

THE OFFICIAL JOURNAL
OF THE
SENATE
OF THE
STATE OF LOUISIANA
TENTH 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

Thursday, April 29, 2021

The Senate was called to order at 9:10 o'clock A.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 | Fesi | Mills, R. |
| Abraham | Fields | Peacock |
| Allain | Foil | Pope |
| Barrow | Harris | Price |
| Bernard | Hewitt | Reese |
| Boudreaux | Jackson | Smith |
| Bouie | Lambert | Talbot |
| Carter | McMath | Ward |
| Cathey | Milligan | Womack |
| Cloud | Mills, F. | |
| Total - 29 | | |

ABSENT

| | | |
|------------|----------|--------|
| Connick | Luneau | Tarver |
| Henry | Mizell | White |
| Hensgens | Morris | |
| Johns | Peterson | |
| Total - 10 | | |

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

Prayer

The prayer was offered by Senator Gary Smith, 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 Peacock, the reading of the Journal was dispensed with and the Journal of April 28, 2021, was adopted.

Introduction of Senate Resolutions

SENATE RESOLUTION NO. 36—
BY SENATOR JACKSON

A RESOLUTION

To create a task force to study the implementation of a partnership between law enforcement agencies and safety net hospitals to reduce or eliminate incidents of law enforcement officers going to nonviolent calls or behavioral or social crises in which no crime has taken place.

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

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

SENATE BILL NO. 245— (Substitute of Senate Bill No. 71 by Senator Bernard)

BY SENATOR BERNARD

AN ACT

To amend and reenact Code of Civil Procedure Arts. 1734(A) and 1734.1, relative to civil jury trials; to provide for the costs and expenses related to jury trials; to provide for the payment of jurors; to provide for certain deposits and amounts; to provide for certain actions by the court and clerk; to provide certain terms, conditions, and procedures; and to provide for related matters.

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

**Senate Resolutions on
Second Reading**

SENATE RESOLUTION NO. 29—

BY SENATOR BERNARD

A RESOLUTION

To commend and congratulate "Sweet" Lou Dunbar for his induction into the Louisiana Sports Hall of Fame due to his career as an outstanding basketball player for Webster High School in Minden, Louisiana, the University of Houston, and the Harlem Globetrotters.

Floor Amendments

Senator Bernard proposed the following amendments.

SENATE FLOOR AMENDMENTS

Amendments proposed by Senator Bernard to Original Senate Resolution No. 29 by Senator Bernard

AMENDMENT NO. 1

On page 2, line 24, after "that" delete the remainder of the line and insert "the Senate of the Legislature of Louisiana does hereby commend"

On motion of Senator Bernard, the amendments were adopted.

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

SENATE RESOLUTION NO. 30—

BY SENATORS BERNARD, ALLAIN, BARROW, BOUDREAUX, BOUIE, CARTER, CATHEY, CLOUD, CORTEZ, FESI, FIELDS, FOIL, JACKSON, MCMATH, MILLIGAN, ROBERT MILLS, MIZELL, MORRIS, PEACOCK, POPE, PRICE, SMITH, WARD AND WHITE

A RESOLUTION

To commend and congratulate Mackie Freeze, a native Louisianian and outstanding baseball player and high school football coach, on being inducted into the Louisiana Sports Hall of Fame, and for his distinguished thirteen-year career during which he established an exemplary football program at Richwood High School.

Floor Amendments

Senator Bernard proposed the following amendments.

SENATE FLOOR AMENDMENTS

Amendments proposed by Senator Bernard to Original Senate Resolution No. 30 by Senator Bernard

AMENDMENT NO. 1

On page 3, line 6, after "that" delete the remainder of the line and insert "the Senate of the Legislature of Louisiana does hereby commend"

AMENDMENT NO. 2

On page 3, at the beginning of line 7, delete "to"

On motion of Senator Bernard, the amendments were adopted.

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

SENATE RESOLUTION NO. 31—
BY SENATOR BERNARD

A RESOLUTION

To commend Angela Turner-Johnson, famed womens basketball player at Louisiana Tech University, upon the occasion of her induction into the Louisiana Sports Hall of Fame.

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

SENATE RESOLUTION NO. 32—
BY SENATORS BERNARD AND PEACOCK
A RESOLUTION

To commend Shreveport-based sports broadcaster Tim Brando upon being the first recipient of the Louisiana Sports Hall of Fame Ambassador Award.

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

SENATE RESOLUTION NO. 33—
BY SENATOR BERNARD
A RESOLUTION

To commend and congratulate Robin Fambrough on receiving the Louisiana Sports Hall of Fame 2020 Distinguished Service Award in Sports Journalism.

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

SENATE RESOLUTION NO. 34—
BY SENATORS BERNARD AND CARTER
A RESOLUTION

To commend and congratulate Kent Lowe on receiving the Louisiana Sports Hall of Fame 2020 Distinguished Service Award in Sports Journalism.

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

SENATE RESOLUTION NO. 35—
BY SENATOR REESE
A RESOLUTION

To express the sincere condolences of the Senate of the Legislature of Louisiana upon the death of Shirley Mae Pearce Smith.

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

Senate Concurrent Resolutions on
Second Reading

SENATE CONCURRENT RESOLUTION NO. 33—
BY SENATOR LUNEAU AND REPRESENTATIVE HARRIS
A CONCURRENT RESOLUTION

To urge and request the federal Office of Management and Budget to retain the 2010 Standards for Delineating Metropolitan and Micropolitan Statistical Areas (MSA's) with a minimum population of fifty thousand.

The resolution was read by title and referred by the President to the Committee on Senate and Governmental Affairs.

House Bills and Joint Resolutions on
Second Reading

HOUSE BILL NO. 74—
BY REPRESENTATIVE FRIEMAN
AN ACT

To amend and reenact R.S. 22:337(A)(17) and R.S. 23:1161.1(A) and to enact R.S. 23:1161.1(E), relative to workers' compensation insurers; to require insurers issuing workers' compensation policies in Louisiana to maintain a claims office in Louisiana; to remove the requirement that Louisiana licensed claims adjusters retained by foreign and alien insurers be domiciled independently; to make technical changes; and to provide for related matters.

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

HOUSE BILL NO. 145—
BY REPRESENTATIVE BRYANT
AN ACT

To amend and reenact R.S. 15:574.4(A)(2) and (B)(1) and to enact R.S. 15:574.4(A)(6), relative to parole; to provide relative to parole eligibility; to provide relative to the parole eligibility of persons convicted of certain crimes; to provide relative to the parole eligibility of persons serving certain terms of imprisonment; and to provide for related matters.

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

HOUSE BILL NO. 167—
BY REPRESENTATIVES MIKE JOHNSON, AMEDEE, CARRIER, CREWS,
EDMONDS, FARNUM, FIRMENT, MIGUEZ, ORGERON, RISER,
SEABAUGH, AND THOMPSON
AN ACT

To amend and reenact R.S. 18:173, relative to voter registration rolls; to provide relative to removal of deceased persons from such rolls; to provide relative to Department of State and registrar of voter responsibilities; 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 Senate and Governmental Affairs.

HOUSE BILL NO. 231—
BY REPRESENTATIVE MARCELLE
AN ACT

To amend and reenact R.S. 14:102.6, relative to dogfighting; to provide relative to the disposition of dogs used in dogfighting; to require the appointment of a licensed veterinarian or other custodian to care for and assess the dogs; to provide relative to euthanasia of dogs seized in connection with dogfighting; to provide relative to the transfer of ownership of the dogs; to provide for an effective date; to provide relative to civil liability; and to provide for related matters.

The bill was read by title and referred by the President to the Committee on Agriculture, Forestry, Aquaculture, and Rural Development.

HOUSE BILL NO. 236—
BY REPRESENTATIVE EMERSON
AN ACT

To amend and reenact R.S. 22:2084(6) and (7) and 2099, relative to the Louisiana Life and Health Insurance Guaranty Association; to remove past date references; to modify relative to prospective application; 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 Insurance.

HOUSE BILL NO. 260—

BY REPRESENTATIVE GREGORY MILLER
AN ACT

To amend and reenact R.S. 3:732(A) and 2054(A), R.S. 17:2048.61(B), R.S. 23:1294(A)(1), R.S. 25:379(A), 379.2(B)(4), 380(A), 380.2(B)(4), 380.21(A), 380.23(B)(6), 380.51(A), 380.53(B)(6), 380.81(A), 380.83(B)(6), 380.91(A), 380.93(B)(6), 380.151(A), 380.153(B)(6), R.S. 36:4.1(C), (D), and (E), 109, 209, 309, 509, 629, 651, 686, 744, 801(introductory paragraph), 801.1(A), 802(introductory paragraph), 803(A)(1), 851(A), 901(A), and 921(A), R.S. 42:808(A)(6), R.S. 51:1253(3), and Section 3 of Act No. 180 of the 2020 Regular Session of the Legislature, to enact R.S. 36:4.1(B), and to repeal R.S. 36:4.1(F) and (G), 801.2, 801.5, 801.6, 801.7, 801.9, 801.12, 801.15, 801.16, 801.22, 802.1, 802.2, 802.3, 802.6, 802.7, 802.10, 802.12, 802.16, 802.19, 802.21, 851.1, 908, 909, 910, 911, 912, 913, 919.1, 919.6, and 919.9, relative to providing corrections for Title 36 of the Louisiana Revised Statutes of 1950; to provide for technical corrections; to provide for re-organization of the structure of Title 36; and to provide for related matters.

