

THE OFFICIAL JOURNAL
OF THE
SENATE
OF THE
STATE OF LOUISIANA

TWENTY-FIRST 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, May 19, 2021

The Senate was called to order at 3:25 o'clock P.M. by Hon.
Patrick Page Cortez, President of the Senate.

Morning Hour

CONVENING ROLL CALL

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

PRESENT

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

ABSENT

Henry Tarver
Total - 2

The President of the Senate announced there were 36 Senators
present and a quorum.

Prayer

The prayer was offered by Senator Ronnie Johns, 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 Barrow, the reading of the Journal was
dispensed with and the Journal of May 18, 2021, was adopted.

**Privileged Report of the
Legislative Bureau**

May 19, 2021

To the President and Members of the Senate:

I am directed by your Legislative Bureau to submit the
following report:

The following instruments are approved as to construction and
duplication. We advise and suggest the following amendments:

HOUSE BILL NO. 13—
BY REPRESENTATIVE VILLIO
AN ACT

To amend and reenact R.S. 11:2091(B)(5), relative to the board of
trustees of the Registrars of Voters Employees' Retirement
System; to provide for qualifications of member trustees; to
provide for limits on service by member trustees; to provide for
an effective date; and to provide for related matters.

Reported without amendments.

HOUSE BILL NO. 19—
BY REPRESENTATIVE MACK
AN ACT

To amend and reenact R.S. 11:471(D)(introductory paragraph) and
471.1(B)(1) and to enact R.S. 11:471(F) and 471.1(I), relative
to the Louisiana State Employees' Retirement System; to
provide relative to the selection of benefit options; to provide
for survivors' benefits for members and members' families; and
to provide for related matters.

Reported without amendments.

HOUSE BILL NO. 22—
BY REPRESENTATIVE LACOMBE
AN ACT

To amend and reenact R.S. 11:701(33)(a)(xiv) and 1902(12)(b) and
(13) and to enact R.S. 11:701(33)(a)(xv), 1902(12)(h) and (i),
and 1903.1, relative to the Parochial Employees' Retirement
System of Louisiana and the Teachers' Retirement System of
Louisiana; to provide for membership of Louisiana School
Boards Association employees within the Teachers' Retirement
System of Louisiana, rather than the Parochial Employees'
Retirement System of Louisiana; to provide for exceptions; to
provide for payment of accrued liabilities; to provide for an
effective date; and to provide for related matters.

Reported without amendments.

HOUSE BILL NO. 25—
BY REPRESENTATIVE VILLIO
AN ACT

To amend and reenact R.S. 11:233(B)(3) and 1581(5) and to enact
R.S. 11:233(A)(5) and (B)(4)(c) and 1589, relative to the
District Attorneys' Retirement System; to provide relative to
retirement benefits; to provide relative to compensation
considered in the calculation of contributions and benefits; to
provide for the correction of errors and recovery of
overpayments; to provide for an effective date; and to provide
for related matters.

Reported without amendments.

HOUSE BILL NO. 41—
BY REPRESENTATIVE MACK
AN ACT

To enact R.S. 33:3813(C)(7), relative to the Livingston Parish Ward
Two Water District; to provide relative to the membership of the
governing board of the district; to provide for an effective date;
and to provide for related matters.

Reported without amendments.

HOUSE BILL NO. 42—
BY REPRESENTATIVE DAVIS
AN ACT

To enact R.S. 17:3351(N), relative to public postsecondary education
institutions; to require institutions to provide students with
education loan information; to require annual updates of loan
information to be given to students; and to provide for related
matters.

Reported without amendments.

HOUSE BILL NO. 53—
BY REPRESENTATIVE MINCEY
AN ACT

To enact R.S. 33:4574(F)(11), relative to the Livingston Parish
Convention and Visitors' Bureau; to provide for changes to the
tourist commission's board of directors; and to provide for
related matters.

May 19, 2021

Reported without amendments.

HOUSE BILL NO. 63—
BY REPRESENTATIVE BUTLER
AN ACT

To enact R.S. 40:1498(J), relative to the Ward Five Fire Protection District of Evangeline Parish; to provide relative to the per diem paid to members of the governing board of the district; and to provide for related matters.

Reported without amendments.

HOUSE BILL NO. 66—
BY REPRESENTATIVE KERNER
AN ACT

To enact R.S. 33:4712(H), relative to the sale of public property by municipalities; to provide relative to the sale of police dogs; and to provide for related matters.

Reported without amendments.

HOUSE BILL NO. 87—
BY REPRESENTATIVE ECHOLS
AN ACT

To enact R.S. 13:2575.8, relative to the city of Monroe; to provide relative to administrative adjudication of certain ordinance violations; to provide definitions for certain violations; to provide relative to the types of violations subject to administrative adjudication procedures; to provide for an effective date; and to provide for related matters.

Reported without amendments.

HOUSE BILL NO. 109—
BY REPRESENTATIVE MUSCARELLO
AN ACT

To enact R.S. 13:2575.8, relative to ordinance violations in Tangipahoa Parish; to provide for administrative adjudications; to provide for definitions; to provide for violations subject to administrative adjudication procedures; and to provide for related matters.

Reported without amendments.

HOUSE BILL NO. 115—
BY REPRESENTATIVE DAVIS
AN ACT

To enact R.S. 33:9097.33, relative to East Baton Rouge Parish; to create the Old Goodwood Crime Prevention and Neighborhood Improvement District; to provide relative to the boundaries, purpose, governance, and powers and duties of the district; to provide relative to district funding, including the authority to impose a parcel fee within the district, subject to voter approval; to provide for an effective date; and to provide for related matters.

Reported without amendments.

HOUSE BILL NO. 119—
BY REPRESENTATIVE HUGHES
AN ACT

To amend and reenact R.S. 17:3138.7(B)(introductory paragraph) and to enact R.S. 17:3138.7(B)(24) and (25) and (G)(4), relative to the Advisory Council on Historically Black Colleges and Universities; to provide for membership of the council; to provide for an annual report to the legislature's education committees; and to provide for related matters.

Reported without amendments.

HOUSE BILL NO. 133—
BY REPRESENTATIVE ADAMS
AN ACT

To enact R.S. 33:2476(B)(1)(f), relative to the city of Zachary; to provide relative to the municipal fire and police civil service board; to provide relative to the qualifications of board

members; to require a specified member of the board to reside within certain areas of East Baton Rouge Parish; and to provide for related matters.

Reported without amendments.

HOUSE BILL NO. 143—
BY REPRESENTATIVES WILLARD AND HILFERTY
A JOINT RESOLUTION

Proposing to amend Article VII, Section 18(F)(2)(a)(introductory paragraph) and to add Article VII, Section 18(F)(3) of the Constitution of Louisiana, relative to ad valorem taxation; to limit the amount of an increase in the assessed value of certain property following reappraisal in Orleans Parish; to provide for certain limitations; to provide for an effective date; to provide for submission of the proposed amendment to the electors; and to provide for related matters.

Reported without amendments.

HOUSE BILL NO. 144—
BY REPRESENTATIVE STEFANSKI
AN ACT

To amend and reenact R.S. 33:4574(F)(9), relative to the Acadia Parish Convention and Visitors Commission; to provide for changes to the tourist commission's board of directors; and to provide for related matters.

Reported without amendments.

HOUSE BILL NO. 148—
BY REPRESENTATIVE ECHOLS
AN ACT

To amend and reenact R.S. 47:301(8)(b), relative to state sales and use tax; to provide for an exclusion for institutions of higher education accredited by the American Osteopathic Association Commission on Osteopathic College Accreditation from sales and use taxation on certain transactions; to provide for certain limitations; and to provide for related matters.

Reported without amendments.

HOUSE BILL NO. 161—
BY REPRESENTATIVE DESHOTEL
AN ACT

To enact R.S. 40:539(C)(8)(k), relative to employees of the Bunkie Housing Authority; to provide that employees of the authority shall not be in the state civil service; and to provide for related matters.

Reported without amendments.

HOUSE BILL NO. 162—
BY REPRESENTATIVE DESHOTEL
AN ACT

To enact R.S. 40:539(C)(8)(k), relative to employees of the Simmesport Housing Authority; to provide that employees of the authority shall not be in the state civil service; and to provide for related matters.

Reported without amendments.

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.

Reported without amendments.

HOUSE BILL NO. 332—
BY REPRESENTATIVE WILLARD
AN ACT

To enact R.S. 33:9091.26, relative to Orleans Parish; to create the Vista Park Crime Prevention District; to provide relative to the boundaries, purpose, governance, and powers and duties of the district; to provide relative to district funding, including the authority to impose a parcel fee within the district; to provide for an effective date; and to provide for related matters.

Reported without amendments.

HOUSE BILL NO. 333—
BY REPRESENTATIVE ADAMS
AN ACT

To amend and reenact R.S. 33:2495.3(A), relative to the classified fire service; to provide relative to persons selected for appointment to entry-level positions in the city of Zachary; to provide relative to the formal training of such persons; and to provide for related matters.

Reported without amendments.

HOUSE BILL NO. 335—
BY REPRESENTATIVE COUSSAN
AN ACT

To authorize and provide for the transfer of certain public property; to authorize the exchange of certain public property in Lafayette Parish; to provide for the property description; to provide for reservation of mineral rights; to provide terms and conditions; to provide an effective date; and to provide for related matters.

Reported without amendments.

HOUSE BILL NO. 362—
BY REPRESENTATIVE ORGERON
AN ACT

To enact Subpart BBB of Part I of Chapter 1 of Subtitle II of Title 47 of the Louisiana Revised Statutes of 1950, to be comprised of R.S. 47:120.351, relative to state individual income tax return checkoffs for certain donations; to provide a method for an individual to donate all or a portion of a refund to the Board of Supervisors of Louisiana State University and Agricultural and Mechanical College for the Louisiana State University Agricultural Center Grant Walker Educational Center (4-H Camp Grant Walker); to provide for the administration and disbursement of donated monies; to provide for applicability; to provide for an effective date; and to provide for related matters.

Reported without amendments.

HOUSE BILL NO. 366—
BY REPRESENTATIVE MCFARLAND
AN ACT

To authorize and provide for the transfer of certain public property; to authorize the exchange of certain public property in Caddo, Sabine, Richland, Morehouse, and Ouachita Parishes; to provide for the property descriptions; to provide for reservation of mineral rights; to provide terms and conditions; to provide an effective date; and to provide for related matters.

Reported without amendments.

HOUSE BILL NO. 368—
BY REPRESENTATIVE MINCEY
AN ACT

To amend and reenact R.S. 17:154(A)(3), relative to instruction in elementary and secondary schools; to require instruction on the health risks of vapor products; and to provide for related matters.

Reported without amendments.

HOUSE BILL NO. 405—
BY REPRESENTATIVE JORDAN
AN ACT

To amend and reenact R.S. 33:103(C)(1)(l), relative to the town of Brusly; to authorize the governing authority of the town of Brusly to pay members of the Brusly Planning Commission a per diem; to provide for the amount of the per diem and the number of meetings for which members may be paid; to provide for an effective date; and to provide for related matters.

Reported without amendments.

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.

Reported without amendments.

HOUSE BILL NO. 443—
BY REPRESENTATIVES BEAULLIEU AND BRYANT
AN ACT

To amend and reenact R.S. 47:6301(A)(1) and (3), (B)(1)(c)(v) and (ix) and (2)(a)(ii), and (C)(1)(c), relative to the donations to school tuition organization tax credit; to provide for an amount of the tax credit; to provide for the use of the donations; to provide for administration of scholarship payments; to provide for reporting requirements; to provide for requirements of qualified schools; to provide for an effective date; and to provide for related matters.

Reported without amendments.

HOUSE BILL NO. 544—
BY REPRESENTATIVE HODGES AND SENATOR WHITE
AN ACT

To amend and reenact R.S. 56:1855(P)(1)(introductory paragraph), relative to the Louisiana Scenic Rivers Act; to extend the period for which the Comite River is exempt from certain statutory requirements; and to provide for related matters.

Reported without amendments.

HOUSE BILL NO. 558—
BY REPRESENTATIVE LARVADAIN
AN ACT

To authorize and provide for the transfer of certain state property; to authorize the transfer of certain state property in East Baton Rouge Parish and St. Landry Parish; to provide for property descriptions; to provide for the reservation of mineral rights; to provide for the proceeds; to provide relative to terms and conditions; to provide an effective date; and to provide for related matters.

Reported without amendments.

May 19, 2021

HOUSE BILL NO. 562—
BY REPRESENTATIVE BOURRIQUE
AN ACT

To amend and reenact R.S. 47:337.102(B)(3) and (5), (I)(1) and (3), and (K), and 340(A) and (E)(5), 1402(E)(1) and (2), 1404, 1406, and 1418(7)(d), to enact R.S. 47:338.223 and 1483(A)(2) and (3), and to repeal R.S. 47:340(I), relative to the administration and adjudication of state and local sales and use taxes; to provide relative to sales and use tax administration; to provide relative to the membership of the Louisiana Uniform Local Sales Tax Board; to provide for the selection of officers of the Louisiana Uniform Local Sales Tax Board; to provide for the funding of Louisiana Uniform Local Sales Tax Board; to provide for a strategic plan for the Louisiana Uniform Local Sales Tax Board; to provide for dedications related to the Louisiana Sales and Use Tax Commission for Remote Sellers; to provide for agreements relative to funding for the Louisiana Sales and Use Tax Commission for Remote Sellers; to provide for membership and qualifications of the Board of Tax Appeals; to provide for employees of the Board of Tax Appeals; to provide for certain Board of Tax Appeals employee salaries; to provide for expenditures for the Board of Tax Appeals; to provide for definitions; to provide for the collection of occupancy taxes; to provide for the payment of Board of Tax Appeals judgments; to provide for certain requirements and limitations; and to provide for related matters.

Reported with amendments.

LEGISLATIVE BUREAU AMENDMENTS

Amendments proposed by Legislative Bureau to Reengrossed House Bill No. 562 by Representative Bourriague

AMENDMENT NO. 1

In Senate Committee Amendment No. 1 proposed by the Senate Committee on Revenue and Fiscal Affairs and adopted by the Senate on May 18, 2021, on page 1, line 3, delete "and (5),"

AMENDMENT NO. 2

In Senate Committee Amendment No. 5 proposed by the Senate Committee on Revenue and Fiscal Affairs and adopted by the Senate on May 18, 2021, on page 1, line 15, delete "and (5),"

AMENDMENT NO. 3

On page 1, line 8, following "funding of" and before "Louisiana" insert "the"

AMENDMENT NO. 4

On page 4, line 29, following "agreed" and before "in writing" insert "to"

AMENDMENT NO. 5

On page 7, line 3, following "amount" and before "the claim" insert " "

HOUSE BILL NO. 573—
BY REPRESENTATIVE STEFANSKI
AN ACT

To amend and reenact R.S. 47:1402(D)(2), (3)(introductory paragraph), and (5), 1403(B)(6)(c), 1407(3) and (7), 1418(4)(b) and (c), 1431(B), 1432(A), 1436(B), 1437(A), 1439(C), 1856(D)(2) and (3) and (G), 1857(B)(1), 1989(C), 1998(A)(1)(a) and (b)(i) and (D), 2132(D), 2134(B)(3), (D), and (E)(1), and 2327, to enact R.S. 47:1402(D)(3)(h) and (i), 1418(4)(d), 1431(F), 1432(B), 1856(H), 1857(B)(3), 1992(B)(3), and 1998(H) and (I), and to repeal R.S. 47:1432(D), relative to ad valorem taxes; to provide for the qualifications of members of the Board of Tax Appeals; to provide for the membership and qualifications of the Local Tax Division Nominating Committee; to provide for administrative matters for the Board of Tax Appeals; to provide for the jurisdiction of the Board of Tax Appeals; to provide for definitions; to provide for the administration, review, and appeal of ad valorem tax assessments; to provide for actions related to the legality or

correctness of certain assessments; to provide for actions related to payment of taxes under protest; to provide for actions for the recovery of taxes paid under protest; to provide for actions related to the assessment of public service properties by the commission; to provide for review of certain cases by the Louisiana Tax Commission; to provide for the refund of certain taxes; to provide for actions related to the payment of an assessment under protest; to provide for limitations and requirements in actions related to ad valorem tax assessments; to provide for a public records exception; to require that notice be afforded to certain parties for certain proceedings; to require annual reporting under certain circumstances; to authorize the promulgation of rules; to provide for an effective date; and to provide for related matters.

Reported without amendments.

HOUSE BILL NO. 590—
BY REPRESENTATIVE DAVIS
AN ACT

To amend and reenact R.S. 38:3076(A)(14), relative to the Capital Area Groundwater Conservation District; to provide for the powers of the board; to provide for the assessment of fees for capitol expenditures; to provide for the assessment of late fees for non-payment; and to provide for related matters.

Reported with amendments.

LEGISLATIVE BUREAU AMENDMENTS

Amendments proposed by Legislative Bureau to Reengrossed House Bill No. 590 by Representative Davis

AMENDMENT NO. 1

Delete Senate Committee Amendment No. 2 proposed by the Senate Committee on Natural Resources and adopted by the Senate on May 18, 2021.

AMENDMENT NO. 2

On page 1, at the end of line 4, following "assessment of" and before "late" insert "application fees and"

AMENDMENT NO. 3

On page 2, line 12, after "parameters" delete "as"

HOUSE BILL NO. 627—
BY REPRESENTATIVE HUVAL
AN ACT

To authorize and provide for the transfer of certain state property; to authorize the transfer of certain state property in St. Martin Parish; to provide for the property descriptions; to provide terms and conditions; to provide for the reservation of mineral interests; to provide an effective date; and to provide for related matters.

Reported without amendments.

