

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

SEVENTEENTH DAY'S PROCEEDINGS

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

Senate Chamber
State Capitol
Baton Rouge, Louisiana

Wednesday, May 10, 2023

The Senate was called to order at 2:13 o'clock P.M. by Hon. Patrick Page Cortez, President of the Senate.

Morning Hour

CONVENING ROLL CALL

PRESENT

Mr. President	Fesi	Morris
Abraham	Fields	Peacock
Allain	Harris	Pope
Bernard	Henry	Price
Bouie	Jackson	Reese
Carter	Kleinpeter	Smith
Cathey	Milligan	Stine
Cloud	Mills, F.	Talbot
Connick	Mills, R.	Womack
Duplessis	Mizell	
Total - 29		

ABSENT

Barrow	Hewitt	Tarver
Boudreaux	Lambert	White
Foil	Luneau	
Hensgens	McMath	
Total - 10		

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

Prayer

The prayer was offered by Pastor Braylon Harris, following which the Senate joined in the Pledge of Allegiance to the flag of the United States of America.

Reading of the Journal

On motion of Senator Morris, the reading of the Journal was dispensed with and the Journal of May 9, 2023, was adopted.

**Privileged Report of the
Legislative Bureau**

May 10, 2023

To the President and Members of the Senate:

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

The following instruments are approved as to construction and duplication.

HOUSE BILL NO. 3—
BY REPRESENTATIVE BISHOP
AN ACT

To enact the Omnibus Bond Authorization Act of 2023, 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; to provide for an effective date; and to provide for related matters.

Reported without amendments.

HOUSE BILL NO. 171—
BY REPRESENTATIVE BEAULLIEU
AN ACT

To amend and reenact R.S. 47:301(4)(m)(i) and 340.1(C)(2) and (3) and (D), relative to administration and collection of state and local sales and use taxes with respect to remote sales; to provide relative to duties of entities defined as marketplace facilitators; to provide relative to the requirement for a marketplace facilitator to collect and remit sales and use taxes; to provide for conditions pursuant to which the requirement applies; to provide for certain duties of the Louisiana Sales and Use Tax Commission for Remote Sellers with respect to marketplace facilitators; to provide for definitions; and to provide for related matters.

Reported without amendments.

HOUSE BILL NO. 256—
BY REPRESENTATIVE GREGORY MILLER
AN ACT

To amend and reenact R.S. 47:337.18(A)(4) and 337.22(E)(1), relative to sales and use tax remittance; to extend the deadline for payment of local sales and use taxes under certain circumstances; to prohibit the accrual of penalties and interest under certain circumstances; to require certain extensions to be provided to the Louisiana Uniform Local Sales Tax Board; to provide for an effective date; and to provide for related matters.

Reported without amendments.

HOUSE BILL NO. 336—
BY REPRESENTATIVE BISHOP
AN ACT

To amend and reenact R.S. 39:100.121(A)(1) and (2)(b), 105(A), 112(C)(1)(introductory paragraph) and (c), (E)(1) and (2)(introductory paragraph), and (G)(1), and 115(A) and (B), to enact R.S. 39:112(E)(4) and (H), 121.1, and 125.1, and to repeal R.S. 39:112(E)(2)(b), relative to capital outlay; to provide with respect to the capital outlay process; to provide for certain requirements for nonstate projects; to provide with respect to the local match requirements for certain projects; to provide for certain notifications; to require certain reports; to provide for limitations; to require the inclusion of certain information concerning state indebtedness within the Capital Outlay Act; to require certain projects to be included in the Capital Outlay Act or to obtain legislative approval; to require the appropriation for certain projects to be deposited into the Capital Outlay Savings Fund; to require the timely submission of certain invoices; to limit the disposal of projects which received capital outlay funding; to require certain approval before a project is disposed of or sold; to provide for applicability; to provide for an effective date; and to provide for related matters.

Reported without amendments.

HOUSE BILL NO. 447—
BY REPRESENTATIVE PIERRE
AN ACT

To amend and reenact R.S. 47:1676(C)(2)(a), relative to the office of debt recovery; to provide with respect to the collection of certain delinquent debt; to require agency referrals of delinquent debt to the office of debt recovery to include certain information; to provide for requirements; to provide for an effective date; and to provide for related matters.

May 10, 2023

Reported without amendments.

HOUSE BILL NO. 551—
BY REPRESENTATIVE ZERINGUE
AN ACT

To appropriate funds from certain sources to be allocated to designated agencies and purposes in specific amounts for the making of supplemental appropriations for said agencies and purposes for Fiscal Year 2022-2023; to provide for an effective date; and to provide for related matters.

Reported without amendments.

Respectfully submitted,
FRED MILLS
Chairman

Adoption of Legislative Bureau Report

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

Introduction of Senate Resolutions

SENATE RESOLUTION NO. 81—
BY SENATOR CLOUD

A RESOLUTION

To commend and congratulate the Oakdale High School girls' basketball team on winning Division IV (Non-Select) at the 2023 Ochsner Louisiana High School Athletic Association (LHSAA) Girls' Marsh Madness Basketball State Tournament.

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

SENATE RESOLUTION NO. 82—
BY SENATOR BOUDREAUX

A RESOLUTION

To commend and recognize Lavaille Lavette on the release of her new book "Jayyen's Juneteenth Surprise".

Senator Boudreaux asked for and obtained a suspension of the rules to read Senate Resolution No. 82 a first and second time.

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

Introduction of
Senate Concurrent Resolutions

SENATE CONCURRENT RESOLUTION NO. 43—
BY SENATOR BERNARD

A CONCURRENT RESOLUTION

To create a task force to meet, study, and make recommendations regarding the dissolution or absorption of fiscally distressed municipalities, benefits, costs, and limitations of employing such processes.

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

SENATE CONCURRENT RESOLUTION NO. 44—
BY SENATOR CORTEZ

A CONCURRENT RESOLUTION

To commend and congratulate Senator Gerald Boudreaux for being selected as the recipient of the 2023 Boys & Girls Clubs of America State Alliance Champion of the Year Award.

Senator Cortez asked for and obtained a suspension of the rules to read Senate Concurrent Resolution No. 44 a first and second time.

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

ROLL CALL

The roll was called with the following result:

YEAS

Table with 3 columns: Name, Position, and Name. Lists members present for the yeas vote, including Mr. President, Abraham, Allain, Bernard, Boudreaux, Bouie, Carter, Cathey, Cloud, Connick, Duplessis, and Total - 33.

NAYS

Total - 0

ABSENT

Table with 3 columns: Name, Name, and Name. Lists members absent: Barrow, Hewitt, McMATH, Stine, Tarver, White, and Total - 6.

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

SENATE CONCURRENT RESOLUTION NO. 45—
BY SENATOR ABRAHAM

A CONCURRENT RESOLUTION

To create and provide for the Task Force on Sentencing for Second Degree Murder.

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

Senate Bills and Joint Resolutions
on Second Reading

SENATE BILL NO. 233— (Substitute of Senate Bill No. 181 by
Senator Cloud)

BY SENATOR CLOUD

AN ACT

To enact Chapter 37 of Title 51 of the Louisiana Revised Statutes of 1950, to be comprised of R.S. 51:2201 through 2202, and 2312(A)(11), relative to health care workforce initiatives; to create the Expanding Louisiana's Health Care Workforce Fund; to provide for the Expanding Louisiana's Health Care Workforce Program; to provide for grants to expand health care workforce training; to provide for the creation of a commission; and to provide for related matters.

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

Senate Resolutions on
Second Reading

SENATE RESOLUTION NO. 71—

BY SENATOR SMITH

A RESOLUTION

To commend Clarence H. "Sonny" Savoie on the occasion of his retirement from the St. Charles Parish School Board.

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

SENATE RESOLUTION NO. 72—

BY SENATOR FOIL

A RESOLUTION

To designate Thursday, May 18, 2023, as Community Provider Association Day at the Louisiana State Capitol.

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

SENATE RESOLUTION NO. 73—

BY SENATOR FRED MILLS

A RESOLUTION

To express the sincere condolences of the Senate of the Legislature of Louisiana upon the death of Wade Joseph Broussard Jr.

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

SENATE RESOLUTION NO. 74—

BY SENATOR FOIL

A RESOLUTION

To commend and congratulate Parkview Baptist School girls' soccer team on winning the school's first state girls' soccer title.

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

SENATE RESOLUTION NO. 76—

BY SENATOR KLEINPETER

A RESOLUTION

To commend Deputy Christopher Hogan of the West Baton Rouge Parish Sheriff's Office on being the recipient of the Louisiana Sheriffs' Association's 2023 Deputy Valor Award.

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

SENATE RESOLUTION NO. 77—

BY SENATOR MILLIGAN

A RESOLUTION

To commend and congratulate Lana Gilliam on the occasion of her retirement after forty-eight years as a kindergarten teacher.

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

SENATE RESOLUTION NO. 78—

BY SENATOR POPE

A RESOLUTION

To commend Deputy Brett Savant of the Livingston Parish Sheriff's Office on being named the 2023 Deputy of the Year by the Louisiana Sheriffs' Association.

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

SENATE RESOLUTION NO. 79—

BY SENATOR SMITH

A RESOLUTION

To commend, recognize, and congratulate John W. "Jay" Robichaux upon his retirement from the St. Charles Parish School Board.

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

SENATE RESOLUTION NO. 80—

BY SENATOR SMITH

A RESOLUTION

To recognize Thursday, May 11, 2023, as St. John the Baptist Parish Day at the Louisiana State Capitol and to acknowledge the many contributions of culture, beauty, and economic prosperity made to the state of Louisiana by St. John the Baptist Parish residents.

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

**Senate Resolutions on
Second Reading, Subject to Call**

Called from the Calendar

Senator Allain asked that Senate Resolution No. 49 be called from the Calendar.

SENATE RESOLUTION NO. 49—

BY SENATOR ALLAIN

A RESOLUTION

To express the sincere condolences of the Senate of the Legislature of Louisiana upon the death of Conrell Collins Sr.

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

**Senate Concurrent Resolutions on
Second Reading**

SENATE CONCURRENT RESOLUTION NO. 41—

BY SENATOR SMITH

A CONCURRENT RESOLUTION

To commend and congratulate Hahnville High School teacher Brittany Bonnaffons upon being named the 2023 Louisiana Teacher of the Year.

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

ROLL CALL

The roll was called with the following result:

YEAS

Mr. President	Fields	Mizell
Abraham	Foil	Morris
Allain	Harris	Peacock
Bernard	Henry	Pope
Boudreaux	Hensgens	Price
Bouie	Jackson	Reese
Carter	Kleinpeter	Smith
Cathey	Lambert	Stine
Cloud	Luneau	Talbot
Connick	Milligan	Womack
Duplessis	Mills, F.	
Fest	Mills, R.	