The bill was read by title and referred by the President to the Committee on Senate and Governmental Affairs.

HOUSE BILL NO. 283—

BY REPRESENTATIVE HOLLIS
AN ACT

To amend and reenact R.S. 44:4.1(B)(11) and to repeal R.S. 22:1290.1, relative to commercial automobile insurance; to repeal the requirement for automobile insurers to submit annual data to the commissioner of insurance; 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 Insurance.

HOUSE BILL NO. 330—

BY REPRESENTATIVE HARRIS
AN ACT

To amend and reenact R.S. 18:425(A)(1)(a)(introductory paragraph) and to repeal R.S. 18:1280.21(E), relative to election commissioners; to provide for an increase in the number of commissioners for presidential primary elections; 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 Senate and Governmental Affairs.

HOUSE BILL NO. 373—

BY REPRESENTATIVE BISHOP
AN ACT

To amend and reenact R.S. 44:4.1(B)(35) and to enact R.S. 51:2113(E), relative to public records; to provide for an exception to public records; to provide relative to managed service providers and managed security service providers; 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 Senate and Governmental Affairs.

HOUSE BILL NO. 394—

BY REPRESENTATIVE RISER AND SENATORS BARROW AND WARD
AN ACT

To enact R.S. 17:3399.18, relative to campus safety and accountability; to require postsecondary education institutions to post security reports on their websites; to provide relative to the information contained in the security reports; to provide for compliance monitoring relative to the security reports by the Board of Regents; to provide for penalties and enforcement; and to provide for related matters.

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

HOUSE BILL NO. 435—

BY REPRESENTATIVE ROMERO
AN ACT

To amend and reenact R.S. 27:402(18) and 405(C)(1) through (5), relative to video draw poker devices; to provide relative to the definition of video draw poker; to provide relative to the games offered by video draw poker devices; to provide relative to the method of operation of the games of video draw poker or card games; and to provide for related matters.

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

HOUSE BILL NO. 436—

BY REPRESENTATIVE FREIBERG
AN ACT

To repeal Part IV of Chapter 13 of Title 22 of the Louisiana Revised Statutes of 1950, comprised of R.S. 22:2261, relative to a central database on life insurance policies; to provide for an effective date; and to repeal provisions regarding a central database on life insurance policies.

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

HOUSE BILL NO. 462—

BY REPRESENTATIVE HUVAL
AN ACT

To amend and reenact R.S. 22:439(A)(1), (2)(introductory paragraph), and (3) and (B) and 440 and to enact R.S. 22:439(E), relative to the tax on surplus lines and unauthorized insurance; to provide for a tax on the direct placement of unauthorized insurance; to provide for direct placement tax reports; to provide for a penalty for the failure to pay the tax or to file the required report; to provide for the waiver of the penalty; 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 Insurance.

HOUSE BILL NO. 502—

BY REPRESENTATIVES STEFANSKI AND THOMPSON
AN ACT

To amend and reenact R.S. 32:1262(A), relative to motor vehicles; to provide for warranty work on motor vehicles or motor vehicle parts; to provide for repair orders; to provide for parts mark-ups or labor rates; to provide for definitions; and to provide for related matters.

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

**House Concurrent Resolutions on
Second Reading**

HOUSE CONCURRENT RESOLUTION NO. 52—

BY REPRESENTATIVES HARRIS, FIRMENT, AND MIKE JOHNSON AND SENATORS LUNEAU AND WOMACK
A CONCURRENT RESOLUTION

To commend Alexandria city councilman, Harry Silver, on the occasion of his retirement.

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

ROLL CALL

The roll was called with the following result:

YEAS

| | | |
|---------------|--------|---------|
| Mr. President | Fields | Morris |
| Abraham | Foil | Peacock |

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| | | |
|-----------|-----------|--------|
| Allain | Harris | Pope |
| Barrow | Hewitt | Price |
| Bernard | Jackson | Reese |
| Boudreaux | Lambert | Smith |
| Bouie | Luneau | Talbot |
| Carter | McMath | Ward |
| Cathey | Milligan | White |
| Cloud | Mills, F. | Womack |
| Connick | Mills, R. | |
| Fesi | Mizell | |

Total - 34

NAYS

Total - 0

ABSENT

| | | |
|----------|----------|--------|
| Henry | Johns | Tarver |
| Hensgens | Peterson | |

Total - 5

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

HOUSE CONCURRENT RESOLUTION NO. 53—

BY REPRESENTATIVE WHEAT

A CONCURRENT RESOLUTION

To commend the members of the United States Armed Forces for their service and to proclaim May 2021 as Military Appreciation Month.

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

ROLL CALL

The roll was called with the following result:

YEAS

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

Total - 34

NAYS

Total - 0

ABSENT

| | | |
|----------|----------|--------|
| Henry | Johns | Tarver |
| Hensgens | Peterson | |

Total - 5

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

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

SENATE BILL NO. 4—

BY SENATOR PRICE

AN ACT

To repeal R.S. 18:1505.2(H)(7), relative to limits on campaign contributions received from political committees; to eliminate certain restrictions; 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. 29—

BY SENATORS ABRAHAM AND JOHNS
AN ACT

To enact R.S. 22:11(C), relative to the commissioner of insurance; to authorize the commissioner to take certain emergency actions related to insurance; to provide for limitations on these emergency actions; 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. 29 by Senator Abraham

AMENDMENT NO. 1

On page 1, delete line 14 in its entirety and insert in lieu thereof the following:

- (a) Medical coverage relative to each of the following:**
 - (i) Removal of telehealth and telemedicine access restraints.**
 - (ii) Suspension of physician credentialing requirements.**
 - (iii) Expansion of remote access to pharmaceutical drugs."**

AMENDMENT NO. 2

On page 1 at the end of line 16 add the following: **"For health and accident insurance and health maintenance organizations, the commissioner may require carriers to pay claims for care delivered during the first month of the grace period and pend all subsequent claims until any arrearages are corrected or the product is permissibly cancelled or nonrenewed. The commissioner may require prior notice to providers as a prerequisite for nonpayment of claims."**

AMENDMENT NO. 3

On page 1, line 17 between "of" and "cancellation" insert **"involuntary"** and change **"nonrenewal"** to **"nonrenewal by the insurer."**

AMENDMENT NO. 4

On page 2, delete line 1 in its entirety.

AMENDMENT NO. 5

On page 2, line 3, between **"all"** and **"the"** insert **"of"**

AMENDMENT NO. 6

On page 2, line 8, between **"regulation"** and **"shall"** insert **", which"**

AMENDMENT NO. 7

On page 2, below line 10, add the following:

"(3) Any emergency rules or regulations issued by the commissioner pursuant to this Subsection shall be subject to legislative oversight in accordance with R.S. 49:950, et seq. and all of the following:

(a) If the commissioner finds that an imminent peril to the public health, safety, or welfare requires adoption of a rule upon shorter notice than that provided in R.S. 49:953(A) and within five days of adoption states in writing to the governor of the state of Louisiana, the attorney general of Louisiana, the speaker of the House of Representatives, the president of the Senate, and the office of the state register, the reasons for that finding, the commissioner may proceed without prior notice or hearing or upon any abbreviated notice and hearing that it finds practicable, to adopt an emergency rule.

(b) The commissioner's statement of the reasons for finding it necessary to adopt an emergency rule shall include specific reasons why the failure to adopt the rule on an emergency basis would result in imminent peril to the public health, safety, or welfare, or specific reasons why the emergency rule meets other criteria provided in this Subsection for adoption of an emergency rule.

(c) The commissioner's statement required in this Paragraph shall be submitted to the speaker of the House of Representatives and the president of the Senate at their respective offices in the state capitol by electronic transmission if such means are available. If electronic means are not available, the commissioner's statement shall be submitted to the office of the speaker of the House of Representatives and the president of the Senate in the state capitol by certified mail with the return receipt requested or by messenger who shall provide a receipt for signature. The return receipt, the receipt for signature, or the electronic confirmation receipt shall be proof of receipt of the commissioner's statement by the respective offices.

(d) Within sixty days after receipt of the commissioner's statement by the presiding officer of either house for an emergency rule, an oversight subcommittee of that house may conduct a hearing to review the emergency rule and make a determination of whether the emergency rule meets the criteria for an emergency rule and those determinations as provided in R.S. 49:968(D)(3). If within that time period an oversight subcommittee finds an emergency rule unacceptable, it shall prepare a written report containing a copy of the proposed rule and a summary of the determinations made by the committee and transmit copies thereof as provided in R.S. 49:968(F)(2).

(e) Within sixty days after adoption of an emergency rule, the governor may review the emergency rule and make the determinations as provided in Subparagraph (d) of this Paragraph. If within this time period the governor finds an emergency rule unacceptable, he shall prepare a written report as provided in Subparagraph (d) of this Paragraph and transmit copies thereof to the commissioner and the Louisiana Register no later than four days after the governor makes his determination.

