

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

FIRST DAY'S PROCEEDINGS

**Fifty-Second Extraordinary Session of the Legislature
Under the Adoption of the
Constitution of 1974**

Senate Chamber
State Capitol
Baton Rouge, Louisiana

Monday, February 19, 2024

The Senate was called to order at 1:16 o'clock P.M. by Hon. J. Cameron Henry, Jr., President of the Senate.

Morning Hour

CONVENING ROLL CALL

PRESENT

Mr. President	Fesi	Mizell
Abraham	Fields	Morris
Allain	Foil	Owen
Barrow	Harris	Pressly
Bass	Hensgens	Price
Boudreaux	Hodges	Reese
Bouie	Jackson-Andrews	Seabaugh
Carter	Jenkins	Stine
Cathey	Kleinpeter	Talbot
Cloud	Lambert	Wheat
Connick	McMath	Womack
Duplessis	Miguez	
Edmonds	Miller	
Total - 37		

ABSENT

Coussan	Luneau
Total - 2	

The President of the Senate announced there were 37 Senators present and a quorum.

Prayer

The prayer was offered by Senator Katrina Jackson-Andrews, 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 Talbot, the reading of the Journal was dispensed with and the Journal of January 19, 2024, was adopted.

Messages from the Governor

The following messages from the Governor were received and read as follows:

**EXECUTIVE DEPARTMENT
OFFICE OF THE GOVERNOR
PROCLAMATION NUMBER 13 JML 2024**

Pursuant to the authority granted to the governor by Louisiana Constitution article III, §2(B), I, Jeff Landry, Governor of the state of Louisiana, HEREBY CALL AND CONVENE THE LEGISLATURE OF LOUISIANA INTO EXTRAORDINARY SESSION to convene at the State Capitol, in the City of Baton Rouge, Louisiana, during 17 calendar days, beginning at 1:00 p.m. on the 19th day of February,

2024, and ending no later than 6:00 p.m. on the 6th of March 2024. The power to legislate at this session shall be limited, under penalty of nullity, to the consideration of the following enumerated objects:

- ITEM 1:** To restrict parole eligibility.
- ITEM 2:** To restrict or repeal the earning rate of good time, or diminution of sentence for good behavior, and earned compliance credits.
- ITEM 3:** To expand the criteria for which probation and parole may be revoked for technical violations.
- ITEM 4:** To require a unanimous vote of the parole board to grant parole and to increase the powers of the board.
- ITEM 5:** To require electronic access to criminal records and certain records from juvenile delinquency proceedings.
- ITEM 6:** To legislate with regard to the appropriation of funds and making certain reductions from certain sources for Fiscal Year 2023-2024, and to provide for the transfer, deposit, and use, as specified, of monies in certain treasury funds and accounts, all for the purpose of funding criminal justice, the national guard, and juvenile justice related expenses.
- ITEM 7:** To create the office of the state public defender within the office of the governor for the delivery of indigent defense services.
- ITEM 8:** To add the crime of illegal use of weapons or dangerous instrumentalities to the listing of crimes of violence.
- ITEM 9:** To increase the penalties for the crime of carjacking.
- ITEM 10:** To legislate with regard to participation in drug and specialty court programs, including program eligibility and requirements, effects on sentencing, and fiscal impacts of such programs.
- ITEM 11:** To lower the age of a person deemed to be a "child" for purposes of dispositions and sentencing for the commission of delinquent acts.
- ITEM 12:** To expand the list of crimes for which a child may be confined to the custody and care of the Department of Public Safety and Corrections and to remove eligibility for modification of certain sentences.
- ITEM 13:** To grant immunity from liability, based upon certain criteria, for peace officers and public entities that employ or appoint peace officers.
- ITEM 14:** To legislate relative to the approval of any order or settlement reached in the federal case of *Louisiana State Conference of the National Association for the Advancement of Colored People, et al. v. State of Louisiana, et al.*, U.S.D.C. (Middle District) Case 3:19-cv-00479, amending La. R.S. 13:101 and La. R.S. 13:101.1 and restructuring the Louisiana Supreme Court to align with the terms of the order or settlement.
- ITEM 15:** To specify the method of administering a sentence of death, to provide for civil and criminal liability, and to provide for the confidentiality or records relating thereto.
- ITEM 16:** To legislate relative to the use of ignition interlock devices relative to operating a vehicle while intoxicated and to provide for the use of ignition interlock devices by persons refusing to submit to an approved chemical test for intoxication.
- ITEM 17:** To add limitations and restrictions regarding the filing of post-conviction relief.