HOUSE BILL NO. 646—
BY REPRESENTATIVE JAMES
AN ACT

To authorize and provide for the interest in and use of certain state property; to authorize the transfer of certain state property in East Baton Rouge Parish; to authorize the state to enter into agreements regarding the dedicated property; to provide for property descriptions; to provide for reservation of mineral rights; to provide terms and conditions; to provide an effective date; and to provide for related matters.

Reported without amendments.

HOUSE BILL NO. 697— (Substitute for House Bill No. 628 by Representative Stefanski)

BY REPRESENTATIVES STEFANSKI, BOURRIAQUE, BRASS, BROWN, BRYANT, DESHOTEL, FONTENOT, HOLLIS, JEFFERSON, TRAVIS JOHNSON, LACOMBE, MARINO, PIERRE, AND STAGNI
AN ACT

To amend and reenact R.S. 13:4721, R.S. 14:90.5(A) through (C), R.S. 27:3(10), (15), (17), and (19), 15(D) and (E), 29.1(D) and (E), 29.2(A), (B), (D), and (E), 29.3(A), 29.4(D), R.S. 47:9001, 9002, 9006(B), 9009(B)(1) and (C), 9010(E), 9015(D), and 9029(A)(1) and to enact R.S. 14:90(E) and 90.3(K), R.S. 27:92(D), Part IV of Chapter 10 of Title 27 of the Louisiana Revised Statutes of 1950, to be comprised of R.S. 27:621 through 627, and Chapter 10 of Title 47 of the Louisiana Revised Statutes of 1950, to be comprised of R.S. 47:9091 through 9107, relative to sports wagering; to provide for definitions; to authorize sports wagering; to require certain licenses and permits; to require certain fees; to levy certain taxes; to provide relative to the administration of sports wagering gaming; to provide relative to duties and powers of the Louisiana Gaming Control Board; to provide relative to duties and powers of the gaming division in the office of state police; to provide relative to duties and powers of the Louisiana Lottery Corporation; to provide for the collection and disposition of certain monies; to create the Sports Wagering Enforcement Fund; to create the Lottery Sports Wagering Fund; to authorize electronic sports wagering; to provide for a public records exception; to provide relative to legislative intent; to provide relative to administrative rules; to provide relative to contracts; to provide relative to suitability; to provide relative to sports wagering mechanisms; to provide relative to sports wagering winnings and prizes; to provide relative to sports wagering tickets; to provide relative to state revenues; to provide relative to gambling houses; to provide relative to gambling; to provide for certain requirements, conditions, and limitations; to provide for effectiveness; and to provide for related matters.

Reported without amendments.

Respectfully submitted,
FRED MILLS
Chairman

Adoption of Legislative Bureau Report

On motion of Senator Fred Mills, the Legislative Bureau amendments were adopted and the Bills and Joint Resolutions were read by title and passed to a third reading.

Introduction of Senate Resolutions

SENATE RESOLUTION NO. 102—

BY SENATOR FOIL

A RESOLUTION

To commend the Louisiana Recyclers Association, Inc. and the Institute of Scrap Recycling Industries, and their members, for their efforts during the COVID-19 pandemic.

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

SENATE RESOLUTION NO. 103—

BY SENATOR CORTEZ

A RESOLUTION

To express the sincere condolences of the Senate of the Legislature of Louisiana upon the death of Eleanor Madeline Lazarus Hays.

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

SENATE RESOLUTION NO. 104—

BY SENATOR BERNARD

A RESOLUTION

To commend the Many High School Lady Tigers' softball team on winning the Louisiana High School Athletic Association's Class 2A State Championship.

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

SENATE RESOLUTION NO. 105—

BY SENATOR LAMBERT

A RESOLUTION

To urge and request the Crab Task Force and the Louisiana Shrimp Task Force, with input from the Department of Wildlife and Fisheries, to study and make recommendations to reduce damage to crab traps and the number of derelict crab traps in Lake Pontchartrain.

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

SENATE RESOLUTION NO. 106—

BY SENATOR FIELDS

A RESOLUTION

To express the sincere condolences of the Senate of the Legislature of Louisiana upon the death of Marie Dixon Wallace.

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

SENATE RESOLUTION NO. 107—

BY SENATOR HEWITT

A RESOLUTION

To urge and request the legislative auditor to conduct an efficiency audit of the Department of Children and Family Services' administration of the Temporary Assistance for Needy Families program.

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

SENATE RESOLUTION NO. 108—

BY SENATOR LUNEAU

A RESOLUTION

To urge and request the Louisiana Patient's Compensation Fund Board to research and gather certain information and present their findings to the Senate Committee on Health and Welfare.

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

Introduction of Senate Concurrent Resolutions

SENATE CONCURRENT RESOLUTION NO. 61—

BY SENATORS JOHNS, ABRAHAM AND REESE AND REPRESENTATIVES BOURRIAQUE, CARRIER, WILFORD CARTER, FARNUM, GEYMAN, ROMERO AND TARVER

A CONCURRENT RESOLUTION

To express the sincere condolences of the Legislature of Louisiana upon the passing of the Honorable Victor "Vic" Stelly and Mrs. Terry Bass Stelly and to commend the legacy of public service that they leave to the community of Lake Charles and the state of Louisiana.

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

SENATE CONCURRENT RESOLUTION NO. 62—

BY SENATOR PETERSON

A CONCURRENT RESOLUTION

To commend the Eleanor McMain Secondary School Mustangs on winning the 2021 4A State Championship in boys basketball.

May 19, 2021

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

SENATE CONCURRENT RESOLUTION NO. 63—

BY SENATOR ALLAIN

A CONCURRENT RESOLUTION

To commend the Louisiana Offshore Oil Port on its 40th anniversary of deepwater port operation.

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

Senate Resolutions on Second Reading

SENATE RESOLUTION NO. 101—

BY SENATOR BARROW

A RESOLUTION

To commend and congratulate Robert Showers for his loyal and dedicated service with the Department of Health, Office for Citizens with Developmental Disabilities, upon his retirement.

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

Senate Concurrent Resolutions on Second Reading

SENATE CONCURRENT RESOLUTION NO. 60—

BY SENATOR FOIL

A CONCURRENT RESOLUTION

To commend Judy Ewell Day for her dedication and service to the state of Louisiana and more specifically to the women, children, and families of our state and to congratulate her upon her well deserved retirement as a Louisiana lobbyist.

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

ROLL CALL

The roll was called with the following result:

YEAS

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

Total - 35

NAYS

Total - 0

ABSENT

Table with 3 columns: Allain, Henry, Tarver

Total - 3

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

Rules Suspended

Senator Peterson asked for and obtained a suspension of the rules to revert to:

Introduction of Senate Resolutions

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

SENATE RESOLUTION NO. 109—

BY SENATOR CORTEZ

A RESOLUTION

To commend Secretary of the Senate Yolanda J. Dixon on being selected as one of the 2021 Influential Women in Business by the Greater Baton Rouge Business Report.

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

Message from the House

ASKING CONCURRENCE IN HOUSE BILLS AND JOINT RESOLUTIONS

May 19, 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 House Bill numbers: HB No. 446, HB No. 59, HB No. 79, HB No. 113, HB No. 149, HB No. 184, HB No. 218, HB No. 121, HB No. 138, HB No. 220, HB No. 289, HB No. 316, HB No. 381, HB No. 388, HB No. 415, HB No. 458, HB No. 585, HB No. 622, HB No. 625, HB No. 691

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

House Bills and Joint Resolutions on First Reading

HOUSE BILL NO. 59—

BY REPRESENTATIVE LACOMBE

A JOINT RESOLUTION

Proposing to amend Article VII, Section 14(B) of the Constitution of Louisiana, relative to public funds; to authorize a political subdivision to waive charges for water under certain circumstances; to provide for submission of the proposed amendment to the electors; and to provide for related matters.

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

HOUSE BILL NO. 79—

BY REPRESENTATIVE MCMAHEN

AN ACT

To amend and reenact R.S. 28:2(39)(a)(introductory paragraph), relative to treatment facilities for mental health patients; to provide a definition; and to provide for related matters.

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

HOUSE BILL NO. 113—
BY REPRESENTATIVE GADBERRY
AN ACT

To enact R.S. 42:1111(C)(5), relative to the Code of Governmental Ethics; to allow the continued employment of the spouse of a public servant by a person with or seeking business or financial relationships with the agency of the public servant under specified circumstances; 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. 121—
BY REPRESENTATIVE SEABAUGH AND SENATOR MILLIGAN
AN ACT

To amend and reenact R.S. 33:2213(K) and to repeal R.S. 33:2213(J), relative to the city of Shreveport; to provide relative to the city's police department; to provide relative to work shift cycles for certain employees of the department; and to provide for related matters.

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

HOUSE BILL NO. 138—
BY REPRESENTATIVE FARNUM
AN ACT

To amend and reenact R.S. 18:196(A)(1) and (D) and to enact R.S. 18:192.1, relative to the annual canvass of persons registered to vote; to provide for a supplemental annual canvass of persons registered to vote; to provide relative to an inactive list of voters; to provide for updating voter registration information; 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. 149—
BY REPRESENTATIVES FRIEMAN AND HODGES
AN ACT

To amend and reenact R.S. 29:724(B)(2) and 768(B), relative to emergency declarations; to provide for legislative termination of all or part of an emergency declaration; to provide procedures for terminations; 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. 184—
BY REPRESENTATIVE MACK
AN ACT

To enact Section 2 of Act No. 259 of the 2020 Regular Session of the Legislature of Louisiana, relative to students who participate in school-sanctioned athletics; to provide for designation of an Act of the Legislature by means of a short title; and to provide for related matters.

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

HOUSE BILL NO. 218—
BY REPRESENTATIVE HUVAL
AN ACT

To amend and reenact Children's Code Articles 1151 and 1152(A), (C)(1), (F)(introductory paragraph), (G), and (H), relative to laws providing for safe and anonymous relinquishment of an infant to the state known as the Safe Haven Law; to authorize the installation of newborn safety devices at certain places for infant relinquishment known as designated emergency care facilities; to provide that a parent may relinquish an infant into a newborn safety device; to provide requirements and specifications for newborn safety devices; to provide for responsibilities of certain facilities with respect to the installation and maintenance of newborn safety devices; to

provide for promulgation of healthcare facility licensing rules by the Louisiana Department of Health regarding newborn safety devices installed in hospitals; to make technical corrections; and to provide for related matters.

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

HOUSE BILL NO. 220—
BY REPRESENTATIVE GREGORY MILLER
AN ACT

To amend and reenact R.S. 38:2215(A), relative to contracts for public works; to require the award of a public works contract within a specified time after judgment determining the lowest responsible and responsive bidder; to restrict the application of suspensive appeals for certain public works awards resulting from certain court actions; and to provide for related matters.

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

HOUSE BILL NO. 289—
BY REPRESENTATIVES MCFARLAND AND BISHOP AND SENATOR FOIL
AN ACT

To enact R.S. 47:6042, relative to income and corporate franchise tax credits; to provide for an income and corporate franchise tax credit for certain railroads; to provide for definitions; to provide for the maximum amount of credits that can be issued annually; to provide for the maximum amount of credits an individual taxpayer can be issued annually; to provide for taxpayer eligibility; to authorize unclaimed portions of a credit to be carried forward or transferred; to provide for the administration of the tax credit; to provide relative to certain tax credit qualifications; to provide for effectiveness; and to provide for related matters.

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

HOUSE BILL NO. 316—
BY REPRESENTATIVE DAVIS
AN ACT

To amend and reenact R.S. 40:1081.2(A)(1), relative to the state's newborn screening panel; to add mucopolysaccharidosis type I, glycogen storage disorder type II, and Krabbe disease to the panel; to provide an effective date; and to provide for related matters.

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

HOUSE BILL NO. 381—
BY REPRESENTATIVE MOORE
AN ACT

To amend and reenact R.S. 32:398, relative to motor vehicle accident reports; to modify references to accident reports and reporting requirements; to provide relative to electronic forms for crash reports; to provide relative to ownership of data and crash reports; to remove a provision that authorizes the Orleans Parish police department to charge a fee for copies of accident reports; and to provide for related matters.

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

HOUSE BILL NO. 388—
BY REPRESENTATIVES HARRIS AND HODGES
AN ACT

To amend and reenact R.S. 18:423(J), 1313.1(A), (B), (C)(1), (E), and (G)(introductory paragraph), (6), and (7), and 1315(B) and to repeal R.S. 18:1313.2, relative to the preparation, verification, tabulation, and counting of absentee by mail and early voting ballots; to provide for the timing of such processes; to provide relative to elections impaired as the result of a declared disaster

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or emergency; 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. 415—
BY REPRESENTATIVES GAINES AND MARCELE
AN ACT

To enact Chapter 11-A of Title 33 of the Louisiana Revised Statutes of 1950, to be comprised of R.S. 33:4600.1 through 4600.11, relative to tourism; to provide for the creation of tourism recovery and improvement districts by tourist commissions; to provide relative to the powers granted to tourist commissions with respect to such districts; to provide relative to assessments levied on businesses by tourist commissions; to provide for definitions; to provide limitations; to provide for severability; 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. 446—
BY REPRESENTATIVE BUTLER
AN ACT

To enact R.S. 36:4(B)(1)(o) and Chapter 44-A of Title 46 of the Louisiana Revised Statutes of 1950, to be comprised of R.S. 46:2591 through 2599, relative to state administration; to create the office of the state Americans with Disabilities Act coordinator within the division of administration; to create a state ADA coordinator position and provide that the coordinator is the executive staff member of the office; to establish the functions, powers, and duties of the office; and to provide for related matters.

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

HOUSE BILL NO. 458—
BY REPRESENTATIVE FIRMENT
AN ACT

To enact R.S. 22:1897, relative to residential property insurance; to provide for additional living expenses and fair rental value coverages; to provide for effectiveness; and to provide for related matters.

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

HOUSE BILL NO. 585—
BY REPRESENTATIVE GEYMANN
AN ACT

To amend and reenact R.S. 22:1892(B)(1) and to enact R.S. 22:1892(A)(5), relative to homeowner's insurance claims settlement practices; to provide for certain claims settlement practices; to provide for penalties for insurers failing to provide timely payment or settlement offers for claims; and to provide for related matters.

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

HOUSE BILL NO. 622—
BY REPRESENTATIVES THOMPSON, ADAMS, BACALA, BAGLEY, BOURRIAQUE, BROWN, BRYANT, BUTLER, CARRIER, ROBBY CARTER, COX, DESHOTEL, ECHOLS, EDMONSTON, FARNUM, FIRMENT, GADBERRY, HORTON, ILLG, JEFFERSON, MIKE JOHNSON, TRAVIS JOHNSON, JONES, KERNER, LACOMBE, LYONS, MCCORMICK, MCFARLAND, MCKNIGHT, MCMAHEN, DUSTIN MILLER, GREGORY MILLER, MINCEY, MOORE, ORGERON, CHARLES OWEN, RISER, ROMERO, SCHAMERHORN, SCHEXNAYDER, SELDERS, ST. BLANC, WHEAT, AND WHITE
AN ACT

To amend and reenact R.S. 3:312(4) and (5), 313(8) through (10), and 314(B) and to enact R.S. 3:313(11) and Part II of Chapter 4-A of Title 3 of the Louisiana Revised Statutes of 1950, to be comprised of R.S. 3:321 through 323, relative to the Louisiana Rural Development Law; to provide for definitions; to provide

for employees in the state office of rural development; to provide for a rural development fund; to provide for fund administration; to provide for rules and regulations; to provide for a rural development program; to provide for receipt of bond proceeds; and to provide for related matters.

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

HOUSE BILL NO. 625—
BY REPRESENTATIVE DESHOTEL
AN ACT

To amend and reenact R.S. 34:1801(A)(1), (2), and (3), relative to the composition of the Avoyelles Parish Port Commission; to provide for the selection process and term of commissioners; to provide an effective date; and to provide for related matters.

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

HOUSE BILL NO. 691—
BY REPRESENTATIVE BACALA
AN ACT

To amend and reenact R.S. 34:851.20(A)(1) and 851.32(A), R.S. 56:8(16)(a)(ii) and (b)(i), 10(B)(1)(a)(i), (e), (f), and (g), (5), (7)(a), (9), and (10), and (D), 10.1(B) and (C), 103(A) and (C)(1), 104(A)(7), 109(D), 116(C)(1) and (D), 116.1(C)(3), the heading of Subpart A-1 of Part IV of Chapter 1 of Title 56 of the Louisiana Revised Statutes of 1950, 151, 171(A), 172(B), 251(A)(1) and (3) through (6), 253(C)(1), 258, 262(A), (B), and (D), 263(A), 302, 302.1(Section heading) and (A) through (C), 302.9(A)(1), (C), and (F), 302.9.1(A), (B), and (E), 302.10(B)(1) through (3) and (C), 303(B), (D)(1), and (F), 303.1.1(B), (C), and (E), 303.6(B), 304(B) and (C), 304.1(B), 305(B) and (C)(1), 305.1(B) and (C), 306(B)(6)(c), 306.1(B)(7)(b) and (c), 306.2(A) and (B), 306.3(B), 307.1(A), 322.1(A), 322.2(A), 325.1(A)(1), (3)(a), and (C)(2)(d), 325.3(A)(1) and (C), 326(E)(2) and (H), 330(B), 412(A)(2) and (5), 433.1(Section heading) and (A)(1), 442(B), 449(B), 492, 494(E)(5) and (F), 500(A), 501(B)(2), 632.4(A)(1) through (3), 632.5(A) and (E), 632.9(B)(1), 641, 649.1, 649.2, 649.3, 649.4, 649.7, 653(A)(introductory paragraph), and 1833, to enact R.S. 56:8(16)(a)(v), 10(B)(4) and (7)(c), 10.3, 102, 112(C), 302.1(D), 303(G), 411(B)(4) through (6), 645, 678, 679, and Chapter 14 of Title 56 of the Louisiana Revised Statutes of 1950, comprised of R.S. 56:3000 through 3007, and to repeal R.S. 34:851.20(N), R.S. 56:10(B)(1)(d), (6), and (13), 103(E) and (F), 103.1, 104, 105, 155, 156, 157, 164, 165, 166, 302.1, 302.2, 302.3, 302.4, 302.5, 302.6, 302.9.1(D), 303.6(A)(2), 305(C)(3) and (G), 641.1, 642, 643, 646, 647.1, 649.5, 649.6, 650, 650.1, and 1832, relative to licenses to hunt and fish; to restructure the recreational hunting and fishing licensing system for the Department of Wildlife and Fisheries; to provide relative to the cost of hunting and fishing licenses; to dedicate revenues from the sale of hunting and fishing licenses; to provide for definitions; to create the Shrimp Development and Management Account, Crab Development, Management and Derelict Crab Trap Removal Account, Oyster Resource Management Account, Louisiana Duck License, Stamp, and Print Fund, Louisiana Wild Turkey Fund, Lifetime License Endowment Trust Fund and the Louisiana Wildlife and Fisheries Foundation Escrow Account; to provide for hunting reciprocity; to provide for digital credentials; and to provide for related matters.

