

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

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**SIXTH DAY'S PROCEEDINGS**

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

Senate Chamber  
State Capitol  
Baton Rouge, Louisiana

Wednesday, April 21, 2021

The Senate was called to order at 4:15 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	Morris
Abraham	Harris	Peacock
Allain	Henry	Peterson
Bernard	Hensgens	Pope
Boudreaux	Johns	Price
Bouie	Lambert	Reese
Carter	Luneau	Smith
Cathey	McMath	Talbot
Cloud	Milligan	Ward
Connick	Mills, F.	White
Fesi	Mills, R.	Womack
Fields	Mizell	
Total - 35		

ABSENT

Barrow	Jackson
Hewitt	Tarver
Total - 4	

The President of the Senate announced there were 35 Senators present and a quorum.

**Prayer**

The prayer was offered by Senator Troy Carter, 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 Morris, the reading of the Journal was dispensed with and the Journal of April 20, 2021, was adopted.

**Introduction of Senate Bills  
and Joint Resolutions**

**SENATE BILL NO. 242—**  
BY SENATOR WARD

AN ACT

To amend and reenact Section 2 of Act. No. 55 of the 2020 Second Extraordinary Session of the Legislature, relative to the carryforward period for the tax credit for ad valorem taxes paid on inventory; to provide for applicability of the carryforward period; to provide for an effective date; and to provide for related matters.

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

**SENATE BILL NO. 243—**  
BY SENATORS CARTER AND JOHNS  
AN ACT

To enact R.S. 47:6033, relative to tax credits; to authorize apprenticeship tax credits against income and corporation franchise tax to certain employers; to provide for definitions; to provide for eligibility; to require the Board of Regents to establish an advisory council; to provide for membership of the council; to provide for duties of the council; to provide for the administration of the tax credit; to provide for the recovery of tax credits; to authorize the Department of Revenue to adopt rules; and to provide for related matters.

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

**Introduction of Senate Resolutions**

**SENATE RESOLUTION NO. 17—**  
BY SENATOR POPE  
A RESOLUTION

To express the sincere condolences of the Senate of the Legislature of Louisiana upon the passing of Cecil Earle Benton, a man fulfilled by his service to his God, to his family, and to his community.

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

**Introduction of  
Senate Concurrent Resolutions**

**SENATE CONCURRENT RESOLUTION NO. 29—**  
BY SENATOR JOHNS  
A CONCURRENT RESOLUTION

To express the sincere condolences of the Legislature of Louisiana upon the passing of Joseph "Rock" Palermo III, to acknowledge his lifelong commitment to his family and community, and to note his many contributions made on behalf of the state of Louisiana.

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

**SENATE CONCURRENT RESOLUTION NO. 30—**  
BY SENATOR ALLAIN  
A CONCURRENT RESOLUTION

To adopt Joint Rule No. 21 of the Joint Rules of Order of the Senate and House of Representatives to limit the dollar amount of general obligation bond projects in Priorities 1 through 4 appropriated in the annual capital outlay act and any supplemental appropriation act to no more than the annual new general obligation bond cash line of credit capacity limit, unless the limit is raised by a favorable vote of two-thirds of the elected members of each house of the legislature.

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

**Senate Bills and Joint Resolutions on  
Second Reading to be Referred**

**SENATE BILL NO. 241—**  
BY SENATOR ABRAHAM  
AN ACT

To enact R.S. 39:562(R), relative to the limit of indebtedness of Iowa Fire protection District No. 1; to authorize an increase in bonded indebtedness with voter approval; 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.

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Senate Concurrent Resolutions on Second Reading

SENATE CONCURRENT RESOLUTION NO. 26— BY SENATORS CORTEZ AND BOUDREAU A CONCURRENT RESOLUTION

To commend Major Luraine Richard of the Lafayette Police Department upon her retirement, and to congratulate her for a distinguished public service career of thirty-six years in law enforcement.

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

ROLL CALL

The roll was called with the following result:

YEAS

Table listing names of senators in the YEAS column: Mr. President, Abraham, Allain, Barrow, Bernard, Boudreaux, Bouie, Carter, Cathey, Cloud, Connick, Fields, Foil, Harris, Henry, Hensgens, Hewitt, Jackson, Johns, Lambert, Luneau, McMath, Milligan, Mills, F., Mills, R., Mizell, Morris, Peacock, Peterson, Pope, Price, Reese, Smith, Talbot, Ward, White, Womack.

Total - 37

NAYS

Total - 0

ABSENT

Table listing names of senators in the ABSENT column: Fesi, Tarver.

Total - 2

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

SENATE CONCURRENT RESOLUTION NO. 27— BY SENATOR CORTEZ A CONCURRENT RESOLUTION

To memorialize the Congress of the United States to take such actions as are necessary to reauthorize the Atchafalaya National Heritage Area program.

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

ROLL CALL

The roll was called with the following result:

YEAS

Table listing names of senators in the YEAS column: Mr. President, Abraham, Allain, Barrow, Bernard, Boudreaux, Bouie, Carter, Cathey, Cloud, Foil, Harris, Henry, Hensgens, Hewitt, Jackson, Johns, Lambert, Luneau, McMath, Mizell, Morris, Peacock, Peterson, Pope, Price, Reese, Smith, Talbot, Ward.

Table listing names of senators: Connick, Fesi, Fields, Milligan, Mills, F., Mills, R., White, Womack.

Total - 38

NAYS

Total - 0

ABSENT

Table listing names of senators: Tarver.

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

SENATE CONCURRENT RESOLUTION NO. 28— BY SENATORS CATHEY, MORRIS AND JACKSON A CONCURRENT RESOLUTION

To commend and congratulate the West Monroe-West Ouachita Chamber of Commerce on the occasion of its sixty-fifth anniversary.

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

ROLL CALL

The roll was called with the following result:

YEAS

Table listing names of senators in the YEAS column: Mr. President, Abraham, Allain, Barrow, Bernard, Boudreaux, Bouie, Carter, Cathey, Cloud, Connick, Fields, Foil, Harris, Henry, Hensgens, Hewitt, Jackson, Johns, Lambert, Luneau, McMath, Milligan, Mills, F., Mills, R., Mizell, Morris, Peacock, Peterson, Pope, Price, Reese, Smith, Talbot, Ward, White, Womack.

Total - 38

NAYS

Total - 0

ABSENT

Table listing names of senators: Tarver.

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

Message from the House

ASKING CONCURRENCE IN HOUSE BILLS AND JOINT RESOLUTIONS

April 20, 2021

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:

Table listing House Bills and Joint Resolutions: HB No. 363, HB No. 389, HB No. 450, HB No. 514.

April 21, 2021

Respectfully submitted,  
MICHELLE D. FONTENOT  
Clerk of the House of Representatives

### House Bills and Joint Resolutions on First Reading

#### HOUSE BILL NO. 363—

BY REPRESENTATIVE TARVER

AN ACT

To amend and reenact R.S. 47:463.139(C), (E), and (F) and to repeal R.S. 47:463.139(G), relative to the Protect Wild Dolphins special prestige license plate; to provide for design consultation; to provide relative to the annual royalty fee; to provide relative to the purpose of the plate; to provide for an effective date; and to provide for related matters.

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

#### HOUSE BILL NO. 389—

BY REPRESENTATIVE HORTON

AN ACT

To enact R.S. 40:1615, relative to fire fighting foam; to provide for the discharge of Class B fire fighting foam containing fluorinated organic chemicals; to provide for exceptions; to provide for definitions; to provide for applicability; to provide for an effective date; and to provide for related matters.

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

#### HOUSE BILL NO. 450—

BY REPRESENTATIVE COX

AN ACT

To amend and reenact R.S. 15:587(A)(1)(a), R.S. 51:911.24(I)(1), (2), and (J)(1), 912.3(1), 912.5(A), and 912.27(A)(3) and to enact R.S. 15:587(A)(1)(k), R.S. 51:911.22(14), 911.24(I)(3), and 912.21(14), relative to the Louisiana Manufactured Housing Commission; to provide for the collection of criminal history record information on applicants for licensure; to provide for the suspension of continuing education requirements; to provide for definitions; to provide for technical changes; and to provide for related matters.