Total - 34

NAYS

Total - 0

ABSENT

Barrow	McMath	White
Hewitt	Tarver	

Total - 5

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

SENATE CONCURRENT RESOLUTION NO. 42—

BY SENATOR SMITH

A CONCURRENT RESOLUTION

To recognize, commend, and congratulate Harry Hurst Middle School principal David Schexnaydre as the 2023 Louisiana Principal of the Year.

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

May 10, 2023

ROLL CALL

The roll was called with the following result:

YEAS

Table with 3 columns of names: Mr. President, Abraham, Allain, Bernard, Boudreaux, Bouie, Carter, Cathey, Cloud, Connick, Duplessis, Fesi, Fields, Foil, Harris, Henry, Hensgens, Jackson, Kleinpeter, Lambert, Luneau, Milligan, Mills, F., Mills, R., Mizell, Morris, Peacock, Pope, Price, Reese, Smith, Stine, Talbot, Womack

Total - 34

NAYS

Total - 0

ABSENT

Table with 3 columns of names: Barrow, Hewitt, Total - 5, McMath, Tarver, White

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

May 9, 2023

To the Honorable President and Members of the Senate:

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

Table with 3 columns of bill numbers: HB No. 297, HB No. 431, HB No. 434, HB No. 444, HB No. 466, HB No. 488, HB No. 493, HB No. 502, HB No. 627, HB No. 503, HB No. 579, HB No. 19, HB No. 20, HB No. 30, HB No. 48, HB No. 49, HB No. 64, HB No. 87, HB No. 93, HB No. 114, HB No. 137, HB No. 138, HB No. 140, HB No. 150

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

House Bills and Joint Resolutions on First Reading

HOUSE BILL NO. 19—

BY REPRESENTATIVE BUTLER AN ACT

To enact R.S. 13:783(F)(12), relative to group insurance expenses of the office of the clerk of court; to provide for the payment of group insurance premiums for certain retirees of the Evangeline Parish Clerk of Court; and to provide for related matters.

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

HOUSE BILL NO. 20—

BY REPRESENTATIVE FARNUM AN ACT

To amend and reenact R.S. 13:2080.1(A), relative to costs in the City Court of Lake Charles; to provide for disposition of certain court costs; to authorize the use of additional court costs in civil and criminal matters for operational costs; 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. 30—

BY REPRESENTATIVE TARVER AN ACT

To amend and reenact R.S. 13:589(C), relative to the salary of magistrate judges in the Fourteenth Judicial District Court; to change the salary of magistrate judges in the Fourteenth Judicial District Court; and to provide for related matters.

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

HOUSE BILL NO. 48—

BY REPRESENTATIVE MACK AN ACT

To enact R.S. 33:447.17, relative to mayor's courts; to authorize an increase in court costs for violations of municipal ordinances in the town of Albany; and to provide for related matters.

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

HOUSE BILL NO. 49—

BY REPRESENTATIVE CHARLES OWEN AN ACT

To amend and reenact R.S. 13:961(F)(1)(o), relative to transcription fees for the Thirty-Sixth Judicial District; to authorize a change in transcription fees in all cases; to provide for the cost per page for an original transcript and copies in appellate cases; and to provide for related matters.

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

HOUSE BILL NO. 64—

BY REPRESENTATIVE BOURRIQUE AN ACT

To amend and reenact R.S. 25:214.1, relative to Cameron Parish; to authorize compensation and expense reimbursement for members of the parish library board of control; and to provide for related matters.

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

HOUSE BILL NO. 87—

BY REPRESENTATIVE ADAMS AN ACT

To enact R.S. 33:4303(C)(3), relative to East Feliciana Parish; to provide relative to the board of commissioners of East Feliciana Gas Utility District No. 1; 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. 93—

BY REPRESENTATIVE CARRIER AN ACT

To enact R.S. 40:1498(K), relative to Fire Protection District No. 5 of the Parish of Allen, State of Louisiana; to provide relative to

per diem paid to member of the district's governing board; and to provide for related matters.

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

HOUSE BILL NO. 114—

BY REPRESENTATIVE ORGERON
AN ACT

To amend and reenact R.S. 56:1684(D)(1), relative to state parks; to provide an exception to state park size requirements; and to provide for related matters.

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

HOUSE BILL NO. 137—

BY REPRESENTATIVE FISHER
AN ACT

To enact R.S. 33:2476.7, relative to the city of Monroe; to provide relative to the municipal fire and police civil service board; to provide relative to the office of board secretary; to provide relative to the employment, salary, and duties of the secretary; and to provide for related matters.

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

HOUSE BILL NO. 138—

BY REPRESENTATIVE CHARLES OWEN
AN ACT

To enact R.S. 13:2575.10, relative to the city of DeRidder; to provide relative to administrative adjudication of certain ordinance violations; to provide definitions for certain violations; to provide relative to the types of violations subject to administrative adjudication procedures; and to provide for related matters.

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

HOUSE BILL NO. 140—

BY REPRESENTATIVE WILLARD
AN ACT

To repeal R.S. 33:2740.70.2, relative to the Mid City Economic Development District in Orleans Parish; to repeal provisions providing for the creation, governance, funding, and powers and duties of the district.

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

HOUSE BILL NO. 150—

BY REPRESENTATIVE BRYANT
AN ACT

To amend and reenact R.S. 13:2590(A)(1), (2), (3), (23), and (30), relative to justice of the peace court costs; to provide for an increase in court costs collected by a justice of the peace for the filing and service of certain pleadings and judgments in civil matters; and to provide for related matters.

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

HOUSE BILL NO. 297—

BY REPRESENTATIVES DEVILLIER AND KNOX
AN ACT

To amend and reenact R.S. 30:2531(E) and to enact R.S. 30:2531(A)(4) and (B)(3), relative to intentional and simple littering; to provide for citations issued for intentional and simple littering violations; to provide a time period for citing certain litter violations; and to provide for related matters.

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

HOUSE BILL NO. 431—

BY REPRESENTATIVE DESHOTEL
AN ACT

To amend and reenact R.S. 24:673(A) and (C) and R.S. 39:198(A), (B)(introductory paragraph) and (1), (C)(1), (D)(introductory paragraph), (1), and (2), (E)(introductory paragraph) and (4), (G)(introductory paragraph) and (1)(a), (c), and (d), and (M), to enact R.S. 39:197(20), (21), and (22), 1556(63), 1593(6)(f), and 1600.2, and to repeal R.S. 39:198(G)(4) and 200(I), relative to the procurement of information technology; to provide for authority of certain committees; to provide for methods of procurement; and to provide for related matters.

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

HOUSE BILL NO. 434—

BY REPRESENTATIVE MCFARLAND
AN ACT

To amend and reenact R.S. 46:460.91, relative to the state medical assistance program; to provide for claims processing data; to provide for a quarterly report; to require the provision of certain information in the quarterly report; 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. 444—

BY REPRESENTATIVES FREIBERG, ADAMS, BRYANT, ROBBY CARTER, WILFORD CARTER, COX, FISHER, GLOVER, HUGHES, JEFFERSON, JENKINS, TRAVIS JOHNSON, KNOX, LAFLEUR, LARVADAIN, LYONS, DUSTIN MILLER, MOORE, NEWELL, PIERRE, SELTERS, THOMPSON, AND WILLARD
AN ACT

To amend and reenact R.S. 15:574.2(C)(2)(e), 574.4(A)(4)(e), (B)(2)(a)(vi), (b)(vi), (c)(vi), and (d)(vi), (D)(1)(e)(introductory paragraph), (E)(1)(e)(introductory paragraph), (F)(1)(e)(introductory paragraph), (G)(1)(e)(introductory paragraph), and (J)(1)(e)(introductory paragraph), and R.S. 15:574.4.2(E) and to enact R.S. 15:574.4(D)(1)(e)(iv), (E)(1)(e)(iv), (F)(1)(e)(iv), (G)(1)(e)(iv), and (J)(1)(e)(iv), relative to parole eligibility for certain offenders; to provide relative to the conditions for parole eligibility; 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. 466—

BY REPRESENTATIVES HORTON, AMEDEE, AND GAROFALO
AN ACT

To enact R.S. 17:412, relative to public school teachers, personnel, and students; to provide relative to discussion of sexual orientation or gender identity with students; to provide relative to pronouns used when referring to students; and to provide for related matters.

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

HOUSE BILL NO. 488—

BY REPRESENTATIVE FARNUM
AN ACT

To amend and reenact R.S. 27:44(24) and 44.1(B)(1) and R.S. 40:1563(M) and (N) and to enact R.S. 27:44.2 and R.S. 40:1563(O), relative to riverboat gaming; to provide relative to the definition of riverboat; to provide relative to inspections by third-party inspectors; to provide relative to inspections of riverboat landside facilities by the state fire marshal; to provide relative to fees for inspections of the riverboat landside facilities; to provide relative to the Louisiana Fire Marshal Fund; to provide relative to the powers and duties of the state fire marshal; and to provide for related matters.

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

May 10, 2023

HOUSE BILL NO. 493—
BY REPRESENTATIVE DUSTIN MILLER
AN ACT

To amend and reenact R.S. 46:2626(A), (F), (G), (H)(1), and (I)(2), (5), (6), and (7) and to repeal R.S. 46:2626(B), relative to emergency ambulance providers and the disposition of fees; to impose fees for healthcare services provided by the Medicaid program; to require State Plan Amendment approval from the Centers for Medicare and Medicaid Services; to revise existing 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. 502—
BY REPRESENTATIVES MCFARLAND AND SEABAUGH
AN ACT

To amend and reenact R.S. 47:301(30), relative to reporting requirements applicable to commercial farmers; to provide for the definition of commercial farmer; to remove certain reporting requirements applicable to those persons and entities seeking to qualify as commercial farmers for tax purposes; to authorize the promulgation of rules; to provide for certain limitations; and to provide for related matters.

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

HOUSE BILL NO. 503—
BY REPRESENTATIVE COX
AN ACT

To amend and reenact R.S. 34:852.3(A)(introductory paragraph) and 852.13(A) and (B), relative to hull identification numbers; to provide for hull identification number requirements; to remove the requirement that the Department of Wildlife and Fisheries provide hull identification numbers for certain vessels; and to provide for related matters.

