

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

TWELFTH DAY'S PROCEEDINGS

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

Senate Chamber
State Capitol
Baton Rouge, Louisiana

Thursday, April 7, 2022

The Senate was called to order at 9:21 o'clock A.M. by Hon. Patrick Page Cortez, President of the Senate.

Morning Hour

CONVENING ROLL CALL

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

PRESENT

Mr. President	Foil	Morris
Abraham	Henry	Peacock
Allain	Hewitt	Peterson
Bernard	Jackson	Pope
Boudreaux	Lambert	Price
Bouie	Luneau	Reese
Cathey	McMath	Smith
Cloud	Milligan	Stine
Connick	Mills, F.	Talbot
Fesi	Mills, R.	White
Fields	Mizell	Womack
Total - 33		

ABSENT

Barrow	Harris	Tarver
Carter	Hensgens	Ward
Total - 6		

The President of the Senate announced there were 33 Senators present and a quorum.

Prayer

The prayer was offered by Senator Karen Carter Peterson, 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 White, the reading of the Journal was dispensed with and the Journal of April 6, 2022, was adopted.

Introduction of Senate Resolutions

SENATE RESOLUTION NO. 43—
BY SENATOR ROBERT MILLS

A RESOLUTION

To express the sincere condolences of the Senate of the Legislature of Louisiana upon the death of Jewelene Jones Turk.

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

**Introduction of
Senate Concurrent Resolutions**

SENATE CONCURRENT RESOLUTION NO. 26—
BY SENATOR FOIL

A CONCURRENT RESOLUTION

To commend the Louisiana Court Appointed Special Advocate (CASA) programs and volunteers for their work and designate April 12, 2022, as CASA Day at the state capitol.

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

**Senate Concurrent Resolutions on
Second Reading**

SENATE CONCURRENT RESOLUTION NO. 23—

BY SENATORS POPE, HEWITT, LAMBERT AND WHITE AND REPRESENTATIVES HODGES, MACK, MINCEY AND SCHEXNAYDER
A CONCURRENT RESOLUTION

To commend Katie "KT" Scannell (KT) for being crowned Miss Louisiana USA 2022.

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

ROLL CALL

The roll was called with the following result:

YEAS

Mr. President	Henry	Peacock
Abraham	Hewitt	Peterson
Allain	Jackson	Pope
Bernard	Lambert	Price
Boudreaux	Luneau	Reese
Bouie	McMath	Smith
Cathey	Milligan	Stine
Cloud	Mills, F.	Talbot
Fesi	Mills, R.	White
Fields	Mizell	Womack
Foil	Morris	
Total - 32		

NAYS

Total - 0

ABSENT

Barrow	Harris	Ward
Carter	Hensgens	
Connick	Tarver	
Total - 7		

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

SENATE CONCURRENT RESOLUTION NO. 24—
BY SENATOR CLOUD

A CONCURRENT RESOLUTION

To recognize the Avoyel-Taensa Tribe of Louisiana.

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

SENATE CONCURRENT RESOLUTION NO. 25—
BY SENATOR FOIL

A CONCURRENT RESOLUTION

To commend Mrs. Lydia Smith Grant on the occasion of her 95th birthday on April 25, 2022.

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

Mr. President	Henry	Peacock
Abraham	Hewitt	Peterson
Allain	Lambert	Pope
Bernard	Luneau	Price
Boudreaux	McMath	Reese
Bouie	Milligan	Smith
Cloud	Mills, F.	Stine
Fesi	Mills, R.	Talbot
Fields	Mizell	White
Foil	Morris	Womack
Total - 30		

NAYS

Total - 0

ABSENT

Barrow	Connick	Jackson
Carter	Harris	Tarver
Cathy	Hensgens	Ward
Total - 9		

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

Message from the House

ASKING CONCURRENCE IN HOUSE BILLS AND JOINT RESOLUTIONS

April 7, 2022

To the Honorable President and Members of the Senate:

I am directed to inform your honorable body that the House of Representatives has finally passed and asks your concurrence in the following House Bills and Joint Resolutions:

HB No. 160	HB No. 166	HB No. 234
HB No. 240	HB No. 276	HB No. 447
HB No. 184	HB No. 287	HB No. 301
HB No. 350	HB No. 403	

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

House Bills and Joint Resolutions on First Reading

HOUSE BILL NO. 160—
BY REPRESENTATIVES LANDRY, AMEDEE, FONTENOT, MAGEE, ORGERON, AND ZERINGUE
AN ACT

To enact Code of Civil Procedure Article 4731(C), relative to leases; to provide relative to federally declared national disasters; to provide relative to abandonment; to provide for repossession of the premises; to provide for an exception; to provide for damages; and to provide for related matters.

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

HOUSE BILL NO. 166—
BY REPRESENTATIVE GREGORY MILLER
A JOINT RESOLUTION
Proposing to amend Article III, Section 18 of the Constitution of Louisiana, to provide relative to gubernatorial action on a bill and matters related thereto; to provide relative to veto sessions; 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. 184—
BY REPRESENTATIVE GREGORY MILLER
AN ACT
To amend and reenact Code of Civil Procedure Articles 154(B) and 4862 and to enact Code of Civil Procedure Article 158(C), relative to the recusal of judges; to provide for time limitations; to provide for the denial of motions to recuse; and to provide for related matters.

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

HOUSE BILL NO. 234—
BY REPRESENTATIVE SCHLEGEL
AN ACT
To enact R.S. 32:300.4.1, relative to smoking in motor vehicles; to prohibit the operator or any passenger in a motor vehicle from smoking or vaping marijuana while operating on a public highway or right-of-way; to provide for the definition of "smoke" and "public highway or right-of-way"; to provide penalties for a violation of the prohibition against smoking or vaping in motor vehicles; and to provide for related matters.

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

HOUSE BILL NO. 240—
BY REPRESENTATIVE EMERSON
AN ACT
To enact R.S. 37:3556(F), relative to the licensure of massage therapists; to provide for a provisional license for massage therapy graduates; to require notification to a client; to provide for a sunset 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. 276—
BY REPRESENTATIVES BISHOP, AMEDEE, BRYANT, CARRIER, DEVILLIER, EMERSON, FISHER, JORDAN, LARVADAIN, MAGEE, CHARLES OWEN, SELDERS, AND ZERINGUE
AN ACT
To amend and reenact R.S. 45:1363(introductory paragraph), (1), and (14), relative to franchise fees associated with video services; to provide for certain definitions; 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. 287—
BY REPRESENTATIVE WILLARD
AN ACT
To enact R.S. 47:359(L), relative to occupational license taxes; to provide for the levy of occupational license taxes on certain computer programming businesses; to provide for the rate of the tax; to provide for requirements and limitations; 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. 301—

BY REPRESENTATIVE EDMONDS
AN ACT

To enact R.S. 32:413(E), relative to the designation of duplicate on a driver's license; to provide for the issuance of a duplicate driver's license; to prohibit a duplicate designation on a driver's license; and to provide for related matters.

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

HOUSE BILL NO. 350—

BY REPRESENTATIVE HILFERTY
AN ACT

To enact Subpart DDD 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. 47:120.371, relative to state individual income tax return checkoffs for certain donations; to provide for a method for individuals to donate all or a portion of any refund due to them to the University of New Orleans Foundation; to provide for the administration and disbursement of donated monies; to provide for reporting; 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. 403—

BY REPRESENTATIVE JEFFERSON
AN ACT

To amend and reenact R.S. 9:374(B), (C), (D), and (E) and to enact R.S. 9:374(F) and (G), relative to the award of use and occupancy of community property; to provide for an award for rent; to prohibit a limitation on the allocation of the use of community property; and to provide for related matters.

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

HOUSE BILL NO. 447—

BY REPRESENTATIVES HUGHES, ADAMS, BACALA, BUTLER, CARRIER, COUSSAN, CREWS, DEVILLIER, DUBUISSON, ECHOLS, EDMONDS, EDMONSTON, FIRMENT, FONTENOT, FREEMAN, FREIBERG, GADBERRY, GAROFALO, GOUDEAU, HILFERTY, HORTON, ILLG, IVEY, TRAVIS JOHNSON, KERNER, MACK, MCKNIGHT, MCMAHEN, NELSON, NEWELL, PIERRE, PRESSLY, ROMERO, SCHAMERHORN, SCHEXNAYDER, SCHLEGEL, SEABAUGH, SELDERS, ST. BLANC, STAGNI, THOMAS, THOMPSON, VILLIO, AND WHITE
AN ACT

To enact R.S. 14:64.2.1 and R.S. 15:1352(A)(69), relative to juveniles; to create crimes relative to the recruitment of juveniles to commit certain offenses; to provide for definitions; to provide for criminal penalties; to provide for additional crimes that are elements of racketeering activity; and to provide for related matters.

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

Message from the House

**ASKING CONCURRENCE IN
HOUSE CONCURRENT RESOLUTIONS**

April 7, 2022

To the Honorable President and Members of the Senate:

I am directed to inform your honorable body that the House of Representatives has finally passed and asks your concurrence in the following House Concurrent Resolutions:

HCR No. 59

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

**House Concurrent Resolutions
on First Reading**

HOUSE CONCURRENT RESOLUTION NO. 59—

BY REPRESENTATIVES FIRMENT AND RISER AND SENATOR WOMACK

A CONCURRENT RESOLUTION

To express the condolences of the Legislature on the death of Sammy Jones Franklin.

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

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

HOUSE BILL NO. 3—

BY REPRESENTATIVE BISHOP
AN ACT

To enact the Omnibus Bond Authorization Act of 2022, relative to the implementation of a five-year capital improvement program; to provide for the repeal of certain prior bond authorizations; to provide for new bond authorizations; to provide for authorization and sale of such bonds by the State Bond Commission; 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. 51—

BY REPRESENTATIVES GOUDEAU AND MIKE JOHNSON AND SENATOR CATHEY

AN ACT

To enact Code of Criminal Procedure Article 883.2(E) and R.S. 14:32.1(E), relative to operating a vehicle while intoxicated; to provide relative to the crime of vehicular homicide; to provide relative to penalties of the crime of vehicular homicide; to require certain payments for the support of the minor child of the victim; 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. 81—

BY REPRESENTATIVE EMERSON
AN ACT

To amend and reenact R.S. 37:45(A)(1) and (B), relative to the Occupational Licensing Review Commission; to add additional members to the commission; to make technical changes; and to provide for related matters.