(f) Upon receipt by the commissioner of a report as provided in either Subparagraph (d) or (e) of this Paragraph, the rule shall be nullified and shall be without effect.

(4) No later than June 30, 2021, the commissioner shall promulgate, in accordance with provisions of the Administrative Procedure Act, rules and regulations to govern the business of insurance in the event of a declaration of emergency. The rules and regulations promulgated by the commissioner shall establish requirements related to insurance policies or health maintenance contracts under the authority granted by this Part.

(5)(a) Any rule adopted pursuant to the authority granted in Subparagraph (1)(a) of this Subsection and governing medical coverage not specifically enumerated therein shall be presented by the commissioner to the Senate Insurance Committee and House Insurance Committee for review and approval by either committee prior to adoption.

(b) Any grace period or temporary postponement of cancellation or nonrenewal pursuant to Subparagraphs (1)(b) and (c) of this Subsection shall not remain in effect beyond sixty days unless presented by the commissioner to the Senate Insurance Committee and House Insurance Committee for review and approval by either committee prior to any extension.

(c) The House Committee on Insurance and the Senate Committee on Insurance meeting jointly or separately to consider an emergency rule promulgated pursuant to this Subsection may reject the rule or any provision thereof, in which case the rejected rule or provision shall be nullified and shall be without effect."

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. 54—
BY SENATOR LUNEAU

AN ACT

To enact R.S. 22:1337(D), relative to homeowners' insurance; to provide for policy deductibles as applied to named storm, hurricane, and wind and hail deductibles; to require the execution of a separate form listing the specific amount for each deductible expressed as a percentage of the insured value of the property or as a specific dollar amount or both; 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. 54 by Senator Luneau

AMENDMENT NO. 1

On page 1, line 17, delete "the insurer and"

AMENDMENT NO. 2

On page 2, line 4, change "parties" to "insured"

AMENDMENT NO. 3

On page 2, line 5, delete "or the limits of the policy"

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. 70—
BY SENATOR ABRAHAM

AN ACT

To enact R.S. 22:1267.1, relative to commercial insurance; to provide with respect to commercial property insurance deductibles applied to named storm, hurricane, and wind and hail deductibles; 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. 70 by Senator Abraham

AMENDMENT NO. 1

On page 2, line 12, change "the" to "any"

AMENDMENT NO. 2

On page 2, line 12, change "storms or hurricanes" to "storm or hurricane"

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. 74—
BY SENATOR PRICE

AN ACT

To enact R.S. 44:417(D), relative to property held by the state archives; to provide for disposition procedure; to provide for advertising requirements; 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. 82—
BY SENATOR CATHEY

AN ACT

To amend and reenact R.S. 22:2392(26), relative to review of certain dental plans; to include dental insurance benefits in the Health Insurance Issuer External Review Act; 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. 82 by Senator Cathey

AMENDMENT NO. 1

On page 1, line 2, after "2392(26)" delete the remainder of the line and insert in lieu thereof the following: "and 2393, relative to external review of health insurance issuers; to include"

AMENDMENT NO. 2

On page 1, line 3, after "Act;" and before "and" insert the following: "to provide a minimum amount for a claim to be eligible for external review;"

AMENDMENT NO. 3

On page 1, line 6, change "is" to "and 2393 are"

AMENDMENT NO. 4

On page 1, below line 17, add the following:

"* * *

§2393. Applicability and scope

A. This Chapter shall apply to any health insurance issuer that offers a health benefit plan as defined in this Chapter.

B. This Chapter shall apply only to external review or adverse determinations involving individual claims in excess of two hundred fifty dollars."

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. 127—

BY SENATOR MCMATH

AN ACT

To amend and reenact R.S. 40:2162(D)(2), relative to behavioral health rehabilitation services in the Louisiana medical assistance program; to require a minimum level of education and training for certain providers; to make technical changes; 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. 127 by Senator McMath

AMENDMENT NO. 1

On page 2, lines 5 and 6, delete "minimum of fifteen hours of coursework or practicum experience from an accredited university or college" and insert "minor"

AMENDMENT NO. 2

On page 2, line 7, delete "as part of or in addition to the bachelor's degree"

AMENDMENT NO. 3

On page 2, delete lines 8 through 11

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. 130—

BY SENATOR JACKSON

AN ACT

To amend and reenact R.S. 22:1016(A) and to enact R.S. 22:1828 and 1964(30), relative to health insurance; to provide for provider claim payment and data information protections; to provide for definitions; to provide for payment by electronic funds transfer; to provide for violations; to provide for unfair or deceptive acts or practices in the business of insurance; 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. 130 by Senator Jackson

AMENDMENT NO. 1

On page 1, line 14, delete "Such"

AMENDMENT NO. 2

On page 1, line 15, change "a prepaid" to "The prepaid"

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. 133—

BY SENATOR BARROW

AN ACT

To enact R.S. 40:1263, relative to equity in health care services; to provide for the duties of the Louisiana Department of Health; to provide for best practices and protocols for treating communities with underlying medical conditions and health disparities; 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. 133 by Senator Barrow

AMENDMENT NO. 1

On page 1, line 2, after "R.S. 40:1263" insert "and 1264"

AMENDMENT NO. 2

On page 1, line 4, after "disparities;" insert "to establish and provide for the division of women's health; to provide for the purposes, duties, and functions of the division of women's health; to provide for an effective date;"

AMENDMENT NO. 3

On page 1, line 7, after "R.S. 40:1263" delete "is" and insert "and 1264 are"

AMENDMENT NO. 4

On page 1, line 11, delete "in" and insert "for women and"

AMENDMENT NO. 5

On page 1, delete lines 12 through 14, and insert the following: "the improvement of the health of Louisiana's citizens. Specific to the improvement in the health of women in Louisiana, the Louisiana Department of Health shall be responsible for leading, consolidating, and coordinating efforts across the state geared toward improving women's health outcomes through policy, education, evidence-based practices, programs, and services."

B. As part of carrying out the duties provided for in Subsection A of this Section, the Louisiana Department of Health shall engage in all of the following activities:

- (1) Complete a thorough assessment of all activities engaged in or services provided by the state that may specifically impact the health or quality of life of women, including but not limited to those of the governor's office, Louisiana Department of Health, Department of Children and Family Services, Department of Education, and the various higher education institutions. The department shall submit this assessment to the House Committee on Health and Welfare and Senate Committee on Health and Welfare no later than December 15, 2021.
(2) Make available to health care"

AMENDMENT NO. 6

On page 2, line 1, change "(1)" to "(a)"

AMENDMENT NO. 7

On page 2, line 3, change "(2)" to "(b)"

AMENDMENT NO. 8

On page 2, line 5, change "(3)" to "(c)"

AMENDMENT NO. 9

On page 2, line 7, change "(4)" to "(d)"

AMENDMENT NO. 10

On page 2, line 9, change "(5)" to "(e)"

AMENDMENT NO. 11

On page 2, after line 16, insert the following:

"§1264. Division of Women's Health, duties and functions

A. The division of women's health shall be created within the Louisiana Department of Health, office of public health no later than July 1, 2022.

B.(1) During Fiscal Year 2021-2022 prior to the division's creation, the secretary of the department and assistant secretary of the office of public health shall utilize existing staff and resources within the department to do all of the following:

(a) Complete the assessment of women's services provided by the state as required in R.S. 40:1263(B)(1).

(b) Develop a detailed plan for the evolution of workload, anticipated staffing needs, and estimated costs of the division for Fiscal Years 2022-2023, 2023-2024, and 2024-2025 and submit the plan to the House Committee on Appropriations, House Committee on Health and Welfare, Senate Committee on Finance, and Senate Committee on Health and Welfare no later than January 15, 2022.

(c) Begin identifying potential non-state funding sources to aid in financing the activities of the division.

(2) The Louisiana Department of Health shall include within its budget request submission to the governor for Fiscal Year 2022-2023 and each year thereafter a request to fund the division of women's health.

C.(1) In Fiscal Year 2022-2023, the division of women's health shall utilize the assessment of women's services provided by the state as required in R.S. 40:1263(B)(1) and the plan developed pursuant to Subsection B of this Section to begin its work on improving the health of women residing in Louisiana.

(2) The initial staff for the division shall include, at a minimum, a director to lead the division and a position to research, apply for, and oversee grant funding to support the work of the division.

D. Beginning in Fiscal Year 2024-2025 and thereafter, the division of women's health shall be responsible for all of the following activities:

(1) Educating and advocating for women's health by establishing, either on its own or in partnership with other entities, appropriate forums, programs, or initiatives designed to educate the public regarding women's health, with an emphasis on preventive health and healthy lifestyles.

(2) Identifying, coordinating, and establishing priorities for programs, services, and resources for women's health issues and concerns.

(3) Serving as a clearinghouse and resource regarding women's health data, strategies, services, and programs that address women's health issues.

(4) Collecting, classifying, and analyzing relevant research information and data conducted or compiled by the Louisiana Department of Health or other collaborative entities and provide persons with information regarding the research results, except as prohibited by law.

(5) Developing and recommending funding and program activities for educating the public on women's health initiatives relating to the social determinants of health including all of the following:

(a) Health needs throughout a woman's life.