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- ITEM 18:** To authorize the carrying of concealed weapons by certain persons without the necessity of obtaining a permit.
- ITEM 19:** To grant immunity from liability for persons authorized to carry concealed handguns.
- ITEM 20:** To increase the balance of the fund of the Department of Justice Legal Support Fund.
- ITEM 21:** To legislate relative to providing notice to the Attorney General and opportunity to be heard for constitutional challenges to a law.
- ITEM 22:** To legislate with regard to the prosecution of third-degree rape.
- ITEM 23:** To amend or repeal Act 354 of 2023 Regular Session of the Louisiana Legislature relative to the admissibility of a defendant's creative or artistic expression.
- ITEM 24:** To create a criminal offense to prohibit the predatory marketing of fentanyl to minors.

IN WITNESS WHEREOF, I have set my hand officially and caused to be affixed the Great Seal of Louisiana in the City of Baton Rouge, on this 8th day of February, 2024.

JEFF LANDRY
Governor of Louisiana

Attested by the
Secretary of State

NANCY LANDRY
Secretary of State

**Petitions, Memorials and
Communications**

The following petitions, memorials and communications were received and read:

**SENATE
STATE OF LOUISIANA**

January 29, 2024

The Honorable Blake Miguez
Louisiana State Senator, District 22
1101 E. Admiral Doyle Drive, Suite 301-8
New Iberia, LA 70560

RE: Capitol Security Council

Dear Senator Miguez:

In accordance with the provisions of Act 507 of the 2022 Regular Session of the Legislature, the Senate President serves and appoints members to serve on the Capitol Security Council, which has been created to adopt a comprehensive security plan for the areas within the state capitol complex.

It is my pleasure to appoint you to serve on the council and to appoint you as Vice Chair in accordance with R.S. 24:691(D) after the initial meeting. I appreciate your willingness to serve in this important role. Please do not hesitate to contact me if I can be of any assistance. I am forwarding a copy of this letter to Speaker DeVillier to notify him of your appointment.

Sincerely,
J. CAMERON HENRY, JR.
Senate President

**SENATE
STATE OF LOUISIANA**

January 29, 2024

The Honorable Heather Cloud
Louisiana State Senator, District 28
Post Office Box 269
Turkey Creek, LA 70585

RE: Capitol Security Council

Dear Senator Cloud:

In accordance with the provisions of Act 507 of the 2022 Regular Session of the Legislature, the Senate President serves and appoints members to serve on the Capitol Security Council, which has been created to adopt a comprehensive security plan for the areas within the state capitol complex.

It is my pleasure to appoint you to serve on the council. I appreciate your willingness to serve in this important role. Please do not hesitate to contact me if I can be of any assistance. I am forwarding a copy of this letter to Speaker DeVillier to notify him of your appointment.

Sincerely,
J. CAMERON HENRY, JR.
Senate President

**SENATE
STATE OF LOUISIANA**

January 29, 2024

The Honorable Jeremy Stine
Louisiana State Senator, District 27
1011 Lakeshore Drive, Suite 515
Lake Charles, LA 70601

RE: Capitol Security Council

Dear Senator Stine:

In accordance with the provisions of Act 507 of the 2022 Regular Session of the Legislature, the Senate President serves and appoints members to serve on the Capitol Security Council, which has been created to adopt a comprehensive security plan for the areas within the state capitol complex.

It is my pleasure to appoint you to serve on the council. I appreciate your willingness to serve in this important role. Please do not hesitate to contact me if I can be of any assistance. I am forwarding a copy of this letter to Speaker DeVillier to notify him of your appointment.

Sincerely,
J. CAMERON HENRY, JR.
Senate President

**SENATE
STATE OF LOUISIANA**

January 29, 2024

The Honorable Gerald Boudreaux
Louisiana State Senator, District 24
Post Office Box 91245
Lafayette, LA 70509

RE: Capitol Security Council

Dear Senator Boudreaux:

In accordance with the provisions of Act 507 of the 2022 Regular Session of the Legislature, the Senate President serves and appoints members to serve on the Capitol Security Council, which has been created to adopt a comprehensive security plan for the areas within the state capitol complex.

It is my pleasure to appoint you to serve on the council. I appreciate your willingness to serve in this important role. Please do not hesitate to contact me if I can be of any assistance. I am forwarding a copy of this letter to Speaker DeVillier to notify him of your appointment.

Sincerely,
J. CAMERON HENRY, JR.
Senate President

Rules Suspended

Senator Barrow asked for and obtained a suspension of the rules for the purpose of taking up at this time.

Introduction of Senate Resolutions

SENATE RESOLUTION NO. 1
BY SENATOR BARROW

A RESOLUTION

BE IT RESOLVED by the Senate of the State of Louisiana that a Committee of five be appointed to notify the House of Representatives that the Senate is now duly convened and organized and prepared to transact such business as may be brought before it.

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

In compliance with the resolution the President of the Senate appointed the following Committee:

Senators Allain,
Cloud,
Jackson-Andrews,
Kleinpeter, and
Miguez.

SENATE RESOLUTION NO. 2
BY SENATOR BARROW

A RESOLUTION

BE IT RESOLVED by the Senate of the State of Louisiana that a Committee of six be appointed to act with such a Committee as the House of Representatives may appoint to notify the Governor that the Legislature is now duly convened and organized and prepared to receive such communication as he may desire to lay before it.

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

In compliance with the resolution the President of the Senate appointed the following Committee:

Senators Barrow,
Bass,
Duplessis,
Stine, and
Wheat.

Reports of Committees

The Committee appointed to notify the Governor that the Senate had convened and was prepared to transact business reported it had

performed that duty. The President of the Senate thanked the Committee and discharged it.

The Committee appointed to notify the House of Representatives that the Senate had convened and was prepared to transact business reported it had performed that duty. The President of the Senate thanked the Committee and discharged it.

Committee from the House of Representatives

A Committee from the House of Representatives appeared before the Bar of the Senate and informed the Senate that the House of Representatives was organized and ready to proceed with business.

Rules Suspended

Senator Barrow asked for and obtained a suspension of the rules to advance to:

Introduction of Senate Concurrent Resolutions

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

SENATE CONCURRENT RESOLUTION NO. 1—
BY SENATOR BARROW

A CONCURRENT RESOLUTION

To invite the Honorable Jeff Landry, Governor of Louisiana, to address a joint session of the legislature.

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

ROLL CALL

The roll was called with the following result:

YEAS

Table with 3 columns: Mr. President, Yeas, Nays. Lists names of senators and their counts for YEAS and NAYS.

NAYS

Total - 0

ABSENT

Duplessis
Miguez
Total - 2

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

Motion

Senator Barrow moved that the Senate proceed to the House of Representatives to meet in Joint Session.

Joint Session of the Legislature

The joint session of the legislature was called to order at 1:55 P.M. by the Honorable J. Cameron Henry Jr., President of the Senate.

On motion of Senator Barrow, the calling of the roll on the part of the Senate was dispensed with.

On motion of Speaker Pro-Tempore Michael Johnson, the calling of the roll on the part of the House was dispensed with.

The President of the Senate appointed the following special committee to escort the Honorable Jeff Landry, Governor of the State of Louisiana, to the joint session.

On the part of the Senate: Senators Barrow, Bass, Duplessis, Stine, and Wheat.