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

House Bills and Joint Resolutions on Second Reading

HOUSE BILL NO. 40—

BY REPRESENTATIVE WRIGHT

AN ACT

To enact R.S. 48:78(D), relative to Department of Transportation and Development expenses; to provide for limited use of monies in the trust fund; to limit the Department of Transportation and Development from using such monies in the trust fund for certain expenses; 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 Finance.

HOUSE BILL NO. 62—

BY REPRESENTATIVE BRASS

AN ACT

To amend and reenact R.S. 47:1923(D)(1)(a), relative to the St. James Parish assessor; to require payment of certain group insurance premiums for certain retirees of the assessor's office; to provide for effectiveness; and to provide for related matters.

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

HOUSE BILL NO. 85—

BY REPRESENTATIVES MCKNIGHT, ADAMS, BACALA, BAGLEY, BRASS, BUTLER, CARPENTER, GARY CARTER, WILFORD CARTER, CORMIER, COX, DAVIS, EDMONDS, FREEMAN, FREIBERG, FRIEMAN, GADBERRY, GAINES, GAROFALO, GREEN, HARRIS, HORTON, HUGHES, ILLG, IVEY, JAMES, JEFFERSON, JENKINS, MIKE JOHNSON, JONES, JORDAN, KERNER, LARVADAIN, MARCELLE, MCFARLAND, DUSTIN MILLER, MOORE, NEWELL, ORGERON, CHARLES OWEN, PIERRE, SCHEXNAYDER, SEABAUGH, SELDERS, STAGNI, ST. BLANC, THOMAS, THOMPSON, TURNER, WILLARD, WRIGHT, AND ZERINGUE

AN ACT

To enact Part III of Chapter 43 of Title 17 of the Louisiana Revised Statutes of 1950, to be comprised of R.S. 17:4032.1, relative to reading assistance for certain public school students; to establish the Steve Carter Literacy Program; to provide for student and service provider eligibility, program administration, payment amounts and uses, notifications, reports, and funding; 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. 92—

BY REPRESENTATIVES MARINO, FREEMAN, GREEN, JAMES, MAGEE, MARCELLE, AND CHARLES OWEN

AN ACT

To amend and reenact R.S. 15:572.8(H)(2) and (Q), relative to compensation for wrongful conviction and imprisonment; to provide relative to the amount of compensation received by a person who is wrongfully convicted; to provide a process by which certain petitioners may apply for supplemental compensation; and to provide for related matters.

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

HOUSE BILL NO. 172—

BY REPRESENTATIVES BUTLER, ADAMS, CARRIER, CORMIER, CREWS, ECHOLS, EDMONSTON, EMERSON, GADBERRY, HUGHES, MIKE JOHNSON, KERNER, LANDRY, MCMAHEN, DUSTIN MILLER, MOORE, NEWELL, PRESSLY, SELDERS, STAGNI, TURNER, AND VILLIO AND SENATOR FOIL

AN ACT

To enact Part II-B of Chapter 5-E of Title 40 of the Louisiana Revised Statutes of 1950, to be comprised of R.S. 40:1250.31 and 1250.32, relative to the medical assistance program of this state known as Medicaid; to provide relative to administration of the Medicaid program by the Louisiana Department of Health; to require Medicaid coverage of dental services for certain persons with developmental or intellectual disabilities; to provide for eligibility for such coverage; to require the

provision of such coverage by a certain date; to require administrative rulemaking; and to provide for related matters.

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

HOUSE BILL NO. 258—

BY REPRESENTATIVE EDMONSTON

AN ACT

To amend and reenact R.S. 37:1437(C)(5)(a), 1437.3(B), 1442, and 1443(4), relative to real estate license and registration renewal; to provide for continuing education requirements; to provide for the procedure for inactive license status; to provide for renewal procedure; to provide for renewal deadlines; to provide for effectiveness; to provide for applicability; 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. 301—

BY REPRESENTATIVES LANDRY AND MOORE

AN ACT

To enact R.S. 47:297.16, relative to income tax credits; to establish an income tax credit for pregnancy-related deaths; to provide for the amount of the credit; to provide for definitions; to provide for certain requirements and limitations; to provide for applicability; to provide for an effective date; and to provide for related matters.

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

HOUSE BILL NO. 317—

BY REPRESENTATIVE KERNER

AN ACT

To amend and reenact R.S. 40:31.35(C) and to enact R.S. 40:5.10.1, relative to financing of certain services of the office of public health of the Louisiana Department of Health pertaining to food safety; to authorize the Louisiana Department of Health to charge and collect from certain commercial seafood permit holders an imported seafood safety fee; to establish the amount of the fee; to create the Imported Seafood Safety Fund as a special treasury fund; to provide for the deposit, use, and investment of monies in the fund; to require appropriation of monies in the fund to the office of public health for certain purposes; to provide for duties of the state health officer with respect to sampling, analysis, testing, and monitoring of imported seafood; and to provide for related matters.

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

HOUSE BILL NO. 587—

BY REPRESENTATIVE ROBERT OWEN

AN ACT

To amend and reenact R.S. 2:2(A)(2) and to enact R.S. 2:2(A)(3) and 2.1, relative to unmanned aerial and aircrafts systems; to provide for the regulation of all unmanned aircraft systems and all unmanned aerial systems; to create the Louisiana Drone Advisory Committee; 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. 608—

BY REPRESENTATIVES GAINES, CARPENTER, GARY CARTER, COX, DUPLESSIS, GREEN, HUGHES, JEFFERSON, TRAVIS JOHNSON, LARVADAIN, MARCELLE, MOORE, NEWELL, PIERRE, SELDERS, STAGNI, WILLARD, JENKINS, AND WILFORD CARTER

AN ACT

To enact Chapter 37 of Title 48 of the Louisiana Revised Statutes of 1950, to be comprised of R.S. 48:2211, relative to survivor benefits for certain employees of the Department of Transportation and Development; to provide for death benefits;

to condition payment of death benefits on survivors waiver or liability; 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 Transportation, Highways and Public Works.

HOUSE BILL NO. 621—
BY REPRESENTATIVE PIERRE
AN ACT

To amend and reenact R.S. 32:412.1(A) and (B) and 412.3(E) and R.S. 40:1321(C)(introductory paragraph) and (2) and (D)(1)(a)(introductory paragraph) and (i) and to enact R.S. 40:1321.1, relative to the duration of special identification cards; to provide that the special identification cards be renewed every six years; to provide for fees; to provide for the distribution of revenue; to create and provide for special funds; 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. 701— (Substitute for House Bill 636 by Representative Pierre)
BY REPRESENTATIVE PIERRE
AN ACT

To enact R.S. 32:57.3 and R.S. 47:820.5.9, relative to the Department of Transportation and Development's authority over high-occupancy vehicle lanes on state highways; to establish a high-occupancy vehicle; to provide for violations; to provide for definitions; 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 Transportation, Highways and Public Works.

HOUSE BILL NO. 705— (Substitute for House Bill No. 151 by Representative Riser)
BY REPRESENTATIVE RISER
AN ACT

To amend and reenact R.S. 23:1711(G)(1) and to enact R.S. 23:1711.1, relative to unemployment compensation; to provide for the classification of employees; to increase the administrative penalties for the misclassification of employees; to provide relative to the failure to pay contributions; to provide criteria for classifying employees as independent contractors; to provide for applicability; and to provide for related matters.

The bill was read by title and referred by the President to the Committee on Labor and Industrial Relations.

HOUSE BILL NO. 706— (Substitute for House Bill No. 343 by Representative Beaulieu)
BY REPRESENTATIVE BEAULLIEU
AN ACT

To amend and reenact R.S. 26:71(A)(3)(e) and 142, and to enact R.S. 26:2(32) and (33), 71(A)(3)(f), and 71.4, relative to microdistillery permits; to provide for definitions; to establish criteria for microdistillery permitting; to provide for permit fees; to provide for the taxation of beverages produced by a microdistiller; to provide relative to Class A-Restaurant-Conditional permits; to provide relative to permit application requirements; to provide for the filing of monthly statements with the Department of Revenue; 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. 707— (Substitute for House Bill No. 480 by Representative Willard)
BY REPRESENTATIVES WILLARD, BRYANT, CARPENTER, GARY CARTER, WILFORD CARTER, DUPLESSIS, FREEMAN, GAINES, GREEN, HUGHES, JAMES, JEFFERSON, JONES, JORDAN, LARVADAIN, LYONS, MARCELLE, MOORE, NEWELL, PIERRE, AND SELDERS
AN ACT

To enact R.S. 23:291.2, relative to employment discrimination; to prohibit discrimination based on criminal history records; to provide criteria in making hiring decisions; to provide for hiring decisions in conjunction with criminal history records; and to provide for related matters.

The bill was read by title and referred by the President to the Committee on Labor and Industrial Relations.

Reports of Committees

The following reports of committees were received and read:

REPORT OF COMMITTEE ON SENATE AND GOVERNMENTAL AFFAIRS

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

May 19, 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:

HOUSE BILL NO. 120—
BY REPRESENTATIVE NEWELL
AN ACT

To enact R.S. 44:3.6, relative to public records regarding airport facilities, facilities on airport property, and airport infrastructure; to provide for the confidential nature of blueprints, floor plans, and interior renderings of such facilities and of blueprints, plans, and renderings of airport infrastructure; to provide for an effective date; and to provide for related matters.

Reported favorably.

HOUSE BILL NO. 128—
BY REPRESENTATIVE ZERINGUE
AN ACT

To amend and reenact R.S. 39:372(D) through (H), R.S. 42:17(A)(3), and R.S. 44:4.1(B)(25) and to enact R.S. 39:372(I) and R.S. 44:4(59), relative to security protocols; to provide with respect to the powers and duties of the Cash Management Review Board regarding financial security and cybersecurity plans; to provide with respect to the confidential nature of certain cybersecurity and financial security discussions and documents; to provide for executive session in public meetings in certain circumstances; to provide with respect to public records exceptions for certain types of cybersecurity and financial information; to direct the Louisiana State Law Institute to make certain technical corrections; to provide for an effective date; and to provide for related matters.

Reported favorably.

HOUSE BILL NO. 176—
BY REPRESENTATIVE THOMPSON
AN ACT

To amend and reenact R.S. 42:1124.4(A)(3), (B)(2), and (C) and 1157(A)(1)(a) and (4), relative to ethics; to provide relative to certain fees and penalties assessed by the Board of Ethics; to reduce the per-day penalty to be assessed against certain filers of required financial disclosure statements; to provide for a maximum amount to be assessed against certain filers; to give discretion to the board and its staff regarding the assessment of certain penalties against certain filers of required financial disclosure statements; to provide for an effective date; and to provide for related matters.

Reported favorably.

HOUSE BILL NO. 286—

BY REPRESENTATIVE JONES
AN ACT

To amend and reenact R.S. 18:1309(A)(1)(a)(i), relative to early voting; to provide for the period for the conduct of early voting in the presidential election; to provide for an effective date; and to provide for related matters.

Reported favorably.

HOUSE BILL NO. 306—

BY REPRESENTATIVE MUSCARELLO
AN ACT

To enact R.S. 42:1119(B)(2)(a)(vi), relative to nepotism; to provide an exception to allow an immediate family member of a school board member or superintendent to be employed as a bus operator; to provide for an effective date; and to provide for related matters.

Reported favorably.

HOUSE BILL NO. 438—

BY REPRESENTATIVE MIGUEZ
AN ACT

To enact R.S. 44:31(C), relative to public records; to allow a custodian to require sufficient information to establish a requestor's identity; and to provide for related matters.

Reported with amendments.

HOUSE BILL NO. 491—

BY REPRESENTATIVE GADBERRY
AN ACT

To amend and reenact R.S. 42:1123(34), relative to ethics; to allow certain municipal and parochial elected and appointed officials and related persons and legal entities to enter into certain transactions regarding specified property under certain circumstances; to remove existing limitations on certain elected officials and related persons and legal entities regarding such transactions; to require certain written notice of such transactions; to require recusal of and prohibit participation by the public servant; and to provide for related matters.

Reported favorably.

Respectfully submitted,
SHARON W. HEWITT
Chairwoman

REPORT OF COMMITTEE ON

INSURANCE

Senator Kirk Talbot, Chairman on behalf of the Committee on Insurance, submitted the following report:

May 19, 2021

To the President and Members of the Senate:

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

SENATE RESOLUTION NO. 95—

BY SENATOR TALBOT
A RESOLUTION

To urge and request the Department of Insurance to create a task force to study best practices for the coverage of long-term supports and services and to increase public knowledge and awareness of the prevalence of need for long-term supports and services among older adults, the costs of services, and the implications for individuals and their families.

Reported favorably.

SENATE RESOLUTION NO. 97—

BY SENATOR JACKSON
A RESOLUTION

To urge and request the Department of Insurance to form a task force to study, jointly with the Louisiana Department of Health, the causes of infertility in women and the desirability and feasibility of mandating insurance coverage for fertility treatments for women.

Reported favorably.

HOUSE BILL NO. 190—

BY REPRESENTATIVES WILLARD, GARY CARTER, COX, DUBUISSON, DUPLESSIS, EDMONSTON, EMERSON, GAINES, GREEN, HILFERTY, HUGHES, JAMES, JONES, JORDAN, LANDRY, LARVADAIN, LYONS, MARCELLE, DUSTIN MILLER, NEWELL, PIERRE, AND SELDERS
AN ACT

To enact R.S. 22:1059 and 1059.1, relative to health insurance coverage for midwifery and doula services; to provide relative to health insurance coverage for maternity services provided by midwives and doulas; to provide for legislative findings; to create the Louisiana Doula Registry Board and provide for its purpose, composition, and duties; to authorize rulemaking; to provide for definitions; to provide for applicability; to provide for an effective date; and to provide for related matters.

Reported with amendments.

HOUSE BILL NO. 244—

BY REPRESENTATIVES TURNER AND JORDAN
AN ACT

To amend and reenact R.S. 44:4.1(B)(11) and to enact R.S. 22:821(B)(39) and Part III-A of Chapter 5 of Title 22 of the Louisiana Revised Statutes of 1950, to be comprised of R.S. 22:1660.1 through 1660.11, relative to pharmacy services administrative organizations; to provide for definitions; to require licensing and a related fee; to provide grounds for denial, suspension, and revocation of a license; to require submission of an annual report and filing fee; to authorize the commissioner of insurance to examine certain documents; to require maintenance and confidentiality of such documents; to provide for exceptions; to provide for duties and responsibilities; to provide fines for violations; to provide for contractual agreements; to provide for fee reimbursement; to authorize rulemaking; to modify relative to exceptions to public records requests; and to provide for related matters.

Reported with amendments.

HOUSE BILL NO. 457—

BY REPRESENTATIVE FIRMENT
AN ACT

To amend and reenact R.S. 22:1662(3), to enact R.S. 22:1674.1, and to repeal R.S. 22:1674, relative to insurance claims adjusters; to provide for the standards of conduct for claims adjusters; to require newly licensed claims adjusters and claims adjusters renewing their license to read and acknowledge the claims adjuster standards of conduct; to provide for penalties for violation of the standards of conduct; to provide an exemption from licensure for certain persons; and to provide for related matters.

Reported with amendments.

HOUSE BILL NO. 591—

BY REPRESENTATIVE FIRMENT
AN ACT

To enact R.S. 22:1892(B)(6) and (E) through (H), relative to claims settlement practices; to provide for the definitions; to provide for insurance coverage of damaged property; to prohibit insurers from requiring insureds to use a preferred vendor or contractor; to provide for the adjustment and settlement of first-party losses under fire and extended coverage policies; to provide for policies providing adjustment and settlement of first-party losses based on replacement cost; to provide required adjustment

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dispute resolution language for residential property policies; and to provide for related matters.

Reported with amendments.

Respectfully submitted,
KIRK TALBOT
Chairman

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

HOUSE BILL NO. 23—
BY REPRESENTATIVE CHARLES OWEN
AN ACT

To repeal Subpart E of Part II of Chapter 1 of Title 14 of the Louisiana Revised Statutes of 1950, comprised of R.S. 14:47 through 50, and R.S. 15:443, relative to offenses against a person; to repeal provisions relative to defamation, presumption of malice, qualified privilege, and absolute privilege.

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

HOUSE BILL NO. 39—
BY REPRESENTATIVE MAGEE
AN ACT

To amend and reenact Chapter 3 of Title I of Book I of the Code of Civil Procedure, comprised of Code of Civil Procedure Articles 151 through 159, the heading of Chapter 3 of Title I of Book VIII of the Code of Civil Procedure, the heading of Code of Civil Procedure Article 4861 and Code of Civil Procedure Articles 4862, 4863, and 4864, the heading of Code of Civil Procedure Article 4865, and Code of Civil Procedure Article 4866, relative to the recusal of judges; to provide for the grounds for recusal; to provide for disclosures required of judges; to provide for recusal on the court's own motion; to provide for the procedure for recusal; to provide for the selection of the judge to try the motion to recuse; to provide for the selection of the judge after recusal; to provide for the motion to recuse; to provide for the appointment of judge ad hoc; and to provide for related matters.