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

HOUSE BILL NO. 130—

BY REPRESENTATIVE BEAULLIEU
AN ACT

To amend and reenact R.S. 32:398(I)(1) and (a)(iii), relative to motor vehicle crash reports; to provide relative to the definition of an insurance support organization; to exempt healthcare providers from certain confidentiality requirements applicable to public records; 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. 134—
BY REPRESENTATIVE MARINO
AN ACT

To amend and reenact R.S. 14:67.3(C), relative to the crime of false statements and false or altered documents; to provide relative to the payment of restitution for the crime; 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. 157—
BY REPRESENTATIVE BOURRIAQUE
AN ACT

To enact R.S. 47:2121(C)(3)(f) and (g), relative to tax sale title; to add integrated coastal protection, master plan, and levee or drainage projects to the list of interests affecting third parties that cannot be terminated; 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. 210—
BY REPRESENTATIVE MACK
AN ACT

To amend and reenact R.S. 22:231, 232.1(B), 232.2(B), 232.3(B) and (D), 232.4(B), 232.7, 232.8, 236(10) and (20), 236.4(A), 237.2(10) and (20), 237.6(A), 252(C)(4), 524(2), 528(1), 553, 1564(B)(3), 1622(4)(b)(iii), 1625(J), 1722(10)(c), 1726(B), 1728(6), and 1729(F), relative to certain provisions affecting the Insurance Holding Company System Regulatory Law; to make corrective changes to certain internal citation references; and to provide for technical changes; and to provide for related matters.

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

HOUSE BILL NO. 247—
BY REPRESENTATIVE MAGEE
AN ACT

To amend and reenact the heading of Title XXII of the Code of Criminal Procedure, the heading of Chapter 1 of Title XXII of the Code of Criminal Procedure, Code of Criminal Procedure Articles 671 through 676, 678, and 679, the heading of Chapter 3 of Title XXII of the Code of Criminal Procedure, and Code of Criminal Procedure Article 684, and to repeal Code of Criminal Procedure Article 677, relative to the recusal of judges; to provide for the grounds for recusal; to provide for recusal on the motion of the court; to provide for authority of judges; to provide for the procedure for recusal; to provide for the selection of a judge to try the motion to recuse; to provide for the selection of a judge after recusal; to provide for the recusal of an ad hoc judge, appellate judge, and supreme court justice; to provide for review of recusal rulings; 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. 261—
BY REPRESENTATIVES MAGEE, AMEDEE, BROWN, BRYANT, EDMONSTON, EMERSON, FISHER, GREEN, HARRIS, LARVADAIN, MARINO, NELSON, ORGERON, PIERRE, STEFANSKI, THOMAS, THOMPSON, AND ZERINGUE
AN ACT

To enact Part II-E of Chapter 8 of Title 17 of the Louisiana Revised Statutes of 1950, to be comprised of R.S. 17:1977.1 through 1977.3, and R.S. 36:651(C)(13), relative to education; to create an independent public French immersion school; to provide for the location of the school and the grade levels to be served; to provide for a board of directors and a school director and the powers, duties, and responsibilities of each; to provide for board membership, terms, and compensation; to provide for an effective date; to provide for 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. 284—
BY REPRESENTATIVE STAGNI
AN ACT

To amend and reenact R.S. 37:1339(B)(1) and R.S. 40:2844(B)(3) and (20), relative to boards and commissions; to provide for membership of the governing board of the Louisiana Emergency Response Network; 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. 323—
BY REPRESENTATIVES NELSON, BRYANT, DUPLESSIS, EDMONDS, EDMONSTON, FONTENOT, GREEN, HUGHES, JEFFERSON, JENKINS, LARVADAIN, MARCELLE, MCKNIGHT, DUSTIN MILLER, MOORE, NEWELL, PIERRE, SELDERS, AND THOMPSON
AN ACT

To enact R.S. 15:745.4, relative to the confinement of inmates; to provide relative to persons committed to the custody of the Department of Public Safety and Corrections who are confined in a parish jail; to create the Back on Track Louisiana Pilot Program; to provide relative to participation in the program; to provide relative to payments to local jails; to provide relative to funding; 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. 416—
BY REPRESENTATIVES MARINO, BRASS, FREEMAN, CHARLES OWEN, AND SCHLEGEL
AN ACT

To amend and reenact R.S. 17:392.1(F)(1)(introductory paragraph) and (2) and to enact R.S. 17:392.1(F)(3) and 3996(B)(67), relative to screening of public school students for impediments to learning; to provide relative to reports to the state Department of Education and to the legislature regarding students with dyslexia; 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. 432—
BY REPRESENTATIVES PHELPS AND JENKINS
AN ACT

To amend and reenact Children's Code Article 905(B), relative to progress reports of juveniles; to provide for an increased time period for reports; to provide for an additional recipient; 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. 434—
BY REPRESENTATIVES PHELPS AND JENKINS
AN ACT

To enact Children's Code Article 896(H), relative to deferred dispositional agreements; to provide relative to eligibility; 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. 443—
BY REPRESENTATIVE MAGEE
AN ACT

To amend and reenact Code of Criminal Procedure Article 875.1, relative to the financial obligations for criminal offenders; to provide relative to the payment of fines, fees, costs, restitution, and other monetary obligations related to an offender's conviction; to require the court to determine the offender's ability to pay the financial obligations imposed; to authorize the court to waive, modify, or create a payment plan for the offender's financial obligations; to provide relative to the

recovery of uncollected monetary obligations at the end of a probation period; 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. 456—

BY REPRESENTATIVE NELSON

AN ACT

To amend and reenact R.S. 24:31, relative to legislative per diem payments; to allow certain members of the legislature to receive per diem payments as non-taxable travel allowances rather than compensation; and to provide for related matters.

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

HOUSE BILL NO. 497—

BY REPRESENTATIVES TURNER, ROBBY CARTER, AND COX

AN ACT

To amend and reenact R.S. 37:1250, relative to regulation of pharmacists and pharmacies by the Louisiana Board of Pharmacy; to provide relative to facilities which engage solely in the distribution of drugs or other products necessary for home kidney dialysis for patients with end stage renal disease; to exempt such facilities from the provisions of the Louisiana Pharmacy Practice Act; 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. 548—

BY REPRESENTATIVES FREEMAN, MOORE, AND SCHLEGEL AND SENATORS BARROW AND MIZELL

AN ACT

To enact R.S. 17:3921.4, relative to digital devices in public schools; to require the state Department of Education to develop health and safety guidelines for the use of digital devices in public schools; to require collaboration with the Louisiana Department of Health and others in developing the guidelines; to provide for the content of the guidelines; to require the state Department of Education to distribute the guidelines to public school governing authorities; 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 Education.

HOUSE BILL NO. 627—

BY REPRESENTATIVE BRYANT

AN ACT

To enact R.S. 14:68.4(C), relative to the crime of unauthorized use of a motor vehicle; to provide relative to criminal penalties; 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. 693—

BY REPRESENTATIVE STEFANSKI

AN ACT

To amend and reenact R.S. 27:3(13)(i) and 27(A)(introductory paragraph) and (1), relative to the Gaming Control Law; to provide relative to the definition of "institutional investors"; to provide relative to the criteria for suitability for institutional investors; to provide for an effective date; and to provide for related matters.

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

HOUSE BILL NO. 715—

BY REPRESENTATIVE GREEN

AN ACT

To amend and reenact R.S. 22:691.2(introductory paragraph), 691.6(D), (M), and (N), and 691.10(A), (C)(1), (3), (4), and (F) and to enact R.S. 22:691.2(13) through (15), 691.6(O) and (P), 691.7(A)(1)(g) through (i) and (6), and 691.10(G), relative to the Insurance Holding Company System Regulatory Law; to provide for definitions; to provide for a group capital calculation; to provide for a liquidity stress test; to provide for the continuity of essential services and functions provided by affiliates; to provide for jurisdiction of the rehabilitation court; to provide for a bond or deposit requirement; to provide for the ownership of the records of an insurer; to provide for confidentiality; and to provide for related matters.

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

HOUSE BILL NO. 729—

BY REPRESENTATIVES DUPLESSIS, BOYD, BRASS, BRYANT, WILFORD CARTER, FISHER, FREEMAN, GAINES, GREEN, HUGHES, JEFFERSON, JENKINS, TRAVIS JOHNSON, JORDAN, LANDRY, LARVADAIN, LYONS, MARCELLE, NEWELL, PIERRE, SELDERS, STAGNI, AND WILLARD

AN ACT

To amend and reenact R.S. 44:4.1(B)(38) and to enact Code of Criminal Procedure Article 234, relative to photo identification of an arrested person; to provide for a public records exception; to provide for definitions; to provide relative to the duty of law enforcement; to provide relative to submission of requests; to provide for criminal liability; to provide relative to time periods; to provide relative to attorney fees; 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 Senate and Governmental Affairs.

HOUSE BILL NO. 762—

BY REPRESENTATIVE ZERINGUE

AN ACT

To enact R.S. 36:610(B)(13), R.S. 56:10(B)(17), and Part VI of Chapter 8 of Title 56 of the Louisiana Revised Statutes of 1950, to be comprised of R.S. 56:1931 through 1936, relative to the Louisiana Outdoors Forever Program; to create the Louisiana Outdoors Forever Program and the Louisiana Outdoors Forever Fund; to provide for executive branch organization; to create a project selection board and a technical advisory board; to provide for board membership and duties; to provide for program eligibility and applications; to provide for administrative rules; to provide for program termination; and to provide for related matters.

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

**House Concurrent Resolutions on
Second Reading**

HOUSE CONCURRENT RESOLUTION NO. 4—

BY REPRESENTATIVE BUTLER

A CONCURRENT RESOLUTION

To amend the Louisiana Department of Health rule, LAC 50:VII.32913(A) and (C), which provides for Medicaid reimbursement to non-state intermediate care facilities for persons with intellectual and developmental disabilities for resident leave of absence days, and to direct the office of the state register to print the amendments in the Louisiana Administrative Code.

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

April 7, 2022

HOUSE CONCURRENT RESOLUTION NO. 56—

BY REPRESENTATIVE ECHOLS
A CONCURRENT RESOLUTION

To commend the Chennault Aviation and Military Museum, the Monroe Regional Airport, and the Aviation Hall of Fame and to commend the museum for its role in memorializing Louisiana's aviation history.

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

ROLL CALL

The roll was called with the following result:

YEAS

Table with 3 columns: Name, Yeas, Nays. Lists members like Mr. President, Abraham, Allain, Barrow, Bernard, Boudreaux, Bouie, Cathey, Cloud, Connick, Fesi, Fields and their respective counts.

Total - 35

NAYS

Total - 0

ABSENT

Table with 2 columns: Name, Absent. Lists Carter, Harris, Hensgens, White.

Total - 4

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

HOUSE CONCURRENT RESOLUTION NO. 58—

BY REPRESENTATIVE HUVAL
A CONCURRENT RESOLUTION

To designate Tuesday, April 12, 2022, as CODOFIL Day at the state capitol.

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

ROLL CALL

The roll was called with the following result:

YEAS

Table with 3 columns: Name, Yeas, Nays. Lists members like Mr. President, Abraham, Allain, Barrow, Bernard, Boudreaux, Bouie, Cathey, Cloud, Connick, Fesi, Fields and their respective counts.

Total - 35

NAYS

Total - 0

ABSENT

Table with 2 columns: Name, Absent. Lists Carter, Harris, Hensgens, White.

Total - 4

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

Senate Bills and Joint Resolutions on Second Reading Reported by Committees

SENATE BILL NO. 32—

BY SENATORS FRED MILLS AND CLOUD
AN ACT

To amend and reenact R.S. 22:1856(B) and 1856.1(A), the introductory paragraph of 1856.1(B), 1856.1(B)(2)(a), (3)(a), and (4)(a), (E)(5), and (G), and to enact R.S. 22:1856.1(H) and 1856.2, relative to pharmacy audits; to provide for the time limit for pharmacy audits; to provide for the prescriptions audited; to provide for compensation of auditors; to require an attestation prior to an audit; and to provide for related matters.

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

SENATE BILL NO. 34—

BY SENATOR FRED MILLS AND REPRESENTATIVES BUTLER, CHARLES OWEN AND BAGLEY
AN ACT

To amend and reenact R.S. 37:1270.1(F), 1314(G), 1357.1(B), 1360(5), 1360.63(E), 1360.102(F), 2864(D), and 3356(E) and to enact R.S. 37:629, 1164(39)(c), 1270(D), 1340(7), 3015, 3303(E), and 3434 and R.S. 42:17.2, relative to meetings of statewide advisory committees of the Louisiana State Board of Medical Examiners; to authorize certain meetings to be conducted electronically; to provide for public notice and participation requirements; and to provide for related matters.

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

SENATE BILL NO. 35—

BY SENATOR FRED MILLS
AN ACT

To enact R.S. 49:149.34, relative to the names of state buildings; to name the Carl W. Aron Building; to provide for an effective date; and to provide for related matters.

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

SENATE BILL NO. 40—

BY SENATORS MCMATH, BARROW, LUNEAU AND MIZELL
AN ACT

To enact R.S. 46:286.2, relative to protections for foster children; to provide for special identification cards for children in foster care; to provide for an effective date; and to provide for related matters.

Reported with amendments by the Committee on Health and Welfare.

SENATE COMMITTEE AMENDMENTS

Amendments proposed by Senate Committee on Health and Welfare to Original Senate Bill No. 40 by Senator McMath

AMENDMENT NO. 1

On page 1, line 8, delete "A person providing foster care services" and insert

"A. Except as provided in Subsection B of this Section,"**AMENDMENT NO. 2**

On page 1, line 9, after "**603**," insert "**the Department of Children and Family Services**"

AMENDMENT NO. 3

On page 1, line 10, delete "**foster home**" and insert "**custody of the state**"

AMENDMENT NO. 4

On page 1, line 11, after "**(1)**" delete "**A**" and insert "**For a child age fourteen or older, a**"

AMENDMENT NO. 5

On page 1, line 13, after "**(2)**" delete "**If the child**" and insert "**For a child younger than age fourteen or a child who**"

AMENDMENT NO. 6

On page 1, between lines 14 and 15, insert the following:

"B. If the Department of Children and Family Services is unable to comply with the provisions of Subsection A of this Section due to the child's incarceration, elopement, physical or mental disability, or specialized placement where the child cannot be transported, or upon approval of the court, the department shall obtain the special identification card or photograph no later than ninety days from the date the condition preventing compliance ceases to exist."

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

SENATE BILL NO. 59—

BY SENATOR FRED MILLS AND REPRESENTATIVE BAGLEY
AN ACT

To enact R.S. 46:460.76, relative to claim reviews conducted by Medicaid managed care organizations; to provide for prepayment reviews; to provide for definitions; and to provide for related matters.

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

SENATE BILL NO. 67—

BY SENATOR FRED MILLS

AN ACT

To amend and reenact R.S. 49:951(9), 953, the introductory paragraph of 953.1(A)(1), 953.1(A)(5), and (C), 954(A) and (B)(2), 954.1(A), 955(B), (C), (E), and (F), 959(A), 960(B), 964(A)(1), (F), and (G), 964.1(C), 966(A), 967, the introductory paragraph of 968(B), 968(B)(24)(b), (C)(2) and (4), (D)(1)(a), and the introductory paragraph of (D)(1)(b), (D)(1)(b)(i), and (c) and (3), (E)(1)(a), the introductory paragraph of 968(F)(1), (G), (H), (J), and (K)(2), 969(A), 970(A), 971(A)(1) and (3) and (B), 974(B), (C), and (E), 978.1, 978.4(A)(2), 978.5(B) and (C), the introductory paragraph of 978.7, and 978.7(1), and 978.8(A) and (B), to enact R.S. 49:953.1(G), 963, and 964, and to recodify Chapter 13 of Title 49 of the Louisiana Revised Statutes of 1950 in its entirety, relative to the Administrative Procedure Act; to make technical updates to the Administrative Procedure Act; to provide for public hearings; to provide for publication of executive orders; to provide for judicial review; to direct the Louisiana State Law Institute to redesignate the current provisions of Chapter 13 of Title 49 of the Louisiana Revised Statutes of 1950 into a new format and number scheme, to be comprised of R.S. 49:950 through 978.3, without changing the text of the provisions except as provided herein; to make technical and conforming changes to reflect the format and number scheme provided herein; to direct the Louisiana State Law Institute to change references to segments of law in existing statutes and codes as necessary to reflect the redesignation of such segments as provided herein; and to provide for related matters.

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

SENATE COMMITTEE AMENDMENTS

Amendments proposed by Senate Committee on Senate and Governmental Affairs to Original Senate Bill No. 67 by Senator Fred Mills

AMENDMENT NO. 1

On page 1, line 9, after "978.7," delete "and 978.7(1),"

AMENDMENT NO. 2

On page 2, line 12, after "978.7," delete "978.7(1),"

AMENDMENT NO. 3

On page 4, line 9, change "**R.S. 968**" to "**R.S. 49:968**"

AMENDMENT NO. 4

On page 4, line 12, change "**R.S. 968**" to "**R.S. 49:968**"

AMENDMENT NO. 5

On page 4, line 23, change "**R.S. 968**" to "**R.S. 49:968**"

AMENDMENT NO. 6

On page 38, delete lines 8 through 12

AMENDMENT NO. 7

On page 42, line 28, delete "such"

AMENDMENT NO. 8

On page 42, line 29, delete "such"

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

SENATE BILL NO. 82—

BY SENATOR FRED MILLS

AN ACT

To enact R.S. 46:460.32, relative to Medicaid reimbursement for pharmacy services; to provide for enhanced reimbursements using drug rebates; to provide for a state plan amendment; to provide for rulemaking; to provide for an effective date; and to provide for related matters.

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

SENATE BILL NO. 83—

BY SENATOR FRED MILLS

AN ACT

To enact R.S. 46:460.37, relative to Medicaid pharmacy reimbursement; to provide for the Council on Medicaid Pharmacy Reimbursement; to provide for council membership; to provide for meetings; to provide for the duties and powers of the council; and to provide for related matters.

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

SENATE BILL NO. 98—

BY SENATORS HEWITT, BARROW, HENSGENS, LUNEAU AND MIZELL

AN ACT

To amend and reenact R.S. 46:2351 through 2354, to enact R.S. 46:2355, and to repeal R.S. 46:2356, relative to the Louisiana Commission for the Deaf; to provide for definitions; to provide for the Louisiana Commission for the Deaf; to provide for a governing board; to provide for commission employees; to provide for commission funds; to provide for an effective date; and to provide for related matters.

Reported with amendments by the Committee on Health and Welfare.

SENATE COMMITTEE AMENDMENTS

Amendments proposed by Senate Committee on Health and Welfare to Original Senate Bill No. 98 by Senator Hewitt

AMENDMENT NO. 1

On page 1, line 17, after "sensitivity" delete the remainder of the line, on page 2, delete line 1, and insert the following: "regardless of when the hearing loss occurred, and is most often represented with a lowercase letter "d". Methods of communication may include American Sign Language or spoken English. The term "Deaf" when written or expressed with an uppercase letter "D", specifically refers to a group of deaf individuals who identify as a cultural and linguistic minority with specific languages, namely visual or tactile methods of communication, and social mores."