(b) Chronic conditions that significantly affect women, such as heart disease, cancer, and osteoporosis.

(c) Access to health care for women.

(d) Poverty and women's health.

(e) The leading causes of morbidity and mortality for women.

(f) Health disparities of women.

(6) Making recommendations to the secretary of the Louisiana Department of Health regarding programs that

address women's health issues for inclusion in the department's budget and strategic planning.

(7) Seeking funding from private or other governmental entities to carry out the purposes, duties, and functions of the division of women's health.

(8) Preparing materials for publication and dissemination to the public on women's health.

(9) Conducting public educational forums in Louisiana to raise public awareness and to educate citizens about women's health programs, issues, and services.

(10) Coordinating the activities and programs of the division of women's health with other entities that focus on women's health or women's issues.

(11) Provide an annual report to the governor, legislature, and secretary of the Louisiana Department of Health on the priorities and services needed for women's health in Louisiana and areas for improvement.

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

On motion of Senator 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. 136—
BY SENATOR FRED MILLS

AN ACT

To amend and reenact R.S. 3:4104(G), R.S. 15:587.1.2(D), R.S. 22:11.1, R.S. 27:220(D), R.S. 29:784(B), R.S. 30:2019(C) and (D)(2)(d), 2019.1(E), and 2022(B)(3), R.S. 32:415.2(D)(1), R.S. 34:851.14.1(B), R.S. 36:254(D)(1)(a)(i), R.S. 40:5.3(E), 962(H), 2008.10(B), and 2136(B), R.S. 49:953(E)(1) and (G)(3)(d), 954(B), and R.S. 56:6.1(B), to enact R.S. 49:953.1, and to repeal R.S. 49:953(B), relative to emergency rulemaking; to provide for emergency rulemaking in extraordinary circumstances; to provide for criteria that justify an emergency rule; to provide for occurrences that do not satisfy emergency rulemaking; to provide for minimum information in an agency statement for emergency rulemaking; to provide for the effective date, duration, and applicability of an emergency rule; to provide for a maximum number of times an agency can re promulgate an identical emergency rule; to provide for declaratory judgment of the validity of an emergency rule; to provide for legislative oversight of an emergency rule; to provide for gubernatorial oversight of an emergency rule; to provide for notice to the agency if an emergency rule is determined to be unacceptable; to provide for final action on the emergency rule; to provide technical changes to correlating statutes; 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. 136 by Senator Fred Mills

AMENDMENT NO. 1

On page 1, line 6, change "R.S. 49:953.1" to "R.S. 49:951(8) and 953.1"

AMENDMENT NO. 2

On page 8, line 7, change "R.S. 49:953.1 is" to "R.S. 49:951(8) and 953.1 are"

April 29, 2021

AMENDMENT NO. 3

On page 8, between lines 7 and 8 insert the following:
"§951. Definitions

As used in this Chapter:

* * *

(8) "Preamble" means a brief explanation of the basis and rationale for the intended administrative rulemaking action including a summary of the information and data supporting the intended action.

* * *

AMENDMENT NO. 4

On page 9, line 5, after "(2)" delete the remainder of the line, delete lines 6 through 8, and on line 9, delete "order to satisfy the criteria for an emergency rule."

AMENDMENT NO. 5

On page 9, line 24, change "twenty" to "eighty"

AMENDMENT NO. 6

On page 9, line 25, change "may be repromulgated" to "shall be adopted"

AMENDMENT NO. 7

On page 9, line 27, after "disaster" change "or" to a comma and after "emergency" insert ", or an ongoing emergency as authorized by the legislature, governor, or other provision of law"

AMENDMENT NO. 8

On page 9, delete lines 28 and 29 and insert the following: "the agency may concurrently proceed with the adoption of an identical rule pursuant to the procedure provided for in R.S. 49:953(A)."

B.(1) No later than five days after the adoption of an emergency rule, the agency shall provide notice in writing of its emergency action along with a copy of the emergency rule. The notice shall contain, at a minimum, all of the following:

(a) A preamble which states the specific provision or provisions of Paragraph (A)(1) of this Section the agency is citing as cause for emergency rulemaking and the specific facts and detailed reasoning for emergency rulemaking in order to satisfy the criteria for an emergency rule.

(b) The name of the person within the agency who has the responsibility for responding to inquiries about the action.

(c) A statement that the intended action complies with the statutory law administered by the agency, including a citation of the enabling legislation."

AMENDMENT NO. 9

On page 10, delete line 1, and insert "(2)(a) The notice required in Paragraph (1) of this Subsection"

AMENDMENT NO. 10

On page 10, line 2, change "submitted" to "transmitted"

AMENDMENT NO. 11

On page 10, line 4, after "Register" delete the remainder of the line and delete lines 5 through 9 and insert "in accordance with each entity's transmittal policy."

AMENDMENT NO. 12

On page 10, line 10, change "(2) Within five days of" to "(b) No later than five days after the"

AMENDMENT NO. 13

On page 10, line 11, change "mail" to "transmit" and change "emergency rule" to "notice required in Paragraph (1) of this Subsection"

AMENDMENT NO. 14

On page 11, line 1, change "Paragraph (A)(1)" to "Subsection A"

AMENDMENT NO. 15

On page 11, line 8, change "statement" to "notice" and change "Paragraph (A)(2)" to "Subsection B"

AMENDMENT NO. 16

On page 11, line 12, change "Paragraph (A)(1)" to "Subsection A"

AMENDMENT NO. 17

On page 11, line 13, after "also" delete the remainder of the line and delete line 14 and insert "make the following determinations:"

AMENDMENT NO. 18

On page 11, line 23, change "statement" to "notice" and change "Paragraph (A)(2)" to "Subsection B"

AMENDMENT NO. 19

On page 11, at the end of line 28, insert a period and delete line 29

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. 146—
BY SENATOR POPE

AN ACT

To amend and reenact R.S. 44:36, 39, the introductory paragraph of 411(A) and (A)(2) and (C), and 422, relative to preservation of public records; to provide relative to retention schedules; to provide for source document maintenance and conversion standards; to provide for accessibility of records; to provide for annual designation of records officers; to provide relative to investigations; 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. 146 by Senator Pope

AMENDMENT NO. 1

On page 2, line 14, after "B." delete the remainder of the line and on line 15, delete "Section," and insert "All"

AMENDMENT NO. 2

On page 4, line 11, after "B.(1)" delete the remainder of the line and on line 12, delete "Paragraph (2) of this Subsection," and insert "All"

AMENDMENT NO. 3

On page 4, line 14, after "State" delete the remainder of the line and insert "in accordance with the provisions of R.S. 44:415."

AMENDMENT NO. 4

On page 4, at the beginning of line 15, insert "(2) All"

AMENDMENT NO. 5

On page 4, line 16, after "digitizing", delete the period and insert "except:"

AMENDMENT NO. 6

On page 4, delete line 20

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. 150—

BY SENATORS BARROW AND BOUDREAUX AND REPRESENTATIVE BAGLEY

AN ACT

To enact R.S. 42:860, relative to the Office of Group Benefits; to require the Office of Group Benefits to provide coverage for the treatment of severe obesity; to provide definitions; 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. 150 by Senator Barrow

AMENDMENT NO. 1

On page 2, line 16, after "**obesity**" delete the period and insert the following: "**if all of the following criteria are met:**

(1) The surgery or other treatment method is for an active state employee or retired state employee.

(2) The employee has participated in an Office of Group Benefits health plan for at least one year prior to the surgery or other treatment method.

(3) The employee complies with all requirements of the Office of Group Benefits during the pre-operative period.

D. The benefits provided for in this Section shall be limited to a maximum of three hundred surgeries per year.

E. Nothing in this Section shall be construed to provide coverage or other benefits for skin removal surgery."

AMENDMENT NO. 2

On page 2, line 17, change "**D.**" to "**F.**"

AMENDMENT NO. 3

On page 2, line 19, change "**E.**" to "**G.**"

AMENDMENT NO. 4

On page 2, line 23, change "**F.**" to "**H.**"

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

SENATE BILL NO. 176—

BY SENATOR MCMATH

AN ACT

To enact R.S. 46:450.4, relative to the Louisiana Medical Assistance Program; to provide for Medicaid reimbursement paid to health care providers for COVID-19 testing; to provide for reimbursement under the Louisiana Medical Assistance Program; to provide for claim and billing procedures; to provide for separate reimbursement for COVID-19 testing; and to provide for related matters.

Reported favorably by the Committee on Health and Welfare. The bill was read by title, ordered engrossed and recommitted to the Committee on Finance.

SENATE BILL NO. 179—

BY SENATOR CONNICK

AN ACT

To enact R.S. 22:1295(1)(a)(v), relative to uninsured motorist coverage; to prohibit the rejection of uninsured motorist coverage, the selection of lower limits, or the selection of economic-only coverage by a transportation network company; to provide with respect to uninsured motorist coverage amounts; 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. 179 by Senator Connick

AMENDMENT NO. 1

On page 1, line 2, after "To" delete the remainder of the line and insert in lieu thereof the following: "amend and reenact R.S. 22:1266(A)(1)(a), relative to automobile insurance policies; to define an automobile insurance policy; to provide for coverage when an insured is logged on to"

AMENDMENT NO. 2

On page 1, delete line 3 in its entirety.

AMENDMENT NO. 3

On page 1, line 4, delete "selection of economic-only coverage by"

AMENDMENT NO. 4

On page 1, at the end of line 4, delete "to" and delete line 5 in its entirety and insert in lieu thereof the following: "and to provide for"

AMENDMENT NO. 5

On page 1, delete line 8 in its entirety and insert in lieu thereof the following:

"Section 1. R.S. 22:1266(A)(1)(a) is hereby amended and reenacted to read as follows:

§1266. Automobile, property, casualty, and liability insurance policies; cancellations

A. As used in this Part:

(1) "Policy" means an automobile liability, automobile physical damage, or automobile collision policy, or any combination thereof, delivered or issued for delivery in this state, or any binder based on such a policy, insuring a single individual or husband and wife resident of the same household, as named insured, and under which the insured vehicles therein designated are of the following types only:

(a) A private passenger vehicle that is not used as a public or livery conveyance for passengers, **except while the insured is logged on to a transportation network company's digital network during the pre-trip acceptance period**, nor rented to others."

AMENDMENT NO. 6

On page 1, delete lines 9 through 17 and on page 2, delete lines 1 through 6 in their entirety.

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. 196—

BY SENATOR MORRIS

AN ACT

To enact Chapter 15 of Title 45 of the Louisiana Revised Statutes of 1950, to be comprised of R.S. 45:1701 through 1704, relative to social media; to provide relative to social media speech; to provide certain definitions, prohibitions, procedures, and requirements; to authorize certain actions and damages for violations; 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. 196 by Senator Morris

AMENDMENT NO. 1

On page 1, line 9, change "are" to "is"

April 29, 2021

AMENDMENT NO. 2

On page 1, delete line 14, and insert "§1702. Definitions"

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

SENATE BILL NO. 198—
BY SENATOR CATHEY

AN ACT

To enact R.S. 49:147, relative to access to state facilities; to prohibit denial of access to state facilities based on COVID-19 vaccination status; 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. 218—
BY SENATOR FRED MILLS

AN ACT

To amend and reenact R.S. 22:1856(B), the introductory paragraph of 1856.1(B), 1856.1(B)(2), (3), and (4)(a), (D)(1)(b), (E)(5), and (G), 1860.3(C) and (D), 1863(2), and 1867(A), R.S. 37:1256(B), and R.S. 40:2864, the introductory paragraph of 2868(A), and 2870(A)(4), to enact R.S. 22:1856.1(H) and 1860.3(E) and (F) and R.S. 40:2870(A)(21), and to repeal R.S. 22:1865.1(D)(1)(c) and 1867(B) and R.S. 40:2869, relative to the payment of pharmacy claims; 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. 218 by Senator Fred Mills

AMENDMENT NO. 1

On page 1, line 2, after "reenact" delete the remainder of the line and delete lines 3 through 7 and insert the following: "R.S. 22:1856(B), 1856.1(A), the introductory paragraph of 1856.1(B), 1856.1(B)(2)(a), (3)(a), and (4)(a), (D)(1)(b), (E)(5), and (G), the introductory paragraph of 1860.2(A), 1860.3(C) and (D), 1863(2), and 1867(A), R.S. 37:1256(B), and the introductory paragraph of R.S. 40:2868(A) and 2870(A)(4) and to enact R.S. 22:1856(C)(16) and (17), (G), and (H), 1856.1(H), 1856.2, 1860.3(E) and (F), 1863(10), and 1864(C) and R.S. 40:2864(D) and 2870(A)(21), (22), and (23), relative to the payment of pharmacy claims; to provide for pharmacy audits; to provide for reimbursements; to provide for definitions; to prohibit spread pricing; to provide for pharmacy benefit manager permits; to provide for the duties of pharmacy benefit managers; to provide for prohibited acts; to provide for an effective

AMENDMENT NO. 2

On page 1, line 10, after "R.S. 22:1856(B)," delete the remainder of the line and delete lines 11 and 12 and insert the following: "1856.1(A), the introductory paragraph of 1856.1(B), 1856.1(B)(2)(a), (3)(a), and (4)(a), (D)(1)(b), (E)(5), and (G), the introductory paragraph of 1860.2(A), 1860.3(C) and (D), and 1863(2) are hereby amended and reenacted and R.S. 22:1856(C)(16) and (17), (G), and (H), 1856.1(H), 1856.2, 1860.3(E) and (F), 1863(10), and 1864(C) are hereby"

AMENDMENT NO. 3

On page 1, delete lines 16 and 17 and on page 2, delete lines 1 through 6 and insert the following:

"B. Health insurance issuers that limit the period of time that a pharmacist or pharmacy under contract for delivery of covered benefits has to submit claims for payment under R.S. 22:1853 or 1854 shall have the same limited period of time following payment of such claims to perform any review or audit for purposes of reconsidering the validity of such claims.

A pharmacy record audit, reconsideration, or any other review of a claim for delivery of covered benefits performed by a health insurance issuer or their representative shall be done in accordance with R.S. 22:1856.1.

C. Each remittance advice generated by a health insurance issuer or its agent to a pharmacist or his agent or pharmacy or its agent shall be sent on the date of payment and shall include the following information, clearly identified and totaled for each claim listed:

(16) Reimbursement paid to the health insurance issuer.

(17) Reimbursement paid to the pharmacy.

G. If, upon investigation, the commissioner finds that a violation has occurred, the commissioner shall take appropriate enforcement action which may include suspending or revoking a license or imposing a fine. Each violation shall be a separate offense.

H. As used in this Section, "entity" means a managed care company, insurance company, third-party payor, or the representative of the managed care company including a pharmacy benefit manager, insurance company, or third-party payor."

AMENDMENT NO. 4

On page 2, delete line 8 and insert the following:

"A.(1) As used in this Section, "entity" means a managed care company, insurance company, third-party payor, or the representative of the managed care company including a pharmacy benefit manager, insurance company, or third-party payor.

(2) Except for an alleged fraud, willful misrepresentation, or abuse audit performed in accordance with R.S. 22:1856.1(G)(2), any entity that limits the period of time that a pharmacist or pharmacy under contract for delivery of covered benefits has to submit claims for payment pursuant to R.S. 22:1853 or 1854 shall have the same limited period of time following payment of the claims, up to a maximum time period of one year from the date the claim was adjudicated, to perform an audit, reconsideration, or any other review of a claim."

AMENDMENT NO. 5

On page 2, line 14, after "(2)" insert "(a)"

AMENDMENT NO. 6

On page 2, delete lines 21 through 25 and insert a set of asterisks

AMENDMENT NO. 7

On page 2, line 26, after "(3)" insert "(a)"

AMENDMENT NO. 8

On page 3, delete lines 3 through 5 and insert a set of asterisks

AMENDMENT NO. 9

On page 3, line 28, change "to:" to "to:"

AMENDMENT NO. 10

On page 3, delete line 29 and on page 4, delete line 1 and insert the following:

"(1) Any quality assurance review, as defined by the time period prior to the reimbursement by the entity to the pharmacy dispensing of the prescription.

AMENDMENT NO. 11

On page 4, line 2, delete "an" and insert "(2) An"

AMENDMENT NO. 12

On page 4, line 9, after "shall" delete the remainder of the line and delete lines 10 and 11 and insert the following: "suspend or revoke the license of the entity or, in lieu thereof, impose a fine."

§1856.2. Pharmacy record auditors; testing

No individual shall perform an audit on behalf of an entity pursuant to R.S. 22:1856.1 or any other provision of this Subpart unless the individual has passed an examination which tests the

knowledge of the individual concerning pharmacy record audits and the insurance laws and regulations of this state. Examinations shall be developed and conducted in accordance with the rules and regulations promulgated by the commissioner of insurance.

§1860.2. Certain pharmacy claims fees prohibited

A. A health insurance issuer, ~~or a~~ pharmacy benefit manager, or pharmacy services administrative organization shall not directly or indirectly charge or hold a pharmacist or pharmacy responsible for any fee related to a claim that is any of the following:"

AMENDMENT NO. 13

On page 5, line 1, after "in" insert "the unfair trade practices provisions of the Louisiana Insurance Code, R.S. 22:1961 et seq., or"

AMENDMENT NO. 14

On page 5, line 15, after "include" delete the remainder of the line and delete lines 16 and 17 and insert "any rate mutually agreed to and set forth in writing in the contract between the pharmacy benefit manager and the pharmacy or its agent and shall not include the National Average Drug"

AMENDMENT NO. 15

On page 5, between lines 20 and 21, insert the following:

(10) "Specialty drug" means a prescription drug that is not available for order or purchase by a retail pharmacy or long-term care pharmacy, requires special storage, and has distribution or inventory limitations not available at a retail pharmacy or long-term care pharmacy.

§1864. Requirements for use of the National Drug Code by a pharmacy benefit manager

C. A pharmacy benefits manager under contract with a health insurance issuer shall use a single maximum amount to be paid by the health insurance issuer to a pharmacy for a generic drug or a brand name drug that has at least one generic alternative available. A health insurance issuer or pharmacy benefits manager under contract with a health insurance issuer shall use the same maximum allowable cost list for each pharmacy."