On the part of the House: Representatives Crews, Horton, Jordan, Marcelle, and McFarland.

Prayer

Prayer was offered by Senator Regina Barrow, President Pro Tempore.

Pledge of Allegiance

Senator Henry, President of the Senate, led the joint session in reciting the Pledge of Allegiance to the Flag of the United States of America.

The President of the Senate introduced the Honorable Jeff Landry, who addressed the joint session of the legislature.

On motion of Senator Barrow, the Senate retired to its own chamber.

After Joint Session

The Senate was called to order by the President of the Senate with the following Senators present:

PRESENT

Mr. President	Fesi	Miller
Abraham	Fields	Mizell
Allain	Foil	Morris
Barrow	Harris	Owen
Bass	Hensgens	Pressly
Boudreaux	Hodges	Price
Bouie	Jackson-Andrews	Reese
Carter	Jenkins	Seabaugh
Cathey	Kleinpeter	Stine
Connick	Lambert	Talbot
Coussan	Luneau	Wheat
Duplessis	McMath	Womack
Edmonds	Miguez	
Total - 38		

ABSENT

Cloud
Total - 1

The President of the Senate announced there were 38 Senators present and a quorum.

Senate Business Resumed After Joint Session

Message from the House

CONCURRING IN SENATE CONCURRENT RESOLUTIONS

February 19, 2024

To the Honorable President and Members of the Senate:

I am directed to inform your honorable body that the House of Representatives has finally concurred in the following Senate Concurrent Resolutions:

SENATE CONCURRENT RESOLUTION NO. 1—

BY SENATOR BARROW

A CONCURRENT RESOLUTION

To invite the Honorable Jeff Landry, Governor of Louisiana, to address a joint session of the legislature.

Reported without amendments.

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

Prefiled Senate Bills and Joint Resolutions to be Introduced and Referred

Senator Miguez asked for a suspension of the rules to introduce and read prefiled Senate Bills and Joint Resolutions a first and second time and refer them to committee.

Senator Boudreaux objected.

ROLL CALL

The roll was called with the following result:

YEAS

Mr. President	Hensgens	Owen
Abraham	Hodges	Pressly
Allain	Jackson-Andrews	Reese
Bass	Kleinpeter	Seabaugh
Cathey	Lambert	Stine
Connick	McMath	Talbot
Coussan	Miguez	Wheat
Edmonds	Miller	Womack
Fesi	Mizell	
Foil	Morris	
Total - 28		

NAYS

Barrow	Duplessis	Luneau
Boudreaux	Fields	Price
Bouie	Harris	
Carter	Jenkins	
Total - 10		

ABSENT

Cloud
Total - 1

The Chair declared the rules were suspended.

Explanation of Vote

Senator Jackson-Andrews stated she intended to vote nay on the motion by Senator Miguez, and asked that the Official Journal so state.

SENATE BILL NO. 1—
BY SENATORS MIGUEZ, KLEINPETER, MORRIS AND SEABAUGH AND REPRESENTATIVE MIKE JOHNSON

AN ACT

To amend and reenact R.S. 14:95(M) and R.S. 40:1379.3(B)(2)(a), (M), and (O) and to enact R.S. 14:95(N), relative to illegal carrying of weapons; to provide that law-abiding persons eighteen years of age and not otherwise prohibited may carry a concealed weapon lawfully without a permit; and to provide for related matters.

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

SENATE BILL NO. 2—
BY SENATOR MIGUEZ AND REPRESENTATIVE BEAULLIEU

AN ACT

To enact R.S. 9:2793.12, relative to liability of persons authorized to carry a concealed handgun; to provide with respect to persons authorized to own, possess, use, or carry a concealed handgun; to provide relative to immunity from civil liability; to provide for definitions; to provide for exceptions; to provide for an effective date; and to provide for related matters.

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

SENATE BILL NO. 3—
BY SENATOR CLOUD AND REPRESENTATIVE CREWS

AN ACT

To amend and reenact Children's Code Art. 804(1), relative to delinquency proceedings and juvenile court jurisdiction; to amend the definition of "child" for purposes of delinquency proceedings; and to provide for related matters.