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

HOUSE BILL NO. 46—
BY REPRESENTATIVES JAMES AND JORDAN
AN ACT

To amend and reenact Code of Criminal Procedure Article 701(B)(1)(a), relative to pretrial motions for speedy trial; to provide relative to a defendant in continued custody; and to provide for related matters.

Reported with amendments by the Committee on Judiciary C.

SENATE COMMITTEE AMENDMENTS

Amendments proposed by Senate Committee on Judiciary C to Reengrossed House Bill No. 46 by Representative James

AMENDMENT NO. 1

On page 1, line 3, after "custody;" insert "to provide an effective date;"

AMENDMENT NO. 2

On page 1, delete lines 16 through 20 and insert the following:
"Section 2. This Act shall become effective January 1, 2022."

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

HOUSE BILL NO. 54—
BY REPRESENTATIVES EDMONDS AND VILLIO
AN ACT

To enact R.S. 14:67.5, relative to misappropriation without violence; to create the crime of adoption deception; to provide for elements of the offense; to provide for criminal penalties; to provide for restitution; and to provide for related matters.

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

HOUSE BILL NO. 77—
BY REPRESENTATIVES MARINO, JONES, LANDRY, AND MARCELLE
AN ACT

To amend and reenact Code of Criminal Procedure Article 893(B), relative to suspension of sentences in felony cases; to provide relative to fourth or subsequent convictions; to provide relative to the consent of the district attorney; and to provide for related matters.

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

HOUSE BILL NO. 81—
BY REPRESENTATIVE PRESSLY
AN ACT

To amend and reenact Civil Code Articles 2041, 2534, and 3463, relative to prescription; to provide for prescription of the revocatory action; to provide for prescription of actions for redhibition and breach of the warranty of fitness for use; to provide for the interruption of prescription; to provide with respect to prescription of actions for recognition of inheritance rights; and to provide for related matters.

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

HOUSE BILL NO. 84—
BY REPRESENTATIVE MARCELLE
AN ACT

To amend and reenact Code of Criminal Procedure Article 401(A)(introductory paragraph) and (5), relative to qualifications of jurors; to provide relative to the authority of certain persons under indictment or order of imprisonment or on probation or parole to serve on a jury; and to provide for related matters.

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

HOUSE BILL NO. 104—
BY REPRESENTATIVE WHEAT
AN ACT

To amend and reenact R.S. 3:2091(B)(12) and 2131, relative to the composition and regulatory authority of the Louisiana Board of Animal Health; to provide for composition of the board; to provide for disposal of livestock animal carcasses; to provide relative to a definition; to provide for an effective date; and to provide for related matters.

Reported favorably by the Committee on Agriculture, Forestry, Aquaculture, and Rural Development. The bill was read by title and referred to the Legislative Bureau.

HOUSE BILL NO. 108—
BY REPRESENTATIVES LARVADAIN, ROBBY CARTER, JAMES, AND JEFFERSON
AN ACT

To amend and reenact Code of Civil Procedure Articles 5183(A)(introductory paragraph), (1), and (2) and (B) and 5185(A) and (B), relative to proceeding in forma pauperis; to provide with respect to applications to proceed in forma pauperis; to provide for the rights of parties proceeding in forma pauperis; and to provide for related matters.

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

HOUSE BILL NO. 129—

BY REPRESENTATIVES BACALA, HUGHES, JAMES, JONES, JORDAN, LANDRY, MARINO, AND ORGERON AND SENATOR FIELDS
AN ACT

To amend and reenact R.S. 40:2404.2(C) and to enact R.S. 15:1212.1(G) and R.S. 40:2401.2, 2401.3, 2404(12), and 2555, relative to peace officers; to provide relative to certain reporting requirements; to provide relative to the recruitment of certain peace officer candidates; to provide relative to certain training requirements; to provide for the implementation of disciplinary policies and procedures; to provide relative to investigations into certain peace officer conduct; and to provide for related matters.

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

HOUSE BILL NO. 140—

BY REPRESENTATIVES MUSCARELLO, ROBBY CARTER, JEFFERSON, JENKINS, MIKE JOHNSON, LANDRY, LARVADAIN, AND SEABAUGH
AN ACT

To amend and reenact Code of Civil Procedure Articles 193, 194, 195, 196.1, 863(A), 891(A), and 1313(C) and R.S. 9:2603(B)(2), and to repeal Code of Civil Procedure Article 196 and R.S. 9:2603(B)(4)(a), relative to civil procedure; to provide for the adoption of local court rules; to provide with respect to the power of district courts to act; to provide with respect to judicial proceedings; to provide for the signing of orders and judgments; to provide with respect to pleadings and petitions; to provide for service by electronic means; to provide with respect to the Louisiana Uniform Electronic Transaction Act; to provide for an effective date; and to provide for related matters.

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

HOUSE BILL NO. 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.

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

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.

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

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, 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.

Reported with amendments by the Committee on Judiciary A.

SENATE COMMITTEE AMENDMENTS

Amendments proposed by Senate Committee on Judiciary A to Reengrossed House Bill No. 164 by Representative Robby Carter

AMENDMENT NO. 1

On page 9, line 10, after "defendant" insert a comma "," and change "seven days after" to "provided that"

AMENDMENT NO. 2

On page 9, line 11, after "sent" delete "in accordance with" and insert "if required by"

AMENDMENT NO. 3

On page 9, line 15, after "party" insert a comma "," and insert "at least seven days before a default judgment may be rendered"

AMENDMENT NO. 4

On page 9, line 19, after "attorney" insert "at least seven days before a default judgment may be rendered"

AMENDMENT NO. 5

On page 9, delete lines 20 through 22 in their entirety.

AMENDMENT NO. 6

On page 10, line 14, after "rendered" insert a comma "," and change "seven days after" to "provided that"

AMENDMENT NO. 7

On page 10, line 15 after "sent" delete "in accordance with" and insert "if required by"

AMENDMENT NO. 8

On page 10, line 22, after "party" insert a comma "," and insert "at least seven days before a default judgment may be rendered"

AMENDMENT NO. 9

On page 10, line 26, after "attorney" insert "at least seven days before a default judgment may be rendered"

AMENDMENT NO. 10

On page 10, line 27, after "(3)" delete "In all other cases" and insert "In cases involving delictual actions where neither Subparagraph (1) or (2) of this Paragraph applies"

AMENDMENT NO. 11

On page 10, line 29, after "obtained" insert "at least seven days before a default judgment may be rendered"

AMENDMENT NO. 12

On page 11, at the beginning of line 1, delete "D." and insert "B."

AMENDMENT NO. 13

On page 11, at the beginning of line 16, delete "E." and insert "C."

AMENDMENT NO. 14

On page 12, at the beginning of line 5, delete "F." and insert "D."

AMENDMENT NO. 15

On page 12, at the beginning of line 8, delete "G." and insert "E."

AMENDMENT NO. 16

On page 15, line 18, after "rendered" insert a comma "," and change "seven days after" to "provided that"

AMENDMENT NO. 17

On page 15, line 19, after "sent" delete "in accordance with" and insert "if required by"

AMENDMENT NO. 18

On page 15, line 26, after "party" insert a comma "," and insert "at least seven days before a default judgment may be rendered"

AMENDMENT NO. 19

On page 16, line 2, after "attorney" insert "at least seven days before a default judgment may be rendered"

AMENDMENT NO. 20

On page 16, line 3, after "(3)" delete "In all other cases" and insert "In cases involving delictual actions where neither Subparagraph (1) or (2) of this Paragraph applies"

AMENDMENT NO. 21

On page 16, line 5, after "obtained" insert "at least seven days before a default judgment may be rendered"

AMENDMENT NO. 22

On page 16, at the beginning of line 6, delete "D." and insert "B."

AMENDMENT NO. 23

On page 16, at the beginning of line 21, delete "E." and insert "C."

AMENDMENT NO. 24

On page 17, at the beginning of line 10, delete "F." and insert "D."

AMENDMENT NO. 25

On page 17, line 18, after "D:" delete "G." and insert "E."

AMENDMENT NO. 26

On page 17, line 21, after "E:" delete "H." and insert "F."

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

HOUSE BILL NO. 177—

BY REPRESENTATIVES WHEAT, MCFARLAND, MCMAHEN, AND THOMPSON

AN ACT

To amend and reenact R.S. 3:2472(A)(1) and (2)(introductory paragraph), relative to sterilization of certain animals; to provide for qualifications of an individual performing a sterilization; and to provide for related matters.

Reported favorably by the Committee on Agriculture, Forestry, Aquaculture, and Rural Development. The bill was read by title and referred to the Legislative Bureau.

HOUSE BILL NO. 192—

BY REPRESENTATIVE GAINES

AN ACT

To amend and reenact R.S. 26:148(A), relative to the sale of alcoholic beverages; to provide for methods of payment; and to provide for related matters.

Reported with amendments by the Committee on Judiciary B.

SENATE COMMITTEE AMENDMENTS

Amendments proposed by Senate Committee on Judiciary B to Engrossed House Bill No. 192 by Representative Gaines

AMENDMENT NO. 1

On page 1, line 13, after "payment" delete the remainder of the line and delete line 14, and insert ". If any"

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

HOUSE BILL NO. 219—

BY REPRESENTATIVE ILLG

AN ACT

To amend and reenact R.S. 26:271.2(2)(b) and 308(B) and (C)(2)(b) and to enact R.S. 26:2(32) and 241(27), relative to alcohol delivery; to provide for definitions; to provide for the delivery of ready-to-drink beverages; to provide for permits needed to enter into delivery agreements; and to provide for related matters.

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

HOUSE BILL NO. 230—

BY REPRESENTATIVES TRAVIS JOHNSON AND THOMPSON

AN ACT

To repeal Part XVII of Chapter 5 of Title 3 of the Louisiana Revised Statutes of 1950, comprised of R.S. 3:559.21 through 559.29, and R.S. 36:629(Q), relative to the Louisiana Aquatic Chelonian Research and Promotion Board; to provide for abolishment of the board; to provide for transfer of unclassified service positions; to provide for transfer and disposition of monies; to provide for an effective date; and to provide for related matters.

Reported favorably by the Committee on Agriculture, Forestry, Aquaculture, and Rural Development. The bill was read by title and referred to the Legislative Bureau.

HOUSE BILL NO. 232—

BY REPRESENTATIVES MARINO AND JAMES

AN ACT

To amend and reenact Code of Criminal Procedure Article 894(B)(2), relative to suspension and deferral of sentence and probation in misdemeanor cases; to provide relative to discharge and dismissal of prosecutions; to remove the restriction that discharge and dismissal may occur only once during a five-year period; and to provide for related matters.

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

HOUSE BILL NO. 234—

BY REPRESENTATIVES CARPENTER, MOORE, AND WHITE AND SENATORS BARROW, JACKSON, MIZELL, AND PETERSON

AN ACT

To amend and reenact R.S. 15:555(D), to enact R.S. 15:555(A)(17) and 556(A)(3), and to repeal R.S. 15:556(B), relative to the Louisiana Sexual Assault Oversight Commission; to provide relative to the membership of the commission; to provide relative to the duties of the commission; to provide for an effective date; and to provide for related matters.

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

HOUSE BILL NO. 239—

BY REPRESENTATIVES RISER, BUTLER, DESHOTEL, MCMAHEN, MINCEY, ROMERO, ST. BLANC, THOMPSON, WHEAT, AND WHITE

AN ACT

To amend and reenact R.S. 41:1009, to enact R.S. 3:4278.5, and to repeal R.S. 3:4278.1(F), relative to cutting trees on state-owned property; to prohibit the harvest of cypress trees on state property; to provide for exceptions; to provide for penalties; to

provide for a civil prescriptive period; to provide for an effective date; to provide for the designation of an Act of the Legislature by means of short title; and to provide for related matters.

Reported favorably by the Committee on Agriculture, Forestry, Aquaculture, and Rural Development. The bill was read by title and referred to the Legislative Bureau.

HOUSE BILL NO. 240—
BY REPRESENTATIVE JENKINS

AN ACT

To amend and reenact R.S. 40:1379.1.4(D), relative to the carrying of concealed weapons by qualified retired law enforcement officers; to require the issuance of the required identification to qualified individuals by certain persons; to provide for prospective and retroactive application; and to provide for related matters.

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

HOUSE BILL NO. 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.

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

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.

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

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.

Reported with amendments by the Committee on Judiciary B.

SENATE COMMITTEE AMENDMENTS

Amendments proposed by Senate Committee on Judiciary B to Reengrossed House Bill No. 271 by Representative Marcelle

AMENDMENT NO. 1
On page 1, delete lines 10 through 20, and on page 2, delete lines 1 through 6

AMENDMENT NO. 2
On page 2, line 7, change "B." to "A."

AMENDMENT NO. 3
On page 2, line 11, change "C." to "B."

AMENDMENT NO. 4
On page 2, line 17, change "D" to "C."

AMENDMENT NO. 5
On page 2, line 24, change "release date" to "entering the program"

AMENDMENT NO. 6
On page 3, line 3, change "E." to "D."

AMENDMENT NO. 7
On page 3, line 5, change "F" to "E."

AMENDMENT NO. 8
On page 3, line 8, change "G." to "F."

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

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.

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

HOUSE BILL NO. 325—
BY REPRESENTATIVE LARVADAIN

AN ACT

To enact R.S. 40:2405.9 and Code of Criminal Procedure Article 223, relative to the arrest of persons with minor or dependent children; to provide for the establishment of guidelines and training for law enforcement officers regarding the arrest of persons with minor or dependent children; to require the Council on Peace Officer Standards and Training to develop the guidelines and training in conjunction with certain organizations; to provide for certain requirements of law enforcement officers upon arrest of a person; to provide for exceptions; and to provide for related matters.

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

HOUSE BILL NO. 360—
BY REPRESENTATIVE TRAVIS JOHNSON

AN ACT

To enact R.S. 40:1584, relative to the registration of short-term rental dwelling units; to provide certain definitions; to provide the requirements for the registration and renewal of short-term rental dwelling units; to provide relative to registration and renewal fees for short-term rental dwelling units; to impose fees; to provide penalties; to authorize the promulgation of rules and regulations; to provide for applicability; and to provide for related matters.

Reported with amendments by the Committee on Judiciary B.

SENATE COMMITTEE AMENDMENTS

Amendments proposed by Senate Committee on Judiciary B to Engrossed House Bill No. 360 by Representative Travis Johnson

AMENDMENT NO. 1
On page 4, line 2, after "hearings." add the following: "This Section shall not authorize the office of state fire marshal to promulgate rules and regulations permitting, for any reason, a physical inspection of a short-term rental dwelling unit."

AMENDMENT NO. 2
On page 4, line 10, after "shall" delete the remainder of the line, and insert "authorize, or be construed to authorize, inspections"

AMENDMENT NO. 3

On page 4, line 11, after "investigations by" delete the remainder of the line, and insert the following: "or on behalf of the office of state fire marshal, or by or on behalf of any other state or local entity, of any immovable"

AMENDMENT NO. 4

On page 4, line 12, after "residence." add the following: "An inspection by or on behalf of the office of state fire marshal or by or on behalf of any other state or local entity shall not be required to apply, receive, maintain compliance, rectify violations, or renew the registration required by this Section."

AMENDMENT NO. 5

On page 4, between lines 15 and 16, insert the following: "(6) Nothing in this Section shall limit or prohibit, or be construed to limit or prohibit, the owner of a short-term rental dwelling unit from completing a booking transaction prior to the implementation by the office of state fire marshal of a registration system or if the owner has submitted a registration as required by this Section but is awaiting administrative processing."

(7) If a state of emergency is declared pursuant to the provisions of R.S. 29:721 et seq., the state fire marshal may temporarily suspend the requirements of this Section for a period not to exceed thirty days provided that this authority shall not be construed to preempt or limit the authority of any other person or agency otherwise provided by law."

AMENDMENT NO. 6

On page 4, after line 20, add the following: "Section 2. This Act shall become effective on February 1, 2022."

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

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.

Reported with amendments by the Committee on Judiciary C.

SENATE COMMITTEE AMENDMENTS

Amendments proposed by Senate Committee on Judiciary C to Reengrossed House Bill No. 406 by Representative Bishop

AMENDMENT NO. 1

On page 1, at the beginning of line 8, delete "and Code of Criminal Procedure Article 833.1 is hereby enacted"

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

HOUSE BILL NO. 422— BY REPRESENTATIVE EMERSON AN ACT

To enact R.S. 15:1199.4(O), relative to the Reentry Advisory Council; to provide relative to the membership of the Reentry Advisory Council; to provide relative to the disqualification of members for missing a certain number of meetings; to provide for certain notification to the nominating authority of the disqualified member; to provide for the appointment of a member to replace the disqualified member; to prohibit the disqualified member from being reappointed for a certain period of time; and to provide for related matters.

Reported with amendments by the Committee on Judiciary B.

SENATE COMMITTEE AMENDMENTS

Amendments proposed by Senate Committee on Judiciary B to Engrossed House Bill No. 422 by Representative Emerson

AMENDMENT NO. 1

On page 1, line 2, change "15:1199.4(O)" to "15:1199.4(E)(13) and (O)"

AMENDMENT NO. 2

On page 1, line 3, after "Council," insert "to add a member;"

AMENDMENT NO. 3

On page 1, line 10, change "15:1199.4(O) is" to "15:1199.4(E)(13) and (O) are"

AMENDMENT NO. 4

On page 1, between lines 12 and 13, insert the following: "E. The governor shall appoint twelve thirteen members in accordance with the following provisions:

(13) One member shall be appointed from a list of three nominations from the Council on the Children of Incarcerated Parents and Caregivers.

AMENDMENT NO. 5

On page 1, line 14, after "council" change "shall" to "may"

AMENDMENT NO. 6

On page 1, line 15, after "entity" change "that" to "if"

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

HOUSE BILL NO. 430— BY REPRESENTATIVE JAMES AN ACT

To amend and reenact R.S. 40:2531(B)(4)(b)(i) and (ii) and (7) and to enact R.S. 40:2533(D), relative to time periods for officer disciplinary matters; to provide for time limits relative to officer representation; to provide for time limits relative to length of investigation of an officer; to provide for time limits relative to officer personnel files; and to provide for related matters.

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

HOUSE BILL NO. 517— BY REPRESENTATIVE THOMAS AN ACT

To amend R.S. 9:2773(A), relative to limitations on the responsibility of agents, contractors, and representatives of proprietors; to provide for the limitation of liability for ultrahazardous activity; to provide for prospective application; and to provide for related matters.

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

HOUSE BILL NO. 549— BY REPRESENTATIVE MCCORMICK AN ACT

To amend and reenact R.S. 30:2363(7) and (13), relative to the reporting of hazardous material releases; to provide for definitions; to provide for the applicability of reporting requirements under the Hazardous Materials Information Development, Preparedness, and Response Act and laws regarding hazardous materials transportation and motor carrier safety; to provide relative to natural gas pipelines; and to provide for related matters.

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

HOUSE BILL NO. 640—

BY REPRESENTATIVES SCHEXNAYDER, MCFARLAND, AND TRAVIS JOHNSON AND SENATOR CATHEY
AN ACT

To amend and reenact R.S. 3:1402, 1461, 1462, 1464(8), 1465(A), (C)(1), and (D)(1), 1466(A) and (B)(2), 1468, 1471(A)(4), 1481, 1482, 1483, 1484, and 1485(B) and (G) and R.S. 47:1692 and 1693(A) and to enact R.S. 3:1469(C) and 1473, relative to industrial hemp; to provide for the regulation of industrial hemp; to provide for exemptions from commercial feed regulations; to provide for definitions; to provide for licensure; to provide relative to criminal background checks; to provide for testing; to provide relative to research entities; to provide for a centralized website; to provide a definition for consumable hemp products; to provide for regulation of consumable hemp products; to provide for license and permit fees; to provide for criminal penalties; to provide for civil penalties; to provide relative to the tax on hemp products; and to provide for related matters.

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

SENATE COMMITTEE AMENDMENTS

Amendments proposed by Senate Committee on Agriculture, Forestry, Aquaculture, and Rural Development to Reengrossed House Bill No. 640 by Representative Schexnayder

AMENDMENT NO. 1

On page 1, line 4, change "R.S. 3:1469(C)" to "R.S. 3:1469(A)(1) and (C)"

AMENDMENT NO. 2

On page 1, line 16, change "R.S. 3:1469(C)" to "R.S. 3:1469(A)(1) and (C)"

AMENDMENT NO. 3

On page 5, line 11, delete "industrial hemp"

AMENDMENT NO. 4

On page 5, line 15, delete "industrial hemp"

AMENDMENT NO. 5

On page 7, between lines 20 and 21, insert:

"A. (1) The Louisiana State University Agricultural Center, and the Southern University Agricultural Center, and the University of Louisiana at Monroe Agribusiness Program are authorized to cultivate, handle, and process industrial hemp and industrial hemp seeds for research and development of new varieties."

AMENDMENT NO. 6

On page 15, line 8, after "offense" change ", " to " 2"

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

HOUSE BILL NO. 649—

BY REPRESENTATIVES MCFARLAND AND THOMPSON
AN ACT

To amend and reenact R.S. 51:481(A) and (B)(1) and 483(A)(1), relative to the repurchase of certain mechanical equipment by a wholesaler, manufacturer, or distributor; to provide for applicability; to include partnerships, limited liability companies, and other business entities as pertinent parties; to provide for definitions; to provide for violations; and to provide for related matters.

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

SENATE COMMITTEE AMENDMENTS

Amendments proposed by Senate Committee on Agriculture, Forestry, Aquaculture, and Rural Development to Reengrossed House Bill No. 649 by Representative McFarland

AMENDMENT NO. 1

On page 1, line 2, after "reenact" delete the remainder of the line and insert "R.S. 51:481 and 483(A)(1) and to enact R.S. 51:483(A)(5), relative to the repurchase"

AMENDMENT NO. 2

On page 1, line 8, after "Section 1." delete the remainder of the line and delete line 9 and insert "R.S. 51:481 and 483(A)(1) are hereby amended and reenacted and R.S. 51:483(A)(5) is hereby enacted to read as follows:"

AMENDMENT NO. 3

On page 2, line 6, delete "shall mean" and insert "means"

AMENDMENT NO. 4

On page 2, between lines 9 and 10, insert the following:

"(2) "Burden of proof", in the context of an incentive agreement, means that, if a dealer objects to the market statistics provided by the agent in support of a bonus or penalty proposed by the agent pursuant to the agreement, the agent shall provide all of the following information:

(a) The name of the entity or individual that purchased the contested equipment upon which the amount of the incentive payment or penalty is based.

(b) Sufficient evidence of the first substantial use of the contested equipment within the dealer's area of responsibility. Sufficient evidence shall consist of either:

(i) Geospatial telematic data from the reported equipment's hardware; or

(ii) All of the following:

(aa) Name of the entity or individual that purchased the equipment.

(bb) City and state to which the equipment was delivered, as indicated on the manufacturer's delivery receipt provided by the dealer to the retail purchaser.

(cc) PIN, VIN, or serial number of the equipment.

(dd) Product segment (large ag, mid ag, or small ag) of the equipment.

(ee) Model class of the equipment.

(ff) Size class (horsepower) of the equipment.

~~(2)(3)~~ "Dealer" shall mean means any farm dealer, heavy industrial equipment dealer, construction equipment dealer, forestry equipment dealer, material handling equipment dealer, utility equipment dealer, engines equipment dealer, lawn and garden equipment dealer or retail equipment distributor dealer.

~~(3)(4)~~ "Dealer agreement" shall mean means a written or oral agreement between a dealer and an agent that provides for the rights and obligations of the parties with respect to the sale or purchase of equipment or repair parts.

~~(4)(5)~~ "Farm equipment", "construction equipment", "forestry equipment", "heavy industrial equipment", "material handling equipment", "utility equipment" and "lawn and garden equipment" shall include includes every vehicle designed or adapted and used exclusively for agricultural, construction, forestry, industrial material handling, utility or lawn and garden operations, although incidentally operated or used upon the highways.

(6) "Incentive agreement" means any agreement between the agent and dealer involving the payment of a bonus or incentive payment by the agent to the dealer, or the imposition of a penalty by the agent on the dealer, based upon the dealer's sales within its area of responsibility.

~~(5)(7)~~ "Superseded parts" shall include includes any part that will provide the same function as a previously available part and can be purchased from the manufacturer, wholesaler, or distributor on the date of cancellation."

AMENDMENT NO. 5

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

(5) In connection with an incentive agreement, impose on the dealer:

(a) The burden of proof regarding the terms of the agreement, including the establishment of the location of a piece of equipment's first substantial use.

(b) A penalty for the sale of equipment if the first substantial use is in a location outside the dealer's area of responsibility for agricultural sales, regardless of the location of the seller, or of the customer's residence, office, or operating base."

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

Senate Resolutions on Second Reading Reported by Committees

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.

Reported favorably by the Committee on Judiciary C.

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

Senate Concurrent Resolutions on Second Reading Reported by Committees

SENATE CONCURRENT RESOLUTION NO. 2—

BY SENATOR FIELDS

A CONCURRENT RESOLUTION

To provide for legislative approval of the formula developed by the State Board of Elementary and Secondary Education pursuant to Article VIII, Section 13(B) of the Constitution of Louisiana to determine the cost of a minimum foundation program of education in all public elementary and secondary schools as well as to equitably allocate the funds to parish and city school systems, and adopted by the board on March 10, 2021.

Reported with amendments by the Committee on Education.

SENATE COMMITTEE AMENDMENTS

Amendments proposed by Senate Committee on Education to Original Senate Concurrent Resolution No. 2 by Senator Fields

AMENDMENT NO. 1

On page 1, line 7, change "March 10, 2021" to "May 12, 2021"

AMENDMENT NO. 2

On page 1, at the end of line 9, change "March 10," to "May 12,"

AMENDMENT NO. 3

On page 1, delete lines 11 through 18, delete pages 2 through 30, and on page 31, delete lines 1 through 27, and insert the following:

PROPOSED

FY 2020-2021 MINIMUM FOUNDATION PROGRAM FORMULA

The FY 2021-2022 Minimum Foundation Program (MFP) formula was adopted by the State Board of Elementary and Secondary Education on May 12, 2021. The formula determines allocations for city, parish, or other public school systems or schools. The definition

of city, parish, or local public school systems and schools shall include city or parish school systems, Recovery School District including direct operated and Type 5 charter schools, Louisiana School for Math, Science, and the Arts (LSMSA), New Orleans Center for Creative Arts (NOCCA), Thrive Academy, New Type 2 Charter schools, Legacy Type 2 Charter schools, Type 3B Charter schools, Office of Juvenile Justice (OJJ) schools, and Louisiana State University, Southern University, and University of Louisiana at Lafayette Lab schools. The formula is divided into four calculations as follows:

Level 1 determines the minimum cost of education based on the education needs of each student. The cost includes funding for students enrolled in city and parish school systems, Recovery School District direct operated and Type 5 Charter schools, New Type 2 Charter schools, and Type 3B Charter schools. The cost is then shared equitably between the State and the city and parish school systems based on the ability of the systems to support education in their communities through local sales and property tax revenues.

Level 2 provides an incentive for city and parish school systems to support education in their communities above the minimum level of financial support required.

Level 3 provides specific legislative education funding to city, parish, or other local public school systems or schools for Continuation of Certificated and Support Worker pay raises, the Historical Formula Allocation, and Mandated Operating Costs.

Level 4 provides additional funding including:

Supplementary funding to meet specific needs at city, parish, or other local school systems and schools including International Associate Teacher Salary and Stipends Allocation, Career Development Allocation, High Cost Services Allocation, Supplemental Course Allocation, Certificated and Support Staff Pay Raise Allocations, and Certified Mentor Teacher Stipend Allocations.

Allocations for State-approved public school systems or schools including Legacy Type 2 Charter schools, Louisiana State University, Southern University, and University of Louisiana at Lafayette Lab schools, New Orleans Center for Creative Arts (NOCCA), Louisiana School for Math, Science, and the Arts (LSMSA), Thrive Academy, and Office of Juvenile Justice (OJJ) schools.

Mid-Year Allocation Adjustments to account for mid-year increases and decreases in students in all city, parish, or other local public school systems or schools.

State MFP funds shall only be expended for educational purposes. Expenditures for educational purposes are those expenditures related to the operational and instructional activities of city, parish, or other public school systems or schools to include: instructional programs, pupil support programs, instructional staff programs, school administration, general administration, business services, operations and maintenance of plant services, student transportation services, food services operations, enterprise operations, community services operations, facility acquisition, and construction services and debt services as defined by Louisiana Accounting and Uniform Governmental Handbook, Bulletin 1929.

I. FORMULA CALCULATIONS

A. Level 1: Calculate State and Local Cost Allocation

1. Determine Educational Costs

Eligible students from the following school systems and schools will be counted in both the Base and Weighted Student Memberships:

a. City and parish school systems.

b. State-Approved Public Schools - The student counts of New Type 2 Charter Schools shall be included in the membership and weighted student counts of the city or parish school system in which the student resides.

c. Recovery School District - The student membership and weighted student counts of schools transferred to the Recovery School District, both direct operated and Type 5 Charter schools, shall continue to be included in the membership and weighted student counts of the city or parish school system from which jurisdiction of the school was transferred.

STEP ONE: Determine the Number of Eligible Students for the Base Count

The formula first counts each of the students enrolled on February 1 to determine the cost of education services. The formula

utilizes the February 1 Student Membership Count to allocate funding beginning in July. The students eligible to be counted are identified in the Student Membership Definition adopted by the State Board of Elementary and Secondary Education. These students are counted as one (1.0) in the formula.

STEP TWO: Determine the Number of Students Eligible for the Weighted Student Count

The formula recognizes that providing educational services to meet the needs of particular students is more costly than regular educational services. Each special characteristic or need is given a numerical value referred to as a weight. The special needs of each student are taken into consideration by multiplying the student count for each eligible child (1.0) by each of the weights. This calculation provides additional students that are then added to the February 1 Student Membership Count to equal the Total Weighted Student Membership Count. The students and units eligible to be counted are identified in the Student Membership Definition adopted by the State Board of Elementary and Secondary Education. The following are the additional costs recognized by the formula:

Low Income and English Language Learner Weight - The formula recognizes that students living in poverty or students with a native language other than English are more likely to require additional educational services to be successful. To recognize that these services require additional costs, students that qualify for free or reduced price meals under the United States Department of Agriculture (USDA) School Food Service Program guidelines, or an alternative count as defined in the Student Membership Definition, and students identified as an English Language Learner are provided a weight of 22%.

Career and Technical Education Weight - The formula recognizes that the cost of providing materials and equipment, and teacher credentialing and training, for Career and Technical Education courses is above and beyond the cost of traditional academic education. Each secondary career and technical education course in which a student is enrolled in both the fall and spring semesters is provided a weight of 6%.

Special Education Weight - The formula addresses the extra cost associated with the delivery of services required in order to meet the needs of students with disabilities. Students with disabilities that have an Individualized Education Program (IEP) plan developed according to State Board of Elementary and Secondary Education regulations are provided a weight of 150%.

Gifted and Talented Weight - The formula recognizes the cost of providing educational services to Gifted and Talented students that have an Individualized Education Program (IEP) Plan developed according to State Board of Elementary and Secondary Education regulations and are provided a 60% weight.

Economy of Scale Weight - This weight is provided for city or parish school systems to recognize a base amount of funding for fixed overhead costs that should be provided when student populations equal 7,500 students or less. The Economy of Scale Weight is calculated as a curvilinear weight of 20% at a student membership count of zero down to 0% at a student membership count equal to or greater than 7,500. To calculate this weight, the February 1 Student Membership Count for each city and parish school system is subtracted from 7,500 and divided by 37,500. The result of this calculation is then multiplied by each system's February 1 Student Membership Count to determine the weighted students.

STEP THREE: Determine Total Weighted Student Membership Count

Formula:
 Total Weighted Student Membership Count
 Equals
 February 1 Student Membership Count (1.0)
 Plus
 Low Income and English Language Learner Weight
 Career and Technical Education Weight
 Special Education Weight
 Gifted and Talented Weight
 Economy of Scale Weight

STEP FOUR: Identify the State and Local Base Cost Per Pupil

Formula:

The State and Local Base Cost Per Pupil shall equal \$4,015.

STEP FIVE: Determine Total MFP Educational Costs

Formula:
 Total MFP Educational Costs
 Equals
 Total Weighted Student Membership Count
 Multiplied by
 State and Local Base Cost Per Pupil

2. Determine State and Local Cost Allocation

The Total MFP Educational Costs are shared between the State and the city or parish school systems. The ability of school systems to support the cost of education in their communities is measured by the potential to raise local revenue. This potential contribution is measured by the following three factors using the latest available data as reported through the Annual Financial Report (AFR) as required by R.S. 17:92.

1. Local Property Tax Revenue Contribution
2. Local Sales Tax Revenue Contribution
3. Other Local Revenue Contribution

STEP ONE: Determine the Local Property Tax Revenue Contribution

Formula:
 Local Property Tax Revenue Contribution
 Equals
 State Computed Property Tax Millage (debt and non-debt)
 Times
 Net Assessed Property Value

Net Assessed Property Value Increase Cap - If a school system's Net Assessed Property Value has increased equal to or greater than 10% over the prior year Net Assessed Property Value, then the growth in the Net Assessed Property Value is capped at 10%. This cap is applied on a year-to-year basis comparing the current year Net Assessed Property Value to the prior year uncapped Net Assessed Property Value.

Computed Property Tax Millage - The Computed Property Tax Millage is calculated annually at the rate necessary to maintain a state and local allocation ratio of 65%/35%.

STEP TWO: Determine the Local Sales Tax Revenue Contribution

Formula:
 Local Sales Tax Revenue Contribution
 Equals
 Computed Sales Tax Base (debt and non-debt) (including TIF areas)
 Multiplied By
 State Computed Sales Tax Rate

Mid-Year Rate Increases - If a local school system's sales tax goes into effect during the fiscal year, the tax rate is prorated to an annual rate applicable for the total revenue generated.

Sales Tax Increase Cap - If a system's Computed Sales Tax Base increased equal to or greater than 15% over the Computed Sales Tax Base calculated in the prior year formula, then the growth in the Computed Sales Tax Base will be capped at 15% over the amount used in the prior year formula. This cap will be applied on a year-to-year basis comparing the current year sales tax base to the prior year uncapped sales tax base.

Computed Sales Tax Rate - The Computed Sales Tax Rate is calculated annually at the rate necessary to maintain a state and local allocation ratio of 65%/35%.

STEP THREE: Determine Other Local Revenue Contribution

Formula:
 Other Local Revenue Contribution
 Equals
 State Revenue in lieu of taxes
 Plus
 Federal Revenue in lieu of taxes
 Plus
 50% of Earnings on Property

STEP FOUR: Determine Local Cost Allocation

Formula:
 Local Cost Allocation

Equals
Property Tax Contribution
Plus
Sales Tax Contribution
Plus
Other Revenues Contribution

STEP FIVE: Determine State Cost Allocation

Formula:
State Cost Allocation
Equals
Total State and Local Cost
Minus
Local Cost Allocation

Minimum State Cost Allocation - In no event shall the State Cost Allocation be less than 25% of Total Level 1 Cost for any city or parish school system.

B. Level 2: Incentive for Local Effort

Level 2 provides incentives for city and parish school systems that contribute a greater proportion of local revenues towards the cost of education in their communities by increasing local property and sales tax revenues. This effort is measured using the latest available data for the following sources of revenue as reported in the Annual Financial Report (AFR) as required in R.S. 17:92.

1. Total Sales Taxes
2. Total Property Taxes
3. State and Federal Revenue in Lieu of Taxes
4. 50% Earnings on Property Revenue

STEP ONE: Determine Eligible Local Revenue

Formula:
Eligible Local Revenue
Equals
Total Sales Tax Revenue
Plus
Total Property Tax Revenue
Plus
State and Federal Revenue in Lieu of Taxes
Plus
50% of Earnings on Property Revenue

STEP TWO: Determine Local Revenue Eligible for Incentive

Formula:
Local Revenue Eligible for Incentive
Equals
Eligible Local Revenue
Minus
Local Cost Allocation

STEP THREE: Determine the Limit on Revenue Eligible for Incentive

Formula:
Limit on Revenue Eligible for Incentive
Equals
Total State and Local Cost Allocation Multiplied by 34%

STEP FOUR: Determine Local Support of Level 2 Incentive

Formula:
Local Support of Level 2 Incentive
Equals
Lesser of Local Revenue Eligible for Incentive or Limit on Local Revenue Eligible for Incentive
Multiplied by
Local Cost Allocation Percentage (Level 1)
Multiplied by
Level 2 Incentive Factor

Level 2 Incentive Factor - The Level 2 Incentive Factor determines the amount of local support required in Level 2. In FY 2014-2015, the Level 2 Incentive Factor is established at 1.72.

STEP FIVE: Determine State Cost of Level 2 Incentive

Formula:
State Support of Level 2 Incentive
Equals
Lesser of Local Revenue Eligible for Incentive or Limit on Local Revenue Eligible for Incentive
Minus
Local Support of Level 2 Incentive

C. Level 3: Legislative Allocations

Level 3 provides funding for three programs that address funding for school systems and schools regarding teacher and support worker pay raises, historical formula allocations, and mandated operating costs, and are in addition to allocations provided in Level 1 and 2. These allocations are as follows:

Formula:
Total Level 3 Legislative Allocations
Equals
Continuation Pay Raises
Plus
Historical Formula Allocation
Plus
Mandated Costs in Health Insurance, Retirement, and Fuel

STEP ONE: Calculate Continuation Funding for Pay Raises

1. Certificated Personnel Pay Raises were implemented in four recent years to assist in increasing Teacher and School Leader pay to the Southern Regional Average. These funds continue to be provided directly to systems and schools to support these increased salaries.

a. Certificated Personnel Pay Raises provided in 2001-2002, 2006-2007, 2007-2008, and 2008-2009 will continue for each school system and school based on the calculated per pupil amount times the February 1 Student Membership Count.

2. Non-certificated Support Worker Pay Raises were implemented in three recent years to assist with increasing these salaries.

a. Non-certificated Support Worker Pay Raises provided in 2002-2003, 2006-2007, and 2007-2008 will continue for each school system and school based on the calculated per pupil amount times the February 1 Student Membership Count.

3. This provision applies to city and parish school systems, Recovery School District, New Orleans Center for Creative Arts (NOCCA), Louisiana School for Math, Science, and the Arts (LSMSA), Thrive Academy, Legacy Type 2 Charter Schools, New Type 2 Charter Schools, Type 3B Charter Schools, Louisiana State University, Southern University, and University of Louisiana at Lafayette Lab schools, and Office of Juvenile Justice (OJJ).

STEP TWO: Calculate Historical Formula Allocations

Allocations for Insurance and Pay Raises - The following school systems are being provided continuing funding for the 1994 insurance supplement and employee pay raises provided by the Legislature beginning in 1997 through 1999: East Baton Rouge, Iberville, Jefferson, Lafayette, Plaquemines, Pointe Coupee, St. Charles, St. James, and West Feliciana.

Redistribution Allocation - After setting aside the insurance and pay raise funding, the balance of the "Hold Harmless" funding was removed from these school districts over ten years from 2006-2007 to 2016-2017: Concordia, East Baton Rouge, Evangeline, Iberville, Jefferson, Plaquemines, St. Charles, St. James, and West Feliciana.

The amount of funding removed from the districts listed above is reserved and redistributed to the remaining city, parish or other local public school systems or schools. The total amount is divided by the total number of students within these same city, parish or other local public school systems or schools to calculate a per pupil amount. The allocation is determined using the per pupil amount multiplied by the current year student count.

STEP THREE: Determine Allocation for Increasing Mandated Costs in Health Insurance, Retirement, and Fuel

City, parish or other local public school systems or schools shall receive a minimum of \$100.00 for each student in the prior year February 1 membership to offset these increasing operational costs.

The following formula is applied to determine the Level 1, 2, and 3 State Cost Allocation Per Pupil:

Formula:
Level 1, 2, and 3 State Cost Allocation Per Pupil
Equals
Level 1 State Cost Allocation Per Pupil
Plus
Level 2 State Cost Allocation Per Pupil
Plus
Level 3 State Cost Allocation Per Pupil

D. Level 4: Supplementary Allocations

I. Specific Needs Allocations

Specific Needs Allocations provide funding for four allocations for specific purposes and is in addition to system level allocations from Levels 1, 2, and 3. These allocations are as follows:

- Formula:**
- Total Level 4 Supplementary Allocations**
- Equals**
- International Language Associate Program Salary and Stipend Allocation**
- Plus**
- Career Development Allocation**
- Plus**
- High Cost Services Assistance Allocation**
- Plus**
- Supplemental Course Allocation**
- Plus**
- 2019-20 Certificated and Non-Certificated Pay Raises**
- Plus**
- 2020-21 Certificated and Non-Certificated Pay Raises**

STEP ONE: Calculate International Language Associate Salary and Stipend Allocation

Salary Allocation - Any city, parish, or other public school system or school employing an International Language Associate or a graduate of the Escadrille Louisiane program shall receive a supplemental allocation from State Board of Elementary and Secondary Education of \$21,000 per teacher. The state shall maintain support of the International Language Associate program at a maximum of 300 International Language Associates employed in any given year.

These teachers shall be paid by the employing city, parish, or other local public school system or school at least the state average classroom teacher salary (without PIP) by years of experience and degree beginning with year three. Of the \$21,000 allocation, \$20,000 shall be allocated to the school where the teacher is employed and the funds used to support the total cost of the teacher salary, and the remaining amount shall be associated with costs of VISA sponsorship pursuant to State Board of Elementary and Secondary Education regulations.

Stipend Allocation - First year teachers will receive an installation incentive of an additional \$6,000; second and third year teachers will receive a retention incentive of an additional \$4,000. These amounts must be provided to each International Associate Teacher or Escadrille Louisiane graduate by each school district or school in which they are employed.

STEP TWO: Career Development Allocation

The cost of providing materials and equipment and teacher credentialing and training to attain a statewide industry-based credential is above and beyond the cost typically required for high school courses. An allocation will be provided to support the development of these technical courses required for statewide credentials in city and parish school systems and other public schools.

The first step in the allocation is to calculate six percent (6%) of the MFP State and Local Base Cost Per Pupil to determine the Career Development Per Pupil Amount. The Career Development Per Pupil Amount will be provided for each qualifying student course enrollment in grades 9 through 12.

If a city or parish school system receives less than \$25,000 from the Career Development Per Pupil Amount, then the city or parish school system will be provided an economies of scale minimum allocation of \$25,000. If other public school systems and schools containing grades 9 through 12 receive less than \$10,000 from the Per Pupil Amount, then the other public school systems and schools containing grades 9 through 12 will be provided an economies of scale minimum allocation of \$10,000.

- Formula:**
- Career Development Allocation Per Pupil**
- Equals**
- MFP State and Local Base Cost Per Pupil**
- Multiplied By**
- Six Percent (6%)**

- Formula:**
- Career Development Allocation**
- Equals**
- Career Development Allocation Per Pupil**
- Multiplied By**

Qualifying Student Course Enrollments in Grades 9 through 12

STEP THREE: Calculate High Cost Services Assistance

High cost services for students with disabilities generate a particular budget challenge for city, parish, and other public school systems and schools.

In an effort to assist with these expenses, an allocation will be provided to city, parish, and other public school systems and schools which submit documentation as required by the Louisiana Department of Education substantiating that the prior year cost of services for a specific student exceeds three times the most recent state average total expenditure per pupil amount.

Once costs associated with providing services for a student with a disability or disabilities have been verified, the city or parish school system or other public school will be eligible to receive an allocation to assist with these costs. The allocation will be limited by the amount budgeted for the High Cost Services Assistance Allocation. So as to be equitably distributed, the total allocation provided to city and parish school systems versus other public schools shall be proportional to the share of total qualifying applications submitted by city and parish school systems versus other public schools.

The first step in the allocation will be to calculate the impact of these costs on the budget of the school system or school using the latest available state and local revenue data. The High Cost Services requested for reimbursement will be reduced by the MFP state and local amount allocated on behalf of each student from Levels 1, 2, and 3. The next step will rank the Percent (%) Impact from highest to lowest percent, with two separate rank listings for school systems and other public schools.

- Formula:**
- Percent (%) Impact on Budget**
- Equals**
- Cost of Services**
- Divided By**
- Total State and Local Revenue**

The two ranked listings will be divided into four tiers and allocations will be provided based on a percentage from one hundred percent reimbursement in the highest funded tier with smaller percentages reimbursed in the lower tiers based on where the school system or school falls within the tiers on one of the two lists.

STEP FOUR: Calculate Supplemental Course Allocation

Pursuant to R.S. 17:4002.1 through 4002.6, the Supplemental Course Allocation shall provide for the cost of secondary course choices specifically approved by the State Board of Elementary and Secondary Education. For each city and parish school system and other public school, the allocation shall equal the number of students enrolled in grades 7 through 12 as of February 1 each year multiplied by \$59 per pupil.

- Formula:**
- Supplemental Course Allocation for School Systems or Other Public Schools**
- Equals**
- Supplemental Course Allocation Per Pupil**
- Multiplied By**
- Number of Students in Grades 7 through 12**

If the entire allocation is not committed by the city or parish public school systems or other public school by a date set forth by the Louisiana Department of Education, the original allocation will be reduced by the uncommitted amount. The total uncommitted amount from each city or parish public school systems or other public school will be reallocated to those city or parish public school systems or other public schools that obligated one hundred percent of their original allocation based on criteria set forth by the Louisiana Department of Education.

STEP FIVE: Calculate 2019-20 Certificated and Non-Certificated Pay Raises

1. Certificated Personnel Pay Raise

Each city, parish, or other public school district or school shall receive \$1,000 plus the current year annual retirement contribution rate as established for the Teachers' Retirement System of Louisiana in the actuarial valuation approved by the Public Retirement Systems' Actuarial Committee based on the staffing data submitted to the official department personnel data reporting system as of October 1 to provide an across the board \$1,000 pay raise and any associated

retirement for K-12 classroom educators and other certificated K-12 personnel defined per Louisiana Department of Education Bulletin 1929 to include:

Teachers (all function codes 1000-2200s, object code 112); Therapists/Specialists/Counselors (function codes 1000-2200s, object code 113); School Site-based Principals, Assistant Principals, and Other School Administrators (function code 2400s, object code 111); Central Office Certificated Administrators (function codes 1000-2200 & 2324, 2831, and 2832 (excluding 2130s), object code 111); School Nurses (function code 2134, object code 118); and Sabbaticals (function codes 1000-2200s, 2134, and 2400s, object code 140).

2. Non-Certificated Personnel Pay Raise

Each city, parish, or other public school district or school shall receive \$500 plus the current year annual retirement contribution rate as established for the Louisiana School Employees' Retirement System in the actuarial valuation approved by the Public Retirement Systems' Actuarial Committee based on the staffing data submitted to the official department personnel data reporting system as of October 1 to provide an across the board \$500 pay raise and associated retirement for non-certificated K-12 personnel defined per Louisiana Department of Education Bulletin 1929 to include:

Aides (function codes 1000-4900s, object code 115); Support Supervisors (function codes 2130s, 2300s (excluding 2311, 2321, 2324, 2831 and 2832) and 2500-4900s, object code 111); Clerical/Secretarial (function codes 1000-4900s, object code 114); Service Workers (function codes 1000-4900s, object code 116); Skilled Craftsmen (function codes 1000-4900s, object code 117); Degreed Professionals (function codes 1000-4900s, (excluding 2134s) object code 118); and Other Personnel (function codes 1000-4900s, object codes 100, 110 and 119).

STEP SIX: Calculate 2021-22 Certificated and Non-Certificated Pay Raises

1. Certificated Personnel Pay Raise

Each city, parish, or other public school district or school shall receive \$800 plus the current year annual retirement contribution rate as established for the Teachers' Retirement System of Louisiana in the actuarial valuation approved by the Public Retirement Systems' Actuarial Committee based on the staffing data submitted to the official department personnel data reporting system as of October 1 to provide an across the board \$800 pay raise and any associated retirement for K-12 classroom educators and other certificated K-12 personnel defined per Louisiana Department of Education Bulletin 1929 to include:

Teachers (all function codes 1000-2200s, object code 112); Therapists/Specialists/Counselors (function codes 1000-2200s, object code 113); School Site-based Principals, Assistant Principals, and Other School Administrators (function code 2400s, object code 111); Central Office Certificated Administrators (function codes 1000-2200 & 2324, 2831, and 2832 (excluding 2130s), object code 111); School Nurses (function code 2134, object code 118); and Sabbaticals (function codes 1000-2200s, 2134, and 2400s, object code 140).

2. Non-Certificated Personnel Pay Raise

Each city, parish, or other public school district or school shall receive \$400 plus the current year annual retirement contribution rate as established for the Louisiana School Employees' Retirement System in the actuarial valuation approved by the Public Retirement Systems' Actuarial Committee based on the staffing data submitted to the official department personnel data reporting system as of October 1 to provide an across the board \$400 pay raise and associated retirement for non-certificated K-12 personnel defined per Louisiana Department of Education Bulletin 1929 to include:

Aides (function codes 1000-4900s, object code 115); Support Supervisors (function codes 2130s, 2300s (excluding 2311, 2321, 2324, 2831 and 2832) and 2500-4900s, object code 111); Clerical/Secretarial (function codes 1000-4900s, object code 114); Service Workers (function codes 1000-4900s, object code 116); Skilled Craftsmen (function codes 1000-4900s, object code 117); Degreed Professionals (function codes 1000-4900s, (excluding 2134s) object code 118); and Other Personnel (function codes 1000-4900s, object codes 100, 110 and 119).

2. Allocations for Other Public Schools

STEP ONE: Louisiana State University, Southern University, and University of Louisiana at Lafayette Laboratory Schools

1. State Cost Allocation

a. The February 1 Student Membership count at the Louisiana State University, Southern University, and University of Louisiana at Lafayette Lab Schools shall be multiplied by the Average State Cost Allocation Per Pupil to equal the Louisiana State University, Southern University, and University of Louisiana at Lafayette Lab Schools State Cost Allocation.

b. Funds appropriated for these schools shall be allocated to the institution of higher education operating such a school. Each such institution of higher education shall ensure the equitable expenditure of such funds to operate such schools.

STEP TWO: Legacy Type 2 Charter Schools

A Legacy Type 2 Charter school is a Type 2 Charter school approved by the State Board of Elementary and Secondary Education before July 1, 2008.

1. State Cost Allocation

a. Any Legacy Type 2 Charter school shall annually be allocated funds as determined by applying the formula contained in R.S. 17:3995.

b. The State Cost Allocation equals the number of students multiplied by the State Per Pupil for the system where the student resides.

2. Local Cost Allocation

a. Any Legacy Type 2 Charter school shall annually be allocated funds as determined by applying the formula contained in R.S. 17:3995.

b. The Local Cost Allocation equals the number of students multiplied by the Local Per Pupil for the system where the student resides.

c. For any student enrolled in a Legacy Type 2 Charter school, the Local Cost Allocation shall be funded by the State.

3. The exclusion of any portion of local revenues specifically dedicated by the legislature or by voter approval to capital outlay or debt service shall be applicable only to a charter school housed in a facility or facilities provided by the district in which the charter school is located.

STEP THREE: Office of Juvenile Justice (OJJ) Schools

1. Eligible Schools - Any elementary and secondary school operated by the Office of Juvenile Justice (OJJ) in a secure care facility shall be considered a public elementary or secondary school and, as such, the Office of Juvenile Justice (OJJ) shall be annually appropriated funds for these students.

2. Eligible Students - Each student counted in the prior year average daily membership, as defined by the State Board of Elementary and Secondary Education in the Student Membership Definition, is calculated by dividing the number of days the student is under the guidance and direction of teachers by the total instructional days during the specified school year.

3. Allocation - The Office of Juvenile Justice (OJJ) shall annually be allocated funds for the eligible students. For each student enrolled in these schools, both a State Cost Allocation and a Local Cost Allocation shall be provided.

4. State Cost Allocation

a. The State Cost Allocation is equal to the State Cost Allocation Per Pupil for the system where each student resided prior to adjudication multiplied by the prior year average daily membership of the Office of Juvenile Justice schools.

b. The State Cost Allocation Per Pupil allocation shall be adjusted based on a factor determined by the Louisiana Department of Education to provide for the differential in the number of educational days provided to the students in the custody of the Office of Juvenile Justice (OJJ).

c. Additionally, the State Cost Allocation Per Pupil shall be adjusted based on a factor determined by the Louisiana Department of Education to recognize the increased number of special education students in the Office of Juvenile Justice (OJJ) schools relative to the state average special education student population.

d. The average daily membership will be reconciled on an annual basis using the latest available data.

5. Local Cost Allocation

a. Each student counted in the prior year average daily membership, as defined by the State Board of Elementary and Secondary Education, shall be provided for and funded from the minimum foundation program a Local Cost Allocation Per Pupil

equal to the Local Cost Allocation Per Pupil for the district where the student resided prior to adjudication.

b. The Local Cost Allocation is equal to the Local Cost Allocation Per Pupil for the system where each student resided prior to adjudication multiplied by the prior year average daily membership of the Office of Juvenile Justice schools.

c. For the purpose of the Local Cost Allocation Per Pupil, the average daily membership of the Office of Juvenile Justice (OJJ) shall be included in the membership counts of the city, parish, or other local public school board in which the student resided prior to adjudication to the Office of Juvenile Justice.

d. For a district(s) that shares local revenue, the allocation for the Office of Juvenile Justice will be completed before the calculation of local revenues.

e. The Local Cost Allocation Per Pupil shall be funded with a transfer of the MFP monthly amount representing the Local Cost Allocation Per Pupil from the city, parish, or other local public school board in which the attending students resided prior to adjudication to the Office of Juvenile Justice (OJJ).

f. The average daily membership will be reconciled on an annual basis using the latest available data.

3. Mid-Year Student Allocations

a. Student counts in October and February may result in mid-year allocation adjustments for the following: city and parish school systems, Recovery School District, New Type 2 Charter schools, Legacy Type 2 Charter schools, Type 3B Charter schools, Louisiana State University, Southern University, and University of Louisiana at Lafayette Lab schools, Louisiana School for Math, Science and the Arts (LSMSA), New Orleans Center for Creative Arts (NOCCA), and Thrive Academy.

b. If the current year October 1 Mid-Year Student Count is more or less than the prior year February 1 student count, an adjustment to the current year allocation shall be made for each student gained or lost. The October adjustment equals the number of students gained or lost times the annual State Cost per pupil allocation amount for the system or school in which the change occurred. The February adjustment equals the number of students gained or lost times one-half of the State Cost per pupil allocation for the system or school in which the change occurred.

c. Individual adjustments shall be made for increases or decreases in the October or February Mid-Year Student Counts for the Recovery School District, the system of prior jurisdiction, and Type 5 Charter schools.

d. Mid-Year adjustments for the Recovery School District shall utilize the final State Cost per pupil allocation for the system of prior jurisdiction.

e. If the Recovery School District qualifies for an October Mid-Year Adjustment to the State Cost per pupil allocation, a Mid-Year adjustment shall also be made to the Local Cost per pupil allocation for the system of prior jurisdiction. The October Local Cost per pupil allocation shall be recalculated based on updated revenue data for the system of prior jurisdiction. There shall be no recalculation of the Local Cost per pupil allocation in conjunction with the February 1 student count.

f. City, Parish, or Local public school systems or schools in the first year of operation are not eligible for an October Mid-Year Adjustment. However, their allocation will be finalized using October 1 data. The newly opened city, parish, or local public school systems or schools will qualify for the February 1 mid-year adjustment.

g. October and February Mid-Year Adjustments shall be combined and applied in the March through June payments.

Total MFP State Cost Allocation

Formula:

Total MFP State Cost Allocation

Equals

Level 1 State Cost Allocation

Plus

Level 2 State Cost Allocation

Plus

Level 3 State Cost Allocation

Plus

Level 4 State Cost Allocation

II. FORMULA CALCULATIONS FOR STATE-APPROVED PUBLIC SCHOOLS

A. Recovery School District

1. State Cost Allocation

a. Once all final calculations are made, the final State Cost Allocation Per Pupil Amount for the city or parish school system which counted the Recovery School District students will be multiplied by the February 1 Recovery School District Student Membership Count to equal the Recovery School District State Cost Allocation.

b. In a system with one or more Type 3B charter schools, if the Type 3B charter is not its own LEA, the local school system shall distribute minimum foundation program formula funds to each Type 3B charter school in the system pursuant to calculations determined by the Louisiana Department of Education. If the Type 3B charter is its own LEA, such payments shall be made to the Type 3B charter school by the Louisiana Department of Education. Such calculations shall include differentiated funding weights for certain students, including students identified as being eligible for special education services. The calculations shall ensure equity so that each Type 3B charter school in the system receives a per-pupil amount equal to the amount a Type 5 charter school located in the same parish or school system boundary would have received from the Recovery School District (RSD).

2. Local Cost Allocation

a. In addition to the State Cost Allocation, the Recovery School District shall receive an applicable Local Cost Allocation.

Formula:

Local Cost Allocation Per Pupil

Equals

Projected Local Revenues from District of Prior

Jurisdiction

Divided by

Total School District Membership (Recovery School District Student Membership Count plus Student Membership Count for the system of prior jurisdiction plus New Type 2 Charter school students residing in the jurisdiction)

b. To begin the fiscal year, the Local Cost allocation is based on eligible projected local revenues for the most recent prior fiscal year from the city or parish school district that had jurisdiction of the school prior to its transfer.

c. For purposes of the Recovery School District calculation, local revenue is defined to include revenue from the following sources, excluding any portion which has been specifically dedicated by the legislature or by voter approval to capital outlay or debt service, per the definitions in the Annual Financial Report (AFR) and the Louisiana Accounting and Uniform Governmental Handbook as reported to the Louisiana Department of Education:

1. Sales and use taxes, less any tax collection fee paid by the school system

2. Ad valorem taxes, less any tax collection fee paid by the school system

3. Earnings from sixteenth section lands owned by the school system

d. The exclusion of any portion of local revenues specifically dedicated by the legislature or by voter approval to capital outlay or debt service shall be applicable only to a charter school housed in a facility or facilities provided by the system in which the charter school is located.

e. The projected local revenues shall be divided by the Total School District Membership Count including the Recovery School District Student Membership Count, both operated and charter schools, plus the Student Membership Count of the system of prior jurisdiction. If any New Type 2 Charter School student resides within the physical boundaries of the system of prior jurisdiction, this school the student attends shares in the local revenues of the system of prior jurisdiction. As a result, the New Type 2 Charter School Student Membership Count of the students residing in the jurisdiction will be added to the Recovery School District and the system of prior jurisdiction Student Membership Count.

f. The Local Cost Allocation for the Recovery School District is determined by multiplying the local revenue per pupil number of Recovery School District students used in the MFP final allocation.

Formula:

Local Cost Allocation

Equals

Projected Local Revenues from District of Prior Jurisdiction Per Pupil

Multiplied By

Recovery School District Student Membership Count

g. Once the local amount is determined, it is adjusted to a monthly amount that is transferred from the MFP monthly allocation of the city, parish, or other local public school board of prior jurisdiction to the Recovery School District.

h. Based on the October 1 Student Membership Count, the local revenue allocation per student will be recalculated and there will be a corresponding adjustment in the local revenue allocation. No recalculation of the local revenues per student will occur as a result of the February 1 Student Count adjustment.

i. During the third quarter of the fiscal year, the local revenue allocation per student shall be adjusted to reflect actual prior year local revenue data.

j. A final reconciliation will occur based upon the receipt of the annual audited financial statements of the system of prior jurisdiction. If an increase or decrease in local revenue collections exists, the state superintendent may establish a payment schedule. In the event that the fiscal status of the system of prior jurisdiction or the Recovery School District changes during the fiscal year or on or before the final reconciliation, the state superintendent may adjust the local revenue based on the revenues identified.

3. Monies appropriated to the Recovery School District, except for administrative costs, that are attributable to the transfer of a school from a prior school system and monies allocated or transferred from the prior system to the Recovery School District shall be expended solely on the operation of schools transferred from the prior system to the jurisdiction of the Recovery School District.

B. New Type 2 Charter Schools

A New Type 2 Charter school is a Type 2 Charter school approved after July 1, 2008, by the State Board of Elementary and Secondary Education.

1. State Cost Allocation

a. Any New Type 2 Charter School shall annually be provided a State Cost Allocation as determined by applying the formula contained in R.S. 17:3995.

b. The State Cost Allocation equals the number of students multiplied by the State Cost Allocation Per Pupil for the system in which the student resides.

c. Mid-Year Adjustments shall adhere to the guidelines established in this document.

2. Local Cost Allocation

a. Any New Type 2 Charter school shall annually be provided a Local Cost Allocation by applying the formula contained in R.S. 17:3995.

b. The Local Cost Allocation equals the number of students multiplied by the Local Cost Allocation Per Pupil for the system in which the student resides.

c. One exception to R.S. 17:3995 is that the Local Cost allocation will be funded with a transfer of the MFP monthly amount representing the Local Cost Allocation from the city or parish school system in which the attending students reside.

d. The city or parish where students attending the New Type 2 Charter school reside is the local taxing authority and shall provide the local support for the students.

e. Mid-Year Adjustments will adhere to the guidelines established in this document.

3. Virtual Charter schools may receive, as approved by the State Board of Elementary and Secondary Education, a lesser percentage of the state and local amount calculated in R.S. 17:3995.

4. Where student attendance is from multiple school systems, the Department of Education shall determine the Local Cost Allocation based on students reported by the schools. The student membership count of the New Type 2 charter schools shall be included in the membership count of the city or parish school board in which the student resides to determine the Local Cost Allocation.

5. In the first year of operation, a New Type 2 Charter school shall be allocated funding based on an estimated student count since a February 1 student count does not exist. The allocation will be finalized based on the October 1 student count.

6. The exclusion of any portion of local revenues specifically dedicated by the legislature or by voter approval to capital outlay or debt service shall be applicable only to a charter school housed in a facility or facilities provided by the district in which the charter school is located.

C. Louisiana School for Math, Science, and the Arts (LSMSA), New Orleans Center for Creative Arts (NOCCA), and Thrive Academy.

1. The Louisiana School for Math, Science and the Arts (LSMSA), New Orleans Center for Creative Arts (NOCCA), and Thrive Academy shall be provided both a State and Local Cost allocation.

2. State Cost Allocation

a. The State Cost Allocation shall be based on the State Cost Allocation Per Pupil for the city or parish school system where the attending students reside.

3. Local Cost Allocation

a. The Local Cost Allocation will be based on the Local Cost Allocation for the city or parish school system where the attending students reside.

b. For any student enrolled in LSMSA, NOCCA, or Thrive Academy, the Local Cost Allocation Per Pupil shall be funded by the State.

c. Where student attendance is from multiple school systems, the Department of Education shall determine the Local Cost Allocation based on students reported by the schools.

III. FORMULA PROCEDURES

A. Preliminary Allocation

1. The Minimum Foundation Program formula for the upcoming fiscal year adopted by the State Board of Elementary and Secondary Education, along with a preliminary allocation schedule representing the estimated cost of the proposed formula, shall be submitted to the Joint Legislative Committee on the Budget and to the House and Senate Education Committees for consideration no later than March 15.

2. This preliminary allocation shall utilize student and other input data available at the time.

B. Final Allocation

Final allocations for the fiscal year in which the formula takes effect will be determined no later than June 30 of the preceding fiscal year. The latest available data will be utilized to calculate the final allocation except that student count estimates will be utilized for school systems or charter schools opening for the first time in the fiscal year beginning July 1. For first-year city, parish, or other public school systems or schools, the final allocation will be based on the October 1 count, once available.

IV. FORMULA PAYMENTS

A. Payment Procedures

The Total MFP State Cost Allocation for city, parish, and other school systems and schools will be converted to monthly payments from July through June each year except payments will be made on Level 4 allocations as data becomes available.

B. Requested Payment Adjustments

If the city, parish, or other school systems and schools have documented growth in students prior to the actual Mid-Year Student Counts in October and February, a temporary change to the final allocation may be requested. The State Superintendent is authorized to approve or deny this revision.

1. Sufficient documentation will be requested to substantiate this requested allocation adjustment.

2. The adjusted allocation will remain in effect until the actual October or February Mid-Year Student Count. Once the Mid-Year Student Count is final, reconciliation will be completed and payments adjusted accordingly.

C. Payment Adjustments for Audit Findings

Review and/or audit of the systems' or schools' data used in determining their Minimum Foundation Program allocation may result in changes in final statistical information. The Minimum Foundation Program allocation adjustments necessary as a result of these audit findings will be made in the following school year. These adjustments are applicable to the following: city or parish school systems, Recovery School District, Type 2 Charter schools, Type 3B Charter schools, Louisiana State University, Southern University, and University of Louisiana at Lafayette Lab schools, Office of Juvenile

Justice (OJJ) schools, Louisiana School for Math, Science and the Arts (LSMSA), New Orleans Center for Creative Arts (NOCCA), and Thrive Academy.

V. 70% EXPENDITURE REQUIREMENT

To provide for appropriate accountability of state funds while providing city, parish, or local public school systems or other public schools flexibility in determining specific expenditures, city, parish, or local public school systems or other public schools must ensure that at least 70% of the city, parish, or local public school system or other public school general fund expenditures are in the areas of instruction and school administration at the school building level as developed by the Louisiana Department of Education and defined by the State Board of Elementary and Secondary Education regulations.

VII. SEVERABILITY PROVISION

If any provision of this minimum foundation formula or the application thereof is held invalid, such invalidity shall not affect other provisions or applications of this minimum foundation formula which can be given effect without the invalid provisions or applications, and to this end the provisions of this minimum foundation formula are hereby declared severable. The severability provision hereof shall be broadly construed so as to give effect to each and every possible provision or application of this minimum foundation formula which is not specifically held invalid, unlawful, or unconstitutional."

AMENDMENT NO. 4

On page 32, at the end of line 3, change "March 10, 2021" to "May 12, 2021"

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

SENATE CONCURRENT RESOLUTION NO. 45—

BY SENATOR MCMATH

A CONCURRENT RESOLUTION

To create the Survivor Informed Task Force to study the link between trauma, abuse, and subsequent incarceration, including secondary survivors of domestic or intimate partner violence, and to make recommendations to the legislature.

Reported with amendments by the Committee on Judiciary C.

SENATE COMMITTEE AMENDMENTS

Amendments proposed by Senate Committee on Judiciary C to Original Senate Concurrent Resolution No. 45 by Senator McMath

AMENDMENT NO. 1

On page 2, delete lines 9 through 11

AMENDMENT NO. 2

On page 3, delete line 12 and insert the following:
 "(8) Two members of the Louisiana District Attorneys Association, one of whom shall be a practicing victims assistance coordinator."

On motion of Senator Foil, the committee amendment was adopted.

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

ROLL CALL

The roll was called with the following result:

YEAS

Mr. President	Harris	Peacock
Abraham	Hensgens	Peterson
Allain	Hewitt	Pope
Barrow	Jackson	Price
Bernard	Johns	Reese

Boudreaux	Lambert	Smith
Bouie	Luneau	Talbot
Cathey	McMath	Tarver
Cloud	Milligan	Ward
Connick	Mills, F.	White
Fesi	Mills, R.	Womack
Fields	Mizell	
Foil	Morris	

Total - 37

NAYS

Total - 0

ABSENT

Henry
 Total - 1

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

SENATE CONCURRENT RESOLUTION NO. 55—

BY SENATOR MILLIGAN

A CONCURRENT RESOLUTION

To urge and request every parish Office of Emergency Preparedness (OEP) to provide annual training on disaster response for their local and municipal leadership.

Reported favorably by the Committee on Judiciary B.

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

ROLL CALL

The roll was called with the following result:

YEAS

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

Total - 36

NAYS

Total - 0

ABSENT

Henry
 Total - 2

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

Senate Bills and Joint Resolutions on Third Reading and Final Passage

SENATE BILL NO. 86—

BY SENATORS FOIL, ABRAHAM, BARROW, BOUDREAUX, CLOUD, FESI, TARVER, WHITE AND WOMACK

AN ACT

To amend and reenact R.S. 44:4.1(B)(9) and to enact R.S. 17:1948 and 3996(B)(59), relative to students with exceptionalities; to require public school governing authorities to adopt policies relative to the installation and operation of cameras in certain

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classrooms upon the request of a parent or legal guardian; to provide an exception relative to public records; to provide relative to funding; to provide relative to implementation; 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 Reengrossed Senate Bill No. 86 by Senator Foil

AMENDMENT NO. 1

On page 3, line 2, following "Protection" and before "Life" change "Association" to "Association's"

AMENDMENT NO. 2

On page 3, line 2, following "Safety" and before ":" change "regulations" to "Code"

AMENDMENT NO. 3

On page 3, line 17, following "when" change "deemed" to "considered"

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

The bill was read by title. Senator Foil 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, Cathey, Cloud, Connick, Fesi, Fields, Foil, Harris, Hensgens, Hewitt, Jackson, Johns, Lambert, Luneau, McMath, Milligan, Mills, F., Mizell, Morris, Peacock, Peterson, Pope, Price, Reese, Smith, Talbot, Tarver, Ward, White, Womack

Total - 37

NAYS

Total - 0

ABSENT

Henry

Total - 1

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

SENATE BILL NO. 188— BY SENATOR WOMACK

AN ACT

To amend and reenact R.S. 40:600.89(A)(1), the introductory paragraph of (2), (c), and (e), and (3)(a) and (b), relative to the Louisiana Housing Corporation; to provide relative to the board of directors; 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. 188 by Senator Womack

AMENDMENT NO. 1

On page 1, at the end of line 14, change "which" to "whom"

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

Floor Amendments

Senator Womack proposed the following amendments.

SENATE FLOOR AMENDMENTS

Amendments proposed by Senator Womack to Engrossed Senate Bill No. 188 by Senator Womack

AMENDMENT NO. 1

On page 1, line 2, after "R.S. 40:600.89(A)(1)" delete the comma "," and insert "and"

AMENDMENT NO. 2

On page 1, at the beginning of line 3, delete "and (3)(a) and (b),"

AMENDMENT NO. 3

On page 1, line 6, after "R.S. 40:600.89(A)(1)" delete the comma "," and insert "and"

AMENDMENT NO. 4

On page 1, at the end of line 6 and the beginning of line 7, delete ", and (3)(a) and (b)"

AMENDMENT NO. 5

On page 2, delete lines 9 through 22

On motion of Senator Womack, the amendments were adopted.

The bill was read by title. Senator Womack 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, Cathey, Cloud, Connick, Fesi, Fields, Foil, Hensgens, Hewitt, Jackson, Johns, Lambert, Luneau, McMath, Milligan, Mills, F., Mizell, Morris, Peacock, Peterson, Pope, Price, Reese, Smith, Talbot, Ward, White, Womack

Total - 35

NAYS

Total - 0

ABSENT

Harris

Total - 3

Henry

Tarver

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

**Senate Bills and Joint Resolutions on
Third Reading and Final Passage,
Subject to Call**

Called from the Calendar

Senator Ward asked that Senate Bill No. 247 be called from the Calendar.

**SENATE BILL NO. 247— (Substitute of Senate Bill No. 202 by
Senator Cortez)**

BY SENATORS CORTEZ, JOHNS AND WARD AND REPRESENTATIVE STEFANSKI

AN ACT

To amend and reenact R.S. 13:4721, R.S. 14:90.5(A), (B), and (C), R.S. 27:15(B)(1), 15.1, 24(A)(5)(a), (b), (c), (d), and (e) and (6), the introductory paragraph of 27.1(C), 44(9) and (13), 58(5), 65(B)(11), 205(11) and (12), 239.1, 353(2) and (5), 361(F), 364(A)(1)(c)(ii) and (5), 371(C), 372(B) and (C), and 375(D), and R.S. 46:1816(B)(8), and to enact R.S. 14:90(E) and 90.3(K) and R.S. 27:15(8)(c) and Chapter 10 of Title 27 of the Louisiana Revised Statutes of 1950, to be comprised of R.S. 27:601 through 610, relative to sports wagering; to provide for definitions; to require a license to conduct sports wagering; to provide relative to duties and powers of the Louisiana Gaming Control Board and the gaming division in the office of state police; to provide for requirements and limitations on licensees and permittees; to authorize cash wagers; to require a sports lounge; to provide regarding a computerized wagering platform; to provide for limitations on wagering; to authorize self-service machines; to authorize electronic wagering through established wager accounts; to provide for recordkeeping; to provide for exceptions from criminal law; 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. 247 by Senator Cortez

AMENDMENT NO. 1

On page 1, line 6, change "27:15(8)(c)" to "27:15(B)(8)(c)"

AMENDMENT NO. 2

On page 2, line 4, change "27:15(8)(c)" to "27:15(B)(8)(c)"

AMENDMENT NO. 3

On page 3, line 22, after "shall" and before "include" delete "only" and after "include" and before "payments" insert "only"

AMENDMENT NO. 4

On page 3, line 23, change "Chapters" to "Chapter" and after "10" delete the remainder of the line and insert "of this Title"

AMENDMENT NO. 5

On page 3, line 27, after "overpayments" and before "provide" delete "to"

AMENDMENT NO. 6

On page 3, line 29, change "Chapters" to "Chapter" and after "10" delete the remainder of the line and insert "of this Title"

AMENDMENT NO. 7

On page 4, line 1, delete "Louisiana Revised Statutes of 1950,"

AMENDMENT NO. 8

On page 4, line 7, change "Chapters" to "Chapter" and on line 8, after "10" change "of Title" to "of this Title" and delete "27 of the Louisiana Revised Statutes of 1950,"

AMENDMENT NO. 9

On page 4, line 16, change "Chapters" to "Chapter"

AMENDMENT NO. 10

On page 4, at the beginning of line 17, insert "this" and after "Title" delete "27 of the Louisiana Revised Statutes of 1950,"

AMENDMENT NO. 11

On page 4, line 20, change "Chapters" to "Chapter" and after "10" delete the remainder of the line and on line 21, delete "Revised Statutes of 1950," and insert "of this Title"

AMENDMENT NO. 12

On page 4, line 24, after "days" and before "and" insert ";

AMENDMENT NO. 13

On page 4, line 25, change "Chapters" to "Chapter" and after "10" delete the remainder of the line and at the beginning of line 26 delete "1950," and insert "of this Title"

AMENDMENT NO. 14

On page 5, line 1, change "Chapters" to "Chapter"

AMENDMENT NO. 15

On page 5, at the beginning of line 2, insert "this" and after "Title" delete "27 of the Louisiana Revised Statutes of 1950,"

AMENDMENT NO. 16

On page 5, line 23, following "353(5)," and before "602" insert "and"

AMENDMENT NO. 17

On page 8, line 2, change "inclusive" to "including"

AMENDMENT NO. 18

On page 8, line 15, change "which" to "that"

AMENDMENT NO. 19

On page 11, line 7, after "compliance" and before "and" insert "with"

AMENDMENT NO. 20

On page 15, line 12, change "board approved" to "board-approved"

AMENDMENT NO. 21

On page 15, line 15, change "which" to "that"

AMENDMENT NO. 22

On page 15, lines 15 through 16, change "board approved" to "board-approved"

AMENDMENT NO. 23

On page 16, line 10, change "renewal" to "renewals"

AMENDMENT NO. 24

On page 16, line 22, change "in-person" to "in person"

AMENDMENT NO. 25

On page 17, line 23, change "operators" to "each operator"

AMENDMENT NO. 26

On page 18, line 1, change "deemed" to "considered"

AMENDMENT NO. 27

On page 18, line 4, "deemed" to "considered"

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AMENDMENT NO. 28

On page 18, at the end of line 15, delete "a" and at the beginning of line 16, change "sports book" to "sports books"

AMENDMENT NO. 29

On page 19, line 13, delete "to bidders"

AMENDMENT NO. 30

On page 19, line 14, change "applicant" to "applicants" and change "has" to "have"

AMENDMENT NO. 31

On page 19, line 22, delete "to bidders"

AMENDMENT NO. 32

On page 19, line 23, change "applicant" to "applicants" and change "has" to "have"

AMENDMENT NO. 33

On page 20, line 5, delete "to bidders"

AMENDMENT NO. 34

On page 20, line 6, change "applicant" to "applicants" and change "has" to "have"

AMENDMENT NO. 35

On page 21, line 18, change "herein referred to" to "referred to in this Chapter"

AMENDMENT NO. 36

On page 22, line 1, change "deems" to "considers"

AMENDMENT NO. 37

On page 23, line 12, change "in-person" to "in person"

AMENDMENT NO. 38

On page 23, line 21, change "in-person" to "in person"

AMENDMENT NO. 39

On page 24, line 29, after "operator" and before "if" insert "1"

AMENDMENT NO. 40

On page 25, line 9, after "operator" and before "if" insert "1"

AMENDMENT NO. 41

On page 25, line 17, change "wagers" to "a wager"

AMENDMENT NO. 42

On page 27, line 20, change "which" to "that"

AMENDMENT NO. 43

On page 27, line 21, change "board approved" to "board-approved"

AMENDMENT NO. 44

On page 28, line 3, change "deems" to "considers"

AMENDMENT NO. 45

On page 29, line 1, after "patron" and before "and" insert "1"

AMENDMENT NO. 46

On page 29, line 13, change "in-person" to "in person"

AMENDMENT NO. 47

On page 29, line 15, change "from" to "after"

AMENDMENT NO. 48

On page 29, line 20, after "payment" and before "and" insert "1"

AMENDMENT NO. 49

On page 29, at the end of line 22, delete "after"

AMENDMENT NO. 50

On page 29, line 23, delete "and" and change "from" to "after"

AMENDMENT NO. 51

On page 30, line 10, change "from" to "after"

AMENDMENT NO. 52

On page 31, line 26, after "devices," and before "slot" insert "or"

AMENDMENT NO. 53

On page 32, line 12, change "in-person" to "in person"

AMENDMENT NO. 54

On page 32, line 14, change "operations are" to "the operation of which is"

AMENDMENT NO. 55

On page 32, line 29, change "this" to "the"

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

Floor Amendments

Senator Cortez proposed the following amendments.

SENATE FLOOR AMENDMENTS

Amendments proposed by Senator Cortez to Engrossed Senate Bill No. 247 by Senator Cortez

AMENDMENT NO. 1

On page 1, line 3, delete "(a), (b), (c), (d), and (e)"

AMENDMENT NO. 2

On page 1, line 4, change "44(9) and (13)" to "44(9), (11), and (13)"

AMENDMENT NO. 3

On page 1, line 6, between "46:1816(B)(8)," and "to enact" delete "and"

AMENDMENT NO. 4

On page 1, line 8, between "610," and "relative" insert "and to repeal R.S. 27:24(A)(5)(f),"

AMENDMENT NO. 5

On page 2, line 1, delete "(a), (b), (c), (d), and (e)"

AMENDMENT NO. 6

On page 2, line 2, change "44(9) and (13)" to "44(9), (11), and (13)"

AMENDMENT NO. 7

On page 5, delete line 14 in its entirety.

AMENDMENT NO. 8

On page 6, between lines 13 and 14, insert the following:

"(11)(a) "Gaming device" or "gaming equipment" means any equipment or mechanical, electro-mechanical, or electronic contrivance, component, or machine, including a slot machine, used directly or indirectly in connection with gaming or any game, which affects the result of a wager by determining wins or losses.

(b) Notwithstanding any provision of Subparagraph (a) of this Paragraph to the contrary "gaming device" or "gaming equipment" shall also include a sports wagering mechanism as that term is defined in R.S. 27:602 if the riverboat gaming operator is also licensed by the board for a sports book in accordance with Chapter 10 of this Title.

AMENDMENT NO. 9

On page 6, line 19, change "apply to" to "include"

AMENDMENT NO. 10

On page 11, line 23, change "apply to" to "include"

AMENDMENT NO. 11

On page 16, line 1, change "Chapter 1" to "Chapters 1 and 2"

AMENDMENT NO. 12

On page 16, lines 26 and 29, change "operators" to "an operator"

AMENDMENT NO. 13

On page 17, lines 3 and 7, change "operators" to "an operator" and "their" to "its"

AMENDMENT NO. 14

On page 17, line 10, change "storage, and retention of data and security" to "storage and retention of data, and security"

AMENDMENT NO. 15

On page 17, line 11, change "operators" to "an operator" and "their" to "its"

AMENDMENT NO. 16

On page 17, line 20, change "operators" to "an operator"

AMENDMENT NO. 17

On page 20, line 13, change "Whether the applicant has adequate capitalization" to "The applicant's capitalization adequacy"

AMENDMENT NO. 18

On page 20, line 14, delete "the"

AMENDMENT NO. 19

On page 20, line 18, change "Whether the applicant has the" to "The applicant's"

AMENDMENT NO. 20

On page 20, line 21, change "Whether the applicant has adequate capitalization and the" to "The applicant's capitalization adequacy and"

AMENDMENT NO. 21

On page 20, line 24, change "Whether the applicant has a" to "The applicant's"

AMENDMENT NO. 22

On page 20, lines 28 and 29, change "Whether the applicant has filed, or had filed against it, a proceeding for bankruptcy, or has ever been involved" to "The applicant's filing or having filed against it a proceeding for bankruptcy, or involvement"

AMENDMENT NO. 23

On page 21, line 2, change "Whether or not at the time of the application, the applicant is" to "The applicant's being named as"

AMENDMENT NO. 24

On page 32, between lines 27 and 28, insert the following:
"Section 5. R.S. 27:44(A)(5)(f) is hereby repealed in its entirety."

AMENDMENT NO. 25

On page 32, line 28, change "Section 5." to "Section 6."

On motion of Senator Cortez, the amendments were adopted.

Floor Amendments

Senator Ward proposed the following amendments.

SENATE FLOOR AMENDMENTS

Amendments proposed by Senator Ward to Engrossed Senate Bill No. 247 by Senator Cortez

AMENDMENT NO. 1

On page 1, line 8, change "610," to "611,"

AMENDMENT NO. 2

On page 2, line 5, change "610," to "611,"

AMENDMENT NO. 3

On page 6, line 19, after "seat" delete the remainder of the line and insert "or space at a sports wagering mechanism or at a sports wagering window."

AMENDMENT NO. 4

On page 11, line 23, after "seat" delete the remainder of the line and delete line 24 and insert "or space at a sports wagering mechanism or at a sports wagering window."

AMENDMENT NO. 5

On page 14, line 19, after "collegiate sport or" delete "amateur" and insert "athletic event, any amateur sport or"

AMENDMENT NO. 6

On page 14, line 24, change "athletes" to "participants"

AMENDMENT NO. 7

On page 23, between lines 9 and 10, insert the following:

"§606. Temporary certificate of authority

A. When considering a person's application for a license to conduct sports wagering or a permit as a sports wagering platform provider or service provider, the board may issue to the person a temporary certificate of authority to conduct business pursuant to this Chapter if all of the following apply:

(1) The person has filed with the board a completed application, including all fees.

(2) The person has substantially demonstrated to the satisfaction of the board that the person meets the requirements of this Chapter, the board's rules, including emergency rules, and the board's or division's orders.

(3) The person applying for a permit as a sports wagering platform provider or service provider holds a gaming license or permit for similar activity in Louisiana or another state of the United States and the license or permit is in good standing.

(4) The person agrees in writing to the following conditions of the temporary certificate of authority issued pursuant to this Section:

(a) The temporary certificate of authority does not create a right or privilege.

(b) The board may rescind the person's temporary authority to conduct business under this Section at any time, with or without notice to the person and without a hearing, if either of the following apply:

(i) The board is informed that the suitability of the person may be at issue.

(ii) The person fails to cooperate with the investigation into the qualifications and suitability of the person applying for a license or the person applying for a permit as a sports wagering platform provider or service provider.

B.(1) The temporary certificate of authority shall expire six months after issuance.

(2) The board may issue one ninety-day extension of the certificate upon a showing of good cause.

(3) If a license or permit is issued to the holder of a temporary certificate of authority, the license or permit term shall begin on the date of issuance of the temporary certificate of authority."

AMENDMENT NO. 8

On page 23, line 11, change "§606." to "§607."

AMENDMENT NO. 9

On page 24, line 23, change "§607." to "§608."

AMENDMENT NO. 10

On page 26, line 18, change "§608." to "§609."

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AMENDMENT NO. 11

On page 29, line 12, change "§609." to "§610."

AMENDMENT NO. 12

On page 30, line 13, change "§610." to "§611."

AMENDMENT NO. 13

On page 31, at the end of line 6, delete "a" and on line 7, change "sports book" to "sports wagering"

AMENDMENT NO. 14

On page 32, line 28, after "operative" delete the remainder of the line and delete line 29 and insert "on July 1, 2021; however, no license or permit shall be issued by the Louisiana Gaming Control Board relative to sports wagering activities and operations until state laws are enacted regarding the taxation of net gaming proceeds generated through the operation of a sports book."

AMENDMENT NO. 15

On page 33, delete line 1

On motion of Senator Ward, the amendments were adopted.

Floor Amendments

Senator Ward proposed the following amendments.

SENATE FLOOR AMENDMENTS

Amendments proposed by Senator Ward to Engrossed Senate Bill No. 247 by Senator Cortez

AMENDMENT NO. 1

On page 26, between lines 17 and 18, insert the following:

"F.(1) A sports governing body may submit to the board in writing a request to restrict, limit, or exclude a certain type, form, or category of sports wagering with respect to sporting events of its body if the sports governing body believes that such type, form, or category of sports wagering with respect to sporting events of its body may undermine the integrity or perceived integrity of the body or sporting event of the body.

(2) The board shall request comments from operators on any request it receives pursuant to Paragraph (1) of this Subsection.

(3) After due consideration to all comments received, the board shall grant the request if the board finds a demonstration of good cause from the requestor that such type, form, or category of sports wagering is likely to undermine the integrity or perceived integrity of the body or the sporting event.

(4) The board shall respond to a request concerning a particular event before the start of the event, or if it is not feasible to respond before the start of the event, no later than thirty days after the request is made.

(5) If the board determines that the requestor is more likely than not to prevail in successfully demonstrating good cause for its request, the board may provisionally grant the request of the sports governing board until the board makes a final determination as to whether the requestor has demonstrated good cause. Absent such a provisional grant by the board, operators may continue to offer sports wagering on the sporting events that are the subject of such a request during the pendency of the board's consideration of the applicable request."

On motion of Senator Ward, the amendments were adopted.

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

ROLL CALL

The roll was called with the following result:

YEAS

Table with 3 columns: Name, Harris, Peacock. Lists names of senators and their corresponding counts for YEAS.

Total - 31

NAYS

Table with 3 columns: Name, Mizell, Peterson. Lists names of senators and their corresponding counts for NAYS.

Total - 6

ABSENT

Henry
Total - 1

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

Rules Suspended

Senator Jackson asked for and obtained a suspension of the rules to revert to:

Senate Resolutions on Second Reading, Subject to Call

Called from the Calendar

Senator Jackson asked that Senate Resolution No. 36 be called from the Calendar.

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.

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

Rules Suspended

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

Introduction of Senate Resolutions

SENATE RESOLUTION NO. 110— BY SENATOR BOUDREAU

A RESOLUTION

To commend and recognize Dr. Ernest W. Kinchen Jr., a man of God who's life of service improved the quality of lives of many Louisiana's citizens while establishing a distinguished medical career.

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

ATTENDANCE ROLL CALL

PRESENT

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

ABSENT

Henry
Total - 1

Leaves of Absence

The following leaves of absence were asked for and granted:

Henry 1 Day

Announcements

The following committee meetings for May 20, 2021, were announced:

Education	9:00 A.M.	Hainkel Room
Labor and Ind. Rel.	10:00 A.M.	Room F
Natural Resources	10:00 A.M.	Room A
Revenue and Fiscal Affairs	1:30 P.M.	Room A
Transportation	10:00 A.M.	Room E

Adjournment

On motion of Senator Talbot, at 4:37 o'clock P.M. the Senate adjourned until Thursday, May 20, 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