AMENDMENT NO. 2

On page 2, line 3, after "sensitivity" insert "to the extent that it causes extreme difficulty in gaining independence in daily life activities, achieving psycho-social adjustments, or obtaining a vocation"

AMENDMENT NO. 3

On page 2, delete lines 4 through 7

AMENDMENT NO. 4

On page 2, line 8, change "(6)" to "(5)"

AMENDMENT NO. 5

On page 2, line 9, change "(7)" to "(6)" and delete "significant" and on line 10, delete "impairment to the sense of hearing" and insert "total or partial inability to hear sound"

AMENDMENT NO. 6

On page 2, line 12, change "(8)" to "(7)"

AMENDMENT NO. 7

On page 2, line 14, change "(9)" to "(8)"

AMENDMENT NO. 8

On page 2, delete lines 19 and 20

AMENDMENT NO. 9

On page 2, line 21, change "(11)" to "(9)"

AMENDMENT NO. 10

On page 3, line 29, after "his" insert "or her"

AMENDMENT NO. 11

On page 4, line 1, after "him" insert "or her"

AMENDMENT NO. 12

On page 5, line 5, after "The" insert "governor's"

AMENDMENT NO. 13

On page 5, line 12, delete "deaf" and insert "d/Deaf, DeafBlind, or hard of hearing"

AMENDMENT NO. 14

On page 9, line 6, delete "deaf" and insert "d/Deaf, DeafBlind, or hard of hearing individuals"

AMENDMENT NO. 15

On page 9, line 7, after "used" delete the remainder of the line and on line 8 delete "hard of hearing individuals" and insert "methods of communication"

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

SENATE BILL NO. 118— BY SENATOR TALBOT

AN ACT

To amend and reenact R.S. 22:1028.3(B)(2) relative to the medical necessity for genetic testing of certain cancer mutations; to require medical necessity for genetic testing of certain cancer mutations is based on nationally recognized clinical practice guidelines; and to provide for related matters.

Reported with amendments by the Committee on Insurance.

SENATE COMMITTEE AMENDMENTS

Amendments proposed by Senate Committee on Insurance to Original Senate Bill No. 118 by Senator Talbot

AMENDMENT NO. 1

On page 1, line 2, after "R.S. 22:1028.3(B)(2)" insert "and to enact R.S. 22:1028.3(D)(3) and (4),"

AMENDMENT NO. 2

On page 1, line 5, after "guidelines;" insert "to provide definitions;"

AMENDMENT NO. 3

On page 1, line 7, after "reenacted" insert "and R.S. 22:1028.3(D)(3) and(4) are hereby enacted"

AMENDMENT NO. 4

On page 1, delete lines 12 through 17 and insert the following: "established under the health plan. The biomarker test shall be covered for the purposes of diagnosis, treatment, appropriate management or ongoing monitoring of an individual's disease or condition when the test is supported by medical and scientific evidence, including but not limited to the following:

(a) Labeled indications for tests are approved or cleared by the United States Food and Drug Administration or indicated tests for a drug that is approved by the United States Food and Drug Administration.

(b) Centers for Medicare and Medicaid Services National Coverage Determinations or Medicare Administrative Contractor Local Coverage Determinations.

(c) Nationally recognized clinical practice guidelines and consensus statements.

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

(1) * * *

(3) "Consensus statements" means statements developed by an independent, multidisciplinary panel of experts utilizing a transparent methodology and reporting structure and with a conflict-of-interest policy and these statements are aimed at specific clinical circumstances and base the statements on the best available evidence for the purposes of optimizing the outcomes of clinical care.

(4) "Nationally recognized clinical practice guidelines" means evidence-based clinical guidelines developed by independent organizations or medical professional societies utilizing a transparent methodology and reporting structure and with a conflict-of-interest policy and clinical guidelines establish standards of care informed by a systematic review of evidence and an assessment of the benefits and costs alternative care options and include recommendations intended to optimize patient care."

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

SENATE BILL NO. 133— BY SENATOR MILLIGAN

AN ACT

To amend and reenact R.S. 6:314(A) and 766.1(A), relative to banking; to provide for state banks; to provide for savings and loan associations; to provide for payable on death accounts; to

provide for affidavit requirements; to provide for requirements, procedures, and conditions; and to provide for related matters.

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

SENATE COMMITTEE AMENDMENTS

Amendments proposed by Senate Committee on Commerce, Consumer Protection and International Affairs to Original Senate Bill No. 133 by Senator Milligan

AMENDMENT NO. 1

On page 2, line 4, change "association" to "bank"

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

SENATE BILL NO. 135—

BY SENATOR BOUDREAU

AN ACT

To amend and reenact R.S. 44:4.1(B)(31) and R.S. 46:123(D)(1)(c), relative to the Military Family Assistance Fund; to provide an exception relative to public records for Military Family Assistance Fund applications; to clarify the requirements for need-based Military Family Assistance Fund applications; and to provide for related matters.

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

SENATE COMMITTEE AMENDMENTS

Amendments proposed by Senate Committee on Senate and Governmental Affairs to Original Senate Bill No. 135 by Senator Boudreaux

AMENDMENT NO. 1

On page 1, line 2, change "R.S. 46:123(D)(1)(c)" to "R.S. 46:121(1) and (4), 122(B)(1), 123(B)(1) and (2), (D)(1), (E), (G)(1) and (2), and (K)(2) through (4), and to enact R.S. 46:123(M), and to repeal R.S. 46:121(1)(c) and (6)"

AMENDMENT NO. 2

On page 1, line 4, after "applications;" and before "to" insert "to provide for definitions;"

AMENDMENT NO. 3

On page 1, line 5, after "applications;" and before "and" insert "to provide for remote operations;"

AMENDMENT NO. 4

On page 2, delete lines 3 through 20 and insert:
 "Section 2. R.S. 46:121(1) and (4), 122(B)(1), 123(B)(1) and (2), (D)(1), (E), (G)(1) and (2), and (K)(2) through (4) are hereby amended and reenacted and R.S. 46:123(M) is hereby enacted to read as follows

§121. Definitions

(1) "Activated military ~~personnel~~ person" means a person domiciled in Louisiana for civilian purposes who names Louisiana as Home of Record (HOR) for military purposes, and who is any of the following:

* * *

(4) "Honorably discharged ~~active-duty~~ activated military personnel person" means a person domiciled in Louisiana who is a veteran of the United States Army, Navy, Air Force, Marine Corps, or Coast Guard who was on full-time active duty in the military service of the United States and received an honorable discharge and has met any of the following conditions:

(a) Completed either twenty-four months of continuous active duty or the full period of not less than ninety days for which he was ordered to active duty, other than active duty training, for which he received either an honorable discharge or a general discharge under honorable conditions.

(b) Completed at least ninety days of active duty and discharge under the specific authority of 10 U.S.C. 1171 or 1173 or a determination of having a compensable service-connected disability.

(c) Received a discharge with less than ninety days of service for a service-connected disability.

* * *

§122. Louisiana Military Family Assistance Fund

* * *

B. The money in the fund shall be used solely for the following purposes:

(1) To pay need-based claims of family members of activated military personnel or honorably discharged ~~active-duty~~ military personnel as authorized by the Louisiana Military Family Assistance Board in the manner provided for in R.S. 46:123.

* * *

§123. Louisiana Military Family Assistance Board

* * *

B.(1) The board shall establish rules for the implementation of this Part and proper adjudication of need-based claims submitted ~~by families of~~ on behalf of activated military personnel or honorably discharged ~~active-duty~~ military personnel. The rules shall provide the procedures for determination and consideration of claims and appeals, application forms and claims documentation, requirements, limitations, definitions, and such other matters as the board deems necessary and appropriate to carry out the provisions of this Part and ensure the availability of funds and appropriate disbursement to claimants.

(2) Such rules shall establish a maximum dollar amount that may be awarded on behalf of an activated military person or an honorably discharged ~~active-duty~~ military person for a need-based claim per twelve-month period. Such maximum shall apply per active duty order.

* * *

D.(1) The board shall meet as necessary to review claims adjudicated by the third party administrator and make the following determinations:

(a) That all awards are on behalf of activated military personnel or honorably discharged ~~active-duty~~ military personnel as defined in this Part.

(b) That all awards are made pursuant to ~~a claim~~ claims by family members of activated military personnel or honorably discharged ~~active-duty~~ military personnel as defined in this Part or by ~~the an~~ an activated military person or honorably discharged ~~active-duty~~ military person himself.

(c) That all awards are need-based. Claims A claim may be considered need-based if all of the following apply:

(i) Funds are requested for necessary expenses incurred, or to be incurred.

(ii) The necessary expenses created, or will create, an undue hardship on the activated military personnel, a family member of the activated military personnel, or the honorably discharged military personnel.

(iii) ~~The undue hardship can be directly or indirectly related to the activation of the military person or honorable discharge of the active-duty military person.~~

(iv) (iii) The activated military person, a family member of the activated military personnel, or the honorably discharged military personnel does not have reasonable access to any other funding source.

(v) (iv) Payment of the claim by the fund does not supplant other available public or private funds.

(vi) (v) The applicant or the family member activated military person, a family member of the activated military person, or the honorably discharged military person has made reasonable attempts to secure alternative funding through another program.

* * *

E. A claim of an activated military person or person's family member or a claim of an honorably discharged ~~active-duty~~ military personnel person or their family member may be denied if the activated military person or honorably discharged ~~active-duty~~ military person is not in good standing with the appropriate military unit at the time the application is submitted or the claim payment is made.

* * *

G.(1) In extenuating circumstances as defined by rule by the board, an activated military person or honorably discharged ~~active-duty~~ military person, or his family, may be awarded an additional one-time ~~lump sum~~ **lump-sum** award for a service related death or injury with a greater than fifty percent residual disability. The board shall provide by rule for a uniform ~~lump sum~~ **lump-sum** amount for such award, which shall not exceed two thousand five hundred dollars.

(2) Family members of activated military personnel or honorably discharged ~~active-duty~~ military personnel who are listed as missing in action or prisoner of war by the United States Department of Defense shall also be eligible for this ~~lump sum~~ **lump-sum** award.

* * *

K.

(2) The ~~identity~~ **identities** of applicants and their related activated military personnel or honorably discharged ~~active-duty~~ military personnel shall be confidential unless waived. The filing of an appeal before the board shall be considered a waiver.

(3) Although confidential, records relating to applications and the ~~identity~~ **identities** of applicants and their related activated military personnel or honorably discharged ~~active-duty~~ military personnel shall be available to necessary parties such as the legislative auditor, legislative oversight committees for rules and annual reports, and such other parties as necessary for prudent administration of the program and verification of elements of application.

(4) Once a claim is approved, the identity of the claimant and ~~their~~ **the** related activated military ~~personnel~~ **person** or honorably discharged ~~active-duty~~ military ~~personnel~~ **person** and the amount approved shall be public record.

* * *

M. Notwithstanding any provision of law to the contrary, the board may conduct, and its members may attend and participate in a meeting occurring via electronic means.

(1) For each meeting conducted pursuant to this Subsection, the following requirements shall be met:

(a) No later than twenty-four hours prior to the meeting, the board shall provide the notice and agenda for the meeting, which shall be posted on the board's website and emailed to any member of the public or the news media who requests notice of the board meeting.

(b) The notice and agenda shall provide detailed information regarding how members of the public may participate in the meeting and submit comments regarding matters on the agenda.

(c) The board shall provide a mechanism to receive public comment electronically both prior to and during the meeting. The board shall properly identify and acknowledge all public comments during the meeting and shall maintain those comments in the record of the meeting.

(d) The chairman shall ensure that each person participating in the meeting is properly identified.

(e) The chairman shall ensure that all parts of the meeting, excluding any matter discussed in executive session, are clear and audible to all participants in the meeting including the public.

(2) For the purposes of this Subsection, "electronic means" shall mean a meeting occurring via teleconference or video conference.

(a) "Teleconference" shall mean a method of communication which enables persons in different locations to participate in a meeting and to hear and communicate with each other.

(b) "Video conference" shall mean a method of communication which enables persons in different locations to participate in a meeting and to see, hear, and communicate with each other."

AMENDMENT NO. 5

On page 2, between lines 20 and 21 insert:

"Section 3. R.S. 46:121(1)(c) and (6) are hereby repealed."

AMENDMENT NO. 6

On page 2, line 21, change "Section 3" to "Section 4"

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

SENATE BILL NO. 141—

BY SENATOR MORRIS

AN ACT

To enact R.S. 22:860.1, relative to insurance contract requirements; to prohibit insurers from requiring or requesting a vaccination status for individuals, family members, and businesses; to prohibit insurers from requiring or requesting that a business adopt policies and procedures for vaccination status, or from requiring or requesting information on whether a business has adopted such policies and procedures; to prohibit the use of vaccination status for underwriting purposes; to prohibit insurers from using vaccination status for underwriting purposes; to provide for definitions; and to provide for related matters.

Reported with amendments by the Committee on Insurance.

SENATE COMMITTEE AMENDMENTS

Amendments proposed by Senate Committee on Insurance to Original Senate Bill No. 141 by Senator Morris

AMENDMENT NO. 1

On page 2, line 10, delete "**life, annuity,**"

AMENDMENT NO. 2

On page 4, after line 2, insert the following:

"E. Notwithstanding any other provisions, this Section and the requirements contained in this Section shall not apply to life insurance or annuity products, retirement plans, long-term care insurance, disability income insurance, reinsurance, or dental, vision, and other supplemental benefit products."

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

SENATE BILL NO. 146—

BY SENATOR TALBOT

AN ACT

To amend and reenact R.S. 22:1054.1(A), relative to insurance coverage for cancer treatments; to prohibit denial of coverage in certain circumstances; and to provide for related matters.

Reported with amendments by the Committee on Insurance.

SENATE COMMITTEE AMENDMENTS

Amendments proposed by Senate Committee on Insurance to Original Senate Bill No. 146 by Senator Talbot

AMENDMENT NO. 1

On page 1, line 15, after "**may not**" change "**deem**" to "**consider**"

AMENDMENT NO. 2

On page 1, line 16, after "**scope**" insert the following: "**if the United States Food and Drug Administration has approved the drug for the treatment of cancer with the specific genetic mutation, even if in a different tumor type**"

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

SENATE BILL NO. 152—

BY SENATOR ABRAHAM

AN ACT

To amend and reenact R.S. 32:1261(A)(1)(I), relative to unauthorized acts of manufacturers, distributors, wholesalers, distributor branches, factory branches, and converters; to provide for protests; to provide for hearings performed by the Louisiana

Motor Vehicle Commission; to provide for terms, conditions, and procedures; and to provide for related matters.

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

SENATE COMMITTEE AMENDMENTS

Amendments proposed by Senate Committee on Commerce, Consumer Protection and International Affairs to Original Senate Bill No. 152 by Senator Abraham

AMENDMENT NO. 1

On page 2, line 25, after "**law**" insert "**, a manufacturer or distributor's health or safety requirement.**"

AMENDMENT NO. 2

On page 3, at the beginning of line 19, delete "**goods or**" and after "**maintenance**" insert "**goods or**"

AMENDMENT NO. 3

On page on 3, line 23, after "**obtain**" delete "**goods or**"

AMENDMENT NO. 4

On page 3, at the beginning of line 24, before "**services**" insert "**goods or**"

AMENDMENT NO. 5

On page 4, at the end of line 2, delete "**goods or**"

AMENDMENT NO. 6

On page 4, line 3, after "**maintenance**" insert "**goods or**"

AMENDMENT NO. 7

On page 4, at the beginning of line 12, delete "**goods or**" and after "**maintenance**" insert "**goods or**"

AMENDMENT NO. 8

On page 4, line 20, after "**manufacturer**" insert "**or distributor**"

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

SENATE BILL NO. 154—

BY SENATOR TALBOT

AN ACT

To enact R.S. 22:1028.4 relative to health insurance coverage of genetic testing for critically ill infants with no diagnosis; to require health insurance coverage of genetic testing for critically ill infants with no diagnosis; to provide for definitions; and to provide for related matters.

Reported with amendments by the Committee on Insurance.

SENATE COMMITTEE AMENDMENTS

Amendments proposed by Senate Committee on Insurance to Original Senate Bill No. 154 by Senator Talbot

AMENDMENT NO. 1

On page 1, line 10, delete "**rapid whole genome sequencing testing**" and insert the following: "**advanced molecular techniques including but not limited to traditional whole genome sequencing, rapid whole genome sequencing, and other genetic and genomic screening**"

AMENDMENT NO. 2

On page 1, line 13, after "**infants.**" delete the remainder of the line

AMENDMENT NO. 3

On page 1, line 14, before "**identify**" insert the following: "**B. If ordered by the provider rapid whole genome sequencing testing shall be covered by all plans in this state. With rapid whole genome sequencing physicians have been able to**"

AMENDMENT NO. 4

On page 2, line 4, change "**B.**" to "**C.**"

AMENDMENT NO. 5

On page 2, line 5, delete "**rapid whole genome sequencing**" and insert the following: "**advanced molecular techniques including but not limited to traditional whole genome sequencing, rapid whole genome sequencing, and other genetic and genomic screening**"

AMENDMENT NO. 6

On page 2, line 6, delete "**testing**"

AMENDMENT NO. 7

On page 2, line 19, delete "**rapid whole genome**" and insert the following: "**advanced molecular techniques including but not limited to traditional whole genome sequencing, rapid whole genome sequencing, and other genetic and genomic screening**"

AMENDMENT NO. 8

On page 2, line 20, delete "**sequence testing**"

AMENDMENT NO. 9

On page 2, line 22, delete "**rapid whole genome sequence testing**" and insert the following: "**advanced molecular techniques including but not limited to traditional whole genome sequencing, rapid whole genome sequencing, and other genetic and genomic screening**"

AMENDMENT NO. 10

On page 3, delete lines 18 through 29

AMENDMENT NO. 11

On page 4, line 1, change "**C.**" to "**D.**"

AMENDMENT NO. 12

On page 4, delete lines 11 through 25

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

SENATE BILL NO. 168—

BY SENATOR ABRAHAM

AN ACT

To amend and reenact R.S. 22:1267.1(B) and to enact R.S. 22:1267.1(E) relative to the application of named storm, hurricane, wind, and hail deductibles in commercial property and commercial multi-peril insurance policies; to provide for a separate deductible for commercial coverage; to provide for a limitation of the separate deductible to property in this state; and to provide for related matters.

Reported with amendments by the Committee on Insurance.

SENATE COMMITTEE AMENDMENTS

Amendments proposed by Senate Committee on Insurance to Original Senate Bill No. 168 by Senator Abraham

AMENDMENT NO. 1

On page 1, line 15, after "**January 1, 2023,**" insert "**except for policies with a total insured value equal to or greater than twenty million dollars.**"

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

SENATE BILL NO. 183—

BY SENATOR FRED MILLS

AN ACT

To enact R.S. 37:23.2 and R.S. 49:1308, relative to certain boards, commissions, and agencies; to require boards, commissions, and agencies to publish on the Internet certain information

concerning permits and licenses; to provide for the information that must be published; to require reports; and to provide for related matters.

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

SENATE COMMITTEE AMENDMENTS

Amendments proposed by Senate Committee on Commerce, Consumer Protection and International Affairs to Original Senate Bill No. 183 by Senator Fred Mills

AMENDMENT NO. 1

On page 1, line 15, after "part" and before "shall" insert "of"

AMENDMENT NO. 2

On page 2, line 27, after "part" and before "shall" insert "of"

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

SENATE BILL NO. 209—

BY SENATOR STINE

AN ACT

To amend and reenact R.S. 22:1969(A)(1), relative to the commissioner of insurance; to authorize the commissioner to order certain penalties to persons engaging in an unfair method of competition or an unfair or deceptive act or practice; to increase the maximum penalties for violations; and to provide for related matters.