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

#### HOUSE BILL NO. 514—

BY REPRESENTATIVES MAGEE, BOURRIAQUE, BRYANT, GARY CARTER, DUPLESSIS, FREEMAN, HUGHES, JAMES, JORDAN, LACOMBE, LANDRY, LARVADAIN, LYONS, MARCELLE, DUSTIN MILLER, NEWELL, ORGERON, PIERRE, SELDERS, AND WILLARD

AN ACT

To amend and reenact R.S. 47:301(10)(ii) and to enact R.S. 47:301.3 and R.S. 51:1286(E), relative to state sales and use tax; to levy a state sales and use tax on the sale of raw or crude marijuana recommended for therapeutic use; to provide for the disposition of state sales and use taxes of raw or crude therapeutic marijuana; to provide for an effective date; and to provide for related matters.

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

### Message from the House

#### ASKING CONCURRENCE IN HOUSE CONCURRENT RESOLUTIONS

April 21, 2021

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. 38

Respectfully submitted,  
MICHELLE D. FONTENOT  
Clerk of the House of Representatives

### House Concurrent Resolutions on First Reading

#### HOUSE CONCURRENT RESOLUTION NO. 38—

BY REPRESENTATIVE HUGHES

A CONCURRENT RESOLUTION

To designate Monday, April 26, 2021, as HBCU Day at the state capitol.

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

### House Bills and Joint Resolutions on Second Reading

#### HOUSE BILL NO. 96—

BY REPRESENTATIVE JENKINS

AN ACT

To redesignate a portion of Louisiana Highway 3094 in Shreveport, Louisiana, as the "Rev. Dr. Elbert W. 'Eddie' Giles Memorial Highway"; and to provide for related matters.

The bill was read by title and referred by the President to the Committee on Transportation, Highways and Public Works.

#### HOUSE BILL NO. 152—

BY REPRESENTATIVE GREGORY MILLER

AN ACT

To amend and reenact Civil Code Article 3452, Code of Civil Procedure Articles 80(A)(1) and (2), 253.2, 592(A)(2) and (3), 893(A)(2), (B), and (C), 927(B), 1352, 1561(A), 1702(D) and (E), 1793(D), 1795, 1918, 1951, 1974, 2088(A), 2254(B), 2721(C), 3943, 3947(B), 4907(B), 4913(B)(4), and 5001, and R.S. 13:3661, and to enact Code of Civil Procedure Articles 1702(F), 4904(D), and 4921(C), relative to civil procedure; to provide with respect to venue; to provide with respect to certification procedure; to provide for the pleading of damages; to provide for the necessity of pleading prescription; to provide for restrictions on subpoenas; to provide for consolidation; to provide with respect to courts raising the issue of prescription on their own motion; to provide for jury instructions; to provide for the form and amendment of final judgments; to provide with respect to the delay for applying for a new trial; to provide for the jurisdiction of trial and justice of the peace courts; to provide for the appeal of judgments; to provide with respect to improper or wrongful seizure; to provide for name confirmation; to provide for witness fees; and to provide for related matters.

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

#### HOUSE BILL NO. 164—

BY REPRESENTATIVE ROBBY CARTER

AN ACT

To amend and reenact Code of Civil Procedure Articles 253.3(A)(3), 284, 928(A), 1001, 1002, 1471(A)(3), 1702, 1702.1, 1703, 1704, 1843, 1913(B) and (C), 2002(A)(2), 4904, 4921, 4921.1(C), and 5095, R.S. 13:3205(introductory paragraph) and 4990, and R.S. 23:1316.1(A) and to repeal Code of Civil Procedure Article 1701 and R.S. 23:1316, relative to default judgments; to eliminate preliminary defaults and confirmation of preliminary defaults; to provide for the rendition of default judgments; to provide for notice of the intent to obtain a default judgment and related delays; to provide for default judgments in parish, city,

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justice of the peace, and workers' compensation courts; to provide with respect to the delay for answering; to update terminology; 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 Judiciary A.

**HOUSE BILL NO. 198—**  
BY REPRESENTATIVE PIERRE

AN ACT

To amend and reenact R.S. 47:463(A)(3)(a) and (c) and to enact R.S. 47:462(D), relative to Louisiana vehicle license plates; to require the inclusion of the Louisiana tourism website on license plates; and to provide for related matters.

The bill was read by title and referred by the President to the Committee on Transportation, Highways and Public Works.

**HOUSE BILL NO. 224—**  
BY REPRESENTATIVES BRYANT AND JEFFERSON

AN ACT

To redesignate a portion of Louisiana Highway 31 in Iberia Parish as the "Paul Victor Featherston Memorial Highway"; to redesignate a portion of Louisiana Highway 563 near Simsboro, Louisiana, in Lincoln Parish as the "Johnny Lynn Cole Memorial Highway"; to redesignate the Ramos Bridge on United States Highway 90 in St. Mary Parish as the "Jeffrey Paul Curry, Jr. Memorial Bridge"; to redesignate a portion of United States Highway 90 in St. Mary Parish as the "Mike Foster Memorial Parkway"; and to provide for related matters.

The bill was read by title and referred by the President to the Committee on Transportation, Highways and Public Works.

**HOUSE BILL NO. 413—**  
BY REPRESENTATIVE NELSON

AN ACT

To designate an overpass on North Causeway Boulevard in St. Tammany Parish as the "Captain Vincent N. Liberto, Jr., Memorial Overpass".

The bill was read by title and referred by the President to the Committee on Transportation, Highways and Public Works.

**HOUSE BILL NO. 482—**  
BY REPRESENTATIVE WRIGHT

AN ACT

To enact Chapter 22 of Title 6 of the Louisiana Revised Statutes of 1950, to be comprised of R.S. 6:1401 through 1406, relative to the financial technology regulatory sandbox program; to provide definitions; to create the regulatory sandbox program; to provide for administration of the program; to establish an application process; to authorize a fee; to provide for eligibility; to provide standards of review; to require compliance with the program; to provide for licensing and regulation requirements; to provide for consumer protection; to provide a procedure for exiting the program; to allow for extensions; to require record keeping; to require reporting; and to provide for related matters.

The bill was read by title and referred by the President to the Committee on Commerce, Consumer Protection, and International Affairs.

**HOUSE BILL NO. 505—**  
BY REPRESENTATIVE ADAMS

AN ACT

To enact R.S. 47:463.210 and 463.211, relative to motor vehicle special prestige license plates; to provide for the "West Feliciana Parish Schools" special prestige license plate; to establish the "En français S.V.P." specialty license plate; to provide for the creation, issuance, design, implementation, fees, distribution, and rule promulgation applicable to such license plates; and to provide for related matters.

The bill was read by title and referred by the President to the Committee on Transportation, Highways and Public Works.

**HOUSE BILL NO. 601—**  
BY REPRESENTATIVE GOUDEAU

AN ACT

To enact R.S. 47:463.210, relative to motor vehicle special prestige license plates; to establish the "New Orleans Pelicans" specialty license plate; to provide for the creation, issuance, design, fees, implementation, distribution, and rule promulgation applicable to such license plate; to provide direction on when the plate can be created; and to provide for related matters.

The bill was read by title and referred by the President to the Committee on Transportation, Highways and Public Works.

**Reports of Committees**

The following reports of committees were received and read:

**REPORT OF COMMITTEE ON  
NATURAL RESOURCES**

Senator Bob Hensgens, Chairman on behalf of the Committee on Natural Resources, submitted the following report:

April 21, 2021

To the President and Members of the Senate:

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

**SENATE CONCURRENT RESOLUTION NO. 9—**  
BY SENATOR LAMBERT AND REPRESENTATIVE COUSSAN

A CONCURRENT RESOLUTION

To approve the annual state integrated coastal protection plan for Fiscal Year 2022, as adopted by the Coastal Protection and Restoration Authority Board.

Reported favorably.

**SENATE BILL NO. 122—**  
BY SENATOR ALLAIN

AN ACT

To amend and reenact R.S. 49:214.36(E), (J), and (O)(2), relative to the Coastal Zone Management Program; to provide for enforcement actions; to provide for the imposition of civil liability, the assessment of damages, and court orders; to provide for distribution of monies collected; to provide for the use of funds; and to provide for related matters.

Reported with amendments.

Respectfully submitted,  
BOB HENSGENS  
Chairman

**REPORT OF COMMITTEE ON  
EDUCATION**

Senator Cleo Fields, Chairman on behalf of the Committee on Education, submitted the following report:

April 21, 2021

To the President and Members of the Senate:

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

April 21, 2021

**SENATE BILL NO. 10—**  
BY SENATOR FIELDS

AN ACT

To amend and reenact R.S. 17:151.3, 221(A)(1), and 222, relative to compulsory school attendance; to provide for mandatory attendance in kindergarten; to provide for effectiveness; and to provide for related matters.

Reported with amendments.

**SENATE BILL NO. 99—**  
BY SENATOR FIELDS

AN ACT

To amend and reenact R.S. 17:5002(B)(2), 5027(B) and (C)(1), 5029(A)(1)(c), 5043(2), 5062(C)(4) and (5), and 5103(B)(1) and to enact R.S. 17:5062(C)(6), relative to the Taylor Opportunity Program for Students; to clarify terminology; to provide relative to rules, procedures, and guidelines of the administering agency; to authorize the administering agency to waive certain initial eligibility requirements under certain circumstances; and to provide for related matters.

Reported with amendments.

**SENATE BILL NO. 114—**  
BY SENATOR PEACOCK

AN ACT

To enact R. S. 17:101, relative to public elementary and secondary schools; to provide for remote registration and preliminary enrollment of children of military personnel under certain circumstances; and to provide for related matters.

Reported favorably.

**SENATE BILL NO. 148—**  
BY SENATOR CORTEZ AND REPRESENTATIVE SCHEXNAYDER

AN ACT

To enact Chapter 20-G of Title 17 of the Louisiana Revised Statutes of 1950, to be comprised of R.S. 17:3047 through 3047.7, relative to the M.J. Foster Promise Program; to establish the program; to provide for program awards including establishing eligibility requirements and award amount limitations; to provide for funding and administration of the program; and to provide for related matters.

Reported with amendments.

**SENATE BILL NO. 230—**  
BY SENATORS MIZELL AND BARROW AND REPRESENTATIVES DAVIS AND HILFERTY

AN ACT

To amend and reenact Part XII of Chapter 26 of Title 17 of the Louisiana Revised Statutes of 1950, consisting of R.S. 17:3399.11 through 3399.19, and to enact R.S. 15:624(A)(3), relative to power-based violence on college and university campuses; to provide for reporting incidents of power-based violence at certain public and private institutions of higher education; to provide for coordination between institutions and local law enforcement; to provide for the number and training for confidential advisors, mandatory reporters, and Title IX coordinators; to require reports regarding training; to provide an amnesty policy; to require certain reports be posted on institution websites; to provide relative to immunity of mandatory reporters; to provide relative to failure to report or filing an intentionally false report; to provide for certain confidentiality; to prohibit retaliation; to require annual reports on compliance; and to provide for related matters.

Reported with amendments.

**SENATE BILL NO. 232—**  
BY SENATOR BARROW

AN ACT

To enact Part XV of Chapter 26 of Title 17 of the Louisiana Revised Statutes of 1950, to be comprised of R.S. 17:3399.41 through 3399.45, relative to power-based violence on college and

university campuses; to create the Power-Based Violence Review Panel; to provide for membership, duties, and functions; and to provide for related matters.

Reported with amendments.

Respectfully submitted,  
CLEO FIELDS  
Chairman**REPORT OF COMMITTEE ON****TRANSPORTATION, HIGHWAYS AND PUBLIC WORKS**

Senator Rick Ward III, Chairman on behalf of the Committee on Transportation, Highways and Public Works, submitted the following report:

April 21, 2021

To the President and Members of the Senate:

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

**SENATE BILL NO. 26—**  
BY SENATOR HENSGENS

AN ACT

To provide relative to state highways; to designate the Forked Island Bridge over the Intracoastal Waterway on Louisiana Highway 82 in Vermilion Parish as the "Rose Ashy Broussard Bridge"; and to provide for related matters.

Reported with amendments.

**SENATE BILL NO. 37—**  
BY SENATOR MIZELL

AN ACT

To provide relative to state highways; to designate a portion of Louisiana Highway 38 in Washington Parish as the "Lance Corporal Larry L. Wells Memorial Highway"; to designate a portion of Louisiana Highway 38 in Tangipahoa Parish as the "Deputy R.A. Kent Memorial Highway"; to designate a portion of United States Highway 51 in Tangipahoa Parish as the "Deputy Ed Toefield Jr. Memorial Highway"; and to provide for related matters.

Reported favorably.

**SENATE BILL NO. 67—**  
BY SENATOR WARD

AN ACT

To amend and reenact R.S. 6:969.18(A)(2)(a), relative to the Louisiana Motor Vehicle Sales Finance Act; to increase the maximum allowable documentation and compliance fee authorized to be collected by a motor vehicle seller; and to provide for related matters.

Reported favorably.

**SENATE BILL NO. 78—**  
BY SENATOR BOUIE

AN ACT

To amend and reenact R.S. 47:490.3(A) and (D), relative to military honor license plates; to provide for eligibility for members who have been honorably discharged from the Louisiana National Guard; to provide relative to renewal of military honor plates; and to provide for related matters.

Reported favorably.

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SENATE BILL NO. 112—  
BY SENATOR HENRY

AN ACT

To amend and reenact R.S. 32:1720(A) and (B)(4) and (8), 1728(A) and (D)(3), 1728.2(G), 1728.3(A), (B), and (C), the introductory paragraph of (D)(1), (D)(2), the introductory paragraph of (F)(1), (F)(1)(f) and (g), and (G), relative to the Louisiana Towing and Storage Act; to require certain notices be sent by certified mail, return receipt requested; to require the retention of certain records by the owner of a towing, storage, or parking facility; to provide certain terms and procedures; and to provide for related matters.

Reported with amendments.

SENATE BILL NO. 147—  
BY SENATOR WARD

AN ACT

To enact Subpart G-2 of Chapter 1 of Title 32 of the Louisiana Revised Statutes of 1950, to be comprised of R.S. 32:210 through 210.7, relative to the operation of personal delivery devices; relative to motor vehicles and traffic regulations; to provide for definitions and terms; and to provide for related matters.

Reported favorably.

SENATE BILL NO. 190—  
BY SENATOR SMITH

AN ACT

To amend and reenact R.S. 32:1(1), (10), and (108), (2)(D), (3)(C), 388(A)(3) and (4), the introductory paragraph of (B)(1)(a), (B)(4)(a), (F), and (G), 388.1, 389, and 392(A)(1), R.S. 36:409(C)(8), R.S. 40:1379.8, and R.S. 47:511.1(B), (C), (D), and (E), 516(A), (B)(2), and (D), 718(B)(1) and (C) and 812(C), to enact R.S. 32:1(108.1) and (2)(B) and (C) and R.S. 36:408(B)(3), and to repeal R.S. 32:2(E), 388(C)(3), and Sections 6 through 14 of Act No. 320 of the 2010 Regular Session of the Legislature; relative to weights and standards; to transfer the operation and maintenance of stationary weight enforcement scale locations from the Department of Public Safety and Corrections to the Department of Transportation and Development; to provide for authority of the Department of Transportation and Development; to provide for the authority of the Department of Public Safety and Corrections; to provide for definitions; to provide for fines and payments; to provide for enforcement, payment, and collections procedures; to provide for administrative review; to provide for transition; to provide for an effective date; and to provide for related matters.

Reported with amendments.

SENATE BILL NO. 199—  
BY SENATOR CATHEY

AN ACT

To provide relative to state highways; to designate a portion of Louisiana Highway 2 and Louisiana Highway 9 in Claiborne Parish as the "Pat Garrett Trail"; to designate a portion of Louisiana Highway 2 in West Carroll Parish as the "Sheriff T.W. Auger Memorial Highway"; to designate a portion of Louisiana Highway 17 in West Carroll Parish as "Master Trooper Robert Ryan Patrick Memorial Highway"; and to provide for related matters.

Reported with amendments.

SENATE BILL NO. 212—  
BY SENATOR CONNICK

AN ACT

To provide relative to state highways; to designate a portion of United States Highway 90 Business-Westbank Expressway in the city of Westwego in Jefferson Parish as the "Michael D. Louviere Memorial Highway"; and to provide for related matters.

Reported favorably.

Respectfully submitted,  
RICK WARD III  
Chairman

Senate Bills and Joint Resolutions  
on Second Reading  
Reported by Committees

SENATE BILL NO. 14—  
BY SENATOR FESI

AN ACT

To enact R.S. 44:4(59) and (60), relative to the Public Records Law; to exempt certain information related to unclaimed property; and to provide for related matters.

Reported with amendments by the Committee on Senate and Governmental Affairs.

SENATE COMMITTEE AMENDMENTS

Amendments proposed by Senate Committee on Senate and Governmental Affairs to Original Senate Bill No. 14 by Senator Fesi

AMENDMENT NO. 1

On page 1, line 9, delete "monetary value and nature of assets" and insert "specific monetary value and name of the company that remitted assets"

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

SENATE BILL NO. 41—  
BY SENATOR BERNARD

AN ACT

To amend and reenact R.S. 22:801 and 802 and to repeal R.S. 22:145, 171, 254(A), (B), (D), (E), and (F), 257(A)(9), 332(A)(13), 333(B) and (C), 341(C), 804, 807, and 808, relative to deposits by insurers; to provide for authority to receive and hold insurer deposits; to provide for release of funds deposited under certain conditions; to provide for the terms and conditions of making and maintaining deposits; to provide for an effective date; and to provide for related matters.

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

SENATE BILL NO. 42—  
BY SENATOR BERNARD

AN ACT

To enact R.S. 22:887(J), relative to cancellation and reinstatement by an insurer; to require notice of reinstatement to be issued to interested persons; to provide for an effective date; and to provide for related matters.

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

SENATE BILL NO. 48—  
BY SENATOR POPE

AN ACT

To amend and reenact R.S. 37:2446.1(A) and (C), relative to continuing education requirements imposed by the Louisiana Board for Hearing Aid Dealers; to reduce the number of required continuing education hours for reinstatement or renewal of a license; to reduce the maximum number of continuing education hours that may be obtained through the internet; to provide for an effective date; and to provide for related matters.

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

**SENATE BILL NO. 63—**

BY SENATOR ROBERT MILLS

## AN ACT

To amend and reenact R.S. 18:1308(B), relative to hand delivery of absentee ballots; to provide for receipt requirements; and to provide for related matters.

Reported with amendments by the Committee on Senate and Governmental Affairs.

**SENATE COMMITTEE AMENDMENTS**

Amendments proposed by Senate Committee on Senate and Governmental Affairs to Original Senate Bill No. 63 by Senator Robert Mills

**AMENDMENT NO. 1**

On page 1, at the beginning of line 11, insert "**early voting location during the period for conducting early voting.**"

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

**SENATE BILL NO. 65—**

BY SENATOR FESI

## AN ACT

To repeal Subpart H of Part III of Chapter 4 of Title 22 of the Louisiana Revised Statutes of 1950, comprised of R.S. 22:1161 through 1167, relative to dental referral plans; to repeal provisions regulating dental referral plans; and to provide for related matters.

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

**SENATE BILL NO. 73—**

BY SENATOR MILLIGAN

## AN ACT

To enact Subpart B-1 of Part III of Chapter 2 of Title 22 of the Louisiana Revised Statutes of 1950, to be comprised of R.S. 22:601.1 through 601.21, and to repeal Subpart B of Part III of Chapter 2 of Title 22 of the Louisiana Revised Statutes of 1950, comprised of R.S. 22:581 through 601, relative to investments of domestic insurers; to provide for definitions; to provide for qualified investments for insurers; to provide for a written investment policy; to provide for the authorization of investments; to provide for a valuation method for investments; to provide for limitations on investments; to provide for investments in bonds, equity interests, mortgage loans, and real estate; to provide for transactions involving the lending, repurchase, and reverse repurchase of securities; to provide for dollar roll transactions; to provide for foreign investments and currency exposure; to provide for insurer investment pools; to provide for derivative transactions; to provide for collateral loans; to provide for other assets; to provide for authority to invest in certain assets beyond percentage limitations; to provide for prohibited investments; to provide for restrictions on the pledging of assets; to provide for limitations on loans to and investments involving officers and directors; to provide for judicial review and mandamus; and to provide for related matters.

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

**SENATE BILL NO. 84—**

BY SENATOR TALBOT

## AN ACT

To enact R.S. 22:1028.3, relative to health insurance coverage; to require health insurance coverage for genetic testing for various cancer mutations; to provide for the definition of health coverage plan; and to provide for related matters.

Reported with amendments by the Committee on Insurance.

**SENATE COMMITTEE AMENDMENTS**

Amendments proposed by Senate Committee on Insurance to Original Senate Bill No. 84 by Senator Talbot

**AMENDMENT NO. 1**

On page 1, line 4, between "plan;" and "and to provide" insert the following: "to provide for definitions;"

**AMENDMENT NO. 2**

On page 1, line 10, after "**pancreatic,**" add the following: "**lung,**"

**AMENDMENT NO. 3**

On page 1, line 16 delete "**the cost of**"

**AMENDMENT NO. 4**

On page 2, line 2, after "**sequencing**" delete the period "." and add the following: "**and biomarker testing.**"

**AMENDMENT NO. 5**

On page 2, at the end of line 5, add the following: "**The coverage provided under this Section may be subject to applicable evidence-based medical necessity criteria under the plan.**"

**AMENDMENT NO. 6**

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

**"D. As used in this Section, the following definitions shall apply unless the context indicates otherwise:**

**(1) "Biomarker" means a characteristic that is objectively measured and evaluated as an indicator of normal biological processes, pathogenic processes, or pharmacologic responses to a specific therapeutic intervention. Biomarkers include but are not limited to gene mutations or protein expression.**

**(2) "Biomarker testing" is the analysis of a patient's tissue, blood, or fluid biospecimen for the presences of a biomarker. Biomarker testing includes but is not limited to single-analyte tests, multi-plex panel tests, and partial or whole genome sequencing.**

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

**SENATE BILL NO. 93—**

BY SENATOR POPE

## AN ACT

To amend and reenact R.S. 40:1223.3(3) and to enact R.S. 37:2457(11), relative to telehealth services provided by licensed hearing aid dealers; to provide for inclusion in the Louisiana Telehealth Access Act; to provide for powers and duties of the board; to provide minimum standards for the provision of telehealth services; to provide for definitions; and to provide for related matters.

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

**SENATE BILL NO. 101—**

BY SENATOR ABRAHAM

## AN ACT

To amend and reenact R.S. 9:4759(5)(a), relative to self-service storage facilities; to provide relative to the rental agreement; to provide for default of rental agreement by lessee; to provide for the advertisement of the sale or other disposition of certain movable property; to provide for terms, conditions, and procedures; and to provide for related matters.

Reported favorably by the Committee on Commerce, Consumer Protection, and International Affairs. The bill was read by title, ordered engrossed and passed to a third reading.

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SENATE BILL NO. 119—  
BY SENATORS TARVER, BOUDREAU, CARTER AND TALBOT  
AN ACT

To amend and reenact R.S. 22:1028(A)(2), relative to health screening for breast cancer; to provide criteria for early screening for breast cancer based on various criteria; and to provide for related matters.

Reported with amendments by the Committee on Insurance.

SENATE COMMITTEE AMENDMENTS

Amendments proposed by Senate Committee on Insurance to Original Senate Bill No. 119 by Senator Tarver

AMENDMENT NO. 1

On page 1, line 11, between "tomosynthesis" and the comma ",", insert "(DBT)"

AMENDMENT NO. 2

On page 1, line 17, between "mammography" and "starting" insert "(DBT preferred modality)"

AMENDMENT NO. 3

On page 2, line 1, between "mammography" and "and" insert "(DBT preferred modality)"

AMENDMENT NO. 4

On page 2, line 1, between "imaging" and "starting" insert "(MRI preferred modality)"

AMENDMENT NO. 5

On page 2, delete lines 6 through 17 in their entirety and insert in lieu thereof the following:

"(b) ~~One mammogram every twenty-four months~~ Annual mammography (DBT preferred modality) for any woman who is forty through forty-nine years of age, ~~or more frequently if recommended by her physician or older.~~

(i) Consideration given to supplemental imaging, if recommended by her physician, for women with increased breast density (C and D density).

(ii) Access to annual supplemental imaging (MRI preferred modality), if recommended by her physician, for women with a prior history of breast cancer below the age of fifty or with a prior history of breast cancer at any age and dense breast (C and D density).

~~(c) One mammogram every twelve months for any woman who is fifty years of age or older."~~

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

SENATE BILL NO. 131—  
BY SENATOR ROBERT MILLS  
AN ACT

To enact R.S. 22:1272, relative to property and casualty insurance; to provide relative to defense costs; to prohibit inclusion of defense costs in insurance contracts under certain circumstances; to provide for waivers; to provide for an effective date; and to provide for related matters.

Reported with amendments by the Committee on Insurance.

SENATE COMMITTEE AMENDMENTS

Amendments proposed by Senate Committee on Insurance to Original Senate Bill No. 131 by Senator Robert Mills

AMENDMENT NO. 1

On page 1, line 11, change "Subsection" to "Paragraph"

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

SENATE BILL NO. 143—  
BY SENATOR MCMATH  
AN ACT

To amend and reenact Children's Code Article 702(C)(2) and (D) and to enact Children's Code Article 672.3, relative to permanent placement of children in custody of the state; to provide for a diligent search for relatives; to provide for notice to relatives; to provide for priorities of placement; to provide for continuation of care in certain circumstances; to provide for an effective date; and to provide for related matters.

Reported with amendments by the Committee on Health and Welfare.

SENATE COMMITTEE AMENDMENTS

Amendments proposed by Senate Committee on Health and Welfare to Original Senate Bill No. 143 by Senator McMath

AMENDMENT NO. 1

On page 1, line 13, change "with" to "who have" and change "to" to "with"

AMENDMENT NO. 2

On page 2, line 6, change "the person being sought" to "adult relatives of the child or persons who have a significant relationship with the child"

AMENDMENT NO. 3

On page 2, line 8, change "including but not limited to" to "which may include"

AMENDMENT NO. 4

On page 2, line 11, change "the person being sought" to "adult relatives of the child or persons who have a significant relationship with the child"

AMENDMENT NO. 5

On page 2, line 12, after "case" insert "in accordance with Children's Code Article 625(D)"

AMENDMENT NO. 6

On page 2, line 18, change "periodic" to "case" and on line 19, after "hearing" insert "pursuant to Children's Code Article 692 and permanency hearing pursuant to Children's Code Article 702"

AMENDMENT NO. 7

On page 4, line 9, change "(2)" to "(2)(a)"

AMENDMENT NO. 8

On page 4, line 10, after "months" insert ", that no relative caregiver has been identified as the concurrent plan caregiver as part of the child's case submitted to the court,"

AMENDMENT NO. 9

On page 4, line 14, after "interests." delete the remainder of the line and delete line 15 and insert the following:

"(b) The Department of Children and Family Services shall not remove the child from this placement without a contradictory hearing at which the department overcomes the rebuttable presumption of best interest set forth in this Article and establishes that the removal is in the best interest of the child."

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

SENATE BILL NO. 155—  
BY SENATOR BOUIE  
AN ACT

To amend and reenact R.S. 37:2704(A)(1), (2), and (3), 2705(A) and (D), 2706(B), 2708(A)(3), 2709(B), 2712 (1), 2713, 2714(B) through (E), 2716(B), 2717(A)(2) and (D), 2719, and 2724(B) and to enact R.S. 37:2703(19), 2712(3), 2714(F) and (G), 2715(F), and 2717(A)(13), (G), and (H), relative to the

Louisiana Social Work Practice Act; to provide for definitions; to provide for qualifications of the members of the Louisiana State Board of Social Worker Examiners; to provide for the officers of the board; to provide for duties of the board; to provide for registered social workers; to provide for licensed clinical social workers; to provide for application for licensure; to provide for licensure of qualified applicants; to provide for renewal of registrations, certificates, and licenses; to provide for the use of the title of social worker; to provide for payment of fees; to provide for the basis of a disciplinary action; to provide for state representation at disciplinary hearings; to provide for cease and desist orders; to provide for prohibitions against discrimination; to provide for certified social workers; and to provide for related matters.

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

**SENATE BILL NO. 169—**  
BY SENATOR ALLAIN

AN ACT

To amend and reenact R.S. 40:1749.12(7) and (12) through (18), and to enact R.S. 40:1749.12(19), relative to the Louisiana Underground Utilities and Facilities Damage Prevention Law; to provide for definitions, terms, and conditions; and to provide for related matters.

Reported with amendments by the Committee on Commerce, Consumer Protection, and International Affairs.

**SENATE COMMITTEE AMENDMENTS**

Amendments proposed by Senate Committee on Commerce, Consumer Protection and International Affairs to Original Senate Bill No. 169 by Senator Allain

AMENDMENT NO. 1

On page 2, line 3, after "**normal**" insert "**commercial**"

AMENDMENT NO. 2

On page 2, line 5, delete "God," and insert "God;"

AMENDMENT NO. 3

On page 2, line 7, after "**Normal**" insert "**commercial**"

AMENDMENT NO. 4

On page 2, line 12, after "**depth**" insert "**of the excavation**"

AMENDMENT NO. 5

On page 2, line 25, after "by 49" delete the remainder of the line and insert "CFR 192.3 and 49 CFR 195.2."

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

**SENATE BILL NO. 181—**  
BY SENATOR BOUDREAUX

AN ACT

To amend and reenact R.S. 22:1068(D)(3), 1074(D)(3), and 1964(15)(a)(ii), relative to health insurance; to provide for the guaranteed renewability of health insurance coverage; to authorize the modification of drug coverage under certain circumstances; to provide for unfair methods, acts, or practices by health insurers against certain pharmacies and pharmacists; and to provide for related matters.

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

**SENATE BILL NO. 191—**  
BY SENATOR CLOUD

AN ACT

To enact Part X of Subchapter D of Chapter 5-D of Title 40 of the Louisiana Revised Statutes of 1950, to be comprised of R.S. 40:1227.1 through 1227.3, relative to provider-administered drugs; to provide for legislative intent; to provide for definitions; to provide for access; to provide for payment to participating health care providers; to provide with respect to penalties; and to provide for related matters.

Reported with amendments by the Committee on Insurance.

