The Senate was called to order at 3:45 o’clock P.M. by Hon. John A. Alario Jr., President of the Senate.

Morning Hour

CONVENING ROLL CALL

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

PRESENT

Mr. President Donahue Peacock
Allain Erdey Perry
Appel Fannin Peterson
Barrow Gatti Riser
Boudreaux Hewitt Smith, G.
Carter Johns Smith, J.
Chabert Lambert Thompson
Clairtor Luneau Ward
Cortez Mills
Total - 26

ABSENT

Bishop Martiny Morrish
Colomb Milkovich Tarver
LaFleur Mizell Walsworth
Long Morrell White
Total - 12

The President of the Senate announced there were 26 Senators present and a quorum.

Prayer

The prayer was offered by Pastor Oren Conner, 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 Luneau, the reading of the Journal was dispensed with and the Journal of May 2, 2017, was adopted.

Introduction of Senate Resolutions

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

SENATE RESOLUTION NO. 70—
BY SENATOR THOMPSON
A RESOLUTION
To commend and congratulate the lifters and coaches of the Delhi Charter School boys powerlifting team on winning the 2017 Louisiana High School Athletic Association Division V, Class 1A State Powerlifting Championship.

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

SENATE RESOLUTION NO. 71—
BY SENATOR RISER
A RESOLUTION
To commend the Republic of China, known as Taiwan, for positive economic relations with Louisiana.

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

SENATE RESOLUTION NO. 72—
BY SENATOR MILLS
A RESOLUTION
To designate Thursday, May 18, 2017, as March of Dimes Day at the Louisiana State Capitol.

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

SENATE RESOLUTION NO. 73—
BY SENATOR MORRISH
A RESOLUTION
To recognize May 4, 2017, as Dental Hygiene Day at the Louisiana Senate.

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

SENATE RESOLUTION NO. 74—
BY SENATOR MORRISH
A RESOLUTION
To commend Mabel Guillotte Alexander upon the occasion of her one hundredth birthday.

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

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. 65—
BY SENATOR PEACOCK
A CONCURRENT RESOLUTION
To commend and congratulate the students, faculty, administrators, and alumni of Bossier High School on the occasion of its Centennial celebration and to pay tribute to the accomplishments of its many graduates.

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

SENATE CONCURRENT RESOLUTION NO. 66—
BY SENATOR COLOMB
A CONCURRENT RESOLUTION
To commend the efforts of The Links, Incorporated and to designate Monday, May 8, 2017, as Louisiana Links Day at the state capitol.

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

Mr. President Erdey Morrish
Allain Fannin Peacock
Appel Gatti Perry
Barrow Hewitt Peterson
Bishop Johns Riser
Boudreaux Lambert Smith, G.
Carter Luneau Smith, J.
Chabert Martiny Thompson
SENATE CONCURRENT RESOLUTION NO. 67—
BY SENATOR ALLAIN
A CONCURRENT RESOLUTION
To memorialize the Congress of the United States to pass legislation or to adopt policies allowing Louisiana to manage the Gulf of Mexico red snapper fishery out to two hundred nautical miles off the coast of Louisiana.

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. 254— (Substitute of Senate Bill No. 235 by Senator Morrell)
BY SENATORS MORRELL AND GARY SMITH
AN ACT
To amend and reenact R.S. 47:6007(B)(1), (8), (11) as amended by Acts 2015, No. 129, (14), (21), (24), the introductory paragraph of R.S. 47:6007(C)(1), R.S. 47:6007(C)(1)(a) and (b), the introductory paragraphs of R.S. 47:6007(C)(1)(c) and (4), R.S. 47:6007(C)(4)(f) as amended by Acts 2015, No. 129 and 134, R.S. 47:6007(D)(1)(a) and (2)(c)(i) as amended by Acts 2015, No. 141, (d), (D)(2)(c)(i) as amended by Acts 2015, No. 144, and (f), to enact R.S. 47:6007(D)(28), (29), (30), (31), (32), (4)(1)(d)(iv) and (2)(a)(ii) and (c)(iv), and (J), and to repeal R.S. 47:6007(B)(4), (11) as amended by Acts 2015, No. 134 and 144, (16) as amended by Acts 2015, No. 134 and 412, (17)(e), (d), and (e) all as amended by Acts 2015, Nos. 134, 141, 142, 143, 144, and 412, (23), (C)(1)(d), (C)(4)(f) as amended by Acts 2015, No. 144, (D)(2)(c)(i) as amended by Acts 2015, No. 129, 141, and 412, relative to the motion picture production tax credit; to provide for definitions applicable to the credit; to provide for base investment credit enhancements; to provide for payroll credits for qualified entertainment companies; to provide for credit caps, structured pay outs, and project size limitations; to remove duplicate provisions; to provide for an sunset date; to provide for an effective date; and to provide for related matters.

On motion of Senator Morrell the bill was read by title, ordered engrossed and recommitted to the Committee on Finance.

Senate Resolutions on Second Reading

SENATE RESOLUTION NO. 67—
BY SENATOR THOMPSON
A RESOLUTION
To commemorate the eightieth anniversary of the American System of Conservation Funding.

On motion of Senator Thompson the resolution was read by title and adopted.
HOUSE BILL NO. 17—
BY REPRESENTATIVE TERRY BROWN
AN ACT
To enact R.S. 51:703(K), relative to the disclosure of certain account information; to provide for the release of certain account information of a decedent by a dealer; to provide for certain required documents; and to provide for related matters.

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

HOUSE BILL NO. 27—
BY REPRESENTATIVE CONNICK
AN ACT
To amend and reenact R.S. 14:35.3(B)(5) and 37.7(B)(2) and R.S. 46:2132(4), relative to victims of domestic abuse; to amend the definition of "household member" for purposes of domestic abuse battery, domestic abuse aggravated assault, and domestic abuse assistance; and to provide for related matters.

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

HOUSE BILL NO. 79—
BY REPRESENTATIVE FOIL
AN ACT
To amend and reenact R.S. 17:223(A), 416.1(B), and 3996(B)(2), relative to student discipline; to prohibit the use of corporal punishment in public elementary and secondary schools for students with exceptionalities, except gifted and talented 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. 83—
BY REPRESENTATIVE MARINO
AN ACT
To amend and reenact Code of Criminal Procedure Articles 551(B), 553(A) and (C), 831, 832, 833(A) and (C), and 900(A)(introducory paragraph), (B), and (C) and to enact Code of Criminal Procedure Articles 556(E), 556.1(F), and 562, relative to presence of the defendant; to provide relative to an incarcerated defendant's appearance at arraignment, the entry of his plea, and probation violation hearing; to authorize the incarcerated defendant to appear by way of simultaneous audio-visual transmission; to provide the procedure and requirements for using simultaneous audio-visual transmission; to provide relative to a defendant's waiver of certain rights; to provide relative to the use of electronic signatures; and to provide for related matters.

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

HOUSE BILL NO. 89—
BY REPRESENTATIVE DAVIS
AN ACT
To amend and reenact R.S. 22:1662(2), relative to claims adjusters; to allow non-licensed claims adjusters to adjust certain losses that do not exceed five hundred dollars; and to provide for related matters.

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

HOUSE BILL NO. 98—
BY REPRESENTATIVE BISHOP
AN ACT
To amend and reenact R.S. 30:87(A), (B), and (F) and to repeal R.S. 30:87(D), relative to oilfield site restoration fees; to provide relative to the applicability of the fees; to remove certain references; to repeal the provision that oilfield site restoration fees are proportional to severance tax collected on the production of the well; and to provide for related matters.

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

HOUSE BILL NO. 111—
BY REPRESENTATIVE BISHOP
AN ACT
To enact R.S. 17:267 and 3996(B)(44), relative to required instruction; to provide instruction in litter prevention and awareness for public school students in certain grades; to provide relative to materials used for such instruction; to require public school governing authorities to adopt rules and regulations to implement such instruction; 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 GREGORY MILLER
AN ACT
To amend and reenact R.S. 47:1965 and to enact R.S. 40:36(H), relative to records relating to ad valoreum tax assessments; to require the registrar of vital records to provide information to assessors concerning deaths occurring in the state; to provide with respect to requirements and procedures; to provide for effectiveness; and to provide for related matters.

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

HOUSE BILL NO. 144—
BY REPRESENTATIVE ZERINGUE
AN ACT
To amend and reenact R.S. 49:214.5.5, relative to integrated coastal restoration projects; to provide relative to immovable property interests that can be acquired by public entities for integrated coastal protection purposes; to provide for a term of acquisition of certain immovable property interests for integrated coastal protection; and to provide for related matters.

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

HOUSE BILL NO. 155—
BY REPRESENTATIVE DANAHAY
AN ACT
To amend and reenact R.S. 15:587(A)(1)(a), relative to criminal identification and information; to provide relative to the Louisiana Bureau of Criminal Identification and Information; to provide relative to the Louisiana Bureau of Criminal Identification and Information; to provide relative to the Governmental Affairs Committee criminal history record and identification files; and to provide for related matters.

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

HOUSE BILL NO. 158—
BY REPRESENTATIVE DUSTIN MILLER
AN ACT
To authorize and provide for the transfer of certain state property; to authorize the transfer of certain state property in St. Landry Parish; to provide for the property description; to provide for reservation of mineral rights; to provide terms and conditions; to provide an effective date; and to provide for related matters.

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

HOUSE BILL NO. 159—
BY REPRESENTATIVE DUSTIN MILLER
AN ACT
To enact R.S. 40:2154.1 and to repeal R.S. 40:2154(A)(14), relative to behavioral health services providers; to provide for healthcare provider licensing and regulatory functions of the Louisiana Department of Health; to provide for applicability of the Behavioral Health Services Provider Licensing Law; to require
certain healthcare providers to be licensed as behavioral health services providers; to require such providers to complete applications for licenses by a certain 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. 160—**
BY REPRESENTATIVE GREGORY MILLER
AN ACT
To amend and reenact R.S. 18:564(D)(1)(a)(introductory paragraph) and (2)(b) and 1309.3(D)(1)(a)(introductory paragraph) and to enact R.S. 18:106(C)(2)(d), 564(D)(1)(a)(iv) and (2)(a)(iv), and 1309.3(D)(1)(a)(iv) and (v), relative to voting; to provide relative to eligibility for certain persons to receive assistance in voting on election day and during early voting; to provide procedures and requirements for receiving assistance in voting; and to provide for related matters.

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

**HOUSE BILL NO. 165—**
BY REPRESENTATIVE ANDERS
AN ACT
To amend and reenact R.S. 22-984, relative to the identification of a health benefit plan insurer and sponsor; to require that dental benefit plan documentation identify the plan's insurer; to require information on the face of the identification documentation regarding the level of insurance coverage; and to provide for related matters.

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

**HOUSE BILL NO. 168—**
BY REPRESENTATIVE CARPENTER
AN ACT
To amend and reenact R.S. 18:171(C)(1) and (2), relative to reports to election officials concerning persons with felony convictions; to provide relative to the duties of registrars of voters and officials in the Department of State and the Department of Public Safety and Corrections relative to such reports; to provide for the information required to be reported; to provide deadlines for such reports; and to provide for related matters.

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

**HOUSE BILL NO. 188—**
BY REPRESENTATIVE CROMER
AN ACT
To amend and reenact R.S. 22:2444, relative to the funding of an external review of a health insurance issuer; to provide that the issuer pay the cost of the review; to provide for documentation of the costs; to provide for appeal; and to provide for related matters.

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

**HOUSE BILL NO. 192—**
BY REPRESENTATIVES MORENO, BAGLEY, HORTON, JOHNSON, RICHARD, STAGNI, AND TALBOT
AN ACT
To enact R.S. 40:978(G) and (H), relative to opioid prescriptions; to provide for a seven-day limit on prescriptions; to provide for exceptions to the limitation; to authorize a prescription to be filled for a lesser quantity than the maximum prescribed amount; and to provide for related matters.

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

**HOUSE BILL NO. 318—**
BY REPRESENTATIVES BERTHELOT, TERRY BROWN, CARPENTER, STEVE CARTER, FRANKLIN, GISCLAIR, GUINN, HALL, HAYARD, HILL, HOWARD, NORTON, PIERRE, