martiny	White
Colomb	Mills	
Total - 26		

NAYS

Appel	Milkovich	Thompson
Erdey	Peacock	Walsworth
Fannin	Perry	
Gatti	Riser	
Total - 10		

ABSENT

LaFleur	Morrish
Total - 2	

The Chair declared the amended bill was passed, ordered reengrossed and sent to the House. Senator Colomb moved to reconsider the vote by which the bill was passed and laid the motion on the table.

Called from the Calendar

Senator Carter asked that Senate Bill No. 155 be called from the Calendar.

SENATE BILL NO. 155—
BY SENATORS CARTER AND BISHOP
AN ACT

To amend and reenact R.S. 23:332(A), (B), (C) (1) and (2), (D), (E), (F)(1) and (2), (H) (1), (3) and (4), R.S. 37:1025(B), 1107(C), 1360.23 (H), 1437(D), 2719, 3425(C), 3447(C), and 40:1133.1(C), and to enact R.S. 23:302 (9) and (10), 332 (I) and (J), relative to employment discrimination; to provide definitions; to provide regarding intentional discrimination in employment; to provide exceptions based upon the First Amendment of the United States Constitution; to provide exceptions for certain entities; to provide regarding applicants to certain programs; to provide regarding requirements for certain programs; to provide regarding licensure for certain professions; and to provide for related matters.

Floor Amendments

Senator Martiny sent up floor amendments.

SENATE FLOOR AMENDMENTS

Amendments proposed by Senator Martiny on behalf of the Legislative Bureau to Original Senate Bill No. 155 by Senator Carter

AMENDMENT NO. 1

On page 1, line 2, following "(A)" and before "," insert "(1) and (2)"

AMENDMENT NO. 2

On page 1, line 12, following "(A)" and before "," insert "(1) and (2)"

AMENDMENT NO. 3

On page 2, between lines 20 and 21, insert " * * * * "

AMENDMENT NO. 4

On page 5, line 17, following "2232" and before "," change "(11)" to "(3)"

AMENDMENT NO. 5

On page 7, line 5, following "1133.1" and before "is" insert "(C)"

On motion of Senator Martiny, the amendments were adopted.

Floor Amendments

Senator Carter proposed the following amendments.

SENATE FLOOR AMENDMENTS

Amendments proposed by Senator Carter to Engrossed Senate Bill No. 155 by Senator Carter

AMENDMENT NO. 1

On page 7, line 13, change "August 15" to "August 1"

AMENDMENT NO. 2

On page 7, delete line 15, and insert "on the day following such approval, or August 1, 2017, whichever is later."

On motion of Senator Carter, the amendments were adopted.

The bill was read by title. Senator Carter moved the final passage of the amended bill.

ROLL CALL

The roll was called with the following result:

YEAS

Allain Carter Peterson
Barrow Colomb Smith, G.
Bishop Luneau Smith, J.
Boudreaux Morrell
Total - 11

NAYS

Mr. President Gatti Morrish
Appel Hewitt Peacock
Chabert Johns Perry
Claitor Lambert Riser
Cortez Long Tarver
Donahue Milkovich Thompson
Erdey Mills Walsworth
Fannin Mizell White
Total - 24

ABSENT

LaFleur Martiny Ward
Total - 3

The Chair declared the amended bill failed to pass.

Notice of Reconsideration

Senator Carter moved to reconsider on the next Legislative Day the vote by which the bill failed to pass.

House Concurrent Resolutions on Second Reading Reported by Committees

HOUSE CONCURRENT RESOLUTION NO. 9— BY REPRESENTATIVE BISHOP AND SENATOR CORTEZ A CONCURRENT RESOLUTION

To urge and request the Department of Wildlife and Fisheries to examine the possibility of issuance of a "safe boater" decal to designate vessels that are certified as compliant with the state and federal laws concerning safe boating.

Reported favorably by the Committee on Natural Resources.

The resolution was read by title. Senator Cortez moved to concur in the House 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 Peterson
Bishop LaFleur Riser
Boudreaux Lambert Smith, G.
Carter Long Smith, J.
Chabert Luneau Tarver
Claitor Martiny Thompson
Colomb Milkovich Walsworth
Cortez Mills Ward
Donahue Mizell White
Erdey Morrell
Total - 38

NAYS

Total - 0

ABSENT

Total - 0

The Chair declared the Senate concurred in the House Concurrent Resolution and ordered it returned to the House.

HOUSE CONCURRENT RESOLUTION NO. 10— BY REPRESENTATIVE DWIGHT A CONCURRENT RESOLUTION

To urge and request the Louisiana State Law Institute to study and make recommendations regarding Louisiana laws governing paternity and birth certificates.

Reported favorably by the Committee on Judiciary A.

The resolution was read by title. Senator Johns moved to concur in the House Concurrent Resolution.

May 31, 2017

ROLL CALL

The roll was called with the following result:

YEAS

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

Total - 38

NAYS

Total - 0

ABSENT

Total - 0

The Chair declared the Senate concurred in the House Concurrent Resolution and ordered it returned to the House.

HOUSE CONCURRENT RESOLUTION NO. 65—

BY REPRESENTATIVE ZERINGUE

A CONCURRENT RESOLUTION

To express support for the annual Gulf Hypoxia Mapping Cruise conducted by the Louisiana Universities Marine Consortium (LUMCON), as well as support for continued funding for this important effort, and to recognize the important role the cruise plays in understanding and conserving our coastal resources by memorializing the United States Congress and the Louisiana Congressional delegation to authorize continued funding for this most important endeavor.

Reported favorably by the Committee on Natural Resources.

The resolution was read by title. Senator Chabert moved to concur in the House Concurrent Resolution.

ROLL CALL

The roll was called with the following result:

YEAS

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

Total - 38

NAYS

Total - 0

ABSENT

Total - 0

The Chair declared the Senate concurred in the House Concurrent Resolution and ordered it returned to the House.

HOUSE CONCURRENT RESOLUTION NO. 68—

BY REPRESENTATIVE MCFARLAND

A CONCURRENT RESOLUTION

To urge and request the Department of Agriculture and Forestry to study the feasibility of implementing a master logger certification program under the office of forestry in the Department of Agriculture and Forestry to be administered by the Louisiana Forestry Association.

Reported favorably by the Committee on Agriculture, Forestry, Aquaculture, and Rural Development.

The resolution was read by title. Senator Fannin moved to concur in the House Concurrent Resolution.

ROLL CALL

The roll was called with the following result:

YEAS

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

Total - 38

NAYS

Total - 0

ABSENT

Total - 0

The Chair declared the Senate concurred in the House Concurrent Resolution and ordered it returned to the House.

House Bills and Joint Resolutions on Third Reading and Final Passage

HOUSE BILL NO. 142—

BY REPRESENTATIVE PUGH

AN ACT

To provide for a special statewide election to be held on October 14, 2017, for the purpose of submitting proposed constitutional amendments to the electors of the state; to provide for the conduct of such election; and to provide for related matters.

The bill was read by title. Senator Ward moved the final passage of the bill.

ROLL CALL

The roll was called with the following result:

YEAS

Table with 3 columns of names: Mr. President, Allain, Appel, Barrow, Bishop, Boudreaux, Fannin, Gatti, Hewitt, Johns, LaFleur, Lambert, Morrish, Peacock, Perry, Peterson, Riser, Smith, G.

Carter	Long	Smith, J.
Chabert	Luneau	Tarver
Claitor	Martiny	Thompson
Colomb	Milkovich	Walsworth
Cortez	Mills	Ward
Donahue	Mizell	White
Erdey	Morrell	

Total - 38

NAYS

Total - 0

ABSENT

Total - 0

The Chair declared the bill was passed and ordered it returned to the House. Senator Ward moved to reconsider the vote by which the bill was passed and laid the motion on the table.

HOUSE BILL NO. 179—

BY REPRESENTATIVES STOKES, BAGLEY, CHANEY, COX, HENSGENS, HOFFMANN, HORTON, JACKSON, JOHNSON, LEBAS, MARINO, DUSTIN MILLER, MORENO, POPE, RICHARD, SIMON, AND STAGNI AND SENATOR MARTINY
AN ACT

To amend and reenact R.S. 40:1169.2(3) and 1169.3(1)(d) and (2), relative to investigational drugs, products, and devices for use by terminally ill patients pursuant to the Right To Try Act; to revise certain definitions and legislative findings of such law; to provide relative to consent for the use of investigational drugs, biological products, or devices; to authorize the prescription and use of certain devices which have not completed phase one of a federally approved clinical trial; and to provide for related matters.

The bill was read by title. Senator Martiny moved the final passage of the bill.

ROLL CALL

The roll was called with the following result:

YEAS

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

Total - 38

NAYS

Total - 0

ABSENT

Total - 0

The Chair declared the bill was passed and ordered it returned to the House. Senator Martiny moved to reconsider the vote by which the bill was passed and laid the motion on the table.

HOUSE BILL NO. 209—

BY REPRESENTATIVE COUSSAN
AN ACT

To amend and reenact R.S. 37:752(3), relative to the practice of dental hygiene; to exempt from licensure the practice of dental hygiene by students; and to provide for related matters.

On motion of Senator Long, the bill was read by title and returned to the Calendar, subject to call.

HOUSE BILL NO. 210—

BY REPRESENTATIVE COUSSAN
AN ACT

To amend and reenact R.S. 37:761.1(A), (D), (F), and (H), relative to retired volunteer dentists; to authorize the licensure of retired dentists who provide voluntary dental services; to provide for a limitation of liability for retired volunteer dentists and an exception to the limitation of liability; to repeal minimum work requirements; to provide for a return to active licensure status; and to provide for related matters.

On motion of Senator Long, the bill was read by title and returned to the Calendar, subject to call.

HOUSE BILL NO. 217—

BY REPRESENTATIVE JORDAN
AN ACT

To enact R.S. 22:373(C), relative to vehicle mechanical breakdown insurers; to provide for the incorporation by reference of certain laws regulating unfair competition; to provide for the incorporation by reference of certain laws regulating unfair trade practices; and to provide for related matters.

The bill was read by title. Senator Gatti moved the final passage of the bill.

ROLL CALL

The roll was called with the following result:

YEAS

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

Total - 38

NAYS

Total - 0

ABSENT

Total - 0

The Chair declared the bill was passed and ordered it returned to the House. Senator Gatti moved to reconsider the vote by which the bill was passed and laid the motion on the table.

Rules Suspended

Senator Colomb asked for and obtained a suspension of the rules to allow a sign language interpreter on the floor of the Senate.

Without objection, so ordered.