**SENATE COMMITTEE AMENDMENTS**

Amendments proposed by Senate Committee on Insurance to Original Senate Bill No. 191 by Senator Cloud

AMENDMENT NO. 1

On page 1, line 2, after "enact" and before "of the Louisiana Revised Statutes" change "Part X of Subchapter D of Chapter 5-D of Title 40" to "Subpart A-3 of Part III of Chapter 4 of Title 22"

AMENDMENT NO. 2

On page 1, line 3, change "40:1227.1 through 1227.3" to "22:1020.51 through 1020.53"

AMENDMENT NO. 3

On page 1, line 8, after "Section 1." delete the remainder of the line in its entirety and insert in lieu thereof the following:

"Subpart A-3 of Part III of Chapter 4 of Title 22 of the Louisiana"

AMENDMENT NO. 4

On page 1, line 9, change "40:1227.1 through 1227.3" to "22:1020.51 through 1020.53"

AMENDMENT NO. 5

On page 1, line 11, change "**PART X.**" to "**SUBPART A-3.**"

AMENDMENT NO. 6

On page 1, line 13, change "**§1227.1.**" to "**§1020.51.**"

AMENDMENT NO. 7

On page 2, line 3, change "**§1227.2.**" to "**§1020.52.**"

AMENDMENT NO. 8

On page 2, at the end of line 11, add the following:

**"For purposes of this Subpart, "participating provider" shall include any clinic, hospital outpatient department or pharmacy under the common ownership or control of the participating provider."**

AMENDMENT NO. 9

On page 2, line 15, change "**§1227.3.**" to "**§1020.53.**"

AMENDMENT NO. 10

On page 2, line 16, between "**issuer**" and "**shall**" insert "**, pharmacy benefit manager, or their agent**"

AMENDMENT NO. 11

On page 2, line 17, after "**provider**" delete the remainder of the line, delete line 18, and on line 19, delete "**participating provider,**"

AMENDMENT NO. 12

On page 2, line 22, between "**drug**" and "**because**" insert the following: "**when all criteria for medical necessity are met,**"

AMENDMENT NO. 13

On page 3, line 1, between "**issuer**" and "**shall**" insert the following: "**, pharmacy benefit manager, or their agent,**"

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AMENDMENT NO. 14

On page 3, delete lines 2 through 18 in their entirety and insert in lieu thereof the following: "additional fee, or any other increased cost-sharing amount in addition to applicable cost-sharing amounts payable by the covered person as designated within the benefit plan to obtain the physician-administered drug when provided by a participating provider. However, nothing in this Subpart shall prohibit a health insurance issuer or its agent from establishing differing copayments or other costsharing amounts within the benefit plan for covered persons who acquire physician-administered drugs from other providers. Nothing in this Subpart shall prohibit a health insurance issuer or its agent from refusing to authorize or approve or from denying coverage of a physician-administered drug based upon failure to satisfy medical necessity criteria. For purposes of this Section, the location of receiving the physician-administered drug shall not be included in the medical necessity criteria."

AMENDMENT NO. 15

On page 3, line 19, change "C." to "B."

AMENDMENT NO. 16

On page 3, line 24, change "D." to "C."

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

SENATE BILL NO. 194—

BY SENATOR BOUDREAU

AN ACT

To amend and reenact R.S. 40:2116(D)(2) and (K), relative to facility need review; to provide for an extension of the moratorium on the approval of additional beds for nursing facilities; to provide for an exemption if there is no increase in existing nursing home beds; to provide for nursing home beds in alternate use; and to provide for related matters.

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

SENATE BILL NO. 203—

BY SENATOR WHITE

AN ACT

To enact R.S. 42:1123(47), relative to certain members of the boards of commissioners of groundwater districts; to provide for exemptions to the Code of Governmental Ethics; to provide for applicability; and to provide for related matters.

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

SENATE BILL NO. 219—

BY SENATOR CLOUD

AN ACT

To amend and reenact R.S. 18:192(A)(2) and to enact R.S. 18:192(A)(3), relative to registrars of voters; to provide for canvassing of registrants; to provide for address changes and corrections; and to provide for related matters.

Reported with amendments by the Committee on Senate and Governmental Affairs.

SENATE COMMITTEE AMENDMENTS

Amendments proposed by Senate Committee on Senate and Governmental Affairs to Original Senate Bill No. 219 by Senator Cloud

AMENDMENT NO. 1

On page 1, line 13, after "voters" and before "annually" delete "shall" and insert "may"

AMENDMENT NO. 2

On page 1, line 15, after the period "." delete the remainder of the line, delete line 16 and delete line 17 except for "A"

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

SENATE BILL NO. 220—

BY SENATOR CLOUD

AN ACT

To enact R.S. 24:513(D)(7), relative to the legislative auditor; to provide relative to examinations, audits, and reviews of elections; to provide for the submission and presentation of reports to certain legislative committees; to provide for the retention of election records subject to examination by the legislative auditor; to provide for terms, conditions, and procedures; and to provide for related matters.

Reported with amendments by the Committee on Senate and Governmental Affairs.

SENATE COMMITTEE AMENDMENTS

Amendments proposed by Senate Committee on Senate and Governmental Affairs to Original Senate Bill No. 220 by Senator Cloud

AMENDMENT NO. 1

On page 1, line 2, after "To" and before "enact" insert "amend and reenact R.S. 18:158, 403, 1311(D)(4)(b), and 1312(D) and to"

AMENDMENT NO. 2

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

Section 1. R.S. 18:158, 403, 1311(D)(4)(b), and 1312(D) are hereby amended and reenacted to read as follows:

§158. Retention of absentee by mail and early voting ballots and records; retention of registration records for federal elections

A. The registrar of voters in each parish shall keep and maintain all records relating to absentee by mail and early voting as provided in Chapter 7 of this Title for a period of at least two years from the date of the election.

B. The registrar of voters in each parish shall keep and maintain for a period of ~~twenty-two months~~ at least two years from the date of the election all applications for registration and registration records received for purposes of voting in an election involving the office of President of the United States, Vice President of the United States, presidential elector, United States Senator, or United States Representative.

\* \* \*

§403. Election records and papers; preservation; public record

A. Except as otherwise provided by law, every ~~Each~~ election official shall retain and preserve, for at least ~~six months~~ two years after the date of a primary or general election, all records and papers which come into his possession relating to the qualifying of candidates, the selection of commissioners, alternate commissioners, and watchers, ~~and~~ the conduct or results of a primary or general election, and any application, registration, or other act requisite to voting in an election. These records and papers shall be public records open to inspection by anyone.

B. ~~In an election involving the office of the president of the United States, vice president of the United States, presidential elector, United States senator, or United States representative, all records and papers which come into the possession of an election official relating to any application, registration, or other act requisite to voting in such election shall be kept and maintained for a period of twenty-two months from the date of the election.~~

\* \* \*

§1311. List of absentee by mail and early voters; posting; delivery of alphabetized list to precincts; supplements; absentee by mail voter report

\* \* \*

D. \* \* \*  
(4) \* \* \*

(b) If the voter has voted in person at the precinct, the registrar shall write across the ballot the words "rejected, voted at precinct" and shall include such ballot with all other mail ballots received on or after election day, to be kept unopened for ~~six months~~, and destroyed at least two years from the date of the election.

§1312. Retention of ballots at registrar's office

D. Except as otherwise provided in R.S. 18:1308.1(C) and 1311(D)(1) and (5), all mail ballots received on or after election day shall not be counted, but shall be endorsed with the day and hour of receipt, shall be kept unopened for ~~six months~~, and then shall be destroyed at least two years from the date of the election. Any absentee ballot received by mail or facsimile not the first received from the voter shall be treated as provided in this Subsection.

AMENDMENT NO. 3

On page 1, line 8, after "Section" change "1" to "2"

AMENDMENT NO. 4

On page 2, delete lines 9 through 16

AMENDMENT NO. 5

On page 2, at the beginning of line 17, change "(d)" to "(c)"

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

**SENATE BILL NO. 221—**  
BY SENATOR HEWITT

AN ACT

To amend and reenact R.S. 18:18(A)(7), 1351(13), 1353(B), the introductory paragraph of (C) and (C)(2), and (D), 1361, 1362(A), and 1364(A), to enact R.S. 18:1362.1 and 1362.2 and R.S. 36:744(O) and (P), and to repeal R.S. 18:553.1, 1351(5), 1352(C), and 1365, relative to oversight of voting systems; to provide for definitions; to provide for promulgation of rules; to provide for appointments; to provide for legislative oversight; to provide for an evaluation authority; to provide for membership; to provide for reporting requirements; to provide for evaluation criteria; and to provide for related matters.