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

HOUSE BILL NO. 579—
BY REPRESENTATIVE DUBUISSON
AN ACT

To amend and reenact the heading of Subpart G of Part IV of Chapter 4 of Title 22 of the Louisiana Revised Statutes of 1950 and to enact R.S. 22:1371 through 1375, relative to pet insurance; to provide for definitions; to provide for disclosures; to provide for policy conditions; to provide for wellness program sales practices; to provide for producer training; 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. 627—
BY REPRESENTATIVE KERNER
AN ACT

To amend and reenact R.S. 40:5.10.1(B) and 31.35(C), relative to the Imported Seafood Safety Fund; to increase the fee for holders of a commercial seafood permit; to provide for the collection of fees; to provide for testing of imported seafood; to provide for the appropriation of monies in the fund; 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**

May 10, 2023

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. 89

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

**House Concurrent Resolutions
on First Reading**

HOUSE CONCURRENT RESOLUTION NO. 89—
BY REPRESENTATIVE PIERRE
A CONCURRENT RESOLUTION

To commend Georgina Dhillon, editor of Kreol Magazine and founder of Zari Gallery, for her numerous professional achievements.

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. 8—
BY REPRESENTATIVES HORTON, AMEDEE, BACALA, EMERSON,
GAROFALO, AND MCFARLAND
AN ACT

To amend and reenact R.S. 17:262(A)(2) and (B) and to enact R.S. 17:262(C), 3351(O), and 3996(B)(75), relative to public elementary, secondary, and postsecondary schools; to require display of the national motto in each classroom; to provide relative to the use of public funds for this purpose; to provide for applicability to charter schools; 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. 41—
BY REPRESENTATIVE FRIEMAN
AN ACT

To amend and reenact the heading of Subpart B-2 of Part II of Chapter 6 of Title 22 of the Louisiana Revised Statutes of 1950 and R.S. 22:1845.1(Section heading) and to enact R.S. 22:1845.2, relative to coverage and payment parity for services delivered through telehealth; to provide relative to occupational therapy services; to prohibit maximum amounts of coverage and other conditions relative to telehealth services that are inapplicable to in-person services; to authorize enforcement and rulemaking; to provide for definitions; to provide for exceptions; to provide for effectiveness; 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. 59—
BY REPRESENTATIVE DUBUISSON
AN ACT

To amend and reenact R.S. 34:855.3(C), relative to the regulation of personal watercraft; to provide an exception to the prohibition

against the use of personal watercraft at night; and to provide for relative matters.

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

HOUSE BILL NO. 78—

BY REPRESENTATIVE HUGHES

AN ACT

To amend and reenact R.S. 17:100.11(G)(1) and (I)(2) and 100.12, relative to school facilities and needs in certain school districts; to provide relative to funds dedicated to preserving and improving school facilities; to provide for the systemwide needs program and for the funding and operation of such program; 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. 81—

BY REPRESENTATIVES CREWS, AMEDEE, AND GAROFALO

AN ACT

To enact R.S. 17:2122 and 3996(B)(75), relative to education; to require school employees to use certain names and pronouns for students unless parents have provided written permission to do otherwise; to provide that a school employee shall not be required to refer to any person by certain pronouns if contrary to the employee's religious or moral convictions; to require each public school governing authority to adopt policies; 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. 235—

BY REPRESENTATIVE MOORE

AN ACT

To amend and reenact R.S. 22:1112(A)(1), relative to the guaranteed issue of Medicare supplement policies; to authorize an individual to purchase a Medicare supplement policy offered through an affiliate of a health insurance issuer; 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. 242—

BY REPRESENTATIVE HILFERTY

AN ACT

To amend and reenact R.S. 17:416.1(B) and to enact R.S. 17:416.22, relative to student discipline; to prohibit corporal punishment in elementary and secondary schools unless authorized by a parent or legal guardian; 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. 262—

BY REPRESENTATIVE GREEN

AN ACT

To enact R.S. 22:919 and 1576(B)(10), relative to insurance producers and the sale of annuity products; to provide for duties of the commissioner of insurance with respect to administrative rulemaking; to authorize the commissioner to require certain training; to provide for course credit; 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. 367—

BY REPRESENTATIVES PHELPS, BRASS, FREEMAN, AND JEFFERSON

AN ACT

To enact R.S. 17:1944(G), relative to pupil appraisal; to provide for the transition of children with disabilities from services provided through EarlySteps to services provided by local education

agencies; to provide for the responsibilities of EarlySteps and local education agencies; 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. 428—

BY REPRESENTATIVE PRESSLY

AN ACT

To enact R.S. 47:203(C), 300.6(B)(2)(e), and 300.7(C)(2)(d), relative to state income tax; to provide relative to computation of income of estates, trusts, and partnerships subject to state income tax; to provide relative to income derived from flow-through entities; to provide for an exclusion of such income from the taxable income of estates, trusts, and partnerships subject to certain conditions; to provide for requirements and limitations associated with the exclusion; 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 Revenue and Fiscal Affairs.

HOUSE BILL NO. 438—

BY REPRESENTATIVE ROBERT OWEN

AN ACT

To amend and reenact R.S. 56:433.1(A)(1), relative to oyster seed ground vessel permits; to change the terminology of Public Oyster Seed Ground gear license to Public Oyster Seed Ground gear permit; to change the requirements for a permitted vessel to harvest oysters from public grounds; and to provide for related matters.

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

HOUSE BILL NO. 455—

BY REPRESENTATIVE COUSSAN

AN ACT

To amend and reenact the heading of R.S. 31:11 and R.S. 31:39, 75, 79, 114, 138.1(A) and (B), 156, 164, 166, 175, 192, 204, and 206(A) and to repeal R.S. 9:5805, relative to security interests and other rights in minerals and their production and accounts; to provide relative to the encumbrance of production and accounts in minerals; to repeal a provision governing the accrual of liberative prescription against certain mineral or royalty rights; to provide for standardization of language and updates in terminology; to make technical corrections; and to provide for related matters.

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

HOUSE BILL NO. 460—

BY REPRESENTATIVE ROBERT OWEN

AN ACT

To amend and reenact R.S. 40:1046(G)(3)(a) through (c) and (e), (6)(a) through (c), and (8) and to enact R.S. 40:1046(G)(9), relative to the distribution of marijuana for therapeutic use; to provide relative to permitting and regulation of marijuana pharmacies by the Louisiana Board of Pharmacy; to provide suitability requirements for persons associated with a pharmacy licensed to dispense recommended marijuana for therapeutic use; 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 Health and Welfare.

HOUSE BILL NO. 533—

BY REPRESENTATIVE MIKE JOHNSON

AN ACT

To enact R.S. 38:291(M)(3) through (6) and 292, relative to the board of commissioners for the Red River, Atchafalaya, and Bayou Boeuf Levee District; to provide for duties and responsibilities of the board; to provide for an effective date; and to provide for related matters.

May 10, 2023

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

House Concurrent Resolutions on Second Reading

HOUSE CONCURRENT RESOLUTION NO. 86— BY REPRESENTATIVES MIGUEZ, BEAULLIEU, HUVAL, AND ST. BLANC AND SENATORS BOUDREAU, KLEINPETER, AND FRED MILLS

A CONCURRENT RESOLUTION

To commend St. Martin Parish Sheriff Becket Breaux on his receipt of new certification from the Federal Bureau of Investigation Academy, for leading the St. Martin Parish Sheriff's Office to receive accreditation from the Commission on Accreditation for Law Enforcement Agencies, and for his commitment to continuous improvement and adaptation to the changing needs of the community.

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

ROLL CALL

The roll was called with the following result:

YEAS

Table listing names of members voting YEAS, including Mr. President, Abraham, Allain, Barrow, Bernard, Boudreaux, Bouie, Carter, Cathey, Cloud, Connick, Duplessis, Fesi, Fields, Foil, Harris, Henry, Hensgens, Jackson, Kleinpeter, Luneau, McMath, Milligan, Mills, F., Mills, R., Mizell, Morris, Peacock, Pope, Price, Reese, Smith, Stine, Talbot, and Womack.

Total - 36

NAYS

Total - 0

ABSENT

Table listing names of members who were ABSENT: Hewitt, Tarver, and White.

Total - 3

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

Reports of Committees

The following reports of committees were received and read:

REPORT OF COMMITTEE ON

COMMERCE, CONSUMER PROTECTION AND INTERNATIONAL AFFAIRS

Senator Mike Reese, Chairman on behalf of the Committee on Commerce, Consumer Protection and International Affairs, submitted the following report:

May 10, 2023

To the President and Members of the Senate:

I am directed by your Committee on Commerce, Consumer Protection and International Affairs to submit the following report:

SENATE RESOLUTION NO. 53—

BY SENATOR KLEINPETER A RESOLUTION

To memorialize Congress to enact a trade policy that supports United States businesses and workers while penalizing global polluters.

Reported favorably.

HOUSE BILL NO. 74—

BY REPRESENTATIVE THOMAS AN ACT

To amend and reenact R.S. 15:587(A)(1)(a) and R.S. 37:1478(B), relative to home inspectors; to provide with respect to criminal background checks for home inspector applicants; to change the time period within which a home inspector is prohibited from providing repairs after a home inspection; and to provide for related matters.

Reported with amendments.

HOUSE BILL NO. 112—

BY REPRESENTATIVE MUSCARELLO AN ACT

To amend and reenact R.S. 15:587(A)(1)(b) and R.S. 44:4.1(B)(23) and to enact R.S. 37:3276.2, relative to the authority of the Louisiana State Board of Private Security Examiners; to provide for legislative intent; to provide for definitions; to provide for limitations to the access and use of certain criminal history record information; to provide for the standards and procedures for certain criminal history records; to require the charging of fees and costs; to provide for a public records exception; to provide for effectiveness; and to provide for related matters.

Reported favorably.

HOUSE BILL NO. 248—

BY REPRESENTATIVE MCMAHEN AN ACT

To amend and reenact R.S. 8:1(7) and to enact R.S. 8:907, relative to pet remains; to authorize the burial of cremated pet remains with human remains; to provide for definitions; to provide for restrictions; and to provide for related matters.

Reported favorably.

HOUSE BILL NO. 292—

BY REPRESENTATIVE ST. BLANC AN ACT

To amend and reenact R.S. 40:1749.13(A), (B)(1) and (4), and 1749.16(4), relative to the Louisiana Underground Utilities and Facilities Damage Prevention Law; to provide for excavation or demolition notices; to provide for potholing; and to provide for related matters.

Reported favorably.

HOUSE BILL NO. 302—

BY REPRESENTATIVES ST. BLANC AND TURNER AN ACT

To amend and reenact R.S. 8:454(C)(2) and 502(F), relative to cemetery trust funds; to provide for master trust funds; to provide for the requirements of such funds; and to provide for related matters.

Reported favorably.

HOUSE BILL NO. 334—

BY REPRESENTATIVES PHELPS, JORDAN, COX, AND LARVADAIN AN ACT

To amend and reenact R.S. 6:652.2(A)(2) and 656(A)(1)(introductory paragraph) and (c), R.S. 39:1221(A)(6), and R.S. 49:321(A)(4), relative to private insurance for certain deposits and shares; to allow certain financial institutions to use private insurance to secure investments and loans; to allow use of private deposit insurance as security for state and local depositing authorities; to provide for effectiveness; and to provide for related matters.

Reported with amendments.

HOUSE BILL NO. 384—
BY REPRESENTATIVE MCFARLAND
AN ACT

To amend and reenact R.S. 51:3061(3) and (4), relative to the Louisiana Renewable Energy Development Act; to clarify that energy produced from forest products' manufacturing bioenergy feedstocks and agricultural harvesting may be considered renewable and carbon neutral; and to provide for related matters.

Reported favorably.

HOUSE BILL NO. 385—
BY REPRESENTATIVE DEVILLIER
AN ACT

To amend and reenact R.S. 51:911.22(4), 911.24(A)(2) and (6), 911.26(B)(1), and 912.23(1)(f) and to enact R.S. 51:911.24(I)(4), 911.26(F)(12), and 911.47, relative to manufactured housing; to provide for definitions; to provide for certain licensure and supervision requirements; to provide for terms of office for state manufactured housing commissioners; to provide for the powers and duties of the Louisiana Manufactured Housing Commission; to allow use of manufactured housing by certain persons; to provide guidelines for manufactured housing piers; and to provide for related matters.

Reported with amendments.

HOUSE BILL NO. 393—
BY REPRESENTATIVE GADBERRY
AN ACT

To amend and reenact R.S. 40:1730.23(J), relative to inspections of commercial and residential structures; to provide for enforcement of building codes by municipalities and parishes; to provide which individuals may conduct inspections on commercial and residential structures; to provide criteria for roofing inspections; and to provide for related matters.

Reported favorably.

HOUSE BILL NO. 395—
BY REPRESENTATIVE HILFERTY
AN ACT

To amend and reenact R.S. 9:3403(A)(1) and R.S. 12:307(B), 307.1, 310, 311(A)(introductory paragraph), 1348(B), and 1349(C) and to enact R.S. 12:1-120(H)(16) and 1306(G), relative to filings with the secretary of state's office; to provide for the requirements of a partnership contract; to provide for form requirements for certain documents; to permit certified copies for certain amended certificates of authority; to require proof of notice for certain company names; and to provide for related matters.

Reported favorably.

HOUSE BILL NO. 547—
BY REPRESENTATIVE RISER
AN ACT

To amend and reenact the heading of Part II-B of Chapter 21 of Title 37 of the Louisiana Revised Statutes of 1950, R.S. 37:1891, 1892(2) and (4), 1893(A), (B), (C)(1) and (4)(a), (d), and (e), and (E), 1894(2), 1895(A)(introductory paragraph) and (C), and 1896(A) and (D) and to enact R.S. 37:1893.1 through 1893.6 and 1895 (A)(7), relative to catalytic converter sales law; to provide for catalytic converter transfers; to provide for definitions; to provide for license requirements; to provide for notice to an applicant; to provide for procedures for a denial, revocation, or suspension of a license; to provide for licensing hearings and appeals by the Louisiana Used Motor Vehicle Commission; to provide for certain cease and desist orders; to provide for certain penalties and fines; to provide for procedures for an abandoned catalytic converter business; to provide for certain exceptions; to provide for recordkeeping for the purchase

and sale of a catalytic converter; and to provide for related matters.

Reported favorably.

HOUSE BILL NO. 554—
BY REPRESENTATIVE RISER
AN ACT

To amend and reenact R.S. 8:454.1(A) and to enact R.S. 8:454.2, relative to the cemetery care fund; to provide for income distributions within a perpetual care trust fund; to provide for income distribution methods; to provide for definitions; to provide for an application for a total return distribution method; to require the payment of application fees; and to provide for related matters.

Reported favorably.

HOUSE BILL NO. 583—
BY REPRESENTATIVE DAVIS
AN ACT

To amend and reenact R.S. 45:1367(A), relative to franchise fee audits; to provide a limit on which records may be addressed in a review; and to provide for related matters.

Reported with amendments.

Respectfully submitted,
MIKE REESE
Chairman

**REPORT OF COMMITTEE ON
HEALTH AND WELFARE**

Senator Fred H. Mills Jr., Chairman on behalf of the Committee on Health and Welfare, submitted the following report:

May 10, 2023

To the President and Members of the Senate:

I am directed by your Committee on Health and Welfare to submit the following report:

SENATE CONCURRENT RESOLUTION NO. 32—
BY SENATOR PRICE
A CONCURRENT RESOLUTION

To create and provide for the Task Force on Alopecia Awareness within the Louisiana Department of Health.

Reported with amendments.

HOUSE BILL NO. 133—
BY REPRESENTATIVE TURNER
AN ACT

To amend and reenact R.S. 40:1005(B) and to enact R.S. 40:1005(D) and R.S. 42:17.4, relative to meetings of the Prescription Monitoring Program Advisory Council; to provide for a change in the frequency of meetings; to provide for meetings by electronic means; and to provide for related matters.

Reported favorably.

HOUSE BILL NO. 291—
BY REPRESENTATIVE CHARLES OWEN
AN ACT

To enact Part VI of Chapter 5-G of Title 40 of the Louisiana Revised Statutes of 1950, to be comprised of R.S. 40:1300.51 through 1300.55, relative to minimum standards for visitation policies at certain healthcare facilities; to require in-person visitation under certain circumstances; to provide minimum requirements for in-person visits; to establish minimum visitation hours; to require the provision of visitation policy information with applications for licensure, renewal of licensure, or change of ownership; to

require publication of visitation policies; and to provide for related matters.

Reported with amendments.

HOUSE BILL NO. 320—
BY REPRESENTATIVE TURNER
AN ACT

To amend and reenact R.S. 37:970(3) and to enact R.S. 40:2120.52(C), relative to nursing education; to provide for the qualifications of a licensed practical nurse; to provide for the qualifications of a certified nurse aide; and to provide for related matters.

Reported with amendments.

HOUSE BILL NO. 435—
BY REPRESENTATIVE FREEMAN
AN ACT

To enact Part VII of Chapter 5-E of Title 40 of the Louisiana Revised Statutes of 1950, to be comprised of R.S. 40:1258.1 and 1258.2, relative to Medicaid coverage for chimeric antigen receptor T-cell therapy; to provide for definitions; to require certain healthcare facilities to determine eligibility for and provide chimeric antigen receptor T-cell therapy; to establish requirements for enrollment eligibility; to require the Louisiana Department of Health to perform certain duties relative to Medicaid coverage for such treatment; and to provide for related matters.

Reported favorably.

HOUSE BILL NO. 541—
BY REPRESENTATIVE WHEAT
AN ACT

To enact R.S. 40:2193.6(D), relative to pediatric day healthcare facilities licensed by the Louisiana Department of Health; to provide for designation of law by means of a short title; and to provide for related matters.

Reported favorably.

HOUSE BILL NO. 548—
BY REPRESENTATIVE TURNER
AN ACT

To enact Chapter 36-A of Title 40 of the Louisiana Revised Statutes of 1950, to be comprised of R.S. 40:2881 through 2886, relative to the dispensation of certain drugs by a healthcare facility; to provide for definitions; to identify certain actions as discriminatory with respect to drugs discounted by a federal program and the entities that dispense them; to provide for penalties; and to provide for related matters.

Reported favorably.

Respectfully submitted,
FRED H. MILLS JR.
Chairman

REPORT OF COMMITTEE ON

SENATE AND GOVERNMENTAL AFFAIRS

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

May 10, 2023

To the President and Members of the Senate:

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

SENATE CONCURRENT RESOLUTION NO. 38—
BY SENATOR ROBERT MILLS AND REPRESENTATIVE SEABAUGH
A CONCURRENT RESOLUTION

To recognize the distinct group of members of the Louisiana House of Representatives and of the Louisiana Senate representing in whole or in part the parishes of Bienville, Bossier, Caddo, Caldwell, Catahoula, Claiborne, Concordia, DeSoto, East Carroll, Franklin, Grant, Jackson, LaSalle, Lincoln, Madison, Morehouse, Natchitoches, Ouachita, Red River, Richland, Sabine, Tensas, Union, Webster, West Carroll, and Winn as the North Louisiana Legislative Delegation of the Legislature of Louisiana.

Reported favorably.

HOUSE BILL NO. 135—
BY REPRESENTATIVE MIKE JOHNSON
AN ACT

To amend and reenact R.S. 18:427(A) and to enact R.S. 18:424(B)(6), 425(B)(3)(d), and 426(A)(2)(c), relative to election officials; to provide for commissioners-in-charge, commissioners, alternate commissioners, and watchers; to provide for qualifications; to prohibit registered sex offenders and child predators from serving in certain positions; to provide an effective date; and to provide for related matters.

Reported favorably.

HOUSE BILL NO. 174—
BY REPRESENTATIVE EMERSON
AN ACT

To enact R.S. 18:154(C)(1)(h), relative to the disclosure of voter registration information; to prohibit the disclosure of the active duty or dependent status of certain voters; to prohibit the disclosure of certain addresses; and to provide for related matters.

Reported favorably.

HOUSE BILL NO. 216—
BY REPRESENTATIVE HORTON
AN ACT

To amend and reenact R.S. 18:425(B)(6), relative to the qualifications of election commissioners; to authorize certain nonresident active duty servicemembers and their dependents to serve as commissioners; to provide for qualifications; to provide for conditions; and to provide for related matters.

Reported favorably.

Respectfully submitted,
SHARON W. HEWITT
Chairwoman

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

SENATE BILL NO. 107—
BY SENATOR SMITH
AN ACT

To amend and reenact R.S. 14:30(A) and (B) and the introductory paragraph of 30.1(A) and 30.1(A)(1) and (B), and to enact R.S. 14:30.1(C) and (D), relative to murder; to provide for the elements of first and second degree murder; to provide for penalties; and to provide for related matters.

Reported with amendments by the Committee on Judiciary C.

SENATE COMMITTEE AMENDMENTS

Amendments proposed by Senate Committee on Judiciary C to Original Senate Bill No. 107 by Senator Smith

AMENDMENT NO. 1

On page 1, line 2, after "14:30(A) and" delete the remainder of the line, delete line 3, and insert "(C), relative to murder; to"

AMENDMENT NO. 2

On page 1, line 4, after "first" delete "and second"

AMENDMENT NO. 3

On page 1, line 7, after "14:30(A) and" delete the remainder of the line, delete line 8, and insert "(C) are"

AMENDMENT NO. 4

On page 1, delete lines 10 through 17, delete pages 2 through 5, and on page 6, delete lines 1 through 11, and insert the following:

"§30. First degree murder

A. First degree murder is the killing of a human being:

(1) When the offender has specific intent to kill or to inflict great bodily harm and is engaged in the perpetration or attempted perpetration of aggravated kidnapping, second degree kidnapping, aggravated escape, aggravated arson, aggravated or first degree rape, forcible or second degree rape, aggravated burglary, armed robbery, assault by drive-by shooting, ~~first degree robbery~~; second degree robbery, ~~simple robbery~~, terrorism, ~~or~~ cruelty to juveniles, ~~or second degree cruelty to juveniles~~.

(2) When the offender has a specific intent to kill or to inflict great bodily harm upon a fireman, peace officer, **correctional officer**, or civilian employee of the Louisiana State Police Crime Laboratory or any other forensic laboratory engaged in the performance of his lawful duties, or when the specific intent to kill or to inflict great bodily harm is directly related to the victim's status as a fireman, peace officer, **correctional officer**, or civilian employee.

(3) When the offender has a specific intent to kill or to inflict great bodily harm upon more than one person, **whether in a single criminal episode, multiple criminal episodes, or a series of criminal episodes**.

~~(4) When the offender has specific intent to kill or inflict great bodily harm and has offered, has been offered, has given, or has received anything of value for the killing.~~

~~(5) When the offender has the specific intent to kill or to inflict great bodily harm upon a victim who is under the age of twelve or sixty-five years of age or older.~~

~~(6) When the offender has the specific intent to kill or to inflict great bodily harm while engaged in the distribution, exchange, sale, or purchase, or any attempt thereof, of a controlled dangerous substance listed in Schedules I, II, III, IV, or V of the Uniform Controlled Dangerous Substances Law.~~

~~(7) When the offender has specific intent to kill or to inflict great bodily harm and is engaged in the activities prohibited by R.S. 14:107.1(C)(1).~~

~~(8) (5) When the offender has specific intent to kill or to inflict great bodily harm and there has been issued by a judge or magistrate any lawful order prohibiting contact between the offender and the victim in response to threats of physical violence or harm which was served on the offender and is in effect at the time of the homicide.~~

~~(9) (6) When the offender has specific intent to kill or to inflict great bodily harm upon a victim who was a witness to a crime or was a member of the immediate family of a witness to a crime committed on a prior occasion and:~~

~~(a) The killing was committed for the purpose of preventing or influencing the victim's testimony in any criminal action or proceeding whether or not such action or proceeding had been commenced; or~~

~~(b) The killing was committed for the purpose of exacting retribution for the victim's prior testimony.~~

~~(10) When the offender has a specific intent to kill or to inflict great bodily harm upon a taxicab driver who is in the course and scope of his employment. For purposes of this Paragraph, "taxicab" means a motor vehicle for hire, carrying six passengers or less, including the driver thereof, that is subject to call from a garage, office, taxi stand, or otherwise.~~

~~(11) When the offender has a specific intent to kill or inflict great bodily harm and the offender has previously acted with a specific intent to kill or inflict great bodily harm that resulted in the killing of one or more persons.~~

~~(12) When the offender has a specific intent to kill or to inflict great bodily harm upon a correctional facility employee who is in the course and scope of his employment.~~

* * *

C. (1) If the district attorney seeks a capital verdict, the offender shall be punished by death or life imprisonment at hard labor without benefit of parole, probation, or suspension of sentence, in accordance with the determination of the jury. ~~The provisions of Code of Criminal Procedure Article 782 relative to cases in which punishment may be capital shall apply.~~

(2) If the district attorney does not seek a capital verdict, the offender shall be punished by life imprisonment at hard labor without benefit of parole, probation or suspension of sentence. ~~The provisions of Code of Criminal Procedure Article 782 relative to cases in which punishment is necessarily confinement at hard labor shall apply."~~

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

SENATE BILL NO. 187—

BY SENATOR KLEINPETER

AN ACT

To amend and reenact R.S. 13:5716, relative to cremation of bodies; to provide for issuance of a permit for cremation by a coroner; to provide for denial of a permit for cremation by a coroner; and to provide for related matters.

Reported with amendments by the Committee on Judiciary B.

SENATE COMMITTEE AMENDMENTS

Amendments proposed by Senate Committee on Judiciary B to Original Senate Bill No. 187 by Senator Kleinpeter

AMENDMENT NO. 1

On page 1, line 10, after "investigation" delete "of the facts surrounding the death"

AMENDMENT NO. 2

On page 1, delete lines 13 through 17, on page 2, delete line 1, and insert the following:

"C. If the investigation reveals suspicious circumstances or the reasonable probability of the commission of a crime, the coroner shall deny the permit **until the coroner's investigation is completed**. After completion of the coroner's investigation, he may issue a permit for cremation.

D. Upon completion of the coroner's investigation, the coroner shall release the body to the family or friends for disposition in accordance with R.S. 13:5715. In any case under coroner jurisdiction in which the body cannot be released within thirty days of death, the coroner shall notify in writing the person or persons with the right to dispose of human remains under R.S. 8:655 the reasons for any delay in release of the body."

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

SENATE BILL NO. 194—

BY SENATORS MIZELL AND HEWITT

AN ACT

To amend and reenact R.S. 14:93.11(A) and 333(B), R.S. 23:161(13), and R.S. 26:71.1(1)(d) and (e) and (4)(b), 80(A)(1), 90(A)(3), (8)(a), and (10), 96(A), 271.2(1)(d) and (e) and (4)(b), 286(A)(3), (8)(a), and (10), 793(C)(1), and 794(B)(3)(a), and to enact R.S. 26:71.5, 90(A)(17), and 271.5, relative to the alcohol; to prohibit persons under the age of twenty-one from entering certain establishments; to provide for employment limitations at certain establishments; to provide relative to certifications and permits issued by the office of alcohol and tobacco control; to provide for civil penalties; to provide relative to the misrepresentation of age; to provide for terms, conditions, restrictions, and procedures; and to provide for related matters.

Reported with amendments by the Committee on Judiciary B.

SENATE COMMITTEE AMENDMENTS

Amendments proposed by Senate Committee on Judiciary B to Original Senate Bill No. 194 by Senator Mizell

AMENDMENT NO. 1

On page 1, line 2, after "reenact" delete the remainder of the line and delete lines 3 through 8 and insert "R.S. 14:333(B) and R.S. 26:96(A) and 292(A) and to enact R.S. 9:2800.1(F) and R.S. 26:90(A)(17) and 286(A)(17), relative to alcohol; to provide for civil"

AMENDMENT NO. 2

On page 1, line 9, after "age;" and before "to provide" and insert "to provide for civil liability;"

AMENDMENT NO. 3

On page 1, between lines 11 and 12 insert the following: "Section 1. R.S. 9:2800.1(F) is hereby enacted to read as follows:

§2800.1. Limitation of liability for loss connected with sale, serving, or furnishing of alcoholic beverages; right of action for certain persons

* * *

F. Notwithstanding any provision of the law to the contrary:

(1) Any person under the age for the lawful purchase of intoxicating beverages of either high or low alcoholic content who is sold or served intoxicating beverages by a person holding a Class A-General Permit issued pursuant to Chapter 1 and Chapter 2 of Title 26 of the Louisiana Revised Statutes of 1950, shall have a right of action against the permit holder and his agent, servant, or employee for any injury or damages suffered due to his intoxication. The estate, successors, or survivors of the person granted a right of action in this Paragraph shall also have a right of action against the permit holder and his agent, servant, or employee for any injury or damages, including wrongful death and property damages, suffered by the person due to his intoxication.

(2) A person who sustains any injury or damages caused by a person under the age for the lawful purchase of intoxicating beverages of either high or low alcoholic content who was sold or served intoxicating beverages by a person holding a Class A-General Permit issued pursuant to Chapter 1 and Chapter 2 of Title 26 of the Louisiana Revised Statutes of 1950, shall have a right of action against the permit holder and his agent, servant, or employee for any injury or damages sustained due to the intoxication of the underage person to whom the beverages were sold or served. The estate, successors, or survivors of the person granted a right of action in this Paragraph shall also have a right of action against the permit holder and his agent, servant, or employee for any injury or damages, including wrongful death and property damages, suffered by such person due to the intoxication of a person under the age for the lawful purchase of intoxicating beverages of either high or low alcoholic content who is sold or served intoxicating beverages by a person holding a Class A-General Permit issued pursuant to Chapter 1 or Chapter 2 of Title 26 of the Louisiana Revised Statutes of 1950.

(3) The right of action authorized by this Subsection shall be in addition to any other right of action otherwise provided by law.

AMENDMENT NO. 4

On page 1, line 12, change "Section 1." to "Section 2." and delete "93.11(A) and" and change "are" to "is"

AMENDMENT NO. 5

On page 1, delete lines 14 through 17 and on page 2, delete lines 1 through 4

AMENDMENT NO. 6

On page 2, delete lines 16 through 29 and delete page 3 and on page 4, delete lines 1 through 15 and insert:

"Section 3. R.S. 26:96(A) and 292(A) are hereby amended and reenacted and R.S. 26:90(A)(17) and 286(A)(17) are hereby enacted to read as follows:"

AMENDMENT NO. 7

On page 4, delete lines 22 through 29 and on page 5, delete lines 1 through 23

AMENDMENT NO. 8

On page 5, line 24, change "twenty-one" to "eighteen"

AMENDMENT NO. 9

On page 5, line 25, after "establishment" insert ", except for the specific purpose as provided in Subparagraph (8)(a) of this Subsection"

AMENDMENT NO. 10

On page 5, line 27, change "Paragraph (A)(1) of this Section" to "Paragraph (1) of this Subsection"

AMENDMENT NO. 11

On page 5, line 29, change "Subparagraph (A)(1)(b) of" to "Subparagraph (1)(b) of this Subsection"

AMENDMENT NO. 12

On page 6, line 1, delete "this Section"

AMENDMENT NO. 13

On page 6, delete lines 3 through 24 and insert the following:

"§96. Revocation and suspensions not exclusive penalty
A. (1)(a) Notwithstanding any other provision of this Chapter to the contrary, the commissioner may, in lieu of or in addition to revocation or suspension of a permit issued under the authority of this Chapter, impose the following schedule of fines to be paid into the state treasury for:

(a) (i) A first offense, not less than fifty dollars but not more than five hundred dollars.

(b) (ii) A second offense that occurs within three years of the first offense, not less than two hundred fifty dollars but not more than one thousand dollars.

(c) (iii) A third offense that occurs within three years of the first offense, not less than five hundred dollars but not more than two thousand five hundred dollars.

(2) (b) A retail dealer who is required pursuant to R.S. 15:541.1 to post information regarding the National Human Trafficking Center hotline and fails to post such information may be assessed a fine in accordance with the provisions of this Section Paragraph.

(2)(a) Notwithstanding the provisions of Paragraph (1) of this Subsection, the commissioner may, in lieu of or in addition to revocation or suspension of a permit issued under the authority of this Chapter, impose the following schedule of fines to be paid into the state treasury for a violation of R.S. 26:90(A)(1):

(i) A first offense, not less than one thousand dollars but not more than five thousand dollars.

(ii) A second offense that occurs within six years of the first offense, not less than five thousand dollars but not more than ten thousand dollars.

(iii) A third offense that occurs within six years of the first offense, not less than ten thousand dollars but not more than fifteen thousand dollars.

(b) In addition to the fines imposed upon first offense of a violation of R.S. 26:90(A)(1) pursuant to this Paragraph, the commissioner shall require the Class A-General retail permit holder to verify the age of each person entering the establishment through an age verification system authorized by the commissioner.

(c) If an agreement or order is entered in lieu of an administrative hearing for a violation of R.S. 26:90(A)(1), the commissioner shall require, as a part of the agreement or order, the Class A-General retail permit holder to verify the age of each person entering the establishment through an age verification system authorized by the commissioner."

AMENDMENT NO. 14

On page 6, line 25, change "(4)" to "(d)" and change "Subsection" to "Paragraph"

AMENDMENT NO. 15

On page 6, delete lines 28 and 29 and delete page 7

AMENDMENT NO. 16

On page 8, delete lines 6 through 29 and delete page 9 and on page 10, delete lines 1 through 13 and insert:

"(17) Allow any person under the age of eighteen years to enter a Class A-General retail establishment, except for the specific purposes as provided in Paragraph (8)(a) of this Subsection. Any person attempting to enter the Class A-General retail establishment shall submit any one of the means of identification provided in Paragraph (1) of this Subsection or a similar means of verification provided through the use of a real-time age verification system authorized by the commissioner. The provisions of Subparagraph (1)(b) of this Subsection shall apply to any one of the means of identification submitted.

§292. Revocations and suspensions not exclusive penalty

A. **(1)(a)** Notwithstanding any other provision of this Chapter to the contrary, the commissioner may, in lieu of or in addition to revocation or suspension of a permit issued under the authority of this Chapter, impose the following schedule of fines to be paid into the state treasury for:

(1)(i) The first offense, not less than ~~\$50~~ **fifty dollars** but not more than ~~\$500~~ **five hundred dollars**.

(2)(ii) The second offense, which occurs within three years of first offense, not less than ~~\$250~~ **two hundred fifty dollars** but not more than ~~\$1,000~~ **one thousand dollars**

(3)(iii) The third offense, which occurs within three years of the first offense, not less than ~~\$500~~ **five hundred dollars** but not more than ~~\$2,500~~ **two thousand five hundred dollars**.

(2) (a) Notwithstanding the provisions of Paragraph (1) of this Subsection, the commissioner may, in lieu of or in addition to revocation or suspension of a permit issued under the authority of this Chapter, impose the following schedule of fines to be paid into the state treasury for a violation of R.S. 26:90(A)(1):

(i) A first offense, not less than one thousand dollars but not more than five thousand dollars.

(ii) A second offense that occurs within six years of the first offense, not less than five thousand dollars but not more than ten thousand dollars.

(iii) A third offense that occurs within six years of the first offense, not less than ten thousand dollars but not more than fifteen thousand dollars.

(b) In addition to the fines imposed upon first offense of a violation of R.S. 26:286(A)(1), the commissioner shall require the Class A-General retail permit holder to verify the age of each person entering the establishment through an age verification system authorized by the commissioner.

(c) If an agreement or order is entered in lieu of an administrative hearing for a violation of R.S. 26:286(A)(1), the commissioner shall require, as a part of the agreement or order, the Class A-General retail permit holder to verify the age of each person entering the establishment through an age verification system authorized by the commissioner.

(d) One-half of the fines collected pursuant to this Paragraph shall be used solely for the enforcement of this Part.

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

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

HOUSE BILL NO. 27—

BY REPRESENTATIVE TARVER

AN ACT

To enact R.S. 27:93(A)(6)(d), relative to reporting of gaming revenue; to provide relative to the distribution of gaming proceeds to the Calcasieu Parish School Board, McNeese State University, and Sowela Technical Institute; to require the Calcasieu Parish School Board, McNeese State University, and Sowela Technical Institute to annually prepare a report to the legislative delegation on gaming proceeds received; and to provide for related matters.

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

HOUSE BILL NO. 65—

BY REPRESENTATIVE VILLIO

AN ACT

To enact R.S. 14:2(B)(60), relative to crimes of violence; to designate the crime of simple burglary of an inhabited dwelling as a crime of violence when a person is present in the dwelling, house, apartment, or other structure; and to provide for related matters.

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

HOUSE BILL NO. 94—

BY REPRESENTATIVES BACALA, CARRIER, COUSSAN, DUBUISSON, ECHOLS, EDMONDS, EDMONSTON, FIRMENT, FONTENOT, GLOVER, HARRIS, HILFERTY, HORTON, ILLG, MIKE JOHNSON, MCMAHEN, MIGUEZ, ORGERON, CHARLES OWEN, PRESSLY, RISER, SCHLEGEL, STAGNI, THOMPSON, VILLIO, WHEAT, AND WHITE

AN ACT

To enact R.S. 14:67.13, relative to theft; to create the crime of theft or criminal access of an automated teller machine; to provide for a definition; to provide for criminal penalties; to provide relative to the payment of restitution for the crime; and to provide for related matters.

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

HOUSE BILL NO. 184—

BY REPRESENTATIVES FRIEMAN, AMEDEE, BOYD, WILFORD CARTER, ECHOLS, EMERSON, GAROFALO, HODGES, JEFFERSON, MIKE JOHNSON, AND KNOX

AN ACT

To amend and reenact Children's Code Article 622(A) and to enact Children's Code Article 650, relative to the placement of a child removed from the care of a parent; to provide for the intervention of an interested party to facilitate the placement of the child; to permit a party to motion the court for a contradictory hearing to determine the placement of a child; and to provide for related matters.

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

HOUSE BILL NO. 194—

BY REPRESENTATIVES THOMPSON, BOYD, GAROFALO, HODGES, JEFFERSON, AND MIKE JOHNSON

AN ACT

To amend and reenact Children's Code Article 1264, relative to grandparent visitation; to provide for post-adoption visitation rights of grandparents; and to provide for related matters.

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

May 10, 2023

HOUSE BILL NO. 232—
BY REPRESENTATIVE SCHAMERHORN
AN ACT

To amend and reenact R.S. 4:707(F)(4), relative to charitable gaming; to provide relative to exemptions from licensing and reporting procedures; to exempt conservation organizations dedicated principally to the conservation of game fish from licensing and reporting procedures for conducting raffles; and to provide for related matters.

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

HOUSE BILL NO. 273—
BY REPRESENTATIVE FARNUM
AN ACT

To amend and reenact the heading of Part III-E of Title 19 of the Louisiana Revised Statutes of 1950 and R.S. 19:134 and 134.1(A), relative to expropriation; to provide for the acquisition of property for the cities of Lake Charles and Sulphur; to provide for limitations; to provide for definitions; and to provide for related matters.

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

HOUSE BILL NO. 314—
BY REPRESENTATIVES LARVADAIN, AMEDEE, BACALA, BAGLEY, BOYD, BRYANT, BUTLER, CARPENTER, CARRIER, WILFORD CARTER, COX, EDMONDS, EMERSON, FISHER, FONTENOT, GAINES, GAROFALO, HODGES, HORTON, HUGHES, JEFFERSON, JENKINS, MIKE JOHNSON, JORDAN, KNOX, LAFLEUR, LYONS, MOORE, NEWELL, PHELPS, PIERRE, SEABAUGH, SELDERS, STAGNI, THOMPSON, WHITE, AND WILLARD
AN ACT

To amend and reenact Code of Evidence Article 518(B) and R.S. 40:2411(C)(6) and (7), relative to trained peer support; to provide for firefighters as trained peer support members; to provide for peer support training by certain organizations; to provide for definitions; and to provide for related matters.

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

HOUSE BILL NO. 337—
BY REPRESENTATIVE CARPENTER
AN ACT

To amend and reenact R.S. 9:315.1(C) and 315.2(D) and to repeal R.S. 9:315.14, relative to a minimum child support award; to repeal the mandatory minimum child support award; to provide for an exception; to provide for an effective date; and to provide for related matters.

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

HOUSE BILL NO. 339—
BY REPRESENTATIVE GREGORY MILLER
AN ACT

To amend and reenact Code of Civil Procedure Article 966(G), relative to motions for summary judgment; to provide relative to the admission of evidence; to provide relative to fault; to provide for the admission of evidence of a principal acting pursuant to a mandate; and to provide for related matters.

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

HOUSE BILL NO. 370—
BY REPRESENTATIVES LANDRY, BACALA, CARRIER, ROBBY CARTER, EDMONSTON, FREEMAN, GOUDEAU, GREEN, HILFERTY, HORTON, JENKINS, KNOX, AND MOORE
AN ACT

To amend and reenact R.S. 14:107.3(B) and (C), to enact R.S. 14:107.3(H), and to repeal R.S. 14:107.3(D), relative to criminal blighting of property; to provide relative to penalties for the offense; to provide relative to review and appeal of declarations of certifications of blight; and to provide for related matters.

Reported with amendments by the Committee on Judiciary C.

SENATE COMMITTEE AMENDMENTS

Amendments proposed by Senate Committee on Judiciary C to Reengrossed House Bill No. 370 by Representative Landry

AMENDMENT NO. 1

On page 1, line 2, after "R.S. 14:107.3(H)" insert "and R.S. 15:1352(A)(70)"

AMENDMENT NO. 2

On page 1, line 5, after "blight;" insert "to provide for additional crimes that are elements of racketeering activity;"

AMENDMENT NO. 3

On page 2, line 14, after "year" insert ", with or without hard labor"

AMENDMENT NO. 4

On page 2, between lines 14 and 15, insert the following:
"(4) The penalty of imprisonment provided for in this Subsection shall not be imposed when the property is a single family residence occupied by the defendant at the time of the violation."

AMENDMENT NO. 5

On page 2, between lines 17 and 18, insert the following:
"Section 2. R.S. 15:1352(A)(70) is hereby enacted to read as follows:
§1352. Definitions

A. As used in this Chapter, "racketeering activity" means committing, attempting to commit, conspiring to commit, or soliciting, coercing, or intimidating another person to commit any crime that is punishable under the following provisions of Title 14 of the Louisiana Revised Statutes of 1950, the Uniform Controlled Dangerous Substances Law, or the Louisiana Securities Law:

(70) R.S. 14:107.3 (Criminal blighting of property)

AMENDMENT NO. 6

On page 2, line 18, change "Section 2." to "Section 3."

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

HOUSE BILL NO. 378—
BY REPRESENTATIVES DEVILLIER AND STEFANSKI
AN ACT

To amend and reenact R.S. 15:612(A)(introductory paragraph), (B), and (C), relative to DNA database exchange; to provide relative to the population database comprised of DNA samples; to provide relative to the use of the population database comprised of DNA samples; to provide relative to disclosure prohibitions of the database; and to provide for related matters.

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

HOUSE BILL NO. 474—
BY REPRESENTATIVE ILLG
AN ACT

To enact R.S. 4:707.1, relative to charitable gaming; to provide for limited raffle licenses for certain raffle games; to provide relative to the promulgation of rules for limited raffle licenses; and to provide for related matters.

Reported with amendments by the Committee on Judiciary B.

SENATE COMMITTEE AMENDMENTS

Amendments proposed by Senate Committee on Judiciary B to Reengrossed House Bill No. 474 by Representative Illg

AMENDMENT NO. 1

On page 1, line 15, after "4:707(A)(1)," delete the remainder of the line, and insert the following: "and have a prize value of which shall not exceed five"

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

HOUSE BILL NO. 479— BY REPRESENTATIVES MARINO AND KNOX AN ACT

To amend and reenact Code of Criminal Procedure Article 972, relative to expungement of records; to provide relative to legislative findings; to provide for definitions; to provide for certain jurisdictions of courts for expungement of records; and to provide for related matters.

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

Senate Bills and Joint Resolutions on Third Reading and Final Passage

Bagneris Rule

Senator Pope moved to invoke the rule to temporarily pass over controversial Senate Bills on Third Reading and Final Passage with the intention of taking them up later, in their regular order and to suspend the rules to specifically start with Senate Bill No. 7.

Without objection, so ordered.

SENATE BILL NO. 12— BY SENATOR FIELDS AND REPRESENTATIVE BOYD AN ACT

To amend and reenact R.S. 40:1137.3(E) and (F) and to enact R.S. 40:1137.3(G), relative to automated external defibrillators (AED); to require an AED on the premises of each postsecondary institution and each elementary, middle, and high school; to require an AED at certain athletic events; to require an individual trained in the use of the AED and first-aid CPR at the events; to provide for a cardiac emergency response plan; to provide for rules and regulations; to create a special fund; to provide for uses of monies in the fund; and to provide for related matters.

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

ROLL CALL

The roll was called with the following result:

YEAS

Table with 3 columns: Mr. President, Fesi, Mills, F.; Abraham, Fields, Mills, R.; Allain, Foil, Mizell; Barrow, Harris, Morris; Bernard, Henry, Peacock; Boudreaux, Hensgens, Pope; Bouie, Jackson, Price; Carter, Kleinpeter, Reese; Cathey, Lambert, Smith; Cloud, Luneau, Stine; Connick, McMath, Talbot; Duplessis, Milligan, Womack; Total - 36

NAYS

Total - 0

ABSENT

Table with 3 columns: Hewitt, Tarver, White; Total - 3

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

SENATE BILL NO. 16— BY SENATOR BERNARD AN ACT

To amend and reenact R.S. 18:423(J), relative to parish boards of election supervisors; to provide for member compensation; and to provide for related matters.

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

ROLL CALL

The roll was called with the following result:

YEAS

Table with 3 columns: Mr. President, Fesi, Mills, F.; Abraham, Fields, Mills, R.; Allain, Foil, Mizell; Barrow, Harris, Morris; Bernard, Henry, Peacock; Boudreaux, Hensgens, Pope; Bouie, Jackson, Price; Carter, Kleinpeter, Reese; Cathey, Lambert, Smith; Cloud, Luneau, Stine; Connick, McMath, Talbot; Duplessis, Milligan, Womack; Total - 36

NAYS

Total - 0

ABSENT

Table with 3 columns: Hewitt, Tarver, White; Total - 3

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

SENATE BILL NO. 39— BY SENATORS BOUDREAUX, BARROW, HARRIS AND HENRY AN ACT

To amend and reenact the heading of Subpart O of Part II-A of Chapter 1 of Subtitle I of Title 39 of the Louisiana Revised Statutes of 1950 and to enact R.S. 39:100.62, relative to special funds; to create the Community Options Waiver Fund as a special fund in the state treasury; to provide for dedication of certain revenues and for the deposit and use of monies in the fund; to provide for an effective date; and to provide for related matters.

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

ROLL CALL

The roll was called with the following result:

YEAS

Table with 3 columns: Mr. President, Fesi, Mills, F.; Abraham, Fields, Mills, R.; Allain, Foil, Mizell

May 10, 2023

Barrow	Harris	Morris
Bernard	Henry	Peacock
Boudreaux	Hensgens	Pope
Bouie	Jackson	Price
Carter	Kleinpeter	Reese
Cathey	Lambert	Smith
Cloud	Luneau	Stine
Connick	McMath	Talbot
Duplessis	Milligan	Womack
Total - 36		

NAYS

Total - 0

ABSENT

Hewitt	Tarver	White
Total - 3		

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

SENATE BILL NO. 46—
BY SENATOR ABRAHAM

AN ACT

To enact R.S. 17:351.1(C)(3)(d), relative to textbooks and other instructional materials; to provide regarding the determination of the quality of textbooks and other instructional materials; and to provide for related matters.

Floor Amendments

Senator Fred Mills sent up floor amendments.

SENATE FLOOR AMENDMENTS

Amendments proposed by Senator Fred Mills on behalf of the Legislative Bureau to Engrossed Senate Bill No. 46 by Senator Abraham

AMENDMENT NO. 1

On page 1, line 3, following "provide" and before "the determination" change "regarding" to "relative to"

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

On motion of Senator Abraham, the amended bill was read by title and returned to its regular order on Third Reading and Final Passage.

SENATE BILL NO. 135—
BY SENATOR BARROW

AN ACT

To enact R.S. 46:451, relative to Medicaid reimbursement for services of licensed midwives and certified nurse midwives; to provide for a minimum rate of reimbursement relative to physician reimbursement; to provide for legislative findings; to provide for definitions; to provide for eligibility requirements; to provide for approval by CMS; to provide for rulemaking; to provide for prohibited decreases in certain reimbursements; and to provide for related matters.

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

ROLL CALL

The roll was called with the following result:

YEAS

Mr. President	Fesi	Mills, F.
Abraham	Fields	Mills, R.
Allain	Foil	Mizell

Barrow	Harris	Morris
Bernard	Henry	Peacock
Boudreaux	Hensgens	Pope
Bouie	Jackson	Price
Carter	Kleinpeter	Reese
Cathey	Lambert	Smith
Cloud	Luneau	Stine
Connick	McMath	Talbot
Duplessis	Milligan	Womack
Total - 36		

NAYS

Total - 0

ABSENT

Hewitt	Tarver	White
Total - 3		

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

SENATE BILL NO. 191—
BY SENATOR SMITH

AN ACT

To enact R.S. 17:3704, relative to public postsecondary education institutions; to prohibit certain partnership agreements with gaming entities; to provide for an exception; and to provide for related matters.

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

ROLL CALL

The roll was called with the following result:

YEAS

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

NAYS

Peacock
Total - 1

ABSENT

Hewitt	Tarver	White
Total - 3		

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

SENATE BILL NO. 205—
BY SENATORS CORTEZ, ABRAHAM, BARROW, BOUDREAUX, FIELDS, HARRIS, JACKSON, FRÉD MILLS, ROBERT MILLS, MIZELL, TARVER AND WHITE

AN ACT

To enact R.S. 17:3138.12, relative to information technology; to provide relative to the collection of integrated data; to create the Louisiana Foundational Integrated Research System for Transformation (LA FIRST); to provide for individual privacy and confidentiality standards; to provide for data sharing

agreements; to provide for the administration of the system; to provide for reporting requirements; to limit the sharing of identifiable information; and to provide for related matters.

Floor Amendments

Senator Fred Mills sent up floor amendments.

SENATE FLOOR AMENDMENTS

Amendments proposed by Senator Fred Mills on behalf of the Legislative Bureau to Reengrossed Senate Bill No. 205 by Senator Cortez

AMENDMENT NO. 1

On page 2, line 7, following "of" and before "Corrections" insert "Public Safety and"

AMENDMENT NO. 2

On page 2, line 8, change "Office of Juvenile Justice" to "office of juvenile justice"

AMENDMENT NO. 3

On page 2, line 9, before "Department" insert "The Louisiana"

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

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

ROLL CALL

The roll was called with the following result:

YEAS

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

NAYS

Total - 0

ABSENT

Hewitt	Tarver	White
Total - 3		

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

House Concurrent Resolutions on Second Reading Reported by Committees

HOUSE CONCURRENT RESOLUTION NO. 22—
BY REPRESENTATIVE FRIEMAN
A CONCURRENT RESOLUTION

To authorize and direct the Louisiana State Law Institute to study procedures in civil actions that require the mailing of notice with respect to the commencement of certain deadlines or answers or responses or for appearance before the court for certain motions

and other hearings to determine whether it is more effective to base timely notice on the date of mailing of such notice or on the date of actual receipt of such notice and report its findings to the Louisiana Legislature no later than February 1, 2024.

Reported favorably by the Committee on Judiciary A.

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

ROLL CALL

The roll was called with the following result:

YEAS

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

NAYS

Total - 0

ABSENT

Hewitt	Tarver	White
Total - 3		

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

House Bills and Joint Resolutions on Third Reading and Final Passage

Bagneris Rule

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

Without objection, so ordered.

