

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

TENTH DAY'S PROCEEDINGS

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

Senate Chamber
State Capitol
Baton Rouge, Louisiana

Wednesday, May 13, 2020

The Senate was called to order at 2:05 o'clock P.M. by Hon. Patrick Page Cortez, President of the Senate.

Morning Hour

CONVENING ROLL CALL

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

PRESENT

Mr. President	Foil	Mizell
Abraham	Harris	Morris
Bernard	Hewitt	Peacock
Bouie	Jackson	Pope
Carter	Johns	Price
Cathey	Luneau	Reese
Cloud	McMath	Smith
Connick	Milligan	White
Fesi	Mills, F.	Womack
Fields	Mills, R.	
Total - 29		

ABSENT

Allain	Hensgens	Tarver
Barrow	Lambert	Ward
Boudreaux	Peterson	
Henry	Talbot	
Total - 10		

The President of the Senate announced there were 29 Senators present and a quorum.

Prayer

The prayer was offered by Senator Louie Bernard, 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 Fesi, the reading of the Journal was dispensed with and the Journal of May 12, 2020, was adopted.

Introduction of Senate Resolutions

SENATE RESOLUTION NO. 38—
BY SENATOR JACKSON

A RESOLUTION

To express the sincere condolences of the Senate of the Legislature of Louisiana upon the death of Reverend Dr. Harry Blake, pastor and civil rights leader.

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

Reports of Committees

The following reports of committees were received and read:

**REPORT OF COMMITTEE ON
JUDICIARY A**

Senator Barrow Peacock, Chairman on behalf of the Committee on Judiciary A, submitted the following report:

May 12, 2020

To the President and Members of the Senate:

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

SENATE BILL NO. 115—
BY SENATOR CONNICK

AN ACT

To enact R.S. 37:223, relative to advertisements; to provide for advertisements of legal services; to require certain disclosures; to provide for terms and conditions; and to provide for related matters.

Reported favorably.

SENATE BILL NO. 186—
BY SENATOR HARRIS

AN ACT

To amend and reenact R.S. 13:2492 and 2495, relative to courts; to provide relative to the Municipal and Traffic Court of New Orleans; to provide relative to judgeships, divisions, clerks, procedures, terms, conditions, and requirements; and to provide for related matters.

Reported favorably.

SENATE BILL NO. 270—
BY SENATOR FIELDS

AN ACT

To amend and reenact R.S. 13:3049(B)(1)(a) and (b), and (2)(a), relative to juror compensation; to provide for daily compensation; to provide for mileage; and to provide for related matters.

Reported favorably.

SENATE BILL NO. 418—
BY SENATOR TALBOT

AN ACT

To amend and reenact Civil Code Article 3492 and 3493.10, Code of Civil Procedure Article 1732(1), R.S. 22:1269 (B) and R.S. 32:295.1(E), to enact R.S. 9:2800.25, and to repeal R.S. 22:333(E), relative to liability; to provide relative to civil liability and to motor vehicle liability coverage; to extend the general prescriptive period for delictual actions involving motor vehicle accidents; to prohibit the court from awarding a plaintiff the amount of medical expenses reduced or paid by a collateral source; to provide with respect to a jury trial in a lawsuit arising from a motor vehicle accident; to repeal the right of direct action against an insurer; to provide relative to the requirement to wear safety belts while operating a motor vehicle; to provide for the introduction of evidence of the failure to wear a safety belt under certain circumstances and effects of such evidence; to provide for exceptions; to provide that the failure to use a safety belt shall result in a reduction of damages; to require certain annual rate filings with the commissioner of insurance; to provide for a mandatory rate reduction under certain circumstances; to provide for an effective date; and to provide for related matters.

Reported with amendments.

SENATE BILL NO. 435—
BY SENATORS ABRAHAM AND FOIL
AN ACT

To amend and reenact R.S. 29:735(A)(1), relative to immunity from civil liability; to provide relative to certain immunity by public entities and persons from civil liability during disasters and emergencies; to provide relative to the Louisiana Homeland Security and Emergency Assistance and Disaster Act; to provide certain terms and conditions; and to provide for related matters.

Reported with amendments.

SENATE BILL NO. 489—
BY SENATOR MCMATH
AN ACT

To enact R.S. 37:1739, to limit the liability of governmental entities which require employees to work during a declared state of emergency; and to provide for related matters.

Reported with amendments.

Respectfully submitted,
BARROW PEACOCK
Chairman

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

Senator Peacock asked for and obtained a suspension of the rules to take up Senate Bills and Joint Resolutions just reported by Committees.

SENATE BILL NO. 115—
BY SENATOR CONNICK
AN ACT

To enact R.S. 37:223, relative to advertisements; to provide for advertisements of legal services; to require certain disclosures; to provide for terms and conditions; and to provide for related matters.

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

SENATE BILL NO. 186—
BY SENATOR HARRIS
AN ACT

To amend and reenact R.S. 13:2492 and 2495, relative to courts; to provide relative to the Municipal and Traffic Court of New Orleans; to provide relative to judgeships, divisions, clerks, procedures, terms, conditions, and requirements; and to provide for related matters.

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

SENATE BILL NO. 270—
BY SENATOR FIELDS
AN ACT

To amend and reenact R.S. 13:3049(B)(1)(a) and (b), and (2)(a), relative to juror compensation; to provide for daily compensation; to provide for mileage; and to provide for related matters.

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

SENATE BILL NO. 418—
BY SENATOR TALBOT
AN ACT

To amend and reenact Civil Code Article 3492 and 3493.10, Code of Civil Procedure Article 1732(1), R.S. 22:1269 (B) and R.S. 32:295.1(E), to enact R.S. 9:2800.25, and to repeal R.S. 22:333(E), relative to liability; to provide relative to civil liability and to motor vehicle liability coverage; to extend the general

prescriptive period for delictual actions involving motor vehicle accidents; to prohibit the court from awarding a plaintiff the amount of medical expenses reduced or paid by a collateral source; to provide with respect to a jury trial in a lawsuit arising from a motor vehicle accident; to repeal the right of direct action against an insurer; to provide relative to the requirement to wear safety belts while operating a motor vehicle; to provide for the introduction of evidence of the failure to wear a safety belt under certain circumstances and effects of such evidence; to provide for exceptions; to provide that the failure to use a safety belt shall result in a reduction of damages; to require certain annual rate filings with the commissioner of insurance; to provide for a mandatory rate reduction under certain circumstances; to provide for an 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 Original Senate Bill No. 418 by Senator Talbot

AMENDMENT NO. 1
On page 1, line 2, change "Article" to "Articles"

AMENDMENT NO. 2
On page 1, line 3, change ", R.S. 22:1269(B) and R.S. 32:291.1(E)" to "and R.S. 22:1269(B)"

AMENDMENT NO. 3
On page 1, line 4, after "R.S. 22:333(E)" and before ", relative to liability" insert "and R.S. 32:295.1(E)"

AMENDMENT NO. 4
On page 1, delete lines 8 through 13 and insert the following: "source; to provide relative to collateral source, prescription, jury trials, and jury trial thresholds under certain circumstances; to provide relative to the right of direct action against an insurer; to repeal provisions prohibiting certain evidence regarding the failure to wear safety belts; to"

AMENDMENT NO. 5
On page 2, delete lines 16 and 17

AMENDMENT NO. 6
On page 2, delete line 29, and on page 3, delete lines 1 and 2, and insert the following: "**or those** which arise due to damages sustained as a result of an act defined as a crime of violence under Chapter 1 of Title 14 of the Louisiana Revised Statutes of 1950, except as provided in Article 3496.2, are subject to a liberative prescription of two"

AMENDMENT NO. 7
On page 4, at the end of line 3, insert "**; evidence**"

AMENDMENT NO. 8
On page 4, delete lines 4 through 10, and insert the following:
"A. For the purpose of this Section, the following terms shall mean:

(1) "Health insurance issuer" means an health insurance coverage through a policy or certificate of insurance subject to regulation of insurance under state law, health maintenance organization, employer sponsored health plan, the office of group benefits, and an equivalent federal or state health plan.

(2) "Medical provider" means any healthcare provider, hospital, ambulance service, or their heirs or assignees.

B. In cases where a plaintiff's medical expenses have been paid, in whole or in part, by a health insurance issuer, Medicaid, or Medicare to a contracted or participating medical provider, the plaintiff's recovery of medical expenses is limited to the amount actually paid to the medical provider by the health insurance issuer, Medicaid, or Medicare and any applicable cost sharing amount, and not the amount billed."

AMENDMENT NO. 9

On page 4, line 11, change "B.(1)" to "C."

AMENDMENT NO. 10

On page 4, delete lines 15 through 20 in their entirety

AMENDMENT NO. 11

On page 4, line 21, change "C." to "D."

AMENDMENT NO. 12

On page 6, delete lines 8 through 26, and insert the following:

"Section 6. R.S. 22:333(E) and R.S. 32:295.1(E) are hereby repealed in their entirety."

AMENDMENT NO. 13

On page 7, line 27, change "Section 8." to "Section 7."

AMENDMENT NO. 14

On page 6 line 3, change "Section 9." to "Section 8."

AMENDMENT NO. 15

On page 7, between lines 15 and 16, insert the following:

"Section 9. The provisions of Section 3 of this Act regarding limitations upon jury trials shall have prospective application only and shall not apply to a cause of action arising or action pending prior to the effective date of this Act."

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

SENATE BILL NO. 435—

BY SENATORS ABRAHAM AND FOIL
AN ACT

To amend and reenact R.S. 29:735(A)(1), relative to immunity from civil liability; to provide relative to certain immunity by public entities and persons from civil liability during disasters and emergencies; to provide relative to the Louisiana Homeland Security and Emergency Assistance and Disaster Act; to provide certain terms and conditions; and to provide for related matters.

Reported with amendments by the Committee on Judiciary A.

SENATE COMMITTEE AMENDMENTS

Amendments proposed by Senate Committee on Judiciary A to Original Senate Bill No. 435 by Senator Abraham

AMENDMENT NO. 1

On page 1, line 2, after " 29:735(A)(1)," and before "relative to" insert "and to enact R.S. 29:773,"

AMENDMENT NO. 2

On page 1, line 5, after "Act;" and before "to provide" insert "to provide relative to limitation of liability during the COVID-19 public health emergency;"

AMENDMENT NO. 3

On page 1, line 8, after "reenacted" and before "to read" insert "and R.S. 29:773 is hereby enacted"

AMENDMENT NO. 4

On page 1, after line 17, insert the following:

"§773. Limitation of liability during the COVID-19 public health emergency

A. Notwithstanding any other provision of law to the contrary, no person or entity, including any local or state governmental entity or employee thereof, shall be liable for damages or personal injury resulting from or related to an actual or alleged exposure to COVID-19 in the course of or through such person or entity's business services or while engaged in the performance of such person or entity's duties, provided that the person or entity was relying on and generally followed applicable government standards and guidance related to COVID-19 exposure.

B. This provision shall not apply if damages resulted from or related to the actual or alleged exposure to COVID-19 is shown by clear and convincing evidence to be the result of gross negligence, willful misconduct, or intentional criminal misconduct.

C. This provision shall not affect the right of any person to receive benefits to which he would otherwise be entitled under the workers compensation law."

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

SENATE BILL NO. 489—

BY SENATOR MCMATH

AN ACT

To enact R.S. 37:1739, to limit the liability of governmental entities which require employees to work during a declared state of emergency; and to provide for related matters.

Reported with amendments by the Committee on Judiciary A.

SENATE COMMITTEE AMENDMENTS

Amendments proposed by Senate Committee on Judiciary A to Original Senate Bill No. 489 by Senator McMath

AMENDMENT NO. 1

On page 1, line 2, change "37:1739" to "29:773"

AMENDMENT NO. 2

On page 1, line 6, change "37:1739" to "29:773"

AMENDMENT NO. 3

On page 1, line 7, change "§1739." to "§773." and after "during" delete the remainder of the line and insert "the COVID-19 public health"

AMENDMENT NO. 4

On page 1, delete lines 9 through 14, and insert the following:

"A. A governmental entity which is in substantial compliance with Proclamation Number 25 JBE 2020 and any subsequent related proclamations and associated guidelines issued by the Center for Disease Control, shall not have civil liability for injury or death due to COVID-19 infection transmitted through an alleged exposure occurring on its premises or through the services provided by the governmental entity during the COVID-19 public health emergency as declared by Proclamation Number 25 JBE 2020, unless the injury or death was caused by gross negligence or willful and wanton misconduct."

AMENDMENT NO. 5

On page 1, delete lines 15 through 17, and on page 2, delete lines 1 through 3, and insert the following:

"B. For the purpose of this Section, "governmental entity" means the state, all agencies, boards,"

AMENDMENT NO. 6

On page 2, between lines 6 and 7, insert the following:

"Section 2. Due to the imminent threat posed by COVID-19 as provided in Proclamation Number 25 JBE 2020 and any subsequent related proclamations, declaring the existence of a statewide public health emergency, Section 1 of this Act shall be retroactive to March 11, 2020."

AMENDMENT NO. 7

On page 2, line 7, "Section 2." to "Section 3."

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

May 13, 2020

Senate Bills and Joint Resolutions on Second Reading Reported by Committees

SENATE BILL NO. 188— BY SENATOR WHITE

AN ACT

To enact R.S. 14:2(B)(29), relative to crimes of violence; to make the crime of possession of firearm or carrying concealed weapon by a person convicted of certain felonies a crime of violence; and to provide for related matters.

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

SENATE BILL NO. 229— BY SENATOR MCMATH

AN ACT

To amend and reenact R.S. 15:500 through 502, relative to evidence from criminalistics laboratories; to provide relative to information pertaining to certificates of analysis; to provide with respect to admissibility as evidence; to provide with respect to notice of opposing party and certification of subpoena request; to provide with respect to time delays to provide notice; to provide relative to testimony by simultaneous broadcast; and to provide for related matters.

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

SENATE BILL NO. 388— BY SENATOR FIELDS

AN ACT

To amend and reenact R.S. 40:1665.2(C)(1), relative to law enforcement officers; to provide relative to benefits to be paid to the surviving spouse, children, beneficiary, or estate of law enforcement officers; to provide for lifetime death benefits for the surviving spouse of a law enforcement officer; and to provide for related matters.

Reported by substitute by the Committee on Judiciary B. The bill was read by title; the committee substitute bill was read.

SENATE BILL NO. —(Substitute of Senate Bill No. 388 by Senator Fields)

BY SENATOR FIELDS

AN ACT

To amend and reenact R.S. 23:1233, relative to law enforcement officers; to provide relative to workers' compensation weekly death benefit of the surviving spouse; to allow continuation of benefits upon remarriage; and to provide for related matters.

Be it enacted by the Legislature of Louisiana:

Section 1. R.S. 23:1233 is hereby amended and reenacted to read as follows:

§1233. Death or marriage of dependent; age limit of minor dependent

A.(1) Weekly payments to a surviving spouse shall continue until the death or remarriage of such the surviving spouse. In the case of remarriage of a surviving spouse, two years compensation payments shall be payable in one lump sum.

(2) Notwithstanding Paragraph (1) of this Subsection, in any case in which the decedent was employed as a law enforcement officer as defined in R.S. 40:1665.2(B), the weekly payment to the surviving spouse shall continue until the death of the surviving spouse.

B. Weekly payments to a surviving child, physically or mentally incapacitated from earning, shall continue as long as such incapacity exists.

C. Weekly payments to a minor dependent child, who is not mentally or physically incapable of wage earning, shall terminate when he dies, marries, reaches the age of eighteen years, or, if enrolled and attending as a full-time student in any accredited educational institution, until he ceases to be so enrolled and attending or reaches the age of twenty-three years.

D. Weekly payments for all other dependents as determined in Subpart D of the Chapter shall continue as long as their dependency shall exist or shall terminate upon their deaths.

On motion of Senator Smith, the committee substitute bill was adopted and becomes Senate Bill No. 517 by Senator Fields, substitute for Senate Bill No. 388 by Senator Fields.

SENATE BILL NO. 517— (Substitute of Senate Bill No. 388 by Senator Fields)

BY SENATOR FIELDS

AN ACT

To amend and reenact R.S. 23:1233, relative to law enforcement officers; to provide relative to workers' compensation weekly death benefit of the surviving spouse; to allow continuation of benefits upon remarriage; and to provide for related matters.

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

SENATE BILL NO. 398— BY SENATOR FOIL

AN ACT

To enact R.S. 29:735.4(E), relative to the Governor's Office of Homeland Security and Emergency Preparedness; to provide for qualifications of volunteers to cyber response and recovery support efforts; and to provide for related matters.

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

SENATE BILL NO. 407— BY SENATOR FOIL

AN ACT

To amend and reenact R.S. 15:1199.22, 1199.24(A)(1), (2), (7), and (8), (B), (C), (D), (E), and (F), 1199.25, and 1199.26 and to enact R.S. 15:1199.24(A)(11) and (G), relative to the Post-Conviction Veterans Mentor Program; to provide for the authorization of the Post-Conviction Veterans Mentor Program; to provide for eligibility criteria; to provide for veteran mentors; to provide for screening of eligible mentors; to provide for work opportunities for inmates participating in the program; to provide for transitional facilities; 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 Original Senate Bill No. 407 by Senator Foil

AMENDMENT NO. 1

On page 1, line 3, after "15:1199.24(A)(11)" insert ", (12),"

AMENDMENT NO. 2

On page 1, line 11, after "15:1199.24(A)(11)" insert ", (12),"

AMENDMENT NO. 3

On page 3, between lines 9 and 10, insert the following: "(12) The sentencing judge and the district attorney of the jurisdiction of the conviction consent."

AMENDMENT NO. 4

On page 3, at the end of line 10, delete "Sub"

AMENDMENT NO. 5

On page 3, at the beginning of line 11, change "Section A" to "Subsection A"

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

SENATE BILL NO. 452—

BY SENATOR FOIL

AN ACT

To amend and reenact R.S. 47:9029(A)(3), relative to the lottery; to provide for the amount of gross revenues the Lottery Corporation is to annually transfer to the state treasury; and to provide for related matters.

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

SENATE BILL NO. 505—

BY SENATOR SMITH

AN ACT

To amend and reenact Code of Criminal Procedure Art. 320(G), (H) and (J), and Art.321(C)(5) and (6), R.S. 14:79(A)(3)(c) and (E), R.S. 15:574.4.2(A)(5), and R.S. 46:1846(A) and (C), to enact Code of Criminal Procedure Art. 320(L) and R.S. 15:574.2(A)(6), relative to protective orders; provides for domestic offenses, stalking, and sex offenses; provides for uniform abuse prevention orders; provides for types of bail; provides for violation of protective orders; provides for decisions of committee on parole; prohibits communication between offender and victim; provides for exceptions; makes technical corrections; and to provide for related matters.

Reported with amendments by the Committee on Judiciary C.

SENATE COMMITTEE AMENDMENTS

Amendments proposed by Senate Committee on Judiciary C to Original Senate Bill No. 505 by Senator Smith

AMENDMENT NO. 1

On page 1, line 2, after "(H)" insert ", (I)(1)(a),"

AMENDMENT NO. 2

On page 1, line 3, after "15:574.4.2(A)(5)," delete "and"

AMENDMENT NO. 3

On page 1, line 4, after "and (C)" insert "and 2132(4)"

AMENDMENT NO. 4

On page 1, line 12, after "(H)" insert ", (I)(1)(a),"

AMENDMENT NO. 5

On page 3, line 4, delete "Paragraph" and insert "Subparagraph" and delete "Subsection" and insert "Paragraph"

AMENDMENT NO. 6

On page 3, at the beginning of line 9, before "is denied" insert "and"

AMENDMENT NO. 7

On page 3, line 10, delete "Subsection" and insert "Paragraph"

AMENDMENT NO. 8

On page 3, line 19, delete "Subsection" and insert "Paragraph"

AMENDMENT NO. 9

On page 3, delete line 21 and insert "Paragraph H of this Article."

AMENDMENT NO. 10

On page 4, between lines 17 and 18, insert the following:

"I. Global positioning monitoring. (1)(a) In addition, the court shall order a defendant who is alleged to have committed the offense of first degree rape under the provisions of R.S. 14:42, and may order a defendant who is alleged to have committed an offense against the defendant's family or household member, as defined in R.S. 46:2132(4), or against the defendant's dating partner, as defined in R.S. 46:2151, or who is alleged to have committed the offense of domestic abuse battery under the provisions of R.S. 14:35.3, or who is alleged to have committed the offense of stalking under the provisions of R.S. 14:40.2, or who is alleged to have committed a sexual assault as defined in R.S. 46:2184 enumerated in Paragraph

G or J of this Article, to be equipped with a global positioning monitoring system as a condition of release on bail."

AMENDMENT NO. 11

On page 4, line 20, delete "Subsection G" and insert "Paragraph G of this Article"

AMENDMENT NO. 12

On page 5, line 10, delete "Subsection G" and insert "Paragraph G of this Article"

AMENDMENT NO. 13

On page 5, line 12, delete "Paragraph" and insert "Subparagraph" and delete "Subsection" and insert "Paragraph"

AMENDMENT NO. 14

On page 5, line 14, delete "Subsection" and insert "Paragraph"

AMENDMENT NO. 15

On page 5, line 23, delete "Subsection" and insert "Paragraph"

AMENDMENT NO. 16

On page 5, delete line 25 and insert "Paragraph H of this Article."

AMENDMENT NO. 17

On page 8, line 13, after "a judge" insert "of the court of conviction"

AMENDMENT NO. 18

On page 9, between lines 4 and 5, insert asterisks
 " * * * "

AMENDMENT NO. 19

On page 9, line 5, after "and (C)" insert "and 2132(4)"

AMENDMENT NO. 20

On page 9, line 9, between "14:2" and the comma "," insert "committed upon any person"

AMENDMENT NO. 21

On page 9, line 10, between "46:1844(W)" and the comma "," insert "committed upon any person"

AMENDMENT NO. 22

On page 9, line 11, between "46:1844(W)" and the comma "," insert "committed upon any person"

AMENDMENT NO. 23

On page 9, line 19, between "14:2" and the comma "," insert "committed upon any person"

AMENDMENT NO. 24

On page 9, line 20, between "46:1844(W)" and the comma "," insert "committed upon any person"

AMENDMENT NO. 25

On page 9, line 21, between "46:1844(W)" and the comma "," insert "committed upon any person"

AMENDMENT NO. 26

On page 10, after line 1, insert the following:

"§2132. Definitions

As used in this Part:

* * *

(4) "Family members" means spouses, former spouses, parents and children, stepparents, stepchildren, foster parents, and foster children. "Household members" means any person presently or formerly living in the same residence with the defendant and who is involved or has been involved in a sexual or intimate relationship with the defendant and who is seeking protection under this Part, or any child presently or formerly living in the same residence with the defendant, or any child of the defendant regardless of where the child resides. "Dating partner" means any person protected from violence under R.S. 46:2151 who is seeking protection under this

May 13, 2020

Part. If a parent or grandparent is being abused by an adult child, adult foster child, or adult grandchild, the provisions of this Part shall apply to any proceeding brought in district court."

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

Senate Concurrent Resolutions on Second Reading Reported by Committees

SENATE CONCURRENT RESOLUTION NO. 25— BY SENATOR FOIL

A CONCURRENT RESOLUTION

To reconstitute and extend the term of the Task Force on Protecting Children from Exposure to Pornography, which was created to study all issues related to the exposure of children to pornography and the impact that it has on their lives.

Reported favorably by the Committee on Judiciary C.

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

ROLL CALL

The roll was called with the following result:

YEAS

Table with 3 columns: Mr. President, Fields, Mills, R. Lists names of senators voting 'YEAS'.

Total - 32

NAYS

Total - 0

ABSENT

Table with 3 columns: Boudreaux, Peterson, Womack. Lists names of senators who are absent.

Total - 7

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

SENATE CONCURRENT RESOLUTION NO. 54— BY SENATORS BOUDREAUX AND MILLIGAN

A CONCURRENT RESOLUTION

To memorialize the Congress of the United States to fully fund the Corporation for National and Community Service (CNCS) and its programs, including the LaVetCorps in FY 2021.

Reported favorably by the Committee on Judiciary B.

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

ROLL CALL

The roll was called with the following result:

YEAS

Table with 3 columns: Mr. President, Fields, Mills, R. Lists names of senators voting 'YEAS'.

Total - 29

NAYS

Total - 0

ABSENT

Table with 3 columns: Boudreaux, Johnson, White. Lists names of senators who are absent.

Total - 10

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

SENATE BILL NO. 55— BY SENATOR FOIL

AN ACT

To amend and reenact R.S. 51:3143(B) and 3163(B), relative to certain contract providers; to provide for registration with the secretary of state; to provide relative to the application form and required information; to provide for procedures; and to provide for related matters.

The bill was read by title. Senator Foil moved the final passage of the bill.

ROLL CALL

The roll was called with the following result:

YEAS

Table with 3 columns: Mr. President, Foil, Mizell. Lists names of senators voting 'YEAS'.

Total - 33

NAYS

Table with 1 column: Barrow. Lists names of senators voting 'NAYS'.

Total - 1

ABSENT

Table with 3 columns: Boudreaux, Jackson, White. Lists names of senators who are absent.

Total - 5

The Chair declared the bill was passed and ordered it sent to the House. Senator Foil moved to reconsider the vote by which the bill was passed and laid the motion on the table.

SENATE BILL NO. 67—
BY SENATOR FRED MILLS

AN ACT

To repeal R.S. 28:4, 237, Chapter 2 of Title 28 of the Louisiana Revised Statutes of 1950, consisting of R.S. 28:241 through 249, and 824(A) through (H), R.S. 36:259(B)(12), (23), (27), (28), (29), and (33), R.S. 40:31.65(A), 642, 700.12, Part XI of Chapter 4 of Title 40 of the Louisiana Revised Statutes of 1950, consisting of R.S. 40:1051 through 1055, 1057.12, 1058, 1105.10(C), 1105.11(C), 1135.13, Part III of Subchapter B of Chapter 5-D of Title 40 of the Louisiana Revised Statutes of 1950, consisting of R.S. 40:1185.1 through 1185.6, 1189.6, Part III of Subchapter D of Chapter 5-D of Title 40 of the Louisiana Revised Statutes of 1950, consisting of R.S. 40:1215.1 and 1215.2, Part VI of Subchapter D of Chapter 5-D of Title 40 of the Louisiana Revised Statutes of 1950, consisting of R.S. 40:1221.1 through 1221.11, 1249.3(B), 1261.1, 1263.5, Part IX of Subchapter A of Chapter 5-F of Title 40 of the Louisiana Revised Statutes of 1950, consisting of R.S. 40:1277.1, Part X of Subchapter A of Chapter 5-F of Title 40 of the Louisiana Revised Statutes of 1950, consisting of R.S. 40:1279.1, 1283.2, Part V of Subchapter B of Chapter 5-F of Title 40 of the Louisiana Revised Statutes of 1950, consisting of R.S. 40:1290.1 through 1290.4, Part I-A of Chapter 6 of Title 40 of the Louisiana Revised Statutes of 1950, consisting of R.S. 40:1312.1 through 1312.27, Subpart E of Part III of Chapter 6 of Title 40 of the Louisiana Revised Statutes of 1950, consisting of R.S. 40:1460.1 and 1460.2, 1597.2(B), 2001, 2009.1, 2013.4 through 2013.6, 2016, 2018.4, 2108, 2116.34(B), 2120.9, Part VI-B of Chapter 11 of Title 40 of the Louisiana Revised Statutes of 1950, consisting of R.S. 40:2175.11 through 2175.15, Part VI-C of Chapter 11 of Title 40 of the Louisiana Revised Statutes of 1950, consisting of R.S. 40:2176.1, Part IX of Chapter 11 of Title 40 of the Louisiana Revised Statutes of 1950, consisting of R.S. 40:2194 through 2194.5, Part X-A of Chapter 11 of Title 40 of the Louisiana Revised Statutes of 1950, consisting of R.S. 40:2195.6, Part XI of Chapter 11 of Title 40 of the Louisiana Revised Statutes of 1950, consisting of R.S. 40:2196 through 2196.7, Part XV of Chapter 11 of Title 40 of the Louisiana Revised Statutes of 1950, consisting of R.S. 40:2200.11 through 2200.15, Chapter 16 of Title 40 of the Louisiana Revised Statutes of 1950, consisting of R.S. 40:2331 and 2332, Chapter 17 of Title 40 of the Louisiana Revised Statutes of 1950, consisting of R.S. 40:2351 through 2355, 2405.2, Chapter 21 of Title 40 of the Louisiana Revised Statutes of 1950, consisting of R.S. 40:2481 through 2483, Chapter 23 of Title 40 of the Louisiana Revised Statutes of 1950, consisting of R.S. 40:2501 through 2505, and Chapter 24 of Title 40 of the Louisiana Revised Statutes of 1950, consisting of R.S. 40:2511 through 2519, and R.S. 46:52.2, Subpart A-1 of Part I of Chapter 3 of Title 46 of the Louisiana Revised Statutes of 1950, consisting of R.S. 46:160 through 160.11, Subpart B of Part I of Chapter 3 of Title 46 of the Louisiana Revised Statutes of 1950, consisting of R.S. 46:161 through 165, Subpart C of Part II of Chapter 3 of Title 46 of the Louisiana Revised Statutes of 1950, consisting of R.S. 46:261, Subpart D-3 of Part II of Chapter 3 of Title 46 of the Louisiana Revised Statutes of 1950, consisting of R.S. 46:287.1 through 287.9, Subpart D-1 of Part VI-A of Chapter 3 of Title 46 of the Louisiana Revised Statutes of 1950, consisting of R.S. 46:440.4 through 440.8, 1094(D), 1442.3, Chapter 25 of Title 46 of the Louisiana Revised Statutes of 1950, consisting of R.S. 46:1991 through 1996, 2405.1, Chapter 35-A of Title 46 of the Louisiana Revised Statutes of 1950, consisting of R.S. 46:2431 through 2434, Chapter 52 of Title 46 of the Louisiana Revised Statutes of 1950, consisting of R.S. 46:2671 through 2675, and 2758.2(E) and (F); to repeal certain inactive or obsolete laws; and to provide for related matters.

On motion of Senator Fred Mills, the bill was read by title and returned to the Calendar, subject to call.

SENATE BILL NO. 69—
BY SENATOR BOUDREAU

AN ACT

To amend and reenact R.S. 44:422, relative to records held by state agencies; to provide relative to the investigation of records in certain instances; to provide for the appropriate investigative bodies; and to provide for related matters.

On motion of Senator Mizell, the bill was read by title and returned to the Calendar, subject to call.

SENATE BILL NO. 105—
BY SENATORS PEACOCK AND CATHEY

AN ACT

To enact R.S. 49:164.1, relative to state symbols; to provide for the official state butterfly; and to provide for related matters.

On motion of Senator Peacock, the bill was read by title and returned to the Calendar, subject to call.

SENATE BILL NO. 168—
BY SENATORS FRED MILLS, BARROW, BOUDREAU, MCMATH, MIZELL, POPE AND WARD

AN ACT

To enact R.S. 40:5.9.1, relative to public drinking water; to create and provide for the Community Drinking Water Infrastructure Sustainability Act; to provide for public purpose; to provide for a statewide system of community water system accountability; to provide for rulemaking; to provide for development of a letter grade schedule reflective of community water system quality and performance; to provide for publication of quality and performance scores and letter grades; to provide for requirement of an improvement plan; to provide for penalties; and to provide for related matters.

On motion of Senator Fred Mills, the bill was read by title and returned to the Calendar, subject to call.

SENATE BILL NO. 258—
BY SENATOR CARTER

AN ACT

To amend and reenact R.S. 33:2211(A)(2), R.S. 33:2214(A)(1), and (B)(1) relative to the city of Westwego Police Department; to provide for laws governing employment of municipal police, including matters of compensation, leave, and hours; and to provide for related matters.

On motion of Senator Carter, the bill was read by title and withdrawn from the files of the Senate.

SENATE BILL NO. 312—
BY SENATOR FESI

AN ACT

To amend and reenact the introductory paragraph of R.S. 30:2503(A)(2), 2506(A) and (B)(1), (2), (7)(a), and (9), relative to the state Department of Education; to provide relative to the duties of the environmental and litter reduction section within the department; to provide relative to the membership of the Louisiana Environmental Education Commission; and to provide for related matters.

The bill was read by title. Senator Fesi moved the final passage of the bill.

ROLL CALL

The roll was called with the following result:

YEAS

Mr. President	Foil	Mizell
Abraham	Harris	Morris
Allain	Henry	Peacock
Barrow	Hewitt	Pope
Bernard	Johns	Reese
Bouie	Lambert	Smith

May 13, 2020

Carter	Luneau	Talbot
Cathey	McMath	Tarver
Cloud	Milligan	Ward
Fesi	Mills, F.	Womack
Fields	Mills, R.	
Total - 32		

NAYS

Total - 0

ABSENT

Boudreaux	Jackson	White
Connick	Peterson	
Hensgens	Price	
Total - 7		

The Chair declared the bill was passed and ordered it sent to the House. Senator Fesi moved to reconsider the vote by which the bill was passed and laid the motion on the table.

SENATE BILL NO. 313—
BY SENATOR PETERSON

AN ACT

To enact R.S. 33:4096(A)(1)(c)(iv), relative to the Sewerage and Water Board of New Orleans; to provide relative to exemptions related to the Orleans Parish School Board; and to provide for related matters.

The bill was read by title. Senator Carter moved the final passage of the bill.

ROLL CALL

The roll was called with the following result:

YEAS

Mr. President	Fields	Mills, R.
Abraham	Foil	Mizell
Allain	Harris	Morris
Barrow	Henry	Peacock
Bernard	Hewitt	Pope
Bouie	Johns	Reese
Carter	Lambert	Smith
Cathey	Luneau	Talbot
Cloud	McMath	Tarver
Connick	Milligan	Ward
Fesi	Mills, F.	Womack
Total - 33		

NAYS

Total - 0

ABSENT

Boudreaux	Jackson	Price
Hensgens	Peterson	White
Total - 6		

The Chair declared the bill was passed and ordered it sent to the House. Senator Carter moved to reconsider the vote by which the bill was passed and laid the motion on the table.

SENATE BILL NO. 390—
BY SENATOR PETERSON

AN ACT

To amend and reenact R.S. 33:4071(A)(1)(e), 4084(A)(1)(b) and (2) and (E), 4085(A) and (B), and 4090, and to enact R.S. 33:4084(A)(1)(c), relative to the Sewerage and Water Board of New Orleans; to provide relative to the board; to provide for the purchase of supplies and machinery and equipment; to provide for the letting and bidding of public contracts over a certain amount; to provide relative to the costs of the installation of connections and subsequent work; to provide for reports of board; to provide relative to exemptions related to the Orleans Parish School Board; and to provide for related matters.

Floor Amendments

Senator Carter proposed the following amendments.

SENATE FLOOR AMENDMENTS

Amendments proposed by Senator Carter to Engrossed Senate Bill No. 390 by Senator Peterson

AMENDMENT NO. 1

On page 2, line 12, change "less" to "not more"

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

Mr. President	Foil	Morris
Abraham	Harris	Peacock
Allain	Henry	Pope
Barrow	Hewitt	Price
Bernard	Johns	Reese
Bouie	Lambert	Smith
Carter	Luneau	Talbot
Cathey	McMath	Tarver
Cloud	Milligan	Ward
Connick	Mills, F.	White
Fesi	Mills, R.	Womack
Fields	Mizell	
Total - 35		

NAYS

Total - 0

ABSENT

Boudreaux	Jackson
Hensgens	Peterson
Total - 4	

The Chair declared the amended bill was passed, ordered reengrossed and sent to the House. Senator Carter moved to reconsider the vote by which the bill was passed and laid the motion on the table.

SENATE BILL NO. 16—
BY SENATOR LUNEAU

AN ACT

To amend and reenact R.S. 22:1454(A), relative to rating standards and methods; to prohibit the determination of rate classifications based on the deployment of the insured in the military for at least six months; and to provide for related matters.

Floor Amendments

Senator Luneau proposed the following amendments.

SENATE FLOOR AMENDMENTS

Amendments proposed by Senator Luneau to Engrossed Senate Bill No. 16 by Senator Luneau

AMENDMENT NO. 1

On page 1, line 2, after "To" delete "amend and reenact R.S. 22:1454(A)" and insert "enact R.S. 22:1482(D) and 1482.1(C)"

AMENDMENT NO. 2

On page 1, line 6, delete "R.S. 22:1454(A) is hereby amended and reenacted" and insert "R.S. 22:1482(D) and 1482.1(C) are hereby amended and"

AMENDMENT NO. 3

On page 1, delete lines 7 through 13, and insert the following:
 "§1482. Military personnel premium discount; rebates; rating standards and methods
 * * *

D. Except for the purpose of administering the military personnel premium discounts set forth herein and in R.S. 22:1482.1, the fact that the insured is deployed in the military for a period in excess of six months shall not be used by any insurer for the classification of risks.
 * * *

§1482.1. Military personnel premium discount for homeowner's insurance; rating standards and methods
 * * *

C. Except for the purpose of administering the military personnel premium discounts set forth herein and in R.S. 22:1482, the fact that the insured is deployed in the military for a period in excess of six months shall not be used by any insurer for the classification of risks.
 * * *

On motion of Senator Luneau, the amendments were adopted.

The bill was read by title. Senator Luneau moved the final passage of the amended bill.

ROLL CALL

The roll was called with the following result:

YEAS

Mr. President	Harris	Mizell
Abraham	Henry	Morris
Barrow	Hensgens	Peacock
Bernard	Hewitt	Pope
Bouie	Jackson	Price
Carter	Johns	Reese
Cathey	Lambert	Smith
Cloud	Luneau	Talbot
Connick	McMath	Tarver
Fesi	Milligan	Ward
Fields	Mills, F.	White
Foil	Mills, R.	Womack
Total - 36		

NAYS

Total - 0

ABSENT

Allain	Boudreaux	Peterson
Total - 3		

The Chair declared the amended bill was passed, ordered reengrossed and sent to the House. Senator Luneau moved to reconsider the vote by which the bill was passed and laid the motion on the table.

SENATE BILL NO. 32—
 BY SENATOR CONNICK

AN ACT

To amend and reenact R.S. 14:42.1(B), relative to the crime of second degree rape; to provide that any sentence of imprisonment upon conviction of second degree rape is to be without benefit of probation, parole, or suspension of sentence; and to provide for related matters.

The bill was read by title. Senator Connick moved the final passage of the bill.

ROLL CALL

The roll was called with the following result:

YEAS

Mr. President	Foil	Mizell
Abraham	Harris	Morris
Allain	Henry	Peacock
Barrow	Hensgens	Pope
Bernard	Hewitt	Price
Bouie	Johns	Reese
Carter	Lambert	Smith
Cathey	Luneau	Talbot
Cloud	McMath	Tarver
Connick	Milligan	Ward
Fesi	Mills, F.	White
Fields	Mills, R.	Womack
Total - 36		

NAYS

Total - 0

ABSENT

Boudreaux	Jackson	Peterson
Total - 3		

The Chair declared the bill was passed and ordered it sent to the House. Senator Connick moved to reconsider the vote by which the bill was passed and laid the motion on the table.

SENATE BILL NO. 50—
 BY SENATOR MCMATH

AN ACT

To amend and reenact R.S. 15:571.11(A)(4) and R.S. 32:300.5 and to repeal R.S. 32:300.6, 300.7, and 300.8, relative to the prohibition of the use of certain wireless telecommunications devices while operating a motor vehicle; to provide for definitions; to provide for exceptions and penalties relative to the use of certain wireless telecommunications devices while operating a motor vehicle; and to provide for related matters.

Floor Amendments

Senator McMath proposed the following amendments.

SENATE FLOOR AMENDMENTS

Amendments proposed by Senator McMath to Engrossed Senate Bill No. 50 by Senator McMath

AMENDMENT NO. 1

On page 1, line 13, after "collected" insert "on a first violation"

AMENDMENT NO. 2

On page 1, line 15, after "was issued" insert "and fifty dollars from each fine collected on any subsequent violation pursuant to R.S. 32:300.5 shall be distributed to the indigent defender fund of the judicial district in which the citation was issued"

AMENDMENT NO. 3

On page 6, line 4, after "law" delete the remainder of the line and delete lines 5 through 7, and insert "Except as otherwise provided in Subparagraphs (2)(a) through (d) of this Subsection, using the telecommunication device to write, send, or read a text-based communication or using the telecommunication device to access, read, or post to a social media website shall not be permitted while a vehicle is positioned in a travel lane."

AMENDMENT NO. 4

On page 6, delete lines 10 and 11, and insert "punishable by a fine of not less than fifty dollars and not more than one hundred dollars and, at the judge's discretion, community service not to

May 13, 2020

exceed fifteen hours, at least half of which shall consist of participation in a litter abatement or collection program."

AMENDMENT NO. 5

On page 6, line 14, after "dollars" insert "and, at the judge's discretion, community service not to exceed thirty hours, at least half of which shall consist of participation in a litter abatement or collection program"

AMENDMENT NO. 6

On page 6, line 17, after "days" insert "and, at the judge's discretion, community service not to exceed sixty hours, at least half of which shall consist of participation in a litter abatement or collection program"

On motion of Senator McMath, the amendments were adopted.

The bill was read by title. Senator McMath moved the final passage of the amended bill.

ROLL CALL

The roll was called with the following result:

YEAS

Mr. President Hensgens Pope
Abraham Hewitt Price
Barrow Jackson Reese
Bernard Johns Smith
Bouie Lambert Talbot
Carter Luneau Tarver
Cathey McMath Ward
Fields Milligan White
Foil Mills, F. Womack
Harris Mizell
Henry
Total - 31

NAYS

Allain Fesi Peacock
Connick Morris
Total - 5

ABSENT

Boudreaux Cloud Peterson
Total - 3

The Chair declared the amended bill was passed, ordered reengrossed and sent to the House. Senator McMath moved to reconsider the vote by which the bill was passed and laid the motion on the table.

SENATE BILL NO. 65— BY SENATOR TALBOT

AN ACT

To amend and reenact R.S. 22:1284.1 and 1964(7)(j) and R.S. 32:861.1, relative to automobile insurance; to provide for a definition of "lapse in coverage"; to provide for nondiscriminatory treatment of persons with a lapse in coverage; to provide for an unfair trade practice for discriminatory treatment of persons with a lapse in coverage; to provide for an exemption from the Motor Vehicle Safety Responsibility Law due to out-of-state services in the uniformed services; to provide for a notification procedure for the service member exemption; and to provide for related matters.

The bill was read by title. Senator Talbot moved the final passage of the bill.

ROLL CALL

The roll was called with the following result:

YEAS

Mr. President Harris Morris
Abraham Henry Peacock
Allain Hensgens Pope
Barrow Hewitt Price
Bernard Jackson Reese
Bouie Johns Smith
Carter Lambert Talbot
Cathey Luneau Tarver
Cloud McMath Ward
Connick Milligan White
Fesi Mills, F. Womack
Fields Mills, R.
Foil Mizell
Total - 37

NAYS

Total - 0

ABSENT

Boudreaux Peterson
Total - 2

The Chair declared the bill was passed and ordered it sent to the House. Senator Talbot moved to reconsider the vote by which the bill was passed and laid the motion on the table.

SENATE BILL NO. 75— BY SENATOR MIZELL

AN ACT

To amend and reenact R.S. 18:1306(E)(2)(a) and 1307(A), relative to absentee voting; to prohibit the sending of absentee by mail ballots to certain addresses; to limit who may witness more than one certificate of a voter to an immediate family member; and to provide for related matters.

The bill was read by title. Senator Mizell moved the final passage of the bill.

ROLL CALL

The roll was called with the following result:

YEAS

Mr. President Harris Morris
Abraham Henry Peacock
Allain Hensgens Pope
Barrow Hewitt Price
Bernard Jackson Reese
Bouie Johns Smith
Carter Lambert Talbot
Cathey Luneau Tarver
Cloud McMath Ward
Connick Milligan White
Fesi Mills, F. Womack
Fields Mills, R.
Foil Mizell
Total - 37

NAYS

Total - 0

ABSENT

Boudreaux Peterson
Total - 2

The Chair declared the bill was passed and ordered it sent to the House. Senator Mizell moved to reconsider the vote by which the bill was passed and laid the motion on the table.

SENATE BILL NO. 102— BY SENATOR FIELDS

AN ACT

To amend and reenact R.S. 32:402(B)(3) and to enact R.S. 47:532.1(F), relative to payments to public license tag agents and auto title companies for the office of motor vehicles; to provide with respect to acceptable payment methods to public license tag agents and auto title companies; and to provide for related matters.

Floor Amendments

Senator Fields proposed the following amendments.

SENATE FLOOR AMENDMENTS

Amendments proposed by Senator Fields to Engrossed Senate Bill No. 102 by Senator Fields

AMENDMENT NO. 1 On page 2, line 1, after "accept" insert "cash."

AMENDMENT NO. 2 On page 2, line 1, after "cards" insert a coma ",."

AMENDMENT NO. 3 On page 2, line 10, after "accept" insert "cash."

AMENDMENT NO. 4 On page 2, line 11, after "cards" insert a coma ",."

On motion of Senator Fields, the amendments were adopted.

Floor Amendments

Senator White proposed the following amendments.

SENATE FLOOR AMENDMENTS

Amendments proposed by Senator White to Engrossed Senate Bill No. 102 by Senator Fields

AMENDMENT NO. 1 On page 1, line 2, after "47:532.1(F)" insert "and (G)"

AMENDMENT NO. 2 On page 2, line 4, after "47:532.1(F)" delete "is" and insert "and (G) are"

AMENDMENT NO. 3 On page 2, between lines 11 and 12, insert the following: "G. In addition to any other convenience fees provided by this Section, the public license tag agents shall be authorized to collect a credit or debit card convenience fee of three dollars for each credit or debit card transaction."

Senator White moved the adoption of the amendments.

Senator Price objected.

ROLL CALL

The roll was called with the following result:

YEAS

Mr. President Abraham Allain Bernard Henry Hensgens Hewitt Johns Morris Pope Smith Talbot

Cathey Cloud Connick Fesi Fields Foil Lambert Luneau McMath Milligan Mills, F. Mills, R. Tarver Ward White Womack Total - 28

NAYS

Barrow Bouie Carter Harris Jackson Mizell Peacock Price Reese Total - 9

ABSENT

Boudreaux Peterson Total - 2

The Chair declared the amendments were adopted.

The bill was read by title. Senator Fields moved the final passage of the amended bill.

ROLL CALL

The roll was called with the following result:

YEAS

Mr. President Abraham Allain Barrow Bernard Bouie Carter Cathey Cloud Connick Fesi Fields Harris Henry Hensgens Hewitt Jackson Johns Lambert Luneau McMath Milligan Mills, F. Mills, R. Mizell Morris Peacock Pope Price Reese Smith Talbot Tarver Ward White Womack Total - 36

NAYS

Total - 0

ABSENT

Boudreaux Foil Peterson Total - 3

The Chair declared the amended bill was passed, ordered reengrossed and sent to the House. Senator Fields moved to reconsider the vote by which the bill was passed and laid the motion on the table.

SENATE BILL NO. 110— BY SENATOR ALLAIN

AN ACT

To enact R.S. 9:1256 and 1257, relative to servitudes; to provide relative to predial servitudes; to provide relative to servitudes of drain; to provide for alteration and extinction of certain servitudes of drain; to provide for exercise of certain servitudes of drain; to provide for acts by the dominant and servient estate owners; to provide certain terms, procedures, conditions, effects, and requirements; and to provide for related matters.

The bill was read by title. Senator Allain moved the final passage of the bill.

May 13, 2020

ROLL CALL

The roll was called with the following result:

YEAS

Table with 3 columns: Name, Harris, Mizell. Lists names like Mr. President, Abraham, Allain, Barrow, Bernard, Bouie, Carter, Cathey, Cloud, Connick, Fesi, Fields.

Total - 36

NAYS

Total - 0

ABSENT

Table with 3 columns: Name, Foil, Peterson. Lists Boudreaux.

Total - 3

The Chair declared the bill was passed and ordered it sent to the House. Senator Allain moved to reconsider the vote by which the bill was passed and laid the motion on the table.

SENATE BILL NO. 120—

BY SENATOR SMITH

AN ACT

To amend and reenact R.S. 4:144(B), relative to the Louisiana State Racing Commission; to require that three members of the commission be owners of racehorses; and to provide for related matters.

The bill was read by title. Senator Smith moved the final passage of the bill.

ROLL CALL

The roll was called with the following result:

YEAS

Table with 3 columns: Name, Harris, Mizell. Lists names like Mr. President, Abraham, Allain, Barrow, Bernard, Bouie, Carter, Cathey, Cloud, Connick, Fesi, Fields.

Total - 35

NAYS

Peacock Total - 1

ABSENT

Table with 3 columns: Name, Foil, Peterson. Lists Boudreaux.

Total - 3

The Chair declared the bill was passed and ordered it sent to the House. Senator Smith moved to reconsider the vote by which the bill was passed and laid the motion on the table.

SENATE BILL NO. 130—

BY SENATOR HENRY

AN ACT

To enact R.S. 18:1300.24 and R.S. 27:15.1, relative to sports wagering; to provide for a proposition election to determine whether sports wagering activities and operations will be permitted in a parish; to provide for regulatory authority with the Louisiana Gaming Control Board; to require the enactment and effectiveness of laws on licensing, regulation, and taxation of sports wagering activities before such activities are permitted; and to provide for related matters.

The bill was read by title. Senator Henry moved the final passage of the bill.

ROLL CALL

The roll was called with the following result:

YEAS

Table with 3 columns: Name, Foil, Mills, F. Lists names like Mr. President, Allain, Barrow, Bernard, Bouie, Carter, Cathey, Cloud, Connick, Fields.

Total - 29

NAYS

Table with 3 columns: Name, Mizell, Price. Lists Abraham, Fesi, Jackson.

Total - 8

ABSENT

Table with 3 columns: Name, Peterson. Lists Boudreaux.

Total - 2

The Chair declared the bill was passed and ordered it sent to the House. Senator Henry moved to reconsider the vote by which the bill was passed and laid the motion on the table.

SENATE BILL NO. 163—

BY SENATOR CATHEY AND REPRESENTATIVE MCFARLAND

AN ACT

To enact R.S. 3:3816(8), relative to the Horticulture Commission; to provide relative to professions regulated by the Horticulture Commission; to provide relative to licensure requirements; to provide an exemption for certain contractors to licensure requirements; to provide for definitions; and to provide for related matters.

The bill was read by title. Senator Cathey moved the final passage of the bill.

ROLL CALL

The roll was called with the following result:

YEAS

Table with 3 columns: Name, Henry, Morris. Lists names like Mr. President, Abraham, Allain, Bernard, Cathey, Cloud, Connick, Fesi.

Fields	Mills, F.	White
Foil	Mills, R.	Womack
Harris	Mizell	
Total - 32		

NAYS

Bouie	Carter	Tarver
Total - 3		

ABSENT

Barrow	Luneau
Boudreaux	Peterson
Total - 4	

The Chair declared the bill was passed and ordered it sent to the House. Senator Cathey moved to reconsider the vote by which the bill was passed and laid the motion on the table.

SENATE BILL NO. 174—
BY SENATOR BERNARD

AN ACT

To amend and reenact R.S. 22:1063(C), 1068(B)(2), 1074(B)(2), 1091(B)(9), 1092(I), and the introductory paragraph of R.S. 22:2401, relative to health insurance; to make technical changes in references to federal law; and to provide for related matters.

The bill was read by title. Senator Bernard moved the final passage of the bill.