Reported with amendments by the Committee on Senate and Governmental Affairs.

**SENATE COMMITTEE AMENDMENTS**

Amendments proposed by Senate Committee on Senate and Governmental Affairs to Original Senate Bill No. 221 by Senator Hewitt

AMENDMENT NO. 1

On page 1, line 4, after "1351(5)," delete "1352(C),"

AMENDMENT NO. 2

On page 4, line 12, after "shall" and before "qualified" delete "employ" and insert "appoint no fewer than three but no more than five"

AMENDMENT NO. 3

On page 4, line 14, after "exceed" and before "dollars" delete "a total of five hundred" and insert "five thousand"

AMENDMENT NO. 4

On page 6, line 6, after "A" delete "representative from the office of the governor," and insert "member"

AMENDMENT NO. 5

On page 6, line 8, after "The" and before the comma "," delete "chairman of the Republican Party of Louisiana" and insert "secretary of state"

AMENDMENT NO. 6

On page 6, line 9, after "The" and before the comma "," delete "chairman of the Democratic Party of Louisiana" and insert "commissioner of administration"

AMENDMENT NO. 7

On page 6, delete lines 10 through 13

AMENDMENT NO. 8

On page 6, line 14, change "(9)" to "(7)"

AMENDMENT NO. 9

On page 6, line 14, after "by the" delete the remainder of the line and line 15 and insert "chairman of the Louisiana Cybersecurity Commission."

AMENDMENT NO. 10

On page 6, line 16, change "(10)" to "(8)"

AMENDMENT NO. 11

On page 6, delete lines 18 through 20

AMENDMENT NO. 12

On page 6, line 23, delete "commissioner of elections" and insert "secretary of state"

AMENDMENT NO. 13

On page 7, line 5, after "State" delete the remainder of the line and on line 6 delete "technology services" and insert "and office of state procurement"

AMENDMENT NO. 14

On page 7, lines 21 and 22, after "state," delete "the Joint Legislative Committee on the Budget, the office of technology services,"

AMENDMENT NO. 15

On page 7, line 25, after "state" and before the comma "," delete "purchasing" and insert "procurement"

AMENDMENT NO. 16

On page 7, line 28, after "system" and before the period "." insert "in accordance with the provisions of R.S. 18:1361(A)"

AMENDMENT NO. 17

On page 8, line 2, after "Proposal" and before "Committee" delete "Review" and insert "Evaluation"

AMENDMENT NO. 18

On page 8, line 6, after "Proposal" and before "Committee" delete "Review" and insert "Evaluation"

AMENDMENT NO. 19

On page 8, line 8, after "member" delete the remainder of the line and delete line 9 and insert "of a Louisiana postsecondary education institution with engineering or computer science expertise."

AMENDMENT NO. 20

On page 8, between lines 12 and 13 insert the following:  
"(d) The president of a parish board of election supervisors.  
(e) A representative from the office of the secretary of state who did not serve as member of the Voting System Technology Commission."

AMENDMENT NO. 21

On page 8, delete lines 14 and 15 and on line 16 delete "Affairs"

AMENDMENT NO. 22

On page 8, delete lines 17 through 19

AMENDMENT NO. 23

On page 9, line 23, after "Proposal" and before "Committee" delete "Review" and insert "Evaluation"

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AMENDMENT NO. 24

On page 9, line 28, after "1351(5)," delete "1352(C),"

AMENDMENT NO. 25

On page 9, following line 28, insert the following:

"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 Hewitt, the committee amendment was adopted. The amended bill was read by title, ordered engrossed and passed to a third reading.

SENATE BILL NO. 231—

BY SENATOR ROBERT MILLS

AN ACT

To enact Subpart M-1 of Part IV of Chapter 4 of Title 22 of the Louisiana Revised Statutes of 1950, to be comprised of R.S. 22:1430.1 through 1430.8, relative to the regulation of insurance; to create the Insurance Regulatory Sandbox Program; to provide for requirements; to provide for definitions; to provide for applications; to provide for the scope of regulations; to provide for consumer protections; to provide for disclosures; to provide for exemptions from certain regulations; to provide for extensions of time; to provide for recordkeeping; to provide for reporting requirements; and to provide for related matters.

Reported with amendments by the Committee on Insurance.

SENATE COMMITTEE AMENDMENTS

Amendments proposed by Senate Committee on Insurance to Original Senate Bill No. 231 by Senator Robert Mills

AMENDMENT NO. 1

On page 4, line 2, after "approve" delete the remainder of the line and delete lines 3 through 9 in their entirety and insert in lieu thereof the following: "the application of or the participation in the insurance regulatory sandbox program by any person to whom any of the following applies:

(1) The conviction or nolo contendere plea to any felony, participation in a pretrial diversion program pursuant to a felony charge, suspension and deferral of sentence and probation pursuant to Code of Criminal Procedure Article 893, or conviction of any misdemeanor involving breach of trust, moral turpitude, or public corruption.

(2) The conviction of a felony involving dishonesty or breach of trust pursuant to 18 U.S.C. 1033 and 1034, without written consent from the commissioner pursuant to 18 U.S.C. 1033, or any successor statute regulating crimes by or affecting persons engaged in the business of insurance whose activities affect interstate commerce.

(3) If the applicant or participant is a business entity, refusal to remove or discharge any person who has been convicted of or pleaded nolo contendere to any felony, participated in a pretrial diversion program pursuant to a felony charge, suspension and deferral of sentence, and probation pursuant to Code of Criminal Procedure Article 893, or been convicted of any misdemeanor involving breach of trust, moral turpitude, or public corruption."

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

Senate Bills and Joint Resolutions on Third Reading and Final Passage

Bagneris Rule

Senator Boudreaux moved to invoke the rule to temporarily pass over controversial Senate Bills on Third Reading and Final Passage with the intention of taking them up later, in their regular order.

Without objection, so ordered.

SENATE BILL NO. 8—

BY SENATOR PEACOCK

AN ACT

To amend and reenact R.S. 47:6035, relative to the tax credit for purchases of qualified clean-burning motor vehicle fuel property; to provide relative to eligibility; to accelerate the sunset date of the credit for vehicle purchases; and to provide for related matters.

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

ROLL CALL

The roll was called with the following result:

YEAS

Table with 3 columns: Name, Position, and Name. Lists members of the Senate who voted 'YEAS'.

Total - 32

NAYS

Table with 2 columns: Name, Position. Lists members of the Senate who voted 'NAYS'.

Total - 2

ABSENT

Table with 3 columns: Name, Position, Name. Lists members of the Senate who were absent.

Total - 5

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

SENATE BILL NO. 11—

BY SENATOR TALBOT

AN ACT

To amend and reenact R.S. 47:293(10) and to enact R.S. 47:287.738(H), 293(9)(a)(xx), and 297.16, relative to income tax exemptions; to provide for an individual and corporation income tax exemption for certain state and federal COVID-19 relief benefits; and to provide for related matters.

Floor Amendments

Senator Talbot proposed the following amendments.

**SENATE FLOOR AMENDMENTS**

Amendments proposed by Senator Talbot on behalf of the Legislative Bureau to Engrossed Senate Bill No. 11 by Senator Talbot

**AMENDMENT NO. 1**

On page 1, line 7, following "reenacted and" change "47:287.738(H) and" to "R.S. 47:287.738(H),"

**AMENDMENT NO. 2**

On page 1, line 8, following "293(9)(a)(xx)" and before "and" insert ", "

On motion of Senator Talbot, the amendments were adopted.