May 31, 2017

HOUSE BILL NO. 253—

BY REPRESENTATIVES SMITH, ABRAHAM, AMEDEE, BACALA, BAGLEY, BAGNERIS, BARRAS, BERTHELOT, BILLIOT, BISHOP, BOUIE, CHAD BROWN, TERRY BROWN, CARMODY, CARPENTER, GARY CARTER, ROBBY CARTER, STEVE CARTER, CHANEY, CONNICK, COUSSAN, COX, CROMER, DEVILLIER, DWIGHT, EMERSON, FALCONER, FOIL, FRANKLIN, GAINES, GAROFALO, GISCLAIR, GLOVER, GUINN, HALL, JIMMY HARRIS, HAVARD, HENSGENS, HILFERTY, HOFFMANN, HORTON, HOWARD, HUNTER, HUVAL, JACKSON, JAMES, JEFFERSON, JENKINS, JOHNSON, JORDAN, NANCY LANDRY, LEBAS, LEOPOLD, LYONS, MARINO, MCFARLAND, DUSTIN MILLER, GREGORY MILLER, MORENO, JIM MORRIS, PEARSON, POPE, PRICE, PYLANT, RICHARD, SCHRODER, SHADOIN, STAGNI, STEFANSKI, THIBAUT, THOMAS, AND ZERINGUE

AN ACT

To amend and reenact R.S. 4:715(B)(2), R.S. 14:32(D)(3) and 39(D)(3), R.S. 17:43(B)(2) and 1942(B), R.S. 21:51(C) and 52(A) and (B), R.S. 22:245, 1027(A), and 1038(C)(2)(a) and (E), R.S. 36:259(N), R.S. 37:2446.1(B)(7) and 2651(7)(b)(v)(hh), R.S. 40:1580.1(A) and 2208, R.S. 42:1119(B)(2)(a)(i), R.S. 45:1355(A), the heading of Chapter 30-A of Title 46 of the Louisiana Revised Statutes of 1950, R.S. 46:2261, 2262(A) and (C), 2262.1(introductory paragraph), (4), and (12), 2263(3), (4), and (6) through (8), 2264(A), (C), and (D), 2265(A)(introductory paragraph), (9), and (10), 2266(1) and (3) through (5), 2352(7)(a) and (10)(a)(introductory paragraph), 2361, 2362(2) through (6), 2363 through 2365, 2367, 2368(B), and 2372, R.S. 47:6301(A)(3), the heading of Part X of Chapter 1 of Title 49 of the Louisiana Revised Statutes of 1950, R.S. 49:181(A), and Code of Criminal Procedure Article 401.1(B)(introductory paragraph), relative to terminology referring to the deaf and hard of hearing; to delete and make substitutions for terms which are derogatory, inaccurate, or obsolete; to provide for consistency in usage of terms referring to the deaf and hard of hearing and to hearing loss; to provide for revision of terminology relative to the deaf and hard of hearing in administrative rules, policy documents, professional resources, reference materials, manuals, and other publications; to provide for legislative intent; to provide for construction; and to provide for related matters.

The bill was read by title. Senator Colomb moved the final passage of the bill.

ROLL CALL

The roll was called with the following result:

YEAS

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

Total - 38

NAYS

Total - 0

ABSENT

Total - 0

The Chair declared the bill was passed and ordered it returned to the House. Senator Colomb moved to reconsider the vote by which the bill was passed and laid the motion on the table.

HOUSE BILL NO. 287—

BY REPRESENTATIVE TALBOT

AN ACT

To amend and reenact R.S. 22:41(11), 885(B), 887(A)(5) and (D), 1271(A), 1484(A)(1), and 1892(A)(1), relative to property and casualty insurance claims; to provide for the return of unearned premium to the mortgagee; to provide for notice of claim payments to the mortgagee; to provide for notice to the mortgagee of cancellation of the policy by an insurer; to provide for identification of the insured property in the notice to insured and the mortgagee; to provide notice to the mortgagee of additional required premium; and to provide for related matters.

The bill was read by title. Senator Johns moved the final passage of the bill.

ROLL CALL

The roll was called with the following result:

YEAS

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

Total - 38

NAYS

Total - 0

ABSENT

Total - 0

The Chair declared the bill was passed and ordered it returned to the House. Senator Johns moved to reconsider the vote by which the bill was passed and laid the motion on the table.

HOUSE BILL NO. 305—

BY REPRESENTATIVE JOHNSON

AN ACT

To amend and reenact R.S. 37:2410 and to enact R.S. 37:2402(C), 2411.1, 2411.2, and 2424(C)(7), relative to the practice of physical therapy; to provide for active state oversight and supervision of the Louisiana Physical Therapy Board; to provide for the licensure of foreign graduates; to provide for the licensure of applicants with military training; to establish a continuing education review fee; and to provide for related matters.

Floor Amendments

Senator Mills proposed the following amendments.

SENATE FLOOR AMENDMENTS

Amendments proposed by Senator Mills to Reengrossed House Bill No. 305 by Representative Johnson

AMENDMENT NO. 1

On page 1, line 2, after "37:2410" insert "and 2424(A)"

AMENDMENT NO. 2

On page 1, line 3, change "2424(C)(7)" to "2424(D)"

AMENDMENT NO. 3

On page 1, line 9, after "37:2410" delete "is" and insert "and 2424(A) are"

AMENDMENT NO. 4

On page 1, line 10, change "2424(C)(7)" to "2424(D)"

AMENDMENT NO. 5

On page 3, delete lines 9 and 10, and insert the following:
 "(2) Provides indisputable proof of identity in the form of a valid drivers license and social security card, passport, or as additionally provided as specific by the board and a valid social security number."

AMENDMENT NO. 6

On page 5, delete line 27, and on page 6, delete lines 1 through 3, and insert the following:

"A. The board may establish and collect fees, which shall be deposited into the treasury of the board. The fees shall be established by rule adopted in accordance with the Administrative Procedure Act, R.S. 49:950 et seq., and shall not exceed the schedule provided for in Subsection Subsections C and D of this Section.
 * * *

D.(1) Fees assessed by the board to a course or activity sponsor for board review of a course or activity of continuing education shall not exceed two-hundred fifty dollars.

(2) Fees assessed by the board on a licensee for review of a course or activity of continuing education shall not exceed twenty dollars. This fee shall apply only if a licensee intends to earn continuing education credit for a course or activity in which the sponsor has not sought review or obtained approval by the board."

On motion of Senator Mills, the amendments were adopted.

The bill was read by title. Senator Mills moved the final passage of the amended bill.

ROLL CALL

The roll was called with the following result:

YEAS

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

Total - 38

NAYS

Total - 0

ABSENT

Total - 0

The Chair declared the amended bill was passed and ordered it returned to the House. Senator Mills moved to reconsider the vote by which the bill was passed and laid the motion on the table.

HOUSE BILL NO. 338—

BY REPRESENTATIVE POPE

AN ACT

To amend and reenact R.S. 37:2654(A)(introductory paragraph), (1)(c), and (2), (B) through (D), and (F) through (H), 2662(A)(introductory paragraph), (2), (3), and (7)(c) and (B), 2663(A), (B), and (D), and 2664, to enact R.S. 37:2654(A)(1)(d)

and (e) and (I) through (K), 2656.1, 2660.1, 2661.2, and 2662(C), and to repeal R.S. 37:2655, relative to the practice of speech-language pathology and audiology; to provide for membership on the Louisiana Board of Examiners for Speech-Language Pathology and Audiology; to provide for officers and the domicile of the board; to provide for removal of members; to regulate telepractice; to authorize the conditional issuance or renewal of a license; to provide for disciplinary proceedings and penalties; to prohibit the practice of speech-language pathology and audiology without a license or registration; to prohibit certain actions by licensees and registrants; and to provide for related matters.

Floor Amendments

Senator Claitor proposed the following amendments.

SENATE FLOOR AMENDMENTS

Amendments proposed by Senator Claitor to Reengrossed House Bill No. 338 by Representative Pope

AMENDMENT NO. 1

On page 2, delete lines 3 through 18, and insert the following:

"A. The Louisiana Board of Examiners for Speech-Language Pathology and Audiology is hereby created within the Louisiana Department of Health and is subject to the provisions of R.S. 36:803. The board shall consist of seven persons who are residents of this state, and who, except for the public and physician member, have been engaged in providing service, or in teaching, or research in speech-language pathology or audiology for at least five years prior to appointment and who are licensed speech-language pathologists or audiologists under this Chapter. At least two three of the members shall be practicing audiologists, one of whom shall be a dispensing audiologist, at least two three shall be practicing speech-language pathologists, one of whom shall be currently certified by the State Board of Elementary and Secondary Education as a specialist of speech-language pathology and currently employed in a public school setting, ~~one shall be either a practicing speech-language pathologist or a practicing audiologist, one shall be a physician licensed to practice medicine by the Louisiana State Board of Medical Examiners who shall serve in an advisory capacity only and shall not be a voting member of the board; and one shall be a public member.~~"

AMENDMENT NO. 2

On page 3, delete lines 6 through 29, and on page 4, delete lines 1 through 3, and insert the following:

"C.(+) Appointment to the board shall be made without regard to race or ethnicity, ~~creed, sex, age, religion, or national origin, sex, or disability~~ of the appointee. The ~~Louisiana Speech-Language-Hearing Association~~ board shall within not less than thirty days prior to the expiration of each term of office, submit to the governor a list of ~~at least three~~ the names of interested and qualified individuals for each respective professional service category of board member; ~~except the physician member and the public member, selected by identified through notice to all licensed speech-language pathologists and audiologists in this state, from which the governor shall make his appointment to fill the office for the next succeeding term.~~

(2) The Louisiana State Medical Society shall, within not less than thirty days prior to the expiration of the term of office of the physician member of the board submit to the governor a list of at least three names of physicians from which the governor shall make the appointment of the physician member of the board for the next succeeding term. ~~The Louisiana Speech-Language-Hearing Association shall, within not less than thirty days prior to the expiration of the term of office of the public member, submit to the governor a list of three names selected by all licensed speech-language pathologists and audiologists in this state from which the governor shall make his appointment to fill the office for the next succeeding term. The three names shall be selected from those nominees submitted by any individual or advocacy group which meets the qualifications and requirements listed under Paragraph A(2) of this Section.~~

May 31, 2017

D. Any vacancy on the board occurring for any cause except the expiration of the term, shall be filled by the governor for the unexpired portion of the term from a list of names of interested and qualified individuals submitted by the board or the Louisiana Medical Society for a physician vacancy on the board or for the public member from names submitted to the board by an individual or advocacy group which meets the qualifications and requirements of Paragraph A(2) of this Section."

AMENDMENT NO. 3

On page 5, line 11, after "majority of" insert "board" and after "members" delete "otherwise eligible to vote"

AMENDMENT NO. 4

On page 5, between lines 22 and 23, insert the following: "(6) Failure to maintain standards of practice."

On motion of Senator Claitor, the amendments were adopted.

The bill was read by title. Senator Claitor moved the final passage of the amended bill.

ROLL CALL

The roll was called with the following result:

YEAS

Table with 3 columns: Name, YEAS, NAYS. Lists names of senators and their votes.

NAYS

Total - 0

ABSENT

Total - 0

The Chair declared the amended bill was passed and ordered it returned to the House. Senator Claitor moved to reconsider the vote by which the bill was passed and laid the motion on the table.