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

SENATE BILL NO. 4—
BY SENATOR CLOUD AND REPRESENTATIVE CREWS

AN ACT

To amend and reenact Children's Code Art. 897.1(B), (C), and (D), relative the sentencing of a juvenile after adjudication for certain offenses; and to provide for related matters.

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

SENATE BILL NO. 5—
BY SENATOR MCMATH AND REPRESENTATIVE FONTENOT

AN ACT

To amend and reenact R.S. 15:574.2(C) and (D)(8) and (9) and 574.4.1(A)(1) and (D)(1) and to enact R.S. 15:574.4.1(E), relative to parole; to provide relative to parole procedures; to provide relative to the votes required for parole decisions; to provide relative to victim and law enforcement notification; and to provide for related matters.

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

SENATE BILL NO. 6—
BY SENATOR SEABAUGH AND REPRESENTATIVE BACALA

AN ACT

To enact R.S. 9:2793.11, relative to liability of peace officers; to provide relative to immunity from civil liability for peace officers; to provide for definitions; to provide for exceptions; to provide for an effective date; and to provide for related matters.

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

SENATE BILL NO. 7—
BY SENATOR EDMONDS

AN ACT

To amend and reenact R.S. 14:98.1(A)(3)(c) and 98.2(A)(3)(c) and R.S. 32:378.2(A), (B)(1)(a)(ii)(aa) and (bb), 414(A)(1)(c)(i) and (ii), and (D)(1)(b), 667(B)(1)(a) and (3)(b) and (c) and (I)(a) and the introductory paragraph of 668(B)(1)(a), relative to ignition interlock devices; to make technical changes; to change criminal offenses for driving while intoxicated; to provide for a change in time periods that a driver is required to have an ignition interlock device; to provide relative to restricted driver's licenses; to extend the amount of time that a driver is required to have an ignition interlock device upon notice of noncompliance; to provide relative to first and second offense penalties for operating a vehicle while intoxicated; and to provide for related matters.

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

SENATE BILL NO. 8—
BY SENATOR REESE AND REPRESENTATIVE VILLIO

AN ACT

To amend and reenact R.S. 15:142(C) and (F), 143, 146(A), (B)(1) and (C), 147(A), (B)(1), (3), (4), (5)(b)(iii), (6), (7), (15), (17), (19) and (20), (C), (D) and (E), 148(A), the introductory paragraph of (B)(1)(a), (B)(1)(b), (c), (d), (e) and (f), and (5) through (13) and (C), 149.1, 149.2, 150(A), (C) and (E), 152, 161(A), (E)(5) and (7) through (14), (F), (H), (I) and (J), 162, 163, 164(A), (C)(1), the introductory paragraph of (D), (E)(4) and (F)(2), 165(A), (B), (C), (D), (F) and (G), 166, 167(A), (D) and (E), 168(D), 169, 170(A)(1) and (3), (B)(2), (5), (6), (8) and (9), (C), (D)(1), (2) and (3), (G), (H), (I) and (J), 173(B), 174(A) and (B)(1), 175(A)(1)(f) and (i) and (2) and (C), 178, 180, 185.2(1) through (7), 185.3(A), the introductory paragraph of (B), (B)(6), (7), (11), (17), (18), and (19)(g), (C) and (D), 185.4(A), (B)(2), (10) and (12), 185.6(A), (B)(1) and the introductory paragraph of (B)(2), and (D), 187.7(B), the introductory paragraph of 185.9(A), 185.9(B), the introductory paragraph of (C) and (C)(3), 186.2(1) through (7), 186.3(A), the introductory paragraph of (B), (B)(5)(a), (6), (10), (13)(c), (16), (17) and (18)(c) and (C), 186.4(A) and 186.5(D) and (E), to enact R.S. 15:164(B)(4) and to repeal R.S. 15:146(D), 148(B)(14) and (15), 151, 153, 154, 155, 156, 157, 158, 159, 160, 162.1 and 168(E) and (F), relative to indigent defender representation; to create the office of the state public defender; to transfer authority from the Louisiana Public Defender Board to the office; to provide for powers, duties, and responsibilities of the office; to provide for rulemaking; to provide for the domicile of the office; to provide for offices and meetings; to provide for qualifications of executive staff; to provide for qualifications, powers, duties, and salary of the state public defender; to provide for district public defenders; to provide for methods of delivery of services; to provide for the Louisiana Public Defender Fund; to provide for the Judicial District Indigent Defender Fund; to provide for representation of capital defendants; to provide for disciplinary actions; to prohibit certain rights of action; to provide for special reporting requirements; to provide for certain proceedings; to provide for appointment of counsel under certain circumstances; to provide for reports; to provide for the Indigent Parents' Representation Program; to provide for standards and guidelines; to provide for the Safe Return Representation Program; to provide for the Safe Return Representation Program Fund; and to provide for related matters.