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

**ROLL CALL**

The roll was called with the following result:

**YEAS**

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

Total - 37

**NAYS**

Total - 0

**ABSENT**

Tarver                      Ward  
Total - 2

The Chair declared the amended bill was passed, ordered reengrossed and 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. 12—**  
BY SENATOR BOUIE

**AN ACT**

To enact R.S. 13:783.1, relative to the payment of group insurance premiums for retired clerks of court and clerk's employees; to create the Orleans Parish Clerk of Civil District Court's Office Retired Employees Insurance Fund; to provide for deposits in the fund; to provide for payments from the fund; and to provide for related matters.

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

**ROLL CALL**

The roll was called with the following result:

**YEAS**

Mr. President	Fields	Mills, F.
Abraham	Foil	Mills, R.
Allain	Harris	Mizell
Barrow	Henry	Morris
Bernard	Hensgens	Peacock

Boudreaux	Hewitt	Pope
Bouie	Jackson	Price
Carter	Johns	Reese
Cathey	Lambert	Smith
Cloud	Luneau	Talbot
Connick	McMath	White
Fesi	Milligan	

Total - 35

**NAYS**

Total - 0

**ABSENT**

Peterson                      Ward  
Tarver                          Womack  
Total - 4

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

**SENATE BILL NO. 21—**  
BY SENATOR ROBERT MILLS

**AN ACT**

To enact R.S. 11:163.2, relative to the Municipal Employees' Retirement System; to provide for credit for involuntary furlough and leave without pay; to provide with respect to the purchase of service and salary credit lost as a result of COVID-related involuntary furlough or leave for certain employees; to provide with respect to payment for service purchased; to provide for limitations; to provide for implementation; to provide for an effective date; and to provide for related matters.

The bill was read by title. Senator Robert Mills 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	Peterson
Bernard	Hewitt	Pope
Boudreaux	Jackson	Price
Bouie	Johns	Reese
Carter	Lambert	Smith
Cathey	Luneau	Talbot
Cloud	McMath	White
Connick	Milligan	Womack
Fesi	Mills, F.	
Fields	Mills, R.	

Total - 37

**NAYS**

Total - 0

**ABSENT**

Tarver                          Ward  
Total - 2

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

April 21, 2021

SENATE BILL NO. 23—

BY SENATORS FESI, ABRAHAM, BARROW, BERNARD, BOUIE, CATHEY, CLOUD, CONNICK, FIELDS, FOIL, HARRIS, HENRY, HENSGENS, HEWITT, JACKSON, JOHNS, LAMBERT, LUNEAU, MCMATH, MILLIGAN, FRED MILLS, ROBERT MILLS, MIZELL, MORRIS, PEACOCK, POPE, PRICE, REESE, SMITH, TALBOT AND WHITE

AN ACT

To amend and reenact R.S. 42:851(E)(2) and (P), R.S. 11:1316(B)(2) and (E) and 1345.8(B)(2) and (D), relative to the State Police Retirement System; to provide relative to continuing health care coverage for a surviving spouse and child; to provide with respect to health care premium subsidy; to provide limitations; to provide relative to survivors of members killed in the line of duty; to provide with respect to survivors' benefits for members killed in the line of duty by an intentional act of violence; to provide for an effective date; 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. 23 by Senator Fesi

AMENDMENT NO. 1

On page 1, line 2, following "(P)" and before "R.S. 11:1316(B)(2)" change ", " to "and"

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

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

ROLL CALL

The roll was called with the following result:

YEAS

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

NAYS

Total - 0

ABSENT

Cathey Tarver Ward
Total - 3

The Chair declared the amended bill was passed, ordered reengrossed and 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. 46—

BY SENATOR LAMBERT

AN ACT

To amend and reenact R.S. 47:293(9)(e), relative to state individual income tax; to increase the amount of the exclusion for certain income earned while on active duty with the armed forces; to provide for effectiveness; and to provide for related matters.

The bill was read by title. Senator Lambert 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 Peterson
Bernard Hewitt Pope
Boudreaux Jackson Price
Bouie Johns Reese
Carter Lambert Smith
Cathey Luneau Talbot
Cloud McMath White
Connick Milligan Womack
Fesi Mills, F.
Fields Mills, R.

Total - 37

NAYS

Total - 0

ABSENT

Tarver Ward
Total - 2

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

SENATE BILL NO. 52—

BY SENATOR POPE

AN ACT

To amend and reenact the introductory paragraph of R.S. 13:5554(FF), relative to group insurance available through sheriff's departments; to provide for payment of certain costs associated with group and self-insurance plans; and to provide for related matters.

The bill was read by title. Senator Pope 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 Peterson
Bernard Hewitt Pope
Boudreaux Jackson Price
Bouie Johns Reese
Carter Lambert Smith
Cathey Luneau Talbot
Cloud McMath Ward
Connick Milligan White
Fesi Mills, F. Womack
Fields Mills, R.

Total - 38

NAYS

Total - 0

ABSENT

Tarver
Total - 1

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

**SENATE BILL NO. 57—**  
BY SENATOR WOMACK

AN ACT

To amend and reenact Code of Criminal Procedure Art. 404(H), relative to jury commissions; to provide that the clerk of court for Franklin Parish or the clerk's designated deputy clerk shall serve as the jury commission; and to provide for related matters.

The bill was read by title. Senator Womack 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	Peterson
Bernard	Hewitt	Pope
Boudreaux	Jackson	Price
Bouie	Johns	Reese
Carter	Lambert	Smith
Cathey	Luneau	Talbot
Cloud	McMath	Ward
Connick	Milligan	White
Fesi	Mills, F.	Womack
Fields	Mills, R.	
Total - 38		

NAYS

Total - 0

ABSENT

Tarver  
Total - 1

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

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

**ENROLLMENTS**

Senator Hewitt, Chairwoman on behalf of the Committee on Senate and Governmental Affairs, submitted the following report:

April 21, 2021

To the President and Members of the Senate:

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

The following Senate Concurrent Resolution has been properly enrolled:

**SENATE CONCURRENT RESOLUTION NO. 23—**  
BY SENATOR FOIL

A CONCURRENT RESOLUTION

To commend and congratulate Commander Matthew Noland of the United States Navy on the occasion of taking command of the guided missile destroyer USS KIDD.

Respectfully submitted,  
SHARON W. HEWITT  
Chairwoman

The foregoing Senate Concurrent Resolution was signed by the President of the Senate.

**Message from the House**

**SIGNED HOUSE CONCURRENT RESOLUTIONS**

April 21, 2021

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. 23—**

BY REPRESENTATIVE THOMPSON AND SENATORS CATHEY, ABRAHAM, ALLAIN, BARROW, BERNARD, BOUDREAU, BOUIE, CARTER, CLOUD, CONNICK, CORTEZ, FESI, FOIL, HARRIS, HENRY, HEWITT, JACKSON, JOHNS, LAMBERT, LUNEAU, MCMATH, MILLIGAN, FRED MILLS, ROBERT MILLS, MIZELL, MORRIS, PEACOCK, PETERSON, POPE, PRICE, REESE, SMITH, WARD, AND WHITE

A CONCURRENT RESOLUTION

To express the condolences of the Legislature of Louisiana on the death of Robert Patrick.

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

Respectfully submitted,  
MICHELLE D. FONTENOT  
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	Foil	Mizell
Abraham	Harris	Morris
Allain	Henry	Peacock
Barrow	Hensgens	Peterson
Bernard	Hewitt	Pope
Boudreaux	Jackson	Price
Bouie	Johns	Reese
Carter	Lambert	Smith
Cathey	Luneau	Talbot
Cloud	McMath	Ward
Connick	Milligan	White
Fesi	Mills, F.	Womack
Fields	Mills, R.	
Total - 38		

ABSENT

Tarver  
Total - 1

**Leaves of Absence**

The following leaves of absence were asked for and granted:

Tarver 1 Day

April 21, 2021

**Announcements**

The following committee meetings for April 26, 2021, were announced:

Finance	9:30 A.M.	Room A
Revenue and Fiscal Affairs	1:00 P.M.	Hainkel Room

**Adjournment**

On motion of Senator Talbot, at 5:00 o'clock P.M. the Senate adjourned until Monday, April 26, 2021, at 3:00 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