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

SENATE BILL NO. 218—

BY SENATOR JACKSON

AN ACT

To amend and reenact R.S. 15:148(B)(12) through (15) and R.S. 44:4.1(B)(8) and to enact R.S. 15:148(B)(16) and 148.1, relative to raw data collected by the Louisiana Public Defender Board; to provide for rulemaking; to provide for a public records exception; and to provide for related matters.

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

SENATE BILL NO. 228—

BY SENATOR MORRIS

AN ACT

To enact R.S. 44:42, relative to public records custodians; to provide for immunity from suit in certain circumstances; and to provide for related matters.

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

SENATE BILL NO. 257—

BY SENATOR FRED MILLS

AN ACT

To enact R.S. 46:450.8, relative to Medicaid coverage for continuous glucose monitors; to require Medicaid coverage for continuous glucose monitors; to provide for the method of coverage; to provide for duties of the Louisiana Department of Health; and to provide for related matters.

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

SENATE BILL NO. 268—

BY SENATORS MIZELL AND BARROW

AN ACT

To amend and reenact R.S. 40:2156(B)(4) and to enact R.S. 40:2159.2, relative to opioid treatment programs for pregnant women; to establish requirements for treatment facilities licensed as behavioral health services providers that provide treatment for opioid use disorder to pregnant women; to prohibit certain actions against behavioral health services provider licenses prior to a specific date; to provide for definitions; to provide for an effective date; and to provide for related matters.

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

SENATE BILL NO. 276—

BY SENATOR TALBOT

AN ACT

To amend and reenact R.S. 22:1007(K) and to enact R.S. 22:1007(L), relative to health insurers contracts with healthcare providers; to provide the legislature's original intent was to allow contracts between health insurers and healthcare providers and the health insurer may make benefits available to its affiliates; to provide this practice is not an antitrust violation; to provide a retroactive date of August 1, 2016; and to provide for related matters.

Reported with amendments by the Committee on Insurance.

SENATE COMMITTEE AMENDMENTS

Amendments proposed by Senate Committee on Insurance to Original Senate Bill No. 276 by Senator Talbot

AMENDMENT NO. 1

On page 1, line 2, after "R.S. 22:1007" delete "(K)" and the remainder of the line and insert "(J)(2), relative to health"

AMENDMENT NO. 2

On page 1, line 6, after "to provide" delete the remainder of the line and insert "for retroactivity;"

AMENDMENT NO. 3

On page 1, line 9, after "R.S. 22:1007" delete "(K)" and the remainder of the line and insert "(J)(2) is hereby amended and reenacted"

AMENDMENT NO. 4

On page 1, delete lines 13 through 17, and insert the following:

"J.(1)

(2) Nothing in this Subsection or in any other provision of law, including any provision of Part IV of Chapter 1 of Title 51 of the Louisiana Revised Statutes of 1950, shall prohibit or regulate a managed care organization from enabling its affiliated members from other states to obtain healthcare service benefits while traveling or living in the managed care organization's service area including extending the provisions of the provider contract to provide for such services."

AMENDMENT NO. 5

On page 2, delete lines 1 and 2, and insert the following:

"Section 2. The provisions of Section 1 of this Act are interpretative of the original intent of R.S. 22:1007(J)(2), as enacted by Acts 2016, No. 265 because the phrase "nothing in this Subsection shall prohibit" is a double-negative and a term of art used in Louisiana statutes, as a double -negative term of art, it means that anything following the "nothing in this Subsection" language is intended to grant positive rights.

Section 3. The provisions of this Act are reflective of what has always been Louisiana law and therefore shall be retroactive and shall be applicable to all claims existing or actions pending on its effective date and to all claims or actions filed on or after its effective date.

Section 4. This Act shall become effective upon the signature of the governor or, if not signed by the governor, upon expiration of the

time for bills to become law without signature by the governor as provided by Article III, Section 18 of the Constitution of Louisiana. If vetoed by the governor and subsequently approved by the legislature, this Act shall become effective on the date following such approval."

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

SENATE BILL NO. 279—
BY SENATOR FRED MILLS

AN ACT

To enact R.S. 49:149.35, relative to names of state buildings; to name the J. Burton Angelle Building; to provide for an effective date; and to provide for related matters.

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

SENATE BILL NO. 298—
BY SENATOR BARROW

AN ACT

To enact R.S. 40:2018.3.1, relative to Medicaid coverage for sickle cell disease; to require an annual review of available treatments for sickle cell disease; to require an assessment of Medicaid coverage for sickle cell treatments; to provide for public input; to provide for annual reporting by the Louisiana Department of Health; to provide for a short title; and to provide for related matters.

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

SENATE BILL NO. 305—
BY SENATOR FOIL

AN ACT

To enact Chapter 62 of Title 51 of the Louisiana Revised Statutes of 1950, to be comprised of R.S. 51:3221 through 3227, relative to deceptive and unfair trade practices; to provide relative to electronic dissemination of third-party commercial recordings or audiovisual works; to require disclosures; to provide for a private right of action; to provide for injunctive relief, orders to compel compliance, costs, and attorney's fees; to provide that violations constitute a deceptive and unfair trade practices; to provide for definitions, terms, conditions, and procedures; and to provide for related matters.

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

SENATE COMMITTEE AMENDMENTS

Amendments proposed by Senate Committee on Commerce, Consumer Protection and International Affairs to Original Senate Bill No. 305 by Senator Foil

AMENDMENT NO. 1
On page 2, line 29, change "**deemed**" to "**considered**"

AMENDMENT NO. 2
On page 3, line 10, after "**or**" and before "**licensee**" insert "**exclusive**"

AMENDMENT NO. 3
On page 4, line 21, after "**violator to**" delete the remainder of the line and insert: "**any of the actions, including public and private actions, remedies, and penalties provided in**"

AMENDMENT NO. 4
On page 4, line 22, delete "**pursuant to**"

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

SENATE BILL NO. 328—
BY SENATOR FRED MILLS

AN ACT

To amend and reenact R.S. 37:1042(A), (B), the introductory paragraph of (C)(1), and (D), relative to the Louisiana State Board of Optometry Examiners; to provide for board membership; to provide for a nomination process; to provide for term limits; to provide for board members who are also members in an optometrist trade association; and to provide for related matters.

Reported with amendments by the Committee on Health and Welfare.

SENATE COMMITTEE AMENDMENTS

Amendments proposed by Senate Committee on Health and Welfare to Original Senate Bill No. 328 by Senator Fred Mills

AMENDMENT NO. 1
On page 4, line 12, change "**One**" to "**Four**"

AMENDMENT NO. 2
On page 4, line 14, change "**Two**" to "**One**"

AMENDMENT NO. 3
On page 4, line 16, change "**Three**" to "**Five**"

AMENDMENT NO. 4
On page 4, line 18, change "**Four**" to "**Three**"

AMENDMENT NO. 5
On page 4, line 20, change "**Five**" to "**Two**"

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

SENATE BILL NO. 350—
BY SENATOR CLOUD

AN ACT

To amend and reenact R.S. 18:1313.1(G)(3), (H)(2), and (I)(3) and 1315(C) and to enact R.S. 18:1315(D) and (E), relative to elections; to provide relative to absentee by mail ballots; to provide for the challenge of certain ballots; to provide for rulemaking; to provide for processes and procedures; and to provide for related matters.

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

SENATE BILL NO. 366—
BY SENATOR HARRIS

AN ACT

To enact R.S. 22:976.1(E), relative to health insurance; to prohibit certain health insurance cost-sharing practices; to provide definitions; to provide for fairness in enrollee cost-sharing practices; and to provide for related matters.

Reported with amendments by the Committee on Insurance.

SENATE COMMITTEE AMENDMENTS

Amendments proposed by Senate Committee on Insurance to Original Senate Bill No. 366 by Senator Harris

AMENDMENT NO. 1
On page 1, line 2, delete "To enact R.S. 22:976.1(E)" and insert "To amend and reenact R.S. 22:976.1(D) and to enact R.S. 22:976.1(E)"

AMENDMENT NO. 2

On page 1, line 6, after "Section 1." insert "R.S. 22:976.1(D) is amended and reenacted and"

AMENDMENT NO. 3

On page 1, line 9, change "E." to "D."

AMENDMENT NO. 4

On page 2, between lines 2 and 3, insert the following:

"E. The commissioner of insurance may promulgate rules and regulations necessary to implement this Section."

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

SENATE BILL NO. 367—

BY SENATOR HENRY

AN ACT

To amend and reenact the introductory paragraph of R.S. 37:3392, R.S. 37:3392(8), (12) through (14), 3393(A) through (E), (G), the introductory paragraph of R.S. 37:3393 (I), R.S. 37:3393(J) through (L), 3394(B)(1)(b), and (c), and (B)(2), 3395(A)(1), (2), (4), (C) and (D), 3396(A), 3397, 3398(A), 3405, 3408(A), (B), the introductory paragraph of R.S. 37:3408(D) and R.S. 37:3408(F), the introductory paragraph of R.S. 37:3409(A), R.S. 37:3409(A)(6), (B)(2) and (3), (C)(2), (D), the introductory paragraph of R.S. 37:3409(E) and R.S. 37:3409(F), 3410, and 3411, to enact R.S. 37:3392 (15) through (26), and R.S. 37:3399, and to repeal R.S. 37:3392(11) and 3397.1, relative to the Louisiana Real Estate Appraisers Board; to provide for definitions; to provide relative to real estate appraisers; to provide relative to real estate appraisers board; and to provide for related matters.

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

SENATE COMMITTEE AMENDMENTS

Amendments proposed by Senate Committee on Commerce, Consumer Protection and International Affairs to Original Senate Bill No. 367 by Senator Henry

AMENDMENT NO. 1

On page 1, line 2, after "R.S. 37:3392," delete "R.S. 37:" and change "(8)," to "(8) and"

AMENDMENT NO. 2

On page 1, line 3, delete "R.S. 37:"

AMENDMENT NO. 3

On page 1, line 4, delete "R.S. 37:"

AMENDMENT NO. 4

On page 1, line 6, change "R.S. 37:3408(D) and R.S. 37:" to "3408(D) and"

AMENDMENT NO. 5

On page 1, line 7 change "R.S. 37:3409(A), R.S. 37:" to "3409(A),"

AMENDMENT NO. 6

On page 1, line 8, change "R.S. 37:3409(E) and R.S. 37:" to "3409(E) and"

AMENDMENT NO. 7

On page 1, line 9, change "(26)" to "(27)" and change "R.S. 37:3399," to "3399,"

AMENDMENT NO. 8

On page 1, line 14, change "3392(8)," to "3392(8) and"

AMENDMENT NO. 9

On page 1, line 15, change "R.S. 37:3393(I), R.S. 37:3393(J)" to "3393(I), 3393(J)"

AMENDMENT NO. 10

On page 1, line 17, change "R.S. 37:3408(D) and R.S." to "3408(D) and"

AMENDMENT NO. 11

On page 2, delete line 1, and insert: "3408(F), the introductory paragraph of 3409(A), 3409(A)(6), (B)(2)"

AMENDMENT NO. 12

On page 2, line 2, after "paragraph of" delete the remainder of line and insert "3409(E), and 3409(F),"

AMENDMENT NO. 13

On page 2, line 3, change "(26)" to "(27)" and insert "and 3399,"

AMENDMENT NO. 14

On page 2, line 15, after "who has been issued a license" insert "registered"

AMENDMENT NO. 15

On page 2, line 18, after "'real estate'" insert "means"

AMENDMENT NO. 16

On page 2, at the end of line 20, after "462" insert "et seq"

AMENDMENT NO. 17

On page 2, line 28, after "to" and before "value" delete "transaction"

AMENDMENT NO. 18

On page 3, delete lines 4 through 8 and insert the following:

"(ii) The authority granted pursuant to this Subparagraph includes but is not limited to the authority to appraise vacant or unimproved land that is utilized for the purposes of one to four family residential units or for which the highest and best use is for one to four residential units.

(iii) The authority granted pursuant to this Subparagraph shall not include the authority to appraise any subdivision for which a development analysis or development appraisal is necessary."

AMENDMENT NO. 19

On page 3, at the end of line 14, after the period "." insert "For the purposes of this Paragraph, "transaction value" means market value for non-federally related transaction appraisals."

AMENDMENT NO. 20

On page 4, line 4, after "appraisal," delete the remainder of the line and delete lines 5 and 6.

AMENDMENT NO. 21

On page 5, line 1, delete "or her"

AMENDMENT NO. 22

On page 5, between lines 18 and 19 insert the following:

"(27) "Complex one to four unit residential property appraisal" means an appraisal in which the property to be appraised, the form of ownership, or the market conditions are atypical."

AMENDMENT NO. 23

On page 5, line 26, after "than" delete "that" and delete "or her"

AMENDMENT NO. 24

On page 6, delete line 6, and insert: "(2) Present himself to, or allow himself to be presented,"

AMENDMENT NO. 25

On page 6, line 7, change "registered" to "registration"

AMENDMENT NO. 26

On page 6, line 9, change "registered" to "registrations"

AMENDMENT NO. 27

On page 6, line 17, delete "or herself"

AMENDMENT NO. 28

On page 7, line 9, delete "or she"

AMENDMENT NO. 29

On page 8, line 8, change "registration" to "registrations"

AMENDMENT NO. 30

On page 8, line 11, change "registration" to "registrations"

AMENDMENT NO. 31

On page 8, line 15, after "to" delete "the"

AMENDMENT NO. 32

On page 8, line 21, after "licensee" insert a comma "₂"

AMENDMENT NO. 33

On page 10, line 25, after "appraiser" delete the comma "₂"

AMENDMENT NO. 34

On page 11, delete line 3 and insert:
"(b) The registration form that"

AMENDMENT NO. 35

On page 11, line 8, change "(4)" to "(3)"

AMENDMENT NO. 36

On page 11, line 9, delete "or she" and after "prepared" delete the remainder of the line

AMENDMENT NO. 37

On page 11, at the beginning of line 10, delete "participated in preparing" and insert "in full or in part"

AMENDMENT NO. 38

On page 11, line 12, after "five years" delete the remainder of the line and delete line 13 and on line 14, delete "expires last"

AMENDMENT NO. 39

On page 12, line 8, after "all" and before "experience" delete "education and"

AMENDMENT NO. 40

On page 12, line 22, delete "or her"

AMENDMENT NO. 41

On page 15, line 12, delete "or her"

AMENDMENT NO. 42

On page 12, line 23, delete "or she"

AMENDMENT NO. 43

On page 12, line 25, delete "or her"

AMENDMENT NO. 44

On page 16, delete line 11

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

SENATE BILL NO. 369—

BY SENATOR HARRIS

AN ACT

To amend and reenact R.S. 18:423(E), 426.1(A)(2), and 1309(J), relative to compensation for certain election workers; to provide for increased rates of compensation; and to provide for related matters.

Reported favorably by the Committee on Senate and Governmental Affairs. The bill was read by title, ordered engrossed and recommitted to the Committee on Finance.

SENATE BILL NO. 392—

BY SENATORS BOUDREAU AND CLOUD
AN ACT

To enact R.S. 49:170.20, relative to state symbols; to designate St. Landry Parish as the Equine Capital of Louisiana; and to provide for related matters.

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

SENATE COMMITTEE AMENDMENTS

Amendments proposed by Senate Committee on Senate and Governmental Affairs to Original Senate Bill No. 392 by Senator Boudreaux

AMENDMENT NO. 1

On page 1, line 2, after "R.S. 49:170.20" insert "and 170.21"

AMENDMENT NO. 2

On page 1, line 3, after "Louisiana," insert "to designate St. Tammany Parish as the Thoroughbred Breeding Capital of Louisiana;"

AMENDMENT NO. 3

On page 1, between lines 8 and 9, insert:

"§170.21. Thoroughbred Breeding Capital of Louisiana; St. Tammany Parish
St. Tammany Parish is hereby designated as the
Thoroughbred Breeding Capital of Louisiana"

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

SENATE BILL NO. 412—

BY SENATOR TALBOT

AN ACT

To amend and reenact R.S. 22:2361 through 2370, relative to the Insure Louisiana Incentive Program; to provide for purposes and public purpose; to provide for administration and funding; to provide for cooperative endeavor agreements; to provide for matching grants; to provide for rulemaking; and to provide for related matters.

Reported with amendments by the Committee on Insurance.

SENATE COMMITTEE AMENDMENTS

Amendments proposed by Senate Committee on Insurance to Original Senate Bill No. 412 by Senator Talbot

AMENDMENT NO. 1

On page 1, line 7, change "are" to "is"

On page 4, line 25, change "deemed" to "considered"

AMENDMENT NO. 2

On page 7, line 1, change "such" to "the"

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

April 7, 2022

House Bills and Joint Resolutions on Second Reading Reported by Committees

HOUSE BILL NO. 120—

BY REPRESENTATIVE DAVIS

AN ACT

To amend and reenact R.S. 49:191(1) and to repeal R.S. 49:191(10)(e), relative to the Department of Economic Development, including provisions to provide for the re-creation of the Department of Economic Development and the statutory entities made a part of the department by law; to provide for the effective termination date for all statutory authority for the existence of such statutory entities; and to provide for related matters.

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

HOUSE BILL NO. 121—

BY REPRESENTATIVE DAVIS

AN ACT

To amend and reenact R.S. 49:191(1) and to repeal 49:191(10)(h), relative to the Department of Public Service, including provisions to provide for the re-creation of the Department of Public Service and the statutory entities made a part of the department by law; to provide for the effective termination date for all statutory authority for the existence of such statutory entities; and to provide for related matters.

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

HOUSE BILL NO. 169—

BY REPRESENTATIVE RISER

AN ACT

To amend and reenact R.S. 37:711.12(D)(2), relative to geoscientists; to provide an exemption for geoscientific work performed by an officer or employee of the state; and to provide for related matters.

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

HOUSE BILL NO. 822—

BY REPRESENTATIVE DAVIS

AN ACT

To amend and reenact R.S. 37:563(introductory paragraph) and (6) and R.S. 40:2831(introductory paragraph) and (1)(b) and to enact R.S. 37:581(B)(6), relative to ear piercing; to exempt ear piercing from certain regulatory requirements; to provide for persons engaged in piercing; to provide requirements for exemption; to make technical changes; and to provide for related matters.

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

Bagneris Rule

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

Without objection, so ordered.

Senate Bills and Joint Resolutions on Third Reading and Final Passage

SENATE BILL NO. 71—

BY SENATOR CONNICK

AN ACT

To amend and reenact Children's Code Art. 305(A)(2) and (B)(3) and to enact Children's Code Art. 305(A)(3), relative to criminal court jurisdiction over children; to provide relative to the divestiture of the juvenile court's jurisdiction over serious crimes committed by juveniles; to provide relative to the district attorney's discretion to prosecute a juvenile as an adult for certain offenses; and to provide for related matters.

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

ROLL CALL

The roll was called with the following result:

YEAS

Table with 3 columns: Name, Yeas, Nays. Lists names like Mr. President, Abraham, Allain, Barrow, Bernard, Boudreaux, Bouie, Carter, Cathey, Cloud, Connick, Fesi, Fields, Peterson, Pope, Price, Reese, Smith, Stine, Talbot, Tarver, Ward, White, Womack.

Total - 37

NAYS

Total - 0

ABSENT

Table with 2 columns: Name, Absent. Lists Harris, Hensgens.

Total - 2

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

SENATE BILL NO. 72—

BY SENATOR CONNICK

AN ACT

To amend and reenact Children's Code Art. 657, 658, 763, and 764, relative to juvenile court proceedings; to remove the authority of the juvenile court to dismiss petitions in Child in Need of Care and Families in Need of Services petitions on its own motion; and to provide for related matters.