HOUSE BILL NO. 341—

BY REPRESENTATIVE DUSTIN MILLER AN ACT

To amend and reenact R.S. 17:1607, the heading of Title 28 of the Louisiana Revised Statutes of 1950, the heading of Chapter 1 of Title 28 of the Louisiana Revised Statutes of 1950, R.S. 28:1, 2(1), (7), (9), (10), (14), (17), (20), (21), (26), (29), and (32)(a) and (b), 3, the heading of Part I-A of Chapter 1 of Title 28 of the Louisiana Revised Statutes of 1950, R.S. 28:11, 12, 13(introductory paragraph), (1), and (3) through (5), 14, 15(A)(introductory paragraph), (3), (9), and (B), the heading of Part II of Chapter 1 of Title 28 of the Louisiana Revised Statutes of 1950, R.S. 28:21(A) and (B), 21.1, 22(B)(introductory paragraph) and (C)(1), 22.5, 22.7(A), 22.9, 23, 25, 25.1(A), (C)(1)(a)(introductory paragraph) and (v), (b), (c), (2)(a)(iv), and (D), 25.2, the heading of Part III of Chapter 1 of Title 28 of the Louisiana Revised Statutes of 1950, R.S. 28:50(1), (3), (4), and (6), 51(C), 51.1(A)(1), 52(A) through (C), (G)(2)(a), and (H)(2), 52.2, 52.3, 52.4(A) through (C), 53(A), (B)(1) and (2)(b) and (d)(introductory paragraph), (G)(2) and (6), (J), (K)(1), and (L)(1) and (3), 53.2(A)(introductory paragraph) and (1), (B),

(C)(3), and (F), 54(A) and (D)(1)(introductory paragraph) and (a) and (3), 55(B), (E)(1) and (3) through (5), (F), (G), (I), and (J), 56(A)(1)(a) and (2)(b), (B), (C), and (G), 59(A), (C), and (D), 62, 64(F), 67(1) and (3), 69(A)(1), 70(A), (B)(introductory paragraph) and (1), and (E)(2)(f), 71(B), (C), (E), and (F), 72(A), 73, 91 through 93, 94(A), 96(A) through (C) and (E) through (H), 96.1(A), (B), and (D) through (F), 97 through 100, 101 through 145, 146(A), 147, the heading of Part VI of Chapter 1 of Title 28 of the Louisiana Revised Statutes of 1950, R.S. 28:171(C)(4)(a) and (D)(5), 171.1(introductory paragraph) and (5) through (8), 172 through 181, 183, 184, 185(A), 200 through 202, 215.2(1)(introductory paragraph) and (2), 215.3(A) and (B), 215.4(A), the heading of Part X of Chapter 1 of Title 28 of the Louisiana Revised Statutes of 1950, R.S. 28:221(1) through (6), (8), (9), and (11) through (13), 222 through 225, 227(A), (C), and (E), 228, 229(A) and (C), 230(A)(introductory paragraph) and (2)(a) and (d)(i), (B), and (C), 232, 233(2), 234(introductory paragraph) and (2), the heading of Chapter 5 of Title 28 of the Louisiana Revised Statutes of 1950, R.S. 28:475, 476, 477(1) and (3)(a)(introductory paragraph) and (b), 478(A), the heading of Chapter 11 of Title 28 of the Louisiana Revised Statutes of 1950, R.S. 28:771, 772(A)(1) and (2)(c) and (B), the heading of Chapter 15 of Title 28 of the Louisiana Revised Statutes of 1950, R.S. 28:841(A), 911(1), 913(A)(2) and (3), 915(A)(3), and 931(B)(2), R.S. 36:258(C) and 259(C)(10) and (16), R.S. 40:1237.1(A)(9)(a)(ii)(introductory paragraph) and 2142(A), Code of Criminal Procedure Articles 648(A)(1) and (B)(1), 657, 657.1(A)(4), and 657.2(A), and Children's Code Article 1404(9), to enact R.S. 28:2(33) through (39), and to repeal R.S. 28:2(11), 22.4, 22.10, 52.1, 95, 100.1, 182, Chapter 6 of Title 28 of the Louisiana Revised Statutes of 1950, comprised of R.S. 28:501 through 506, and Chapter 7 of Title 28 of the Louisiana Revised Statutes of 1950, comprised of R.S. 28:561, relative to mental health and behavioral health laws; to revise terminology and definitions of terms relating to mental health and behavioral health; to provide relative to healthcare services for persons with mental illness and substance-related and addictive disorders; to provide for care and treatment of persons with behavioral health needs; to provide relative to facilities where such care is delivered; to provide for the administration of state psychiatric hospitals; to make technical changes and corrections in laws pertaining to mental health and behavioral health; and to provide for related matters.

On motion of Senator Boudreaux, the bill was read by title and returned to the Calendar, subject to call.

HOUSE BILL NO. 388—

BY REPRESENTATIVE CARMODY AN ACT

To enact R.S. 32:808(C), relative to reporting requirements imposed on the Louisiana Used Motor Vehicle Commission; to require reporting of certain information regarding salvage pools or salvage disposal sales; to authorize the sharing of information; and to provide for related matters.

Floor Amendments

Senator Martiny proposed the following amendments.

SENATE FLOOR AMENDMENTS

Amendments proposed by Senator Martiny to Reengrossed House Bill No. 388 by Representative Carmody

AMENDMENT NO. 1

On page 1, line 2, after "R.S. 32:808(C)" and before the comma ",", insert "and R.S. 47:1508(B)(41)"

AMENDMENT NO. 2

On page 1, after line 19, insert: "Section 2. R.S. 47:1508(B)(41) is hereby enacted to read as follows:

§1508. Confidential character of tax records

B. Nothing herein contained shall be construed to prevent:

(41) The sharing or furnishing, in the discretion of the secretary, of information to the Louisiana Used Motor Vehicle Commission, pursuant to the provisions of R.S. 32:808, for the purposes of the collection and retention of registry information relative to the sale of motor vehicles by the owner, manager, or person in charge of a salvage pool.

On motion of Senator Martiny, the amendments were adopted.

Floor Amendments

Senator Martiny proposed the following amendments.

SENATE FLOOR AMENDMENTS

Amendments proposed by Senator Martiny to Reengrossed House Bill No. 388 by Representative Carmody

AMENDMENT NO. 1

On page 1, line 2, after "To" insert "amend and reenact R.S. 32:808(A)(1) and to"

AMENDMENT NO. 2

On page 1, line 7, after "Section 1." insert "R.S. 32:808(A)(1) is hereby amended and reenacted and"

AMENDMENT NO. 3

On page 1, between lines 8 and 9 insert:

"A.(1) The owner, manager, or person in charge of a salvage pool or salvage disposal sale shall keep a register of all sales of motor vehicles for three years from the date of sale, showing the make, model, year, body style, vehicle identification number, odometer reading, vehicle status, and the name and address of the seller and buyer."

AMENDMENT NO. 4

On page 1, between lines 17 and 18 insert:

"(3) The Department of Revenue may release register information to third parties who are under contract with the Department of Revenue, except register information that identifies an individual and personal information as defined by R.S. 51:3073(4)(a)."

AMENDMENT NO. 5

On page 1, line 18, change "(3)" to "(4)"

On motion of Senator Martiny, the amendments were adopted.

The bill was read by title. Senator Martiny moved the final passage of the amended bill.

ROLL CALL

The roll was called with the following result:

YEAS

Appel Fannin Morrish
Total - 3

NAYS

Mr. President Gatti Peacock
Barrow Hewitt Perry
Bishop Johns Peterson
Boudreaux Lambert Riser
Carter Long Smith, G.
Chabert Luneau Smith, J.
Claitor Martiny Tarver
Colomb Milkovich Thompson
Cortez Mills Walsworth

Donahue Mizell Ward
Erdey Morrell White
Total - 33

ABSENT

Allain LaFleur
Total - 2

The Chair declared the amended bill failed to pass.

Notice of Reconsideration

Senator Martiny moved to reconsider on the next Legislative Day the vote by which the bill failed to pass.

HOUSE BILL NO. 435—

BY REPRESENTATIVE TALBOT
AN ACT

To amend and reenact R.S. 22:1880(C)(1) and (2) and to enact R.S. 22:1880(E), relative to balance billing disclosure; to require that a healthcare facility disclose to a patient out-of-network providers; to provide for notice to insureds of possible balance billing at first registration with a healthcare facility; to provide for penalties for failure to disclose; and to provide for related matters.

Floor Amendments

Senator Morrish proposed the following amendments.

SENATE FLOOR AMENDMENTS

Amendments proposed by Senator Morrish to Engrossed House Bill No. 435 by Representative Talbot

AMENDMENT NO. 1

On page 1, line 2, change "R.S. 22:1880(E)" to "R.S. 22:1880(C)(4) and (E)"

AMENDMENT NO. 2

On page 1, line 9, change "22:1880(E)" to "R.S. 22:1880(C)(4) and (E)"

AMENDMENT NO. 3

On page 3, between lines 10 and 11 insert the following:

"(c)(i) If a facility fee will be charged, the facility shall disclose the amount of the fee and that the fee may not be covered by the enrollee's or insured's health insurance issuer.

(ii) A facility that fails to disclose a facility fee pursuant to this Subsection shall be prohibited from charging the insured or enrollee the facility fee."

AMENDMENT NO. 4

On page 3, between lines 19 and 20 insert the following:

"(4) If a facility meets the definition of a provider-based entity, as defined by 42 CFR 413.65, and the facility is located off of the main hospital campus the facility shall disclose to the enrollee or insured the following:

(a) That the enrollee or insured is receiving services in a hospital-based outpatient facility where the facility provides the use of the facility, medical, or technical equipment, supplies, staff, and services.

(b) That depending on the enrollee's or insured's health insurance benefit plan and the actual services furnished by the facility, the patient may receive a facility charge billed separately from the physician that covers the fees for the use of the facility, medical, or technical equipment, supplies, staff, and services that may not be covered by the enrollee's or insured's health insurance issuer.

(c) A facility that fails to provide the notice required by this Paragraph shall not bill the enrollee or insured the facility charge.

* * *

May 31, 2017

Senator Morrish moved the adoption of the amendments.

Senator Mills objected.

ROLL CALL

The roll was called with the following result:

YEAS

Appel Gatti Morrish
Claitor Martiny
Total - 5

NAYS

Mr. President Erdey Morrell
Allain Fannin Peacock
Barrow Hewitt Perry
Bishop Johns Peterson
Boudreaux Lambert Riser
Carter Long Smith, G.
Chabert Luneau Tarver
Colomb Milkovich Thompson
Cortez Mills Ward
Donahue Mizell White
Total - 30

ABSENT

LaFleur Smith, J. Walsworth
Total - 3

The Chair declared the amendments were rejected.

Floor Amendments

Senator Claitor proposed the following amendments.

SENATE FLOOR AMENDMENTS

Amendments proposed by Senator Claitor to Engrossed House Bill No. 435 by Representative Talbot

AMENDMENT NO. 1

On page 1, line 17, between "facility." and "The" insert " However, failure to do so will have no real consequence and this notice is essentially worthless."

AMENDMENT NO. 2

On page 2, between lines 5 and 6, insert: "YOUR INSURANCE PROBABLY DOESN'T PAY FOR WHAT YOU THINK IT PAYS FOR"

Senator Claitor moved the adoption of the amendments.

Senator Mills objected.

ROLL CALL

The roll was called with the following result:

YEAS

Appel Gatti Ward
Claitor Milkovich
Cortez Peterson
Total - 7

NAYS

Mr. President Fannin Morrish
Allain Hewitt Peacock
Barrow Johns Perry
Bishop Lambert Riser
Boudreaux Long Smith, G.
Carter Luneau Tarver

Chabert Martiny Thompson
Colomb Mills White
Donahue Mizell
Erdey Morrell

Total - 28

ABSENT

LaFleur Smith, J. Walsworth
Total - 3

The Chair declared the amendments were rejected.

Floor Amendments

Senator Mills proposed the following amendments.

SENATE FLOOR AMENDMENTS

Amendments proposed by Senator Mills to Engrossed House Bill No. 435 by Representative Talbot

AMENDMENT NO. 1

On page 1, line 2, change "R.S. 22:1880(E) is" to "R.S. 22:1880(C)(4) and (E) are"

AMENDMENT NO. 2

On page 1, line 9, change "22:1880(E)" to "R.S. 22:1880(C)(4) and (E)"

AMENDMENT NO. 3

On page 3, between lines 19 and 20 insert the following:

"(4) If a facility meets the definition of a provider-based entity, as defined by 42 CFR 413.65, and the facility is located off of the main hospital campus the facility shall disclose to the enrollee or insured the following:

(a) That the enrollee or insured is receiving services in a hospital-based outpatient facility where the facility provides the use of the facility, medical, or technical equipment, supplies, staff, and services.

(b) That depending on the enrollee's or insured's health insurance benefit plan and the actual services furnished by the facility, the patient may receive a facility charge billed separately from the physician that covers the fees for the use of the facility, medical, or technical equipment, supplies, staff, and services.

On motion of Senator Mills, the amendments were adopted.

The bill was read by title. Senator Morrish moved the final passage of the amended bill.

ROLL CALL

The roll was called with the following result:

YEAS

Mr. President Fannin Morrish
Allain Gatti Peacock
Appel Hewitt Perry
Barrow Johns Peterson
Bishop Lambert Riser
Boudreaux Long Smith, G.
Carter Luneau Smith, J.
Chabert Martiny Tarver
Colomb Milkovich Thompson
Cortez Mills Walsworth
Donahue Mizell Ward
Erdey Morrell White
Total - 36

NAYS

Claitor
Total - 1

ABSENT

LaFleur
Total - 1

The Chair declared the amended bill was passed and ordered it returned to the House. Senator Morrish moved to reconsider the vote by which the bill was passed and laid the motion on the table.

HOUSE BILL NO. 544—
BY REPRESENTATIVE DANAHAY
AN ACT

To amend and reenact R.S. 18:3(A)(3), 18(A)(introductory paragraph) and (8)(b), 25(B), 59.4(E)(2)(c), 104, 107(B), 114(F)(2), 196(C)(1) and (2), 402(G)(2), 424(C)(1), 425(C)(1), 425.1(A), 427(B), 431(A)(4) and (B)(2), 434(A)(1), 469(D)(2), 564(B)(5)(b), 566.2(C) and (F)(3) through (9), 571(A)(5), 572(A)(1)(introductory paragraph) and (a)(i), 574(F), 1286.1(A), 1300.7(A), 1307(C) and (G), 1310(D)(2), 1313(F)(9) and (G)(11), 1363(B), (D), (G), and (H), 1373(A)(1), and 1402(C), to enact R.S. 18:107(F), 425(B)(3)(c), 566.2(F)(10), and 1354(B)(8), and to repeal R.S. 18:176(D), 200, 431(A)(5), and 1313(F)(11), relative to the Louisiana Election Code; to revise the system of laws comprising the Louisiana Election Code; to provide relative to petitions submitted to registrars of voters for certification; to provide relative to the annual voter registration week; to provide for reporting by the State Board of Election Supervisors; to provide relative to compensation, education, and training of registrars of voters, chief deputy registrars, and confidential assistants; to provide relative to political party affiliation; to provide for transfer and cancellation of registration; to provide relative to the inactive list of voters; to provide for voting by a person on the list; to provide for advanced election dates; to provide for the date of elections when the votes cast in a primary are void because of the death of a candidate; to provide for the duties of commissioners; to provide for qualifications of commissioners; to prohibit certain persons from serving as commissioners in certain elections; to provide for the powers and duties of watchers; to provide for courses of instruction for commissioners; to provide for the duties of clerks of court relative to such instruction; to provide for the selection of commissioners and alternate commissioners; to provide relative to assistance of voters at polling places; to provide relative to the duties of commissioners relative to such assistance; to provide relative to procedures and requirements for counting provisional ballots; to provide for the determination of whether a provisional ballot is to be counted; to provide for when provisional ballots are counted; to provide relative to the duties of the parish board of election supervisors relative to provisional ballots; to provide for procedures for and duties of commissioners after the termination of voting; to provide for the printing of results from voting machines; to provide for the compilation and promulgation of election returns; to provide for when promulgation occurs; to provide relative to recall elections; to provide for the issuance of a proclamation by the governor to order a recall election to be held; to provide for the deadline for issuing a proclamation; to provide for voting absentee by mail; to provide relative to application to vote absentee by mail; to provide for the ongoing validity of applications by certain applicants; to provide relative to the counting of absentee by mail ballots; to provide for the counting of damaged ballots; to provide for the duties of the parish custodian of voting machines; to provide for the duties of qualifying officials; to provide for information given to candidates at the time of qualifying; to provide for the content of the application for voter registration; to provide procedures and requirements for voter registration at driver's license facilities; to provide relative to spoiled and replacement ballots; to provide for the counting of such ballots; to provide relative to consolidation of polling places; to provide for the determination of the number of voting machines allocated to polling places and used in elections; to provide for the proper parties in an action objecting to candidacy and an action contesting an election; and to provide for related matters.

The bill was read by title. Senator Peterson moved the final passage of the bill.

ROLL CALL

The roll was called with the following result:

YEAS

Mr. President	Fannin	Morrish
Allain	Gatti	Peacock
Appel	Hewitt	Perry
Barrow	Johns	Peterson
Bishop	LaFleur	Riser
Boudreaux	Lambert	Smith, G.
Carter	Long	Smith, J.
Chabert	Luneau	Tarver
Claitor	Martiny	Thompson
Colomb	Milkovich	Walsworth
Cortez	Mills	Ward
Donahue	Mizell	White
Erdey	Morrell	
Total - 38		

NAYS

Total - 0

ABSENT

Total - 0

The Chair declared the bill was passed and ordered it returned to the House. Senator Peterson moved to reconsider the vote by which the bill was passed and laid the motion on the table.

HOUSE BILL NO. 643—
BY REPRESENTATIVE HUVAL
AN ACT

To amend and reenact R.S. 22:821(B)(19)(c) and to enact R.S. 22:821(B)(23)(d), relative to license fees collected by the commissioner of insurance; to provide for an annual license renewal fee for viatical settlement providers; to provide for a late renewal fee for insurance claims adjusters; and to provide for related matters.

The bill was read by title. Senator Gatti moved the final passage of the bill.

ROLL CALL

The roll was called with the following result:

YEAS

Mr. President	Fannin	Morrish
Allain	Gatti	Peacock
Appel	Hewitt	Perry
Barrow	Johns	Peterson
Bishop	LaFleur	Riser
Boudreaux	Lambert	Smith, G.
Carter	Long	Smith, J.
Chabert	Luneau	Tarver
Claitor	Martiny	Thompson
Colomb	Milkovich	Walsworth
Cortez	Mills	Ward
Donahue	Mizell	White
Erdey	Morrell	
Total - 38		

NAYS

Total - 0

ABSENT

Total - 0

May 31, 2017

The Chair declared the bill was passed and ordered it returned to the House. Senator Gatti moved to reconsider the vote by which the bill was passed and laid the motion on the table.

HOUSE BILL NO. 678— (Substitute for House Bill No. 479 by Representative Horton)

BY REPRESENTATIVE HORTON
AN ACT

To amend and reenact Children's Code Articles 437(A), 603(24), and 610(G), to enact Children's Code Article 603(19) and Subpart E of Part VI of Chapter 5-A of Title 40 of the Louisiana Revised Statutes of 1950, to be comprised of R.S. 40:1086.11, and to repeal Act No. 396 of the 2007 Regular Session of the Legislature, relative to prenatal neglect and the reporting thereof; to provide for definitions; to provide for notification procedures; to provide for limitation of liability; to provide for referral for mediation; to provide for promulgation of rules by the Department of Children and Family Services; to provide for enforceability; and to provide for related matters.

On motion of Senator Long, the bill was read by title and returned to the Calendar, subject to call.

House Bills and Joint Resolutions on Third Reading and Final Passage, Subject to Call

Called from the Calendar

Senator Walsworth asked that House Bill No. 423 be called from the Calendar.

HOUSE BILL NO. 423—
BY REPRESENTATIVE LEOPOLD
AN ACT

To amend and reenact R.S. 30:2074(B)(9)(a) and (b) and to repeal R.S. 30:2074(B)(9)(c) through (e), relative to water quality; to provide for the powers and duties of the secretary of the Department of Environmental Quality; to provide for the establishment and administration of a water quality trading program; to provide for certain criteria for credits; to provide for limitations on use of credits; to provide for records; to provide for a pilot or demonstration program; and to provide for related matters.

Floor Amendments

Senator Fannin proposed the following amendments.

SENATE FLOOR AMENDMENTS

Amendments proposed by Senator Fannin to Engrossed House Bill No. 423 by Representative Leopold

AMENDMENT NO. 1

On page 1, line 2, after "reenact" delete the remainder of the line and on line 2, delete "through (e)" and insert "R.S. 30:2074(B)(9)(a), (b), and (c) and to repeal R.S. 30:2074(B)(9)(d) and (e)"

AMENDMENT NO. 2

On page 1, line 7, after "program;" insert "to provide for legislative oversight;"

AMENDMENT NO. 3

On page 1, line 10, delete "R.S. 30:2074(B)(9)(a) and (b)" and insert "R.S. 30:2074(B)(9)(a), (b), and (c)"

AMENDMENT NO. 4

On page 2, delete line 24 and insert:

"(c) A regulatory permit shall not preclude the secretary from exercising all powers and duties as set forth in R.S. 30:2011(D); including but not limited to the authority to conduct inspections and investigations and enter facilities as provided in R.S. 30:2012, and to sample or monitor, for the purposes of assuring compliance with a regulatory permit or as otherwise authorized by this Subtitle, federal Water Pollution Control Act, or regulations adopted thereunder, any substances or pollutants at any location. In addition to the review of agency rules provided for in R.S. 49:968, all reports of rules and regulations implementing the provisions of this Paragraph shall also be submitted to the House Committee on Agriculture, Forestry, Aquiculture and Rural Development and the Senate Committee on Agriculture, Forestry, Aquiculture and Rural Development for oversight in accordance with the procedures provided for in R.S. 49:968.

* * *

AMENDMENT NO. 5

On page 2, line 25, delete "R.S. 30:2074(B)(9)(c) through (e)" and insert "R.S. 30:2074(B)(9)(d) and (e)"

On motion of Senator Fannin, the amendments were adopted.

The bill was read by title. Senator Walsworth moved the final passage of the amended bill.

ROLL CALL

The roll was called with the following result:

YEAS

Mr. President	Hewitt	Peterson
Allain	Johns	Riser
Appel	LaFleur	Smith, G.
Barrow	Lambert	Smith, J.
Chabert	Long	Tarver
Cortez	Luneau	Thompson
Donahue	Martiny	Walsworth
Erdey	Morrell	Ward
Fannin	Morrish	White
Gatti	Peacock	
Total - 29		

NAYS

Boudreaux	Colomb	Mizell
Claitor	Mills	Perry
Total - 6		

ABSENT

Bishop	Carter	Milkovich
Total - 3		

The Chair declared the amended bill was passed and ordered it returned to the House. Senator Walsworth moved to reconsider the vote by which the bill was passed and laid the motion on the table.

Explanation of Vote

Senator Colomb stated she intended to vote yea on House Bill No. 423, and asked that the Official Journal so state.

Rules Suspended

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

Message from the House

PASSED SENATE BILLS AND JOINT RESOLUTIONS

May 31, 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 the following Senate Bills and Joint Resolutions:

SENATE BILL NO. 204—

BY SENATOR GARY SMITH

AN ACT

To enact R.S. 25:224 to authorize St. John the Baptist Parish to name the St. John the Baptist Parish Library's central branch in honor of a living person; and to provide for related matters.

Reported without amendments.

SENATE BILL NO. 210—

BY SENATOR ERDEY

AN ACT

To amend and reenact R.S. 38:1759, relative to the board of commissioners of Gravity Drainage District No. 2 of Livingston Parish; to increase the membership of the board of commissioners; and to provide for related matters.

Reported without amendments.

SENATE BILL NO. 34—

BY SENATOR BOUDREAUX

AN ACT

To amend and reenact R.S. 46:2626(I)(5), relative to emergency ground ambulance service providers; to provide for a definition; to provide for an effective date; and to provide for related matters.

Reported without amendments.

SENATE BILL NO. 219—

BY SENATOR FANNIN

AN ACT

To authorize and provide for hospital service district board membership in any parish with a population greater than sixteen thousand and less than seventeen thousand, according to the latest federal decennial census; to provide for board composition; to provide for minimum qualifications; and to provide for related matters.

Reported without amendments.

SENATE BILL NO. 234—

BY SENATOR LAFLEUR AND REPRESENTATIVE MARCELLE

AN ACT

To amend and reenact Code of Criminal Procedure Article 323(B), relative to bail; to provide that a secured personal surety specifically relate to identified property; and to provide for related matters.

Reported without amendments.

SENATE BILL NO. 238—

BY SENATOR PERRY

AN ACT

To enact R.S. 47:338.24.4, relative to municipal sales and use taxes; to authorize the governing authority for the town of Duson to levy and collect an additional sales and use tax; to require voter

approval; to provide for the use of the tax revenue; and to provide for related matters.

Reported without amendments.

SENATE BILL NO. 39—

BY SENATOR BOUDREAUX

AN ACT

To amend and reenact R.S. 37:1263(F), relative to the Louisiana State Board of Medical Examiners; to provide for appointment terms; to provide for term limits; to provide for an effective date; and to provide for related matters.

Reported with amendments.

SENATE BILL NO. 213—

BY SENATOR GARY SMITH

AN ACT

To amend and reenact R.S. 16:516(A), relative to district attorneys; to provide for the payment of group health insurance premiums for certain retired district attorneys; and to provide for related matters.

Reported with amendments.

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 Arts. 258(D) and 259, 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; to provide relative to redaction and contents of certain personal information in filings and recordings; and to provide for related matters.

Reported with amendments.

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

Privileged Report of the Legislative Bureau

May 31, 2017

To the President and Members of the Senate:

I am directed by your Legislative Bureau to submit the following report:

The following instruments are approved as to construction and duplication. We advise and suggest the following amendments:

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.

Reported without amendments.

May 31, 2017

HOUSE BILL NO. 26—

BY REPRESENTATIVE BARRAS
AN ACT

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

Reported without amendments.

HOUSE BILL NO. 44—

BY REPRESENTATIVES JENKINS, BACALA, BOUIE, CARMODY, CARPENTER, GARY CARTER, GAROFALO, HALL, JIMMY HARRIS, HORTON, HUNTER, JEFFERSON, LYONS, MAGEE, MARCELLE, NORTON, RICHARD, SMITH, AND STEFANSKI
AN ACT

To amend and reenact Children's Code Article 312(A) and (B), relative to juvenile court jurisdiction over adults; to provide relative to juvenile court jurisdiction over adults in certain criminal proceedings; to provide relative to the exceptions to such jurisdiction; to provide for jurisdiction over adults in criminal proceedings involving certain offenses against children; and to provide for related matters.

Reported without amendments.

HOUSE BILL NO. 46—

BY REPRESENTATIVE ROBBY CARTER
AN ACT

To amend and reenact R.S. 33:423.17, relative to the Amite City Police Department; to provide that the police chief shall appoint, promote, discipline, and discharge police personnel subject to limitations; and to provide for related matters.

Reported without amendments.

HOUSE BILL NO. 49—

BY REPRESENTATIVE BISHOP
AN ACT

To amend and reenact R.S. 30:136.3(B)(1), relative to the Mineral and Energy Operation Fund; to provide for revenues to be credited to the fund; and to provide for related matters.

Reported without amendments.

HOUSE BILL NO. 58—

BY REPRESENTATIVE PUGH
AN ACT

To amend and reenact R.S. 33:4169(C), relative to Sewerage District No. 1 for Tangipahoa Parish; to provide relative to the collection of fees imposed by the district; to require certain water system operators to collect such fees; and to provide for related matters.

Reported without amendments.

HOUSE BILL NO. 66—

BY REPRESENTATIVE MAGEE
AN ACT

To amend and reenact R.S. 13:976, relative to court reporters; to provide relative to fees for transcripts in the Thirty-Second Judicial District; to provide for fees for cases on appeal; to provide for private civil contracts in matters not on appeal; to provide for a contingent effective date; and to provide for related matters.

Reported without amendments.

HOUSE BILL NO. 70—

BY REPRESENTATIVE HORTON
AN ACT

To amend and reenact R.S. 33:2495.3(A) and to enact R.S. 33:2555.2, relative to the cities of Baton Rouge, Bossier City, and Lafayette and Fire Protection District No. 2 of Ward 4 of Calcasieu Parish; to provide relative to the classified fire service; to provide relative to persons selected for appointment

to entry-level positions; to provide relative to the formal training of such persons; and to provide for related matters.

Reported without amendments.

HOUSE BILL NO. 73—

BY REPRESENTATIVE MACK
AN ACT

To amend and reenact R.S. 13:5807.2(C), relative to the collection and use of fees by the marshal of the city of Hammond; to provide for an increase in the maximum use of fees for operational expenses of the office; and to provide for related matters.

Reported without amendments.

HOUSE BILL NO. 76—

BY REPRESENTATIVE HAVARD
AN ACT

To amend and reenact R.S. 33:4574.1.1(A)(37), relative to hotel occupancy taxes in West Feliciana Parish; to authorize the West Feliciana Parish Tourist Commission to levy additional hotel occupancy taxes, subject to voter approval; to provide relative to the hotel occupancy tax levied by West Feliciana Parish; and to provide for related matters.

Reported without amendments.

HOUSE BILL NO. 77—

BY REPRESENTATIVES BERTHELOT AND BISHOP
AN ACT

To amend and reenact R.S. 30:2531(A)(2)(b) and (B)(2)(b) and 2531.1(D)(1), relative to littering; to provide for criminal and civil penalties; to provide for community service; and to provide for related matters.

Reported without amendments.

HOUSE BILL NO. 78—

BY REPRESENTATIVE DWIGHT
AN ACT

To amend and reenact R.S. 40:966(C)(2) and 967(C) and to repeal R.S. 40:966(C)(3), relative to the Uniform Controlled Dangerous Substances Law; to provide relative to penalties for possession of phencyclidine as a Schedule II Controlled Dangerous Substance; and to provide for related matters.

Reported without amendments.

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.

Reported without amendments.

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.

Reported without amendments.

HOUSE BILL NO. 84—
BY REPRESENTATIVE DUSTIN MILLER
AN ACT

To amend and reenact Section 2 of Act No. 194 of the 2015 Regular Session of the Legislature, relative to court reporter fees; to provide relative to an increase in court reporter fees for the Twenty-Seventh Judicial District; to provide for a contingent effective date; and to provide for related matters.

Reported without amendments.

HOUSE BILL NO. 88—
BY REPRESENTATIVES GREGORY MILLER, GAINES, AND SCHEXNAYDER AND SENATOR GARY SMITH
AN ACT

To enact R.S. 33:4712.17, relative to the naming of a law enforcement training facility in St. John the Baptist Parish; to provide for an exception to the statutory prohibition of naming of a public building after a living person; to authorize the St. John the Baptist Parish Sheriff to name a certain building after a living person; and to provide for related matters.

Reported without amendments.

HOUSE BILL NO. 93—
BY REPRESENTATIVE MIGUEZ
AN ACT

To amend and reenact R.S. 11:1307(B), 2185, and 2235 and to enact R.S. 40:1665.4, relative to law enforcement officers; to authorize an immediate family member of a qualified law enforcement officer to purchase his duty firearm upon death; to provide for certain criteria; and to provide for related matters.

Reported without amendments.

HOUSE BILL NO. 104—
BY REPRESENTATIVE LEOPOLD
AN ACT

To amend and reenact R.S. 13:996.66(A), relative to the judicial expense fund for the Twenty-Fifth Judicial District Court; to increase certain fees and costs in civil and criminal matters; to provide for a contingent effective date; and to provide for related matters.

Reported without amendments.

HOUSE BILL NO. 109—
BY REPRESENTATIVE DEVILLIER
AN ACT

To amend and reenact R.S. 47:337.14(E), relative to the central sales tax collection commission of St. Landry Parish; to provide relative to the membership of the commission; and to provide for related matters.

Reported without amendments.

HOUSE BILL NO. 115—
BY REPRESENTATIVE CROMER
AN ACT

To amend and reenact Civil Code Articles 2350, 2369.3, and 2375, relative to community property; to provide relative to a community enterprise; to provide for the effect of a judgment of separation of property upon reconciliation; and to provide for related matters.

Reported without amendments.

HOUSE BILL NO. 120—
BY REPRESENTATIVE JACKSON
AN ACT

To amend and reenact R.S. 13:5530(A)(1), (2), (4), and (12)(a), (b), and (c), relative to sheriffs; to provide for an increase in certain fees in civil matters; to provide for a contingent effective date; and to provide for related matters.

Reported without amendments.

HOUSE BILL NO. 121—
BY REPRESENTATIVE GREGORY MILLER
AN ACT

To amend and reenact Code of Civil Procedure Article 3396.18, relative to the independent administration of estates; to provide for the sealing of the detailed descriptive list; to provide court authorization for the release of relevant information to certain parties; and to provide for related matters.

Reported without amendments.

HOUSE BILL NO. 126—
BY REPRESENTATIVE BACALA
AN ACT

To amend and reenact R.S. 13:2590(A)(introductory paragraph), (B), and (C) and 3921(A) and to enact R.S. 13:2590(D), relative to collection of costs or fees; to provide relative to processing fees prior to payment to a creditor; to provide relative to fees collected by constables of justice of the peace courts; and to provide for related matters.

Reported without amendments.

HOUSE BILL NO. 130—
BY REPRESENTATIVE DEVILLIER
AN ACT

To amend and reenact R.S. 17:3882(4) through (7), 3902(B)(5), 3991(B)(1)(a)(i) and (b)(i), and 3997(D)(2), to enact R.S. 17:3882(8) and 3973(4), and to repeal R.S. 17:3973(1), relative to students; to provide that economically disadvantaged students shall be included as a factor in determining teacher evaluations and requirements for enrollment of at-risk students in certain charter schools; to remove references to students eligible for free and reduced price meals as factors used in such teacher evaluations and charter school enrollment requirements; and to provide for related matters.

Reported without amendments.

HOUSE BILL NO. 133—
BY REPRESENTATIVE EDMONDS
AN ACT

To enact R.S. 17:3357, relative to the public postsecondary education management boards; to require the Board of Supervisors of Louisiana State University and Agricultural and Mechanical College, the Board of Supervisors of Southern University and Agricultural and Mechanical College, the Board of Supervisors for the University of Louisiana System, and the Board of Supervisors of Community and Technical Colleges to develop plans and submit them to the legislature; to provide for the content of such plans; to provide for an initial submission deadline and subsequent submission frequency; and to provide for related matters.

Reported without amendments.

HOUSE BILL NO. 139—
BY REPRESENTATIVE MCFARLAND
AN ACT

To enact R.S. 39:366.12 and 1603.1, relative to public contracts; to require prior approval of certain actions related to the procurement of professional, personal, consulting, and social services; to require prior approval of agreements relating to the lease or operation of certain hospitals; to provide for exceptions; to provide for effectiveness; and to provide for related matters.

Reported without amendments.

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.

Reported without amendments.

HOUSE BILL NO. 146—
BY REPRESENTATIVE DEVILLIER
AN ACT

To enact R.S. 46:1053(C)(2)(h), relative to Hospital Service District No. 1 of St. Landry Parish; to provide relative to the per diem paid to members of the governing board of the district; and to provide for related matters.

Reported without amendments.

HOUSE BILL NO. 147—
BY REPRESENTATIVE GAROFALO
AN ACT

To amend and reenact R.S. 33:1236(21)(b) and (30)(b), relative to St. Bernard Parish; to authorize the parish governing authority to enact ordinances requiring property owners to remove deleterious growths, trash, debris, and other noxious matter; to provide relative to liens granted in favor of the parish governing authority with respect to such properties; and to provide for related matters.

Reported without amendments.

HOUSE BILL NO. 154—
BY REPRESENTATIVE CARPENTER
AN ACT

To enact R.S. 13:5713(M), relative to autopsy reports; to provide relative to the disclosure of information related to an autopsy; and to provide for related matters.

Reported without amendments.

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.

Reported without amendments.

HOUSE BILL NO. 176—
BY REPRESENTATIVE LYONS
AN ACT

To amend and reenact R.S. 46:1606(A) and (B)(1), relative to the office of elderly affairs; to eliminate the cap on the amount any parish voluntary councils on aging may receive; and to provide for related matters.

Reported without amendments.

HOUSE BILL NO. 178—
BY REPRESENTATIVE SIMON
AN ACT

To amend and reenact R.S. 17:3141.2(introductory paragraph) and (5)(introductory paragraph) and to enact R.S. 17:3141.2(5)(q), relative to proprietary schools; to exclude certain educator preparation programs from the definition of proprietary school; to provide that such programs are not subject to licensing by the Board of Regents; and to provide for related matters.

Reported without amendments.

HOUSE BILL NO. 224—
BY REPRESENTATIVE MORENO
AN ACT

To enact R.S. 47:302.56, 322.49, and 332.55, relative to the disposition of certain sales and use tax collections in Orleans Parish; to establish the New Orleans Quality of Life Fund as a special fund in the state treasury; to provide for the deposit of monies into the fund; to provide for the use of such monies; to provide for an effective date; and to provide for related matters.

Reported without amendments.

HOUSE BILL NO. 230—
BY REPRESENTATIVE STOKES
AN ACT

To amend and reenact R.S. 47:716.1 and 818.2(4), relative to aviation gasoline; to provide for the definition of aviation gasoline; and to provide for related matters.

Reported without amendments.

HOUSE BILL NO. 237—
BY REPRESENTATIVES BARRAS, ABRAMSON, DAVIS, DEVILLIER,
DWIGHT, JIMMY HARRIS, HORTON, HUVAL, JIM MORRIS,
SCHEXNAYDER, SEABAUGH, AND STOKES
AN ACT

To amend and reenact R.S. 51:1787(K), relative to the sunset of the Enterprise Zone program; to extend the sunset date; to provide for effectiveness; and to provide for related matters.

Reported without amendments.

HOUSE BILL NO. 241—
BY REPRESENTATIVE CHAD BROWN
AN ACT

To enact R.S. 32:402.1(B) and (C) and to repeal R.S. 32:402.1(A)(3)(c), relative to driver education and preclicensing training courses; to increase requirements within driver education and preclicensing courses; to provide for the establishment of a curriculum relative to the economic effects of littering; to require the course curriculum include a section on how to respond to a traffic stop; to provide for the establishment of rules, regulations, and requirements for the course; and to provide for related matters.

Reported without amendments.

HOUSE BILL NO. 242—
BY REPRESENTATIVE EMERSON
AN ACT

To amend and reenact R.S. 17:3981(4) and 3982(A)(1)(a)(i), relative to charter school proposals; to require the State Board of Elementary and Secondary Education and local public school boards to deliver to charter applicants certain information relative to third-party evaluations of charter proposals; to provide requirements with regard to such delivery; and to provide for related matters.

Reported without amendments.

HOUSE BILL NO. 244—
BY REPRESENTATIVE HILFERTY
AN ACT

To enact Code of Evidence Article 902(11), relative to the admissibility of business records; to provide relative to the self-authentication of business records; and to provide for related matters.

Reported without amendments.

HOUSE BILL NO. 260—
BY REPRESENTATIVE TERRY BROWN
AN ACT

To repeal Subpart B-6-A of Part IV of Chapter 1 of Title 33 of the Louisiana Revised Statutes of 1950, comprised of R.S. 33:130.161 through 130.169, relative to the Grant Parish Economic and Industrial Development District; to repeal

provisions relative to the creation, powers, and governance of the district; to provide for an effective date; and to provide for related matters.

Reported without amendments.

HOUSE BILL NO. 268—
BY REPRESENTATIVE JIMMY HARRIS
AN ACT

To enact R.S. 15:587.5 and 587.6, R.S. 23:1657.1, R.S. 36:254.3 and 701.1, R.S. 39:15.1.1 and 15.1.2, R.S. 46:51.3, and R.S. 47:1504.1, relative to criminal history records checks; to provide for criminal history records checks for current and prospective employees, contractors, and subcontractors of agencies with access to federal tax information, criminal history record information, or state issued REAL ID information; to provide relative to the procedures and costs for the criminal history records checks; to provide for the use of these records; to provide for a definition; and to provide for related matters.

Reported without amendments.

HOUSE BILL NO. 277—
BY REPRESENTATIVE JAMES
AN ACT

To enact R.S. 40:2404.2 and to repeal R.S. 40:2405.5, relative to peace officers; to provide for training of peace officers; to provide for minimum training requirements; to provide for annual training; to provide for certain mandatory basic and annual certification hours for peace officers; to provide for an emergency effective date; and to provide for related matters.

Reported without amendments.

HOUSE BILL NO. 280—
BY REPRESENTATIVES MARINO AND STOKES
AN ACT

To amend and reenact R.S. 40:79(A)(2)(a), relative to adoptions; to provide relative to birth certificates in certain cases of adoptions by step-parents; and to provide for related matters.

Reported without amendments.

HOUSE BILL NO. 291—
BY REPRESENTATIVE DANAHAY
AN ACT

To amend and reenact R.S. 46:1053(C)(2)(d), relative to the Calcasieu Cameron Hospital Service District; to provide relative to the per diem paid to members of the board of commissioners of the district; and to provide for related matters.

Reported without amendments.

HOUSE BILL NO. 300—
BY REPRESENTATIVE DAVIS AND SENATOR MORRELL AND REPRESENTATIVES FOIL AND STOKES
AN ACT

To amend and reenact R.S. 47:6015(C)(2), (D), (E)(1), and (J) relative to the research and development tax credit program; to provide for definitions; to provide for credit rates; to provide for transferability of credits; to provide for application; and to provide for related matters.

Reported without amendments.

HOUSE BILL NO. 307—
BY REPRESENTATIVE LYONS
AN ACT

To enact R.S. 39:1624(A)(10) and R.S. 47:1508(B)(41) and 1678, relative to tax clearances from the Department of Revenue; to require a tax clearance for the issuance or renewal of a sales tax resale certificate; to require a tax clearance for approval of certain state contracts; to provide for exceptions; to provide for an effective date; and to provide for related matters.

Reported without amendments.

HOUSE BILL NO. 309—
BY REPRESENTATIVE MORENO
AN ACT

To amend and reenact R.S. 46:1842, 1843, and 1844(A)(2)(b), (L), (M)(1) and (2), and (O) and to enact R.S. 46:1845 and 1845.1, relative to crime victims; to provide relative to eligibility; to provide relative to a return of property; to provide for notification of pardon or parole; to provide additional rights for victims of sexual assault; to provide for notification of rights; to provide for duties and responsibilities; to provide for a sexual assault advocate; to provide relative to the right to privacy; to provide procedures and requirements; to provide definitions; and to provide for related matters.

Reported without amendments.

HOUSE BILL NO. 323—
BY REPRESENTATIVE FRANKLIN
AN ACT

To amend and reenact R.S. 4:732(A) through (E)(introductory paragraph) and (G) and 739(A)(1) and (2)(e) and (F) and to enact R.S. 4:707(J), 732(H) and (I), and 739(A)(2)(f), relative to charitable gaming; to authorize the conducting of progressive mega jackpot bingo; to provide with respect to jackpots for progressive bingo and progressive mega jackpot bingo games; to provide for exceptions to amount of prizes awarded during a bingo session; to provide for applicability; to provide relative to the net profit charitable organizations and distributors receive from progressive bingo and progressive mega jackpot bingo games; to provide with respect to Electronic Bingo Card Dabber Devices; to allow those devices to provide for networking of charitable gaming organizations; to provide relative to the sales of progressive mega jackpot bingo; to provide for player tracking; to provide relative to regulatory authority; and to provide for related matters.

Reported without amendments.

HOUSE BILL NO. 333—
BY REPRESENTATIVE JEFFERSON
AN ACT

To amend and reenact R.S. 47:1519(B) and 1520(A)(1)(c), (e), and (g) and (2), (B), and (C) and to enact R.S. 47:1519(D) and 1520(A)(3), relative to tax returns and payments; to provide for the payment of taxes by electronic funds transfer; to authorize the secretary to require the electronic filing of tax returns; to provide for exceptions; to provide with respect to certain penalties; to require rulemaking; to provide for effectiveness; and to provide for related matters.

Reported without amendments.

HOUSE BILL NO. 343—
BY REPRESENTATIVE FRANKLIN
AN ACT

To amend and reenact Children's Code Articles 1004(B), (D), (F), and (I), 1035(B), 1036(C)(introductory paragraph), (D)(introductory paragraph), and (E), and 1036.2(E), relative to termination of parental rights; to provide relative to grounds for termination; to provide for technical corrections; and to provide for related matters.

Reported without amendments.

HOUSE BILL NO. 382—
BY REPRESENTATIVE BERTHELOT
AN ACT

To amend and reenact R.S. 39:1305(F), relative to budget adoption procedures in certain municipalities; to limit the authority of the governing authorities of certain municipalities to amend a proposed budget; and to provide for related matters.

Reported without amendments.

May 31, 2017

HOUSE BILL NO. 412—

BY REPRESENTATIVE LEBAS
AN ACT

To enact R.S. 17:436.1(L) and 3996(B)(13), relative to the administration of medication at public schools; to except sunscreen from requirements and restrictions pertaining to the administration of medication to public school students; to authorize a student to possess and self-apply sunscreen; to authorize a public school employee to volunteer to apply sunscreen to a student under certain circumstances; to provide a limitation of liability; and to provide for related matters.

Reported without amendments.

HOUSE BILL NO. 427—

BY REPRESENTATIVE DUSTIN MILLER
AN ACT

To amend and reenact R.S. 47:297(H)(2)(a), (b), and (c) and (3) and to enact R.S. 47:297(H)(4) through (7), relative to income tax credits for certain healthcare professionals; to provide for the income tax credit for certain medical professionals in medically underserved areas; to provide for eligibility; to provide for the administration of the credit; to authorize the promulgation of rules and regulations; to limit the annual amount of the tax credits certified and granted; to provide for effectiveness; and to provide for related matters.

Reported without amendments.

HOUSE BILL NO. 437—

BY REPRESENTATIVE WHITE
AN ACT

To enact R.S. 32:402.1(B), relative to the classroom instruction portion of an approved driver education prelicensing training course; to authorize the classroom portion of a prelicensing training course to be provided by alternative methods of instruction; to establish approval requirements for the alternative method of instruction; to prohibit any portion of the classroom instruction of the driver education course for persons under the age of eighteen to be provided by alternative methods; to authorize the Department of Public Safety and Corrections, public safety services, to establish rules and regulations as determined necessary to define requirements; and to provide for related matters.

Reported without amendments.

HOUSE BILL NO. 446—

BY REPRESENTATIVE MARINO
AN ACT

To amend and reenact R.S. 47:1508(B)(8) and (11), relative to the confidentiality of tax records; to provide for the confidentiality of certain taxpayer information; to provide for the disclosure of information relative to tobacco settlement enforcement; to provide for the confidentiality of information shared by the state relative to the NPM Adjustment Settlement Agreement; and to provide for related matters.

Reported without amendments.

HOUSE BILL NO. 450—

BY REPRESENTATIVE ABRAMSON
AN ACT

To amend and reenact R.S. 33:9091.12(D)(1)(a) and (F)(2) and (4), relative to the Upper Audubon Security District in Orleans Parish; to provide relative to the governing board of the district; to provide relative to the parcel fee levied within the district; to provide relative to the amount, expiration, and renewal of such fee; and to provide for related matters.

Reported without amendments.

HOUSE BILL NO. 451—

BY REPRESENTATIVE ABRAMSON
AN ACT

To amend and reenact R.S. 33:9091.3(D)(1)(a) and (F)(1) and (3)(a) and (c), relative to the Audubon Area Security District in Orleans Parish; to provide relative to membership on the governing board of the district; to provide relative to the parcel fee levied within the district; to provide relative to the amount, expiration, and renewal of the fee; and to provide for related matters.

Reported without amendments.

HOUSE BILL NO. 454—

BY REPRESENTATIVE ABRAMSON
AN ACT

To amend and reenact R.S. 47:6020(C)(2)(b), (D)(1), (2)(a) and (b), and (5)(a) and (b), and (F)(2), to enact R.S. 47:6020(G), and to repeal R.S. 47:6020(D)(1) and (2)(a) and Section 3 of Act No. 414 of the 2011 Regular Session of the Legislature, as amended by Act No. 104 of the 2015 Regular Session of the Legislature relative to tax credits; to provide for the termination date for the Angel Investor Tax Credit Program; to provide for the amount of the credit; to provide with respect to the claiming of the credit; to provide for effectiveness; and to provide for related matters.

Reported without amendments.

HOUSE BILL NO. 460—

BY REPRESENTATIVES BERTHELOT, ABRAHAM, AMEDEE, BACALA, BAGNERIS, BARRAS, BILLIOT, CHAD BROWN, TERRY BROWN, CARMODY, ROBBY CARTER, STEVE CARTER, CHANEY, CONNICK, COX, DEVILLIER, EDMONDS, FALCONER, FOIL, FRANKLIN, GISCLAIR, LANCE HARRIS, HAVARD, HAZEL, HORTON, HOWARD, HUVAL, JOHNSON, JONES, LEOPOLD, LYONS, MARCELLE, MARINO, MCFARLAND, MIGUEZ, NORTON, POPE, PUGH, PYLANT, REYNOLDS, RICHARD, SCHEXNAYDER, SCHRÖDER, SHADOIN, STAGNI, STEFANSKI, AND STOKES
AN ACT

To enact R.S. 22:347(A)(1)(c) and R.S. 40:1593.1, relative to the authority of the state fire marshal to purchase group insurance; to provide for disposition of monies; to provide for definitions; to provide for legislative findings; to authorize the purchase of certain group insurance; to require certain qualifications for benefit eligibility; to limit eligibility; to provide for procedure; and to provide for related matters.

Reported without amendments.

HOUSE BILL NO. 466—

BY REPRESENTATIVE CHANEY
AN ACT

To amend and reenact R.S. 3:2364 and 2366(A), (B), (C), (D)(introductory paragraph), and (E)(introductory paragraph) and (1), and R.S. 47:120.71(section heading) and (A) and to repeal R.S. 3:2365, relative to the Louisiana Animal Control Advisory Task Force; to provide for the creation of the Louisiana Animal Control Advisory Task Force; to provide for task force membership and terms of office; to provide for the powers and duties of the state veterinarian in relation to the task force; to provide for the Louisiana Animal Shelter Registry; to provide for the Louisiana Animal Welfare Commission income tax checkoff; and to provide for related matters.

Reported without amendments.

HOUSE BILL NO. 470—

BY REPRESENTATIVE FALCONER
AN ACT

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

Reported without amendments.

HOUSE BILL NO. 474—

BY REPRESENTATIVE GAROFALO
AN ACT

To amend and reenact R.S. 56:431.2(A)(1) and (B)(2) and to repeal R.S. 56:431.2(B)(3)(d) and (C), relative to alternative oyster culture permits; to authorize the issuance of such permit to a person holding an oyster lease on a privately owned water bottom or dual-claimed water bottom; and to provide for related matters.

Reported without amendments.

HOUSE BILL NO. 475—

BY REPRESENTATIVES GISCLAIR AND GAROFALO
AN ACT

To amend and reenact R.S. 56:332(N)(2)(c) and to enact R.S. 56:332(N)(2)(d), relative to crab fishing; to authorize the Wildlife and Fisheries Commission to prohibit crab traps in state-owned water bottoms during closed season; and to provide for related matters.

Reported without amendments.

HOUSE BILL NO. 481—

BY REPRESENTATIVES JACKSON, BAGNERIS, GARY CARTER, GAINES, JIMMY HARRIS, JAMES, MARINO, AND ZERINGUE AND SENATOR BARROW

AN ACT

To amend and reenact R.S. 15:1212(B)(introductory paragraph), (1), and (4) and 1212.1(B), R.S. 40:2402(3)(a), (c), and (d) and 2405(A)(1) and (2), and R.S. 44:3(A)(introductory paragraph) and 4.1(B)(8), to enact R.S. 15:1212.1(C), (D), (E), and (F) and R.S. 44:4(54), and to repeal R.S. 40:2405(E)(2), relative to law enforcement; to provide relative to the Louisiana Uniform Law Enforcement Statewide Reporting Database; to provide relative to the information reported to and contained in the database; to provide relative to the use of information in the database; to provide for certain information that is exempt from disclosure; to provide relative to the definition of a peace officer; to provide relative to the time periods within which peace officers are required to obtain training and certification; to provide relative to the Public Records Law; to provide for an emergency effective date; and to provide for related matters.

Reported without amendments.

HOUSE BILL NO. 491—

BY REPRESENTATIVE LEOPOLD
AN ACT

To amend and reenact R.S. 41:1214(B) and to enact R.S. 41:1214(E), relative to the advertisement and bids for the lease of public land; to provide relative to the delivery and acceptance of bids; to provide for a uniform and secure electronic interactive system for submittal of lease bids; and to provide for related matters.

Reported without amendments.

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.

Reported without amendments.

HOUSE BILL NO. 531—

BY REPRESENTATIVE HOFFMANN
AN ACT

To amend and reenact R.S. 17:240(A) and (B), relative to use of tobacco products on school property; to provide for definitions; to repeal the authorization for designated smoking areas on school property; to prohibit the use of tobacco products on school property; to provide for exceptions; and to provide for related matters.

Reported without amendments.

HOUSE BILL NO. 556—

BY REPRESENTATIVE PEARSON
AN ACT

To amend and reenact R.S. 17:500.1, 1201(C)(1)(b), and 1206.1 and to enact R.S. 17:1200(C), relative to sick leave for public school employees; to provide relative to sick leave benefits to public school teachers, school bus operators, and other school employees who are disabled under certain circumstances; to provide relative to requirements for certification of such disability by a physician; to provide for definitions; and to provide for related matters.

Reported without amendments.

HOUSE BILL NO. 576—

BY REPRESENTATIVE THIBAUT
AN ACT

To amend and reenact R.S. 46:1053(V)(2), relative to Hospital Service District No. 1 of the parish of Pointe Coupee; to provide relative to the governing board of the district; to provide relative to the membership of the board; to reduce the number of members of the governing authority of Pointe Coupee Parish who may serve on the board; and to provide for related matters.

Reported without amendments.

HOUSE BILL NO. 589—

BY REPRESENTATIVE BAGNERIS
AN ACT

To enact R.S. 33:4885, relative to local governing authorities; to authorize municipal governing authorities to regulate the accumulation of waste tires on private property; and to provide for related matters.

Reported without amendments.

HOUSE BILL NO. 590—

BY REPRESENTATIVES HILFERTY AND DAVIS
AN ACT

To amend and reenact R.S. 49:308.5 and to enact R.S. 24:653(N), relative to the review of special treasury funds; to provide for the submission of a plan to review special treasury funds; to provide for the review of and recommendation on certain special treasury funds; to provide for exceptions; to provide for a dedicated fund review subcommittee of the Joint Legislative Committee on the Budget; to provide for an effective date; and to provide for related matters.

Reported without amendments.

HOUSE BILL NO. 596—

BY REPRESENTATIVES LEGER AND BISHOP
AN ACT

To amend and reenact R.S. 49:214.6.2(A) and to enact R.S. 49:214.7, relative to the Coastal Protection and Restoration Authority; to authorize the use of outcome-based performance contracts by the Coastal Protection and Restoration Authority for integrated coastal protection; and to provide for related matters.

May 31, 2017

Reported without amendments.

HOUSE BILL NO. 608—
BY REPRESENTATIVE WHITE
AN ACT

To amend and reenact R.S. 56:1901, 1902(1) 1903, 1904(A), (B)(introductory paragraph), (C)(2), (D), (E), and (H), and 1907 and to enact R.S. 56:1902(3) and 1904(C)(3), (I), (J), and (K), relative to threatened and endangered species conservation; to include native plants in the species to be conserved by the Wildlife and Fisheries Commission and the Department of Wildlife and Fisheries; and to provide for related matters.

Reported without amendments.

HOUSE BILL NO. 617—
BY REPRESENTATIVE LEBAS
AN ACT

To amend and reenact R.S. 48:600.1(B)(1) and (4) and 600.2(B)(1) and (4), relative to district five and six road commissions of St. Landry Parish; to provide relative to the appointment of the commissioners of the boards of district five and six road commissions of St. Landry Parish; and to provide for related matters.

Reported without amendments.

HOUSE BILL NO. 618—
BY REPRESENTATIVE GAROFALO
AN ACT

To amend and reenact R.S. 39:99.27(1), (4), (5), (10), (18), 99.30(A)(introductory paragraph) and (1), 99.38(A), (B), and (C), 99.41, 99.42, and 99.44 and to enact R.S. 39:99.27(19) through (28), relative to the Louisiana Coastal Protection and Restoration Financing Corporation; to authorize the financing, purchasing, owning, and managing payments from the Deepwater Horizon natural resource damage act and the Resources and Ecosystems Sustainability, Tourist Opportunities, and Revived Economies of the Gulf Coast States Act; to provide for terms and conditions associated with the financing, purchasing, owning, and managing; to direct the Louisiana State Law Institute to redesignate section numbers; and to provide for related matters.

Reported without amendments.

HOUSE BILL NO. 627—
BY REPRESENTATIVE DWIGHT
AN ACT

To amend and reenact R.S. 13:964(H) and 964.1(B) and to repeal R.S. 13:964.2, relative to court reporters; to provide for an increase in transcript fees in the Fourteenth Judicial District; to provide for a contingent effective date; and to provide for related matters.

Reported without amendments.

HOUSE BILL NO. 629—
BY REPRESENTATIVES ANDERS AND BROADWATER
AN ACT

To amend and reenact R.S. 47:305.25(A)(3), relative to state sales and use tax exemptions; to provide for certain exemptions to the state sales and use tax; to provide for the definition of farm equipment to include polyroll tubing; to provide for effectiveness; and to provide for related matters.

Reported without amendments.

HOUSE BILL NO. 640—
BY REPRESENTATIVE STOKES
AN ACT

To amend and reenact R.S. 47:6007(C)(1)(introductory paragraph), relative to income tax credits; to provide with respect to the motion picture production tax credit; to provide for when tax credits are earned; and to provide for related matters.

Reported without amendments.

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.

Reported without amendments.

HOUSE BILL NO. 679— (Substitute for House Bill No. 399 by Representative Garofalo)

BY REPRESENTATIVE GAROFALO
AN ACT

To enact Part V of Chapter 1 of Code Title XXIV of Title 9 of the Louisiana Revised Statutes of 1950, to be comprised of R.S. 9:5826 and 5827, relative to prescription; to provide relative to preemptive and prescriptive deadlines; to provide relative to legal deadlines; to provide for applicability; and to provide for related matters.

Reported without amendments.

Respectfully submitted,
DANIEL R. MARTINY
Chairman

Adoption of Legislative Bureau Report

On motion of Senator Martiny, the Legislative Bureau amendments were adopted and the Bills and Joint Resolutions were read by title and passed to a third reading.

Introduction of Senate Resolutions

SENATE RESOLUTION NO. 161—
BY SENATOR BARROW
A RESOLUTION

To urge and request the Department of Environmental Quality to study providing notifications to residents and the feasibility of providing free medical monitoring after the release of toxic air emissions from major sources.

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

Message from the House

ASKING CONCURRENCE IN HOUSE BILLS AND JOINT RESOLUTIONS

May 31, 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. 359

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

House Bills and Joint Resolutions

Senator Cortez asked for and obtained a suspension of the rules to read House Bills and Joint Resolutions a first and second time by title and refer them to committee.

HOUSE BILL NO. 359—
BY REPRESENTATIVE IVEY

AN ACT

To amend and reenact R.S. 47:32(A), 79, 293(3)(introductory paragraph), 295(B), 297.8(A) and to repeal R.S. 47:294, relative to the individual income tax; to provide for the rates and brackets for individual income tax; to provide for a flat single individual income tax rate; to provide for the calculation of individual income tax liability; to provide for certain deductions and credits; to reduce certain deductions and credits; to provide with respect to the deduction for excess federal itemized personal deductions; to provide for limitations and restrictions; to provide with respect to the earned income tax credit; to increase the amount of the tax credit; to provide for applicability; to provide for an effective date; and to provide for related matters.

The bill was read by title and referred by the President to the Committee on Revenue and Fiscal Affairs.

Reports of Committees

The following reports of committees were received and read:

REPORT OF COMMITTEE ON

SENATE AND GOVERNMENTAL AFFAIRS

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

May 31, 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:

SENATE RESOLUTION NO. 140—
BY SENATOR CLAITOR

A RESOLUTION

To adopt Senate Rule No. 13.23 of the Senate Rules of Order, to require that meetings of the Senate Health and Welfare Committee be closed captioned.

Reported with amendments.

SENATE CONCURRENT RESOLUTION NO. 45—
BY SENATOR COLOMB

A CONCURRENT RESOLUTION

To memorialize the Congress of the United States to extend or eliminate the currently expired ratification time limit on the Equal Rights Amendment.

Reported with amendments.

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.

Reported favorably.

HOUSE BILL NO. 231—
BY REPRESENTATIVE THIBAUT

AN ACT

To amend and reenact R.S. 42:1123(22), relative to an exception from ethics laws for transactions involving certain municipalities; to allow an immediate family member and related legal entities to enter into certain transactions with the municipality subject to certain conditions; and to provide for related matters.

Reported with amendments.

Respectfully submitted,
KAREN CARTER PETERSON
Chairwoman

**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 31, 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 Bills have been properly enrolled:

SENATE BILL NO. 9—
BY SENATOR ALLAIN

AN ACT

To amend and reenact Civil Code Arts. 655 and 656, relative to servitudes; to provide relative to natural servitudes; to provide relative to natural drainage, obligations of owners, and dominant and servient estates; to provide certain terms and effects; and to provide for related matters.

SENATE BILL NO. 14—

BY SENATORS LUNEAU, BARROW, BOUDREAUX, CARTER, CHABERT, GATTI, MILKOVICH, MILLS, GARY SMITH AND THOMPSON AND REPRESENTATIVES BAGLEY, CHANEY, COX, HENSGENS, HOFFMANN, HORTON, HUNTER, JACKSON, LEBAS, DUSTIN MILLER, POPE, STAGNI AND STOKES

AN ACT

To amend and reenact R.S. 40:1131(5), relative to emergency medical services; to provide for a definition of auto-injector; to provide for an effective date; and to provide for related matters.

SENATE BILL NO. 28—
BY SENATOR MORRISH

AN ACT

To amend and reenact R.S. 40:2852(D) and to repeal R.S. 40:2852(E), relative to facilities providing housing or temporary residence for individuals arrested for commission of a crime; to remove accreditation requirement; and to provide for related matters.

SENATE BILL NO. 70—
BY SENATOR DONAHUE

AN ACT

To amend and reenact R.S. 40:639 and to enact R.S. 40:971.3, relative to controlled dangerous substances; to make the misbranding or adulteration of drugs with the intent to defraud or mislead a felony offense; to provide penalties; and to provide for related matters.

SENATE BILL NO. 77—
BY SENATOR LAMBERT

AN ACT

To amend and reenact R.S. 56:322.2(D), relative to shad gill nets; to provide for the commercial harvest of shad and skipjack; to provide for the seasons for taking of shad and skipjack; to provide limitations for the taking of shad as bait; to provide terms and requirements; and to provide for related matters.

SENATE BILL NO. 94—

BY SENATORS GARY SMITH, ALARIO, APPEL, BISHOP, BOUDREAU, CARTER, CHABERT, CLAITOR, COLOMB, CORTEZ, ERDEY, GATTI, HEWITT, JOHNS, LAFLEUR, LAMBERT, LUNEAU, MARTINY, MILKOVICH, MILLS, MIZELL, MORRISH, PEACOCK, JOHN SMITH, THOMPSON, WALSWORTH, WARD AND WHITE AND REPRESENTATIVES BACALA, BARRAS, BERTHELOT, BILLIOT, BROADWATER, CHAD BROWN, TERRY BROWN, COUSSAN, COX, DWIGHT, EDMONDS, GAINES, GAROFALO, LANCE HARRIS, JOHNSON, NANCY LANDRY, LYONS, MIGUEZ, GREGORY MILLER, REYNOLDS, SCHEXNAYDER, STOKES AND THIBAUT

AN ACT

To provide relative to state highways; to designate the parallel bridges crossing the Reserve Relief Canal on Interstate 10 in St. John the Baptist Parish as the "Spencer Chauvin Memorial Bridge"; to designate a portion of United States Highway 190 in West Baton Rouge Parish as the "Trooper Francis C. Zinna Memorial Highway"; to designate that portion of United States Highway 190 within the corporate limits of the town of Livonia as the "Lawrence Russo Memorial Highway"; and to provide for related matters.

SENATE BILL NO. 119—

BY SENATOR WARD

AN ACT

To authorize and provide for the lease to Williams, Inc. of any right, title, and interest the state may claim in and to the surface of certain immovable property located in Iberville Parish; to provide for a description of the surface of the land to be leased; to provide for the reservation of mineral and timber rights; to provide for the discretion of the administrator of the state land office to negotiate such other terms and conditions as he shall deem necessary, appropriate, and in the best interests of the state; and to provide for related matters.

SENATE BILL NO. 230—

BY SENATOR LAFLEUR

AN ACT

To amend and reenact R.S. 36:851(A), and to repeal Chapter 5-G of Title 25 of the Louisiana Revised Statutes of 1950, comprised of R.S. 25:380.41 through 380.46, Chapter 5-I of Title 25 of the Louisiana Revised Statutes of 1950, comprised of R.S. 25:380.61 through 380.66, Chapter 5-J of Title 25 of the Louisiana Revised Statutes of 1950, comprised of R.S. 25:380.71 and 380.74 through 380.76, Chapter 5-M of Title 25 of the Louisiana Revised Statutes of 1950, comprised of R.S. 25:380.101 through 380.106, Chapter 5-O of Title 25 of the Louisiana Revised Statutes of 1950, comprised of R.S. 25:380.121 through 380.126, and R.S. 36:744 (P), (T), (U), (X), (Z), and 801.11, 801.13, 801.17, and 801.19, relative to museums; to remove certain museums from the jurisdiction of the Department of State and to delete all statutory provisions relative to such museums and their governing boards; and to provide for related matters.

Respectfully submitted,
KAREN CARTER PETERSON
Chairman

The foregoing Senate Bills were signed by the President of the Senate.

Message from the House

SIGNED HOUSE CONCURRENT RESOLUTIONS

May 31, 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. 14—

BY REPRESENTATIVE MORENO

A CONCURRENT RESOLUTION

To urge and request the State Board of Elementary and Secondary Education to allow computer science courses to count as science credit for purposes of satisfying high school graduation requirements and to establish and implement a state plan for making computer science a fundamental part of the state's public education system.

HOUSE CONCURRENT RESOLUTION NO. 17—

BY REPRESENTATIVES HOFFMANN, ARMES, BACALA, CARPENTER, STEVE CARTER, CHANEY, COX, DAVIS, DEVILLIER, EDMONDS, EMERSON, FALCONER, FOIL, GISCLAIR, GUINN, HOWARD, LEBAS, MARCELLE, MCFARLAND, POPE, RICHARD, SCHRODER, STEFANSKI, THOMAS, AND WHITE

A CONCURRENT RESOLUTION

To urge and request the Department of Children and Family Services to study the issue of reporting of child abuse and neglect in military families, and to recommend to the legislature policies for improving coordination between the department and the United States Department of Defense in matters relating to child welfare.

HOUSE CONCURRENT RESOLUTION NO. 36—

BY REPRESENTATIVE SMITH

A CONCURRENT RESOLUTION

To urge and request the Louisiana State Law Institute to study the prospective use of the term "d/Deaf" in law, and to report findings of the study in the form of recommendations to the legislature concerning the term.

HOUSE CONCURRENT RESOLUTION NO. 66—

BY REPRESENTATIVE ZERINGUE

A CONCURRENT RESOLUTION

To memorialize the United States Congress to take such actions as are necessary to continue to provide appropriate and sufficient funding for the National Sea Grant College Program.

HOUSE CONCURRENT RESOLUTION NO. 81—

BY REPRESENTATIVE HOFFMANN AND SENATOR WALSWORTH

A CONCURRENT RESOLUTION

To urge and request the Louisiana Department of Health to post information concerning bone marrow donations on the department's website for dissemination by healthcare practitioners to patients.

HOUSE CONCURRENT RESOLUTION NO. 98—

BY REPRESENTATIVE ANDERS AND SENATOR RISER

A CONCURRENT RESOLUTION

To recognize June 2017 as Apert Awareness Month in Louisiana.

HOUSE CONCURRENT RESOLUTION NO. 99—

BY REPRESENTATIVE SHADOIN AND SENATOR WALSWORTH

A CONCURRENT RESOLUTION

To commend Brother Bubba Hoggatt upon being named Citizen of the Year at the 2017 Marion Mayhaw Festival and for his contributions to his community.

HOUSE CONCURRENT RESOLUTION NO. 102—
BY REPRESENTATIVE SHADON AND SENATOR WALSWORTH
A CONCURRENT RESOLUTION

To commend Evalyn Ormond for her many accomplishments, for her countless contributions to her community, and for her more than 40 years of service in healthcare.

HOUSE CONCURRENT RESOLUTION NO. 105—
BY REPRESENTATIVES BOUIE, BAGNERIS, CARPENTER, GARY CARTER, COX, FRANKLIN, GAINES, GLOVER, HALL, JIMMY HARRIS, HUNTER, JACKSON, JAMES, JEFFERSON, JENKINS, JORDAN, TERRY LANDRY, LYONS, MARCELLE, DUSTIN MILLER, NORTON, PIERRE, PRICE, AND SMITH AND SENATORS BARROW, BISHOP, BOUDREAUX, CARTER, COLOMB, MORRELL, PETERSON, AND TARVER
A CONCURRENT RESOLUTION

To commend Ernest James Gaines, world renowned novelist, short story writer, and teacher, for his many accomplishments and upon his receipt of the Urban League of Louisiana Equal Opportunity Award.

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

Mr. President	Fannin	Morrish
Allain	Gatti	Peacock
Appel	Hewitt	Perry
Barrow	Johns	Peterson
Bishop	LaFleur	Riser
Boudreaux	Lambert	Smith, G.
Carter	Long	Smith, J.
Chabert	Luneau	Tarver
Claitor	Martiny	Thompson
Colomb	Milkovich	Walsworth
Cortez	Mills	Ward
Donahue	Mizell	White
Erdey	Morrell	
Total - 38		

ABSENT

Total - 0

Announcements

The following committee meetings for June 1, 2017, were announced:

Education	At Adj of Jud. A	Hainkel Room
Finance	At Recess	Room A
Joint Transportation	At Recess	Room E
Judiciary A	At Recess	Hainkel Room
Local & Mun. Affairs	At Recess	Room F
Natural Resources	At Recess	Room C
Rev. & Fis. Affairs	At Adj of Local	Room F
Transportation	At Adj of Jt. Trans.	Room E

Adjournment

On motion of Senator Thompson, at 7:10 o'clock P.M. the Senate adjourned until Thursday, June 1, 2017, at 9:30 o'clock A.M.

The President of the Senate declared the Senate adjourned.

GLENN A. KOEPP
Secretary of the Senate

DIANE O' QUIN
Journal Clerk