ROLL CALL

The roll was called with the following result:

YEAS

Mr. President	Foil	Mizell
Abraham	Harris	Morris
Allain	Henry	Peacock
Barrow	Hewitt	Pope
Bernard	Jackson	Price
Bouie	Johns	Reese
Carter	Lambert	Smith
Cathey	Luneau	Talbot
Cloud	McMath	Tarver
Connick	Milligan	Ward
Fesi	Mills, F.	White
Fields	Mills, R.	Womack
Total - 36		

NAYS

Total - 0

ABSENT

Boudreaux	Hensgens	Peterson
Total - 3		

The Chair declared the bill was passed and ordered it sent to the House. Senator Bernard moved to reconsider the vote by which the bill was passed and laid the motion on the table.

SENATE BILL NO. 178—
BY SENATOR ALLAIN

AN ACT

To amend and reenact R.S. 26:271.2(2)(b), 271.4, and 308(A), (B), (C)(1), (2), (8) and (11)(b), (D), (E), and (F)(1), and to enact R.S. 26:241(26), relative to the delivery of alcoholic beverages; to provide for third party delivery companies and platforms; to provide for delivery agreements; to provide for requirements; to provide for limitations; and to provide for related matters.

Floor Amendments

Senator Fred Mills sent up floor amendments.

SENATE FLOOR AMENDMENTS

Amendments proposed by Senator Fred Mills on behalf of the Legislative Bureau to Engrossed Senate Bill No. 178 by Senator Allain

AMENDMENT NO. 1

On page 3, line 4, following "company or" change "a" to "the"

AMENDMENT NO. 2

On page 3, line 15, following "company or" and before "third" change "a" to "the"

AMENDMENT NO. 3

On page 4, lines 11, 17, 19, 21, 26 and 28, following "company or" and before "third" change "a" to "the"

AMENDMENT NO. 4

On page 5, lines 4 and 18, following "company or" and before "third" change "a" to "the"

On motion of Senator Fred Mills, the amendments were adopted.

Floor Amendments

Senator Allain proposed the following amendments.

SENATE FLOOR AMENDMENTS

Amendments proposed by Senator Allain to Engrossed Senate Bill No. 178 by Senator Allain

AMENDMENT NO. 1

On page 2, line 13, delete "alcohol"

On motion of Senator Allain, the amendments were adopted.

Floor Amendments

Senator Allain proposed the following amendments.

SENATE FLOOR AMENDMENTS

Amendments proposed by Senator Allain to Engrossed Senate Bill No. 178 by Senator Allain

AMENDMENT NO. 1

On page 4, at the beginning of line 29, change "an interview" to "a screening"

On motion of Senator Allain, the amendments were adopted.

The bill was read by title. Senator Allain moved the final passage of the amended bill.

ROLL CALL

The roll was called with the following result:

YEAS

Mr. President	Hensgens	Morris
Allain	Hewitt	Peacock
Bernard	Jackson	Pope
Bouie	Johns	Price
Carter	Lambert	Reese
Cathey	Luneau	Smith
Connick	McMath	Talbot
Fesi	Milligan	Tarver
Foil	Mills, F.	Ward
Harris	Mills, R.	White
Henry	Mizell	
Total - 32		

May 13, 2020

NAYS

Abraham	Cloud	Womack
Barrow	Fields	
Total - 5		

ABSENT

Boudreaux	Peterson
Total - 2	

The Chair declared the amended bill was passed, ordered reengrossed and sent to the House. Senator Allain moved to reconsider the vote by which the bill was passed and laid the motion on the table.

SENATE BILL NO. 191—
BY SENATOR WHITE

AN ACT

To enact R.S. 44:4(59) and 22.2, relative to public records; to provide for contracts with the Department of Economic Development; to provide for confidentiality of certain information submitted pursuant to a contract with the Department of Economic Development; to provide for terms and conditions; and to provide for related matters.

Floor Amendments

Senator White proposed the following amendments.

SENATE FLOOR AMENDMENTS

Amendments proposed by Senator White to Engrossed Senate Bill No. 191 by Senator White

AMENDMENT NO. 1
On page 1, line 5, after "terms" insert ", definitions,"

AMENDMENT NO. 2
On page 1, line 11, after "(59)" insert "(a)"

AMENDMENT NO. 3
On page 1, delete line 12 and insert "any employee whose information is required to be submitted by an employer pursuant to"

AMENDMENT NO. 4
On page 1, line 13, change "contract" to "an agreement" and after "for any" delete the remainder of the line and delete lines 14 and 15, and insert "incentive program or discretionary inducement. This information shall be confidential pursuant to R.S. 44:22.2."

(b) As used in this Paragraph:

(i) "Employee" means a natural person who is paid compensation in return for the performance of services. An employee includes but is not limited to any person who is paid a salary, hourly wage, or commission in exchange for their performance of the services.

(ii) "Employer" means a person, association, or legal or commercial entity receiving services from an employee and, in return, giving compensation of any kind to an employee."

AMENDMENT NO. 5
On page 2, line 2, change "person" to "employee"

AMENDMENT NO. 6
On page 2, line 3, after "submitted" insert "by an employer"

AMENDMENT NO. 7
On page 2, delete lines 4 through 6 and insert "to an agreement with the Department of Economic Development for any incentive program or discretionary inducement shall be confidential and shall not be subject to the provisions of R.S. 44:31, 32, or 33."

AMENDMENT NO. 8

On page 2, delete line 7, and insert:

"B. As used in this Section:
(1) "Employee" means a natural person who is paid compensation in return for the performance of services. An employee includes but is not limited to any person who is paid a salary, hourly wage, or commission in exchange for their performance of the services.

(2) "Employer" means a person, association, or legal or commercial entity receiving services from an employee and, in return, giving compensation of any kind to an employee.

(3)(a) "Personally identifying information"

AMENDMENT NO. 9

On page 2, line 11, change "(1)" to "(i)"

AMENDMENT NO. 10

On page 2, line 13, after "or date" change "and" to "or"

AMENDMENT NO. 11

On page 2, line 14, change "(2)" to "(iii)"

AMENDMENT NO. 12

On page 2, line 15, after "financial," change "and" to "or"

AMENDMENT NO. 13

On page 2, between lines 15 and 16, insert:

"(b) "Personally identifying information" shall not include the full or partial name of any majority shareholder of an employer."

On motion of Senator White, the amendments were adopted.

The bill was read by title. Senator White moved the final passage of the amended bill.

ROLL CALL

The roll was called with the following result:

YEAS

Mr. President	Harris	Morris
Abraham	Henry	Peacock
Allain	Hensgens	Pope
Barrow	Hewitt	Price
Bernard	Jackson	Reese
Bouie	Johns	Smith
Carter	Lambert	Talbot
Cathey	Luneau	Tarver
Cloud	McMath	Ward
Connick	Milligan	White
Fesi	Mills, F.	Womack
Fields	Mills, R.	
Foil	Mizell	
Total - 37		

NAYS

Total - 0

ABSENT

Boudreaux	Peterson
Total - 2	

The Chair declared the amended bill was passed, ordered reengrossed and sent to the House. Senator White moved to reconsider the vote by which the bill was passed and laid the motion on the table.

SENATE BILL NO. 218— BY SENATOR CLOUD

AN ACT

To amend and reenact the introductory paragraph of R.S. 18:461(A)(2) and to enact R.S. 18:461(A)(4); relative to qualifying for candidates; to provide proof of identity; and to provide for related matters.

Floor Amendments

Senator Cloud proposed the following amendments.

SENATE FLOOR AMENDMENTS

Amendments proposed by Senator Cloud to Engrossed Senate Bill No. 218 by Senator Cloud

AMENDMENT NO. 1

On page 1, line 10, after "identity" insert "of the candidate and, if applicable, the agent of the candidate,"

AMENDMENT NO. 2

On page 1, line 13, after "of the" delete "applicant" and insert "candidate and, if applicable, the agent of the candidate"

AMENDMENT NO. 3

On page 1, line 16, after "candidate" insert "and, if applicable, the agent of the candidate,"

AMENDMENT NO. 4

On page 2, line 2, after "state." delete the remainder of the line and lines 3 and 4 and insert "The proof of identification utilized shall redact the audit code on the driver's license or special identification card, social security number, driver's license number, and day and month of the date of birth of the candidate and, if applicable, the agent of the candidate, by either manual or digital methods."

On motion of Senator Cloud, the amendments were adopted.

The bill was read by title. Senator Cloud moved the final passage of the amended bill.

ROLL CALL

The roll was called with the following result:

YEAS

Table listing names of senators and their counts for YEAS. Includes Mr. President, Abraham, Allain, Bernard, Bouie, Carter, Cathey, Cloud, Connick, Fesi, Fields, Foil, Harris, Henry, Hensgens, Hewitt, Jackson, Johns, Lambert, Luneau, McMATH, Milligan, Mills, F., Mills, R., Mizell, Morris, Peacock, Pope, Price, Reese, Smith, Talbot, Tarver, Ward, White, Womack.

NAYS

Total - 0

ABSENT

Table listing names of senators and their counts for ABSENT. Includes Barrow, Boudreaux, Peterson.

The Chair declared the amended bill was passed, ordered reengrossed and sent to the House. Senator Cloud moved to reconsider the vote by which the bill was passed and laid the motion on the table.

SENATE BILL NO. 273— BY SENATOR HEWITT

AN ACT

To amend and reenact R.S. 44:4.1(B)(35) and to enact Chapter 31-A of Title 51 of the Louisiana Revised Statutes of 1950, to be comprised of R.S. 51:2111 through 2116, relative to registration with the secretary of state by managed service providers and managed security service providers servicing public bodies; to provide requirements for doing business; to provide for definitions; to provide for exceptions to public records law; and to provide for related matters.

Floor Amendments

Senator Hewitt proposed the following amendments.

SENATE FLOOR AMENDMENTS

Amendments proposed by Senator Hewitt to Engrossed Senate Bill No. 273 by Senator Hewitt

AMENDMENT NO. 1

On page 1, delete line 2 and insert "To enact R.S. 44:4.1(D) and Chapter 31-A of Title 51 of the"

AMENDMENT NO. 2

On page 1, line 7, after "law;" insert "to provide for time limitations on the reporting of cyber incidents;"

AMENDMENT NO. 3

On page 1, between lines 8 and 9 insert: "Section 1. R.S. 44:4.1(D) is hereby enacted to read as follows: §4.1. Exceptions * * *

D. The provisions of this Chapter shall not apply to any writings, records, or reports of cyber incidents or payment of cyber ransoms submitted to the Louisiana Cybersecurity Commission pursuant to R.S. 51:2114 for sixty days from the date of submission of the reports to the commission. * * *

AMENDMENT NO. 4

On page 1, line 9, after "Section" change "1" to "2"

AMENDMENT NO. 5

On page 3, delete lines 27 through 29 and on page 4, delete lines 1 through 5, and insert:

A. If a provider has a cyber incident which impacts a public body, the provider shall report the cyber incident to the Louisiana Cybersecurity Commission within twenty-four hours of discovery of the incident.

B. If a provider has a cyber incident which impacts a public body and the provider or public body makes a payment of cyber ransom or ransomware, the provider shall report the payment of the cyber ransom or ransomware to the Louisiana Cybersecurity Commission within ten calendar days of the payment."

AMENDMENT NO. 6

On page 4, delete lines 13 through 24

On motion of Senator Hewitt, the amendments were adopted.

The bill was read by title. Senator Hewitt moved the final passage of the amended bill.

ROLL CALL

The roll was called with the following result:

YEAS

Table listing names of senators and their counts for YEAS. Includes Mr. President, Abraham, Harris, Henry, Morris, Peacock.

May 13, 2020

Allain	Hensgens	Pope
Barrow	Hewitt	Price
Bernard	Jackson	Reese
Bouie	Johns	Smith
Carter	Lambert	Talbot
Cathey	Luneau	Tarver
Cloud	McMath	Ward
Connick	Milligan	White
Fesi	Mills, F.	Womack
Fields	Mills, R.	
Foil	Mizell	

Total - 37

NAYS

Total - 0

ABSENT

Boudreaux	Peterson
Total - 2	

The Chair declared the amended bill was passed, ordered reengrossed and sent to the House. Senator Hewitt moved to reconsider the vote by which the bill was passed and laid the motion on the table.

SENATE BILL NO. 345—
BY SENATOR JOHNS

AN ACT

To amend and reenact R.S. 23:921(D), (E), (F)(1)(b) and (c), relative to contracts; to provide relative to a noncompete contract or agreement; to provide relative to terms and conditions of the contract or agreement; and to provide for related matters.

Floor Amendments

Senator Fred Mills sent up floor amendments.

SENATE FLOOR AMENDMENTS

Amendments proposed by Senator Fred Mills on behalf of the Legislative Bureau to Engrossed Senate Bill No. 345 by Senator Johns

AMENDMENT NO. 1

On page 2, line 9, before "(i)" delete "(I)"

On motion of Senator Fred Mills, the amendments were adopted.

Floor Amendments

Senator Morris proposed the following amendments.

SENATE FLOOR AMENDMENTS

Amendments proposed by Senator Morris to Engrossed Senate Bill No. 345 by Senator Johns

AMENDMENT NO. 1

On page 1, line 2, after "23:921" insert "(A)(1),"

AMENDMENT NO. 2

On page 1, line 6, after "23:921" insert "(A)(1),"

AMENDMENT NO. 3

On page 1, between lines 9 and 10, insert:

"A.(1) Every contract or agreement, or provision thereof, by which anyone is restrained from exercising a lawful profession, trade, or business of any kind, except as provided in this Section, shall be null and void. However, every contract or agreement, or provision thereof, which meets the exceptions as provided in this Section, shall be enforceable **provided that the contract or agreement is fair and equitable.**"

Senator Morris moved the adoption of the amendments.

Senator Johns objected.

ROLL CALL

The roll was called with the following result:

YEAS

Barrow	Lambert	Smith
Bouie	Luneau	Talbot
Connick	Mizell	Ward
Fields	Morris	
Jackson	Pope	

Total - 13

NAYS

Mr. President	Foil	Mills, R.
Abraham	Harris	Peacock
Allain	Hensgens	Price
Bernard	Hewitt	Reese
Carter	Johns	Tarver
Cathey	McMath	White
Cloud	Milligan	Womack
Fesi	Mills, F.	

Total - 23

ABSENT

Boudreaux	Henry	Peterson
Total - 3		

The Chair declared the amendments were rejected.

The bill was read by title. Senator Johns moved the final passage of the amended bill.

ROLL CALL

The roll was called with the following result:

YEAS

Mr. President	Harris	Peacock
Abraham	Henry	Pope
Allain	Hensgens	Price
Barrow	Hewitt	Reese
Bernard	Jackson	Smith
Bouie	Johns	Talbot
Carter	Luneau	Tarver
Cathey	McMath	Ward
Cloud	Milligan	White
Connick	Mills, F.	Womack
Fesi	Mills, R.	
Foil	Mizell	

Total - 34

NAYS

Fields	Lambert	Morris
Total - 3		

ABSENT

Boudreaux	Peterson
Total - 2	

The Chair declared the amended bill was passed, ordered reengrossed and sent to the House. Senator Johns moved to reconsider the vote by which the bill was passed and laid the motion on the table.

Rules Suspended

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

Introduction of Senate Resolutions

SENATE RESOLUTION NO. 39—
BY SENATOR HEWITT

A RESOLUTION

To adopt Senate Rules 12.6.1 and 13.8.1 of the Rules of Order of the Senate, relative to voting during a declared emergency; to allow members to be counted as present in the chamber; to allow members to vote via video conferencing or other electronic means; to allow committees to conduct meetings and vote via video or other electronic means during a declared emergency.

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

SENATE RESOLUTION NO. 40—
BY SENATOR BARROW

A RESOLUTION

To express the sincere and heartfelt condolences of the Senate of the Legislature of Louisiana upon the passing of Ludia "Bea" Manogin Thomas.

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

**Introduction of
Senate Concurrent Resolutions**

SENATE CONCURRENT RESOLUTION NO. 62—
BY SENATOR MILLIGAN

A CONCURRENT RESOLUTION

To urge and request the State Board of Elementary and Secondary Education, through the state Department of Education, to develop and implement a traumatic injury response program to ensure that each city, parish, or other local public school in the state is prepared to respond to a traumatic injury emergency.

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

ATTENDANCE ROLL CALL

PRESENT

Mr. President	Harris	Morris
Abraham	Henry	Peacock
Allain	Hensgens	Pope
Barrow	Hewitt	Price
Bernard	Jackson	Reese
Bouie	Johns	Smith
Carter	Lambert	Talbot
Cathey	Luneau	Tarver
Cloud	McMath	Ward
Connick	Milligan	White
Fesi	Mills, F.	Womack
Fields	Mills, R.	
Foil	Mizell	
Total - 37		

ABSENT

Boudreaux	Peterson
Total - 2	

Leaves of Absence

The following leaves of absence were asked for and granted:

Boudreaux 1 Day Peterson 1 Day

Announcements

The following committee meetings for May 14, 2020, were announced:

Education 9:00 A.M. Room A

Adjournment

On motion of Senator Talbot, at 4:05 o'clock P.M. the Senate adjourned until Thursday, May 14, 2020, at 1:00 o'clock P.M.

The President of the Senate declared the Senate adjourned.

YOLANDA J. DIXON
Secretary of the Senate

DIANE O' QUIN
Journal Clerk