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

ROLL CALL

The roll was called with the following result:

YEAS

Table with 3 columns: Name, Yeas, Nays. Lists names like Mr. President, Abraham, Allain, Barrow, Bernard, Boudreaux, Bouie, Carter, Peterson, Pope, Price, Reese, Smith, Stine, Talbot, Tarver.

Cathey	Mills, F.	Ward
Cloud	Mills, R.	White
Connick	Mizell	Womack
Fesi	Morris	
Fields	Peacock	
Total - 37		

NAYS

Total - 0

ABSENT

Harris	Hensgens
Total - 2	

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

SENATE BILL NO. 95—
BY SENATOR ALLAIN

AN ACT

To amend and reenact R.S. 47:337.36, 337.102(H) and (I)(1) and to enact R.S. 47:337.26(D)(1)(f) and 337.102(C)(10), relative to the Uniform Local Sales Tax Board; to create a multi-parish audit program; to provide for confidentiality of taxpayer information; to provide for the operations of the program; to provide relative to the funding of the board; to provide for reporting on the program to legislative committees; to provide for an effective date; and to provide for related matters.

Floor Amendments

Senator Allain proposed the following amendments.

SENATE FLOOR AMENDMENTS

Amendments proposed by Senator Allain to Engrossed Senate Bill No. 95 by Senator Allain

AMENDMENT NO. 1
On page 2, line 6, delete "deems" and insert "**considers**"

AMENDMENT NO. 2
On page 2, line 29, change "**deemed**" to "**considered**"

AMENDMENT NO. 3
On page 3, at the end of line 28, insert: "**If the parish collector does not respond to the notice within the thirty-day period, that parish shall be considered to have opted out of the multi-parish audit.**"

On motion of Senator Allain, the amendments were adopted.

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

ROLL CALL

The roll was called with the following result:

YEAS

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

Total - 37	NAYS
Total - 0	ABSENT

Harris	Hensgens
Total - 2	

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

SENATE BILL NO. 148—

BY SENATORS MIZELL, ABRAHAM, BARROW, BERNARD, BOUIE, CARTER, CATHEY, CLOUD, CONNICK, CORTEZ, FESI, FIELDS, FOIL, HENRY, HEWITT, JACKSON, LAMBERT, MCMATH, MILLIGAN, FRED MILLS, ROBERT MILLS, MORRIS, PETERSON, POPE, PRICE, REESE, SMITH, STINE, TALBOT, WARD, WHITE AND WOMACK

AN ACT

To amend and reenact Code of Criminal Procedure Art. 987 and R.S. 14:46.2(A)(1), (C)(1) and (3)(b) and (f), and (D), to enact Code of Criminal Procedure Art. 987.1, R.S. 14:46.2(C)(3)(k) and (l), relative to human trafficking; to provide that convictions for certain offenses may be set aside when the defendant is a victim of human trafficking; to provide relative to expungement of records of arrest and conviction for certain offenses related to human trafficking; to provide for immunity from prosecution for victims of human trafficking; and to provide for related matters.

Floor Amendments

Senator Mizell proposed the following amendments.

SENATE FLOOR AMENDMENTS

Amendments proposed by Senator Mizell to Engrossed Senate Bill No. 148 by Senator Mizell

AMENDMENT NO. 1
On page 1, line 2, change "987" to "983(H) and (I)"

AMENDMENT NO. 2
On page 1, line 3, change "987.1," to "983(J) and 997, and"

AMENDMENT NO. 3
On page 1, line 4, after "trafficking;" delete the remainder of the line

AMENDMENT NO. 4
On page 1, delete line 5

AMENDMENT NO. 5
On page 1, line 6, delete "trafficking;"

AMENDMENT NO. 6
On page 1, line 10, change "987 is" to "983(H) and (I) are"

AMENDMENT NO. 7
On page 1, line 11, change "987.1 is" to "983(J) are"

AMENDMENT NO. 8
On page 1, delete lines 12 - 23 and insert:
"Art. 983. Cost of expungement of a record; fees; collection; exemptions; disbursements
* * *

H. Human trafficking victim request for certification and application for expungement.

(1) An applicant for the expungement of a record of offense who was a victim of human trafficking, in accordance with R.S. 14:46.2, may request a certification from the prosecuting authority that the offense for which the expungement is sought was committed, in substantial part, as the result of the applicant being a victim of "human trafficking" in accordance with R.S. 14:46.2.

(2) To obtain certification, the applicant has the burden of establishing by a preponderance of the evidence to the prosecuting authority that the offense was committed, in substantial part, as the result of the applicant being a victim of human trafficking in accordance with R.S. 14:46.2.

(3) The certification shall be prima facie evidence that similar eligible crimes committed within other Louisiana jurisdictions during the time period the applicant was a victim of human trafficking were committed, in substantial part, as the result of the applicant being a victim of human trafficking in accordance with R.S. 14:46.2.

(4) All applicable time delays pertaining to expungement provided by Code of Criminal Procedure Articles 977 and 978 shall be waived when the certification is presented to the clerk of court with the application for expungement.

(5) An applicant for the expungement of a record of offense who was a victim of human trafficking, in accordance with R.S. 14:46.2, shall not be required to pay any fees relative to the application for expungement to the clerk of court, the Louisiana Bureau of Criminal Identification and Information, the sheriff, the district attorney, or any other agency.

(6) Utilization of the process outlined within this Subsection shall not preclude any applicant from seeking additional expungement to which the applicant may be entitled, in accordance with law.

(7) The Louisiana District Attorneys Association shall annually submit a report to the legislature, no later than February first, that includes the number of applications for, denials of, and approvals of the certification provided for by this Subsection for the prior year.

I. If an application for an expungement of a record includes two or more offenses arising out of the same arrest, including misdemeanors, felonies, or both, the applicant shall be required to pay only one fee as provided for by this Article.

J. Notwithstanding any provision of law to the contrary, an applicant for the expungement of a record, other than as provided in Paragraphs F and G of this Article, may proceed in forma pauperis in accordance with the provisions of Code of Civil Procedure Article 5181 et seq.

* * *

AMENDMENT NO. 9
Delete pages 2 - 4 in their entirety.

AMENDMENT NO. 10
On page 5, delete lines 1 - 5

AMENDMENT NO. 11
On page 5, between lines 5 and 6, insert the following:

"Art. 997. Certification of Human Trafficking Victim Status

STATE OF LOUISIANA
JUDICIAL DISTRICT FOR THE
PARISH OF

NO.: DIVISION:

STATE OF LOUISIANA
vs.

CERTIFICATION OF HUMAN TRAFFICKING
VICTIM STATUS

In accordance with the provisions of Louisiana Code of Criminal Procedure Article 983, the Office of the District Attorney has reviewed and determined that one,

RACE/GENDER: DOB:
SSN: , has established by a preponderance of the evidence proof of status as a victim of human trafficking in accordance with the provisions of R. S.

14:46.2, for the following offense(s), detailed specifically as follows:

(If more than one offense, each relevant offense must be specifically listed in the following format)

OFFENSE:
DOCKET NO:
CHARGE:
DATE OF ARREST:
ARRESTING AGENCY:
CITY/PARISH OF ARREST:

FURTHER, that the above offense(s) for which this Certification issued was committed, in substantial part, as a result of the above-named being a victim of human trafficking, in accordance with Revised Statute 14:46.2.

FURTHER, this Certification shall be considered as prima facie evidence of the victim's status in similar eligible crimes committed within other Louisiana jurisdictions during the time period in which the above-named was a victim of human trafficking.

FURTHER, all applicable time delays pertaining to expungement contained in Louisiana Code of Criminal Procedure Articles 977 and 978 shall be waived when presented to the clerk of court with an application for expungement of the above-specified offense(s).

FURTHER, any application for expungement of the above-specified offense(s) shall be at no cost to the above-named victim.

DATE DISTRICT ATTORNEY
PARISH OF
JUDICIAL DISTRICT
STATE OF LOUISIANA"

On motion of Senator Mizell, the amendments were adopted.

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

ROLL CALL

The roll was called with the following result:

YEAS

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

Total - 37

NAYS

Total - 0

ABSENT

Harris Hensgens

Total - 2

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

SENATE BILL NO. 182—
BY SENATOR FIELDS

AN ACT

To amend and reenact R.S. 14:134(A)(3) and R.S. 40:2405(J)(2)(a) and to enact R.S. 14:134(A)(4) and R.S. 40:2405(J)(1)(c), relative to mandatory P.O.S.T. certification revocation; to provide relative to malfeasance in office by public officers and employees; to provide for a revocation hearing to determine whether a peace officer's P.O.S.T. certification will be revoked; and to provide for related matters.

Floor Amendments

Senator Fields proposed the following amendments.

SENATE FLOOR AMENDMENTS

Amendments proposed by Senator Fields to Engrossed Senate Bill No. 182 by Senator Fields

AMENDMENT NO. 1

On page 1, line 3, after "14:134(A)(4)" delete "and R.S. 40:2405(J)(1)(c)"

AMENDMENT NO. 2

On page 2, line 4, after "reenacted" delete "and R.S."

AMENDMENT NO. 3

On page 2, at the beginning of line 5, delete "40:2405(J)(1)(c) is hereby enacted"

AMENDMENT NO. 4

On page 2, delete lines 8 through 15 in their entirety and insert:
"J.(1) * * *"

On motion of Senator Fields, the amendments were adopted.

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

ROLL CALL

The roll was called with the following result:

YEAS

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

Total - 38

NAYS

Total - 0

ABSENT

Harris
Total - 1

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

ATTENDANCE ROLL CALL

PRESENT

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

Total - 38

ABSENT

Harris
Total - 1

Leaves of Absence

The following leaves of absence were asked for and granted:

Harris 1 Day

Announcements

The following committee meetings for April 11, 2022, were announced:

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

Adjournment

On motion of Senator Talbot, at 10:15 o'clock A.M. the Senate adjourned until Monday, April 11, 2022, at 4:00 o'clock P.M.

The President of the Senate declared the Senate adjourned.

YOLANDA J. DIXON
Secretary of the Senate

FRAN OGNIBENE
Journal Clerk