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

SENATE BILL NO. 9—
BY SENATOR MIZELL AND REPRESENTATIVE VENTRELLA

AN ACT

To amend and reenact Code of Criminal Procedure Art. 572(B)(1) and (2), relative to limitations upon institution of prosecutions;

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to provide relative to newly discovered photographic or video evidence of certain offenses; and to provide for related matters.

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

SENATE BILL NO. 10—
BY SENATOR CATHEY

AN ACT

To amend and reenact R.S. 15:571.3(B)(1)(a), the introductory paragraph of (C), (D), and (F) and to enact R.S. 15:571.3(G), relative to diminution of a sentence for good behavior; to provide for reduction of good time credit for offenders convicted in the death of a peace officer or first responder; and to provide for related matters.

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

SENATE BILL NO. 11—
BY SENATOR CATHEY

AN ACT

To amend and reenact Children's Code Art. 804(1), relative to delinquency proceedings and juvenile court jurisdiction; to amend the definition of "child" for purposes of delinquency proceedings; and to provide for related matters.

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

SENATE BILL NO. 12—
BY SENATOR HODGES

AN ACT

To amend and reenact R.S. 14:64.2(B), relative to the crime of carjacking; to increase the penalties for the crime of carjacking; to provide for an effective date; and to provide for related matters.

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

SENATE BILL NO. 13—
BY SENATOR SEABAUGH

AN ACT

To enact Chapter 43 of Title 13 of the Louisiana Revised Statutes of 1950, to be comprised 3 of R.S. 13:5991 through 5993, and Children's Code Art. 412(N), relative to access to criminal justice records; to establish the Truth and Transparency in the Louisiana Criminal Justice System Program; to provide relative to the identification of minute entries; to provide relative to access of minute entries; to require the establishment of a website or online portal; to provide relative to duties and obligations; to provide relative to immunity from suit; to provide for an effective date; and to provide for related matters.

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

ATTENDANCE ROLL CALL

PRESENT

Mr. President	Edmonds	Miguez
Abraham	Fesi	Miller
Allain	Fields	Mizell
Barrow	Foil	Morris
Bass	Harris	Owen
Boudreaux	Hensgens	Pressly
Bouie	Hodges	Price
Carter	Jackson-Andrews	Reese
Cathey	Jenkins	Seabaugh
Cloud	Kleinpeter	Stine
Connick	Lambert	Talbot
Coussan	Luneau	Wheat
Duplessis	McMath	Womack

Total - 39

ABSENT

Total - 0

Announcements

The following committee meetings for February 20, 2024, were announced:

Judiciary B	10:30 A.M.	Room E
Judiciary C	9:00 A.M.	Room A

Adjournment

On motion of Senator Talbot, at 3:48 o'clock P.M. the Senate adjourned until Tuesday, February 20, 2024, at 3:00 o'clock P.M.

The President of the Senate declared the Senate adjourned.

YOLANDA J. DIXON
Secretary of the Senate

FRANCINE K. OGNIBENE
Journal Clerk