AMENDMENT NO. 16

On page 5, line 23, after "manager" insert "or pharmacy services administrative organization"

AMENDMENT NO. 17

On page 6, line 7, after "Section 3." delete the remainder of the line and delete line 8 and insert the following: "The introductory paragraph of R.S. 40:2868(A) and 2870(A)(4) are hereby amended and reenacted and R.S. 40:2864(D) and 2870(A)(21), (22), and (23) are hereby enacted to read as"

AMENDMENT NO. 18

On page 6, delete lines 11 through 18 and insert a set of asterisks

AMENDMENT NO. 19

On page 6, line 19, change "B." to "D."

AMENDMENT NO. 20

On page 6, delete lines 23 through 29

AMENDMENT NO. 21

On page 7, line 14, delete "or reimburse a pharmacy" and delete lines 15 and 16 and insert a period

AMENDMENT NO. 22

On page 7, between lines 20 and 21, insert the following: "(22) Prohibit a pharmacy or pharmacist from offering and providing delivery services to a covered individual as an ancillary service of the pharmacy."

(23) Reimburse a pharmacy or pharmacist in this state an amount less than the amount that the pharmacy benefit manager was paid by the health plan provider for the same claim."

AMENDMENT NO. 23

On page 7, delete lines 21 and 22 and insert the following:

"Section 4. Provisions of this Act shall not invalidate or impede the enforcement of contracts existing at the time of the effective date between pharmacy benefit managers and health insurance issuers or pharmacies. No new agreements or extensions of existing agreements between a pharmacy benefit manager and a health insurance issuer allowing for spread pricing shall be entered into after January 1, 2022.

Section 5. The provisions of R.S. 22:1856.1, as enacted by this Act, shall become effective on July 1, 2022.

Section 6. The provisions of R.S. 22:1856(C), as enacted by this Act, shall become effective on January 1, 2023.

AMENDMENT NO. 24

On page 7, line 23, delete "Section 5. This" and insert the following:

"Section 7. Except as provided in Sections 5 and 6 of this Act, the provisions of this"

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.

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

HOUSE BILL NO. 217—

BY REPRESENTATIVE HILFERTY
AN ACT

To amend and reenact R.S. 6:5, 501(A), 535(C), and 536(C), relative to interstate banking; to remove provisions relative to public policy; to remove capital requirements; to expand geographical limitations; to remove provisions relative to out-of-state holding companies; to remove provisions relative to de novo banks; to remove provisions relative to out-of-state banks entering the state; to provide for state banks held as subsidiaries; to make technical changes; and to provide for related matters.

Reported favorably by the Committee on Commerce, Consumer Protection, and International Affairs. The bill was read by title and referred to the Legislative Bureau.

HOUSE BILL NO. 298—

BY REPRESENTATIVE THOMAS
AN ACT

To amend and reenact R.S. 6:272(A)(1), (B)(2), and (D)(1), 273(B)(1), 274(C)(1), 709(E) and (F), 1182(B), 1183(A), 1185(A), and 1187(A) and R.S. 12:1-709(D), relative to the use of remote communication in certain meetings; to provide for remote communication; to provide for notice; to provide for meetings of savings banks; to provide for annual meetings; to provide for special meetings; to provide for voting; to provide for proxies; to provide for an effective date; and to provide for related matters.

Reported favorably by the Committee on Commerce, Consumer Protection, and International Affairs. The bill was read by title and referred to the Legislative Bureau.

**Senate Concurrent Resolutions
on Second Reading
Reported by Committees**

SENATE CONCURRENT RESOLUTION NO. 22—

BY SENATOR CATHEY
A CONCURRENT RESOLUTION

To urge and request the LSU Board of Supervisors to solely name the basketball court at the Pete Maravich Assembly Center after legendary men's head basketball coach, Dale Brown.

April 29, 2021

Reported favorably by the Committee on Senate and Governmental Affairs.

The resolution was read by title and returned to the Calendar, subject to call.

Senate Concurrent Resolutions on Third Reading and Final Passage, Subject to Call

Called from the Calendar

Senator Talbot asked that Senate Concurrent Resolution No. 4 be called from the Calendar.

SENATE CONCURRENT RESOLUTION NO. 4— BY SENATOR TALBOT

A CONCURRENT RESOLUTION

To suspend until sixty days after final adjournment of the 2022 Regular Session of the Legislature of Louisiana the provisions of R.S. 51:1286(C)(2)(c), which limits the Department of Culture, Recreation and Tourism's purchase of in-state media advertisements to an amount not exceeding ten percent of all funds used for the purchase of media advertisements.

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

ROLL CALL

The roll was called with the following result:

YEAS

Table listing names of senators who voted 'YEAS' for the concurrent resolution, including Mr. President, Abraham, Allain, Barrow, Bernard, Boudreaux, Bouie, Carter, Cathey, Cloud, Connick, Fesi, Fields, Foil, Harris, Hewitt, Jackson, Lambert, Luneau, McMath, Milligan, Mills, F., Mizell, Morris, Peacock, Pope, Price, Reese, Smith, Talbot, Ward, White, and Womack.

Total - 34

NAYS

Total - 0

ABSENT

Table listing names of senators who were absent: Henry, Hensgens, Johns, Peterson, and Tarver.

Total - 5

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

Senate Bills and Joint Resolutions on Third Reading and Final Passage

Bagneris Rule

Senator Pope 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 and to suspend the rules to specifically start with Senate Bill No. 19.

Without objection, so ordered.

SENATE BILL NO. 34— BY SENATOR FIELDS

AN ACT

To amend and reenact R.S. 40:2404.2(C) and to enact Chapter 25-A of Title 40 of the Louisiana Revised Statutes of 1950, comprised of R.S. 40:2551 through 2553, and Code of Criminal Procedure Article 162.3, relative to law enforcement; to provide for the duty to intervene; to provide for body worn cameras; to provide for motor vehicle dash cameras; to restrict use of neck restraints; to restrict the use of no-knock warrants; and to provide for related matters.

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

ROLL CALL

The roll was called with the following result:

YEAS

Table listing names of senators who voted 'YEAS' for Senate Bill No. 34, including Mr. President, Abraham, Allain, Barrow, Bernard, Boudreaux, Bouie, Cathey, Cloud, Connick, Fesi, Fields, Foil, Harris, Hewitt, Jackson, Lambert, Luneau, McMath, Milligan, Mills, F., Mizell, Morris, Peacock, Pope, Price, Reese, Smith, Talbot, Ward, and Womack.

Total - 32

NAYS

Total - 0

ABSENT

Table listing names of senators who were absent: Carter, Henry, Hensgens, Johns, Peterson, Tarver, and White.

Total - 7

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

Rules Suspended

Senator Fields asked for and obtained a suspension of the rules to Call from the Table the Motion by which Senate Bill No. 34 was laid on the table.

Motion to Reconsider Vote

Senator Fields asked for and obtained a suspension of the rules to reconsider the vote by which Senate Bill No. 34 passed.

SENATE BILL NO. 34— BY SENATORS FIELDS AND CARTER

AN ACT

To amend and reenact R.S. 40:2404.2(C) and to enact Chapter 25-A of Title 40 of the Louisiana Revised Statutes of 1950, comprised of R.S. 40:2551 through 2553, and Code of Criminal Procedure Article 162.3, relative to law enforcement; to provide for the duty to intervene; to provide for body worn cameras; to provide for motor vehicle dash cameras; to restrict use of neck restraints; to restrict the use of no-knock warrants; and to provide for related matters.

Floor Amendments

Senator Smith proposed the following amendments.

SENATE FLOOR AMENDMENTS

Amendments proposed by Senator Smith to Engrossed Senate Bill No. 34 by Senator Fields

AMENDMENT NO. 1

On page 3, at the beginning line 22, change "in the daytime" to "from sunrise to sunset"

AMENDMENT NO. 2

On page 4, after line 3, add the following:
"G. For the purposes of this Article, only a district court judge may issue a no-knock warrant."