HOUSE BILL NO. 230—
BY REPRESENTATIVE GREGORY MILLER
AN ACT

To amend and reenact Code of Civil Procedure Articles 531, 561(A), 925(A)(introductory paragraph) and (C), 927(A)(introductory paragraph) and (B), 963, 1155, 1424(C), and 1702(A)(2) and (3), the heading of Code of Civil Procedure Article 1810, and Code of Civil Procedure Articles 1912 and 3603(A)(introductory paragraph) and (2) and R.S. 40:1231.8(B)(2)(a) and 1237.2(B)(2)(a), to enact Code of Civil Procedure Articles 927(A)(8) and 1702(A)(5), and to repeal Code of Civil Procedure Articles 925(A)(6) and 5183(A)(3), relative to civil procedure; to provide for continuous revisions to the Code of Civil Procedure and related provisions of the Revised Statutes; to provide for actions pending in Louisiana courts; to provide with respect to abandonment in trial and appellate courts; to provide for objections raised by declinatory and peremptory exceptions; to provide for unopposed motions; to provide for supplemental pleadings; to provide for privilege logs within the scope of discovery; to provide with respect to notice in default judgment; to provide with respect to the signing of final judgments; to provide with respect to temporary

May 10, 2023

restraining orders; to provide with respect to affidavits of poverty; and to provide for related matters.

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

ROLL CALL

The roll was called with the following result:

YEAS

Mr. President Fesi Mills, F.
Abraham Fields Mills, R.
Allain Foil Mizell
Barrow Harris Morris
Bernard Henry Peacock
Boudreaux Hensgens Pope
Bouie Jackson Price
Carter Kleinpeter Reese
Cathy Lambert Smith
Cloud Luneau Stine
Connick McMath Womack
Duplessis Milligan
Total - 35

NAYS

Total - 0

ABSENT

Hewitt Tarver
Talbot White
Total - 4

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

HOUSE BILL NO. 113—
BY REPRESENTATIVES WHITE AND GLOVER
AN ACT

To amend and reenact R.S. 22:41.3(Section heading) and to enact R.S. 22:41.3(C)(4), relative to volunteer board members of interlocal risk management agencies formed by local housing authorities; to exempt such volunteer board members from certain filing submissions to the commissioner of insurance; and to provide for related matters.

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

ROLL CALL

The roll was called with the following result:

YEAS

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

NAYS

Total - 0

ABSENT

Hewitt Tarver White
Total - 3

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

HOUSE BILL NO. 123—
BY REPRESENTATIVE STAGNI
AN ACT

To amend and reenact R.S. 40:2009.25(C)(9), (D)(9), and (E)(10), relative to nursing homes licensed by the Louisiana Department of Health; to provide requirements and standards for nursing home emergency preparedness plans; to authorize the Louisiana Department of Health to take certain actions relative to nursing homes; and to provide for related matters.

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

ROLL CALL

The roll was called with the following result:

YEAS

Mr. President Fields Mills, R.
Abraham Foil Mizell
Allain Harris Morris
Barrow Henry Peacock
Bernard Hensgens Pope
Boudreaux Jackson Price
Carter Kleinpeter Reese
Cathy Lambert Smith
Cloud Luneau Stine
Connick McMath Talbot
Duplessis Milligan Womack
Fesi Mills, F.
Total - 35

NAYS

Total - 0

ABSENT

Bouie Tarver
Hewitt White
Total - 4

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

HOUSE BILL NO. 200—
BY REPRESENTATIVE LAFLEUR
AN ACT

To amend and reenact R.S. 40:1081.2(A)(1) and (5) and (B), relative to the state's newborn screening panel; to require the laboratory established by the Louisiana Department of Health to provide certain tests; to require the provision of a genetic conditions list; to establish guidelines for the genetic conditions list; to provide for an effective date; and to provide for related matters.

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

ROLL CALL

The roll was called with the following result:

YEAS

Mr. President Fesi Mills, F.

Abraham	Fields	Mills, R.
Allain	Foil	Mizell
Barrow	Harris	Morris
Bernard	Henry	Peacock
Boudreaux	Hensgens	Pope
Bouie	Jackson	Price
Carter	Kleinpeter	Reese
Cathey	Lambert	Smith
Cloud	Luneau	Stine
Connick	McMath	Talbot
Duplessis	Milligan	Womack

Total - 36

NAYS

Total - 0

ABSENT

Hewitt	Tarver	White
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Total - 3

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

HOUSE BILL NO. 294—
BY REPRESENTATIVE WILLARD
AN ACT

To amend and reenact R.S. 22:1483(A), (B), and (C)(1), relative to property insurance premium discounts; to provide for certain building standards; to require certain discounts; to provide an option for certain discounts; and to provide for related matters.

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

ROLL CALL

The roll was called with the following result:

YEAS

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

Total - 36

NAYS

Total - 0

ABSENT

Hewitt	Tarver	White
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Total - 3

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

HOUSE BILL NO. 319—
BY REPRESENTATIVE STAGNI
AN ACT

To repeal R.S. 37:920(B)(1)(b), relative to licensure of a registered nurse and an advanced practice registered nurse; to repeal a requirement of licensure by endorsement; to provide for an effective date; and to provide for related matters.

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

ROLL CALL

The roll was called with the following result:

YEAS

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

Total - 37

NAYS

Total - 0

ABSENT

Tarver	White
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Total - 2

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

Rules Suspended

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

Message from the House

**ASKING CONCURRENCE IN
HOUSE BILLS AND JOINT RESOLUTIONS**

May 10, 2023

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. 195	HB No. 202	HB No. 209
HB No. 210	HB No. 226	HB No. 233
HB No. 347	HB No. 356	

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

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

HOUSE BILL NO. 195—
BY REPRESENTATIVE PIERRE
AN ACT

To amend and reenact R.S. 13:1878(B) and to enact R.S. 13:1878(C), (D), and (E), relative to the determination of a chief judge for city courts; to provide for qualifications for chief judges; to provide relative to interruptions of continuous service for the determination of chief judge; and to provide for related matters.

May 10, 2023

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

HOUSE BILL NO. 202—
BY REPRESENTATIVE MUSCARELLO
AN ACT

To enact R.S. 13:1910.2, relative to fees imposed by the City Court of Hammond; to authorize a fee to be collected by the City Court of Hammond; to provide for the exclusive dedication of all monies collected; and to provide for related matters.

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

HOUSE BILL NO. 209—
BY REPRESENTATIVE BOURRIAQUE
AN ACT

To enact R.S. 33:3887.9 and to repeal R.S. 33:4067, relative to Cameron Parish Water and Wastewater Board for District No. 1; to provide relative to the creation of Cameron Parish Wastewater District No. 1; to provide relative to the powers and duties of the district; to provide relative to a board of directors for the district; to provide relative to the terms of board members; to provide relative to the boundaries of the district; and to provide for related matters.

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

HOUSE BILL NO. 210—
BY REPRESENTATIVE BUTLER
AN ACT

To amend and reenact R.S. 33:4548.5(A)(6), (12), and (20) and to enact R.S. 33:4548.5(C), relative to the Louisiana Local Government Environmental Facilities and Community Development Authority; to provide relative to the powers and duties of the authority; 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. 226—
BY REPRESENTATIVE FARNUM
AN ACT

To amend and reenact R.S. 13:1879 and 2583.1(C), relative to certain marshals and constables of city courts; to provide relative to elections and designations of marshals and constables; to provide for the designation of the marshal of the city of Sulphur; to provide relative to qualifications of deputy constables; and to provide for related matters.

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

HOUSE BILL NO. 233—
BY REPRESENTATIVE TURNER
AN ACT

To amend and reenact Section 2 of Act No. 311 of the 2021 Regular Session of the Legislature, relative to certain costs and fees for the City Court of Ruston; to provide relative to the implementation of certain costs and fees for the marshal of the City Court of Ruston; 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. 347—
BY REPRESENTATIVE HARRIS
AN ACT

To amend and reenact R.S. 13:1875(12)(c) and 1899(B), relative to the City Court of Alexandria; to provide relative to the use of civil filing fees and court costs in criminal matters; to provide relative to the general fund of the city of Alexandria; 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. 356—
BY REPRESENTATIVE FISHER
AN ACT

To enact R.S. 46:1053(C)(2)(j), relative to the Ouachita Parish hospital service district; to provide relative to compensation for commission members; and to provide for related matters.

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

Rules Suspended

Senator Pope asked for and obtained a suspension of the rules to recall Senate Bill No. 225 from the Committee on Revenue and Fiscal Affairs and discharge said committee.

SENATE BILL NO. 225—
BY SENATOR POPE
AN ACT

To enact R.S. 47:338.225, relative to the city of Denham Springs; to authorize the governing authority of the city, subject to voter approval, to levy and collect a hotel occupancy tax; to provide for the use of tax proceeds; to provide for an effective date; and to provide for related matters.

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

Without objection, so ordered.

Message from the House

SIGNED HOUSE CONCURRENT RESOLUTIONS

May 4, 2023

To the Honorable President and Members of the Senate:

I am directed to inform your honorable body that the Speaker of the House of Representatives has signed the following House Concurrent Resolutions:

HOUSE CONCURRENT RESOLUTION NO. 66—
BY REPRESENTATIVES HUVAL, AMEDEE, BACALA, BEAULLIEU, BISHOP, BOURRIAQUE, BRASS, BROWN, BRYANT, BUTLER, CARRIER, WILFORD CARTER, COUSSAN, DESHOTEL, DEVILLIER, EDMONSTON, EMERSON, FARNUM, FONTENOT, GAINES, GEYMANN, GOUDEAU, JORDAN, LACOMBE, MAGEE, MIGUEZ, DUSTIN MILLER, GREGORY MILLER, ORGERON, PIERRE, ROMERO, SCHEXNAYDER, ST. BLANC, STEFANSKI, TARVER, AND ZERINGUE AND SENATORS ABRAHAM, ALLAIN, BOUDREAUX, CLOUD, CORTEZ, HENSGENS, LAMBERT, FRED MILLS, PRICE, REESE, SMITH, AND STINE
A CONCURRENT RESOLUTION

To designate Wednesday, May 10, 2023, as CODOFIL Day at the state capitol.

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

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

The House Concurrent Resolutions contained herein were signed by the President of the Senate.

ATTENDANCE ROLL CALL

PRESENT

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

ABSENT

Tarver	White
Total - 2	

Leaves of Absence

The following leaves of absence were asked for and granted:

Tarver	1 Day	White	1 Day
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Announcements

The following committee meetings for May 11, 2023, were announced:

Education	At Adj	Hainkel Room
Labor and Ind. Rel.	At Adj	Room C
Local and Mun. Affairs	At Adj	Room F
Natural Resources	At Adj	Room A
Revenue and Fiscal Affairs	At Adj	Room A
Transportation	At Adj	Room E

Adjournment

On motion of Senator Peacock, at 4:05 o'clock P.M. the Senate adjourned until Thursday, May 11, 2023, at 9:30 o'clock A.M.

The President of the Senate declared the Senate adjourned.

YOLANDA J. DIXON
Secretary of the Senate

FRAN OGNIBENE
Journal Clerk