On motion of Senator Smith, 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 | Fesi | Mills, R. |
| Abraham | Fields | Mizell |
| Allain | Foil | Morris |
| Barrow | Harris | Peacock |
| Bernard | Hewitt | Pope |
| Boudreaux | Jackson | Price |
| Bouie | Lambert | Reese |
| Carter | Luneau | Smith |
| Cathey | McMath | Talbot |
| Cloud | Milligan | Womack |
| Connick | Mills, F. | |
| Total - 32 | | |

NAYS

Total - 0

ABSENT

| | | |
|-----------|----------|-------|
| Henry | Peterson | White |
| Hensgens | Tarver | |
| Johns | Ward | |
| Total - 7 | | |

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. 50—

BY SENATORS CARTER, BOUIE AND TARVER AND REPRESENTATIVE GARY CARTER

AN ACT

To enact Civil Code Article 3419.1, relative to ownership of domestic animals; to provide for determination of ownership; 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. 50 by Senator Carter

AMENDMENT NO. 1

On page 1, line 8, change "must" to "shall"

On motion of Senator Fred Mills, 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 | Fields | Morris |
| Abraham | Foil | Peacock |
| Allain | Harris | Pope |
| Barrow | Hewitt | Price |
| Bernard | Jackson | Reese |
| Boudreaux | Lambert | Smith |
| Bouie | Luneau | Talbot |
| Carter | McMath | Ward |
| Cathey | Milligan | White |
| Cloud | Mills, F. | Womack |
| Connick | Mills, R. | |
| Fesi | Mizell | |
| Total - 34 | | |

NAYS

Total - 0

ABSENT

| | | |
|-----------|----------|--------|
| Henry | Johns | Tarver |
| Hensgens | Peterson | |
| Total - 5 | | |

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. 69—

BY SENATOR MIZELL

AN ACT

To enact Code of Criminal Procedure Article 814(A)(69), R.S. 14:2(B)(56), and R.S. 40:981.4, relative to controlled dangerous substances; to create the crime of aggravated distribution of a controlled dangerous substance; to designate aggravated distribution of a controlled dangerous substance a crime of violence; to provide relative to responsive verdicts; to provide relative to definitions; to provide penalties; 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 | Foil | Morris |
| Abraham | Harris | Peacock |
| Allain | Hewitt | Pope |
| Bernard | Jackson | Price |
| Boudreaux | Lambert | Reese |
| Carter | Luneau | Smith |
| Cathey | McMath | Talbot |
| Cloud | Milligan | White |
| Connick | Mills, F. | Womack |
| Fesi | Mills, R. | |
| Fields | Mizell | |
| Total - 31 | | |

NAYS

Total - 0

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ABSENT

| | | |
|-----------|----------|--------|
| Barrow | Hensgens | Tarver |
| Bouie | Johns | Ward |
| Henry | Peterson | |
| Total - 8 | | |

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. 76—
BY SENATOR TALBOT

AN ACT

To enact R.S. 26:794.1, relative to the Office of Alcohol and Tobacco Control; to provide relative to permits; to provide for exception permits for certain establishments; to provide for qualifications and 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. 76 by Senator Talbot

AMENDMENT NO. 1

On page 2, line 22, following "may" and before "packaged" change "only sell and offer for sale" to "sell and offer for sale only"

On motion of Senator Fred Mills, 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 | Fields | Mizell |
| Abraham | Foil | Morris |
| Allain | Harris | Peacock |
| Bernard | Hewitt | Pope |
| Boudreaux | Jackson | Price |
| Bouie | Lambert | Reese |
| Carter | Luneau | Smith |
| Cathey | McMath | Talbot |
| Cloud | Milligan | White |
| Connick | Mills, F. | Womack |
| Fesi | Mills, R. | |
| Total - 32 | | |

NAYS

Total - 0

ABSENT

| | | |
|-----------|----------|------|
| Barrow | Johns | Ward |
| Henry | Peterson | |
| Hensgens | Tarver | |
| Total - 7 | | |

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. 126—
BY SENATORS MIZELL AND PEACOCK
AN ACT

To amend and reenact Civil Code Arts. 941, 944, and 946 and R.S. 22:901(D)(2), and to enact Code of Evidence Art. 412.6 and R.S. 22:902.1, relative to the devolution of assets of certain crime victims; to provide for public policy; to provide relative to actions to declare a successor unworthy; to provide relative to testimony and evidence in succession proceedings; to provide for devolution of the succession rights; to provide relative to life insurance policies and certain victims of domestic violence resulting in death; 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. 126 by Senator Mizell

AMENDMENT NO. 1

On page 3, line 26, following "shall be" and before "to have" change "deemed" to "considered"

AMENDMENT NO. 2

On page 4, line 12, following "which are" and before "owed" change "deemed" to "considered"

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

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

ROLL CALL

The roll was called with the following result:

YEAS

| | | |
|---------------|-----------|---------|
| Mr. President | Fields | Morris |
| Abraham | Foil | Peacock |
| Allain | Harris | Pope |
| Barrow | Hewitt | Price |
| Bernard | Jackson | Reese |
| Boudreaux | Lambert | Smith |
| Bouie | Luneau | Talbot |
| Carter | McMath | Ward |
| Cathey | Milligan | White |
| Cloud | Mills, F. | Womack |
| Connick | Mills, R. | |
| Fesi | Mizell | |
| Total - 34 | | |

NAYS

Total - 0

ABSENT

| | | |
|-----------|----------|--------|
| Henry | Johns | Tarver |
| Hensgens | Peterson | |
| Total - 5 | | |

The Chair declared the amended bill was passed, ordered reengrossed and 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. 140—
BY SENATOR HARRIS

AN ACT

To amend and reenact R.S. 14:130.1(B)(3) and to enact 14:130.1(B)(4), relative to the crime of obstruction of justice; to provide for an exception; to provide for penalties; and to provide for related matters.

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

ROLL CALL

The roll was called with the following result:

YEAS

| | | |
|---------------|-----------|---------|
| Mr. President | Fields | Morris |
| Abraham | Foil | Peacock |
| Allain | Harris | Pope |
| Barrow | Hewitt | Price |
| Bernard | Jackson | Reese |
| Boudreaux | Lambert | Smith |
| Bouie | Luneau | Talbot |
| Carter | McMath | Ward |
| Cathey | Milligan | White |
| Cloud | Mills, F. | Womack |
| Connick | Mills, R. | |
| Fesi | Mizell | |
| Total - 34 | | |

NAYS

Total - 0

ABSENT

| | | |
|-----------|----------|--------|
| Henry | Johns | Tarver |
| Hensgens | Peterson | |
| Total - 5 | | |

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

SENATE BILL NO. 144—
BY SENATORS TARVER AND CARTER

AN ACT

To enact R.S. 14:102.29, relative to offenses affecting the public sensibility; to create the crime of unlawful possession, transfer, or manufacture of animal fighting paraphernalia; to provide definitions; to provide exceptions; to provide penalties; 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 | Fesi | Mills, R. |
| Abraham | Fields | Mizell |
| Allain | Foil | Morris |
| Barrow | Harris | Peacock |
| Bernard | Hewitt | Pope |
| Boudreaux | Jackson | Price |
| Bouie | Lambert | Reese |
| Carter | Luneau | Smith |
| Cathey | McMath | Talbot |
| Cloud | Milligan | Ward |
| Connick | Mills, F. | Womack |
| Total - 33 | | |

NAYS

Total - 0

ABSENT

| | | |
|-----------|----------|--------|
| Henry | Johns | Tarver |
| 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. 186—
BY SENATOR SMITH

AN ACT

To amend and reenact Code of Criminal Procedure Article 930.3 and 930.8(A)(1) and to enact Code of Criminal Procedure Articles 926.2, 926.3, 930.4(G), 930.8(A)(5) and (6) and (D), and 930.10, relative to post conviction relief; to provide for a petitioner's claim of factual innocence; to provide for exceptions; to provide for evidence; to provide for appointment of judges; to provide for motions of testing evidence; to provide for grounds for relief; to provide for burden of proof; to provide for joint motions; to provide for waiver; to provide for time 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. 186 by Senator Smith

AMENDMENT NO. 1

On page 2, line 6, following "shall" and before "to" change "only apply" to "apply only"

AMENDMENT NO. 2

On page 2, line 13, following "petitioner" and before "present" change "must" to "shall"

AMENDMENT NO. 3

On page 2, line 18, following "in" change "Part (i) of this Subsubparagraph." to "Item (i) of this Subsubparagraph."

AMENDMENT NO. 4

On page 2, line 19, following "petitioner" change "must" to "shall"

AMENDMENT NO. 5

On page 2, line 20, following "Subsubparagraph" change "(B)(1)(a)" to "(a) of this Subparagraph"

AMENDMENT NO. 6

On page 2, line 21, before "and that" delete "of this Article"

AMENDMENT NO. 7

On page 3, line 1, following "Subsubparagraph" change "(B)(1)(a) of this" to "(1)(a) of this Paragraph"

AMENDMENT NO. 8

On page 3, line 2, before ". However" delete "Article"

AMENDMENT NO. 9

On page 3, line 5, following "criteria in" change "Paragraph (B) of this" to "this Paragraph"

AMENDMENT NO. 10

On page 3, line 6, delete "Article"

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AMENDMENT NO. 11

On page 4, line 4, before "following" change "only be granted" to "be granted only"

AMENDMENT NO. 12

On page 4, line 4, following "petitioner" change "must" to "shall"

AMENDMENT NO. 13

On page 5, line 15, following "that" and before "take" change "must" to "shall"

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

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

ROLL CALL

The roll was called with the following result:

YEAS

Table with 3 columns of names: Mr. President, Abraham, Allain, Barrow, Bernard, Boudreaux, Bouie, Carter, Cathey, Cloud, Connick, Fesi, Total - 34; Fields, Foil, Harris, Hewitt, Jackson, Lambert, Luneau, McMath, Milligan, Mills, F., Mills, R., Mizell; Morris, Peacock, Pope, Price, Reese, Smith, Talbot, Ward, White, Womack

NAYS

Total - 0

ABSENT

Table with 3 columns of names: Henry, Hensgens, Total - 5; Johns, Peterson; Tarver

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

Rules Suspended

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

Message from the House

ASKING CONCURRENCE IN HOUSE BILLS AND JOINT RESOLUTIONS

April 28, 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 with 3 columns of bill numbers: HB No. 60, HB No. 253, HB No. 329, HB No. 409; HB No. 248, HB No. 271, HB No. 387, HB No. 541; HB No. 251, HB No. 303, HB No. 406, HB No. 576

HB No. 581

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

House Bills and Joint Resolutions on First Reading

HOUSE BILL NO. 60—

BY REPRESENTATIVE BRASS

AN ACT

To amend and reenact R.S. 17:2922.1(A) and (B)(introductory paragraph), to enact R.S. 17:2922.1(B)(1)(m), and to repeal R.S. 17:2922.1(G), relative to dual enrollment; to provide with respect to the Dual Enrollment Framework Task Force; to revise the membership of the task force; to remove the termination date of the task force; and to provide for related matters.

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

HOUSE BILL NO. 248—

BY REPRESENTATIVE JAMES

AN ACT

To amend and reenact Code of Criminal Procedure Article 895.1(C) and R.S. 15:574.4.2(A)(2)(e), relative to fees for probation and parole supervision; to provide for a decrease in the fees for defendants on unsupervised probation and parolees on inactive status; and to provide for related matters.

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

HOUSE BILL NO. 251—

BY REPRESENTATIVE JONES

AN ACT

To amend and reenact Code of Criminal Procedure Article 573.1, relative to time limitations for instituting prosecutions; to provide relative to time limitations in which to institute prosecution for crimes related to victims with infirmities; to provide for definitions; and to provide for related matters.

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

HOUSE BILL NO. 253—

BY REPRESENTATIVE MCKNIGHT

AN ACT

To amend and reenact R.S. 17:43(A) and (B)(1), 1945(A) and (B)(2), and 1946(A) and R.S. 36:648.1 and to enact R.S. 17:1945.1 and 1945.2 and R.S. 36:651(D)(11), relative to the Special School District; to provide for governance of the district by a board of directors; to provide relative to the board's membership, powers, and duties; to provide relative to the enrollment of students in the district's schools; to provide relative to the funding of the district; to provide for the district's transition from operation by the state Department of Education to independent operation; 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. 271—

BY REPRESENTATIVE MARCELLE

AN ACT

To enact R.S. 15:828.4, relative to the Department of Public Safety and Corrections; to create the Transitional Residential Pilot Program for female offenders; to provide for eligibility for the program; to provide relative to the transfer of eligible female offenders; to provide for a termination date; to provide relative to funding and resources; and to provide for related matters.

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

HOUSE BILL NO. 303—

BY REPRESENTATIVE LYONS

AN ACT

To amend and reenact Code of Criminal Procedure Article 311(4) through (7) and to enact Code of Criminal Procedure Article 311(8), relative to bail; to provide relative to the detention of the defendant; to provide relative to constrictive surrender; to provide for surety's motion and affidavit for issuance of warrant; and to provide for related matters.

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

HOUSE BILL NO. 329—

BY REPRESENTATIVES HARRIS AND NEWELL

AN ACT

To amend and reenact R.S. 18:563(B), relative to voting procedure; to provide for the presence of children while voting; 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. 387—

BY REPRESENTATIVE GREEN

AN ACT

To enact Subpart H-1 of Part III of Chapter 4 of Title 22 of the Louisiana Revised Statutes of 1950, to be comprised of R.S. 22:1171 and 1172, relative to dental provider network administration; to provide for definitions; to prohibit certain contracts and waivers; to require notifications; to provide for applicability; to provide for penalties and enforcement; to authorize rulemaking; and to provide for related matters.

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

HOUSE BILL NO. 406—

BY REPRESENTATIVES BISHOP AND MAGEE

AN ACT

To amend and reenact Code of Criminal Procedure Article 833, relative to the presence of the defendant; to provide relative to the presence of the defendant in misdemeanor prosecutions; to require the court to permit such defendants to be arraigned, enter pleas, or be tried in the absence of the defendant; and to provide for related matters.

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

HOUSE BILL NO. 409—

BY REPRESENTATIVES FREEMAN, ADAMS, AMEDEE, BROWN, BUTLER, CARPENTER, GARY CARTER, ROBBY CARTER, WILFORD CARTER, CORMIER, COX, DAVIS, DUPLESSIS, EDMONSTON, FREIBERG, GAROFALO, GLOVER, GREEN, HILFERTY, HODGES, HORTON, HUGHES, JEFFERSON, JENKINS, LACOMBE, LANDRY, LARVADAIN, MACK, MARCELLE, MIGUEZ, MOORE, NEWELL, CHARLES OWEN, PHELPS, PIERRE, RISER, ST. BLANC, STAGNI, THOMPSON, VILLIO, WHEAT, WHITE, WILLARD, AND WRIGHT AND SENATORS BARROW, JACKSON, MIZELL, AND PETERSON

AN ACT

To amend and reenact R.S. 17:3399.13, 3399.14(A), (B), and (C)(3) and (4), 3399.15(introductory paragraph), (2)(b) and (f), (3), (5), and (6), and 3399.17 and to enact R.S. 17:3399.12, relative to public postsecondary education; to provide requirements relative to reporting power-based abuse; to require termination of employees who fail to comply with reporting requirements; to provide relative to memoranda of understanding between institutions and law enforcement; to require online reporting systems; to provide relative to training; to provide relative to the development and administration of campus climate surveys; to provide relative to the sharing of survey results; and to provide for related matters.

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

HOUSE BILL NO. 541—

BY REPRESENTATIVE ILLG

AN ACT

To amend and reenact R.S. 27:30.6(A)(2), (3), and (4) and (B) through (F) and to repeal R.S. 27:30.6(G) and (I), relative to electronic gaming devices; to provide relative to the monitoring and reading of certain gaming devices; to provide that electronic gaming devices at certain gaming establishments shall be connected to a licensee's central computer system, casino management system, and slot machine management system for the purpose of monitoring device activities; to provide relative to monitoring or reading of personal or financial information concerning patrons of gaming activities conducted on riverboats or live racing facilities; to provide relative to the assessment and collection of fees; and to provide for related matters.

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

HOUSE BILL NO. 576—

BY REPRESENTATIVE FRIEMAN

AN ACT

To amend and reenact R.S. 26:274(A)(2) and 308(B), (C)(6), (8), (9), and (11)(c), (E), and (J) and to enact R.S. 26:308(C)(12)(b)(i) through (iii), relative to the delivery of alcoholic beverages; to provide relative to third party delivery companies and platforms; to provide for requirements for alcoholic beverage delivery agreements; to provide for penalties; 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. 581—

BY REPRESENTATIVES MIKE JOHNSON AND STEFANSKI

AN ACT

To amend and reenact R.S. 18:134(E), 154(C)(2), 198(D), 423(J)(1), 435(B)(1)(a), 469(D)(1), 573(E)(2), 1280.21(A), 1280.22(B)(1), 1285(B)(1)(a), 1300(C)(2), 1308(B), 1309(B) and (M)(1)(a), 1309.1(A), 1313.1(L)(2)(b) and (3), 1315(C), 1363, 1373(A)(1), 1376(B)(2), 1461.7(A)(5), 1491.6(C)(3), and 1495.4(C)(3) and to enact R.S. 18:1461.7(A)(6), relative to the Louisiana Election Code; to revise the Louisiana Election Code; to provide relative to elections procedures and requirements; to provide relative to registrar of voters office; to provide relative to records of the registrar of voters; to provide relative to confidentiality of certain records relative to candidates; to provide relative to voter registration; to provide relative to a change of address of a voter; to provide relative to compensation of parish boards of election supervisors; to provide relative to procedures for reopening qualifying; to provide relative to a challenge of a voter; to provide relative to cancellation of voter registration; to provide relative to the date of a presidential preference primary; to provide relative to qualifying period for presidential candidates; to provide relative to changes to a notice of elections; to provide relative to delivery of absentee ballots; to provide relative to additional early voting branch offices; to provide relative to notice of preparation of voting machines; to provide relative to the date of preparation of voting machines; to provide relative to deadline for a challenge of ballots; to provide relative to clearing of voting machines and results; to provide relative to election offenses; to provide relative to campaign finance reports; to provide relative to watchers; to provide relative to the recount of absentee by mail and early voting ballots; to provide relative to allocation of voting machines; and to provide for related matters.

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

April 29, 2021

ATTENDANCE ROLL CALL**PRESENT**

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

ABSENT

| | |
|-----------|----------|
| Henry | Peterson |
| Johns | Tarver |
| Total - 4 | |

Leaves of Absence

The following leaves of absence were asked for and granted:

| | | | |
|----------|-------|--------|-------|
| Henry | 1 Day | Johns | 1 Day |
| Peterson | 1 Day | Tarver | 1 Day |

Announcements

The following committee meetings for May 3, 2021, were announced:

| | | |
|----------------------------|-----------|--------------|
| Finance | 9:30 A.M. | Room A |
| Revenue and Fiscal Affairs | 9:00 A.M. | Hainkel Room |

Adjournment

On motion of Senator Talbot, at 10:00 o'clock A.M. the Senate adjourned until Monday, May 3, 2021, at 2:00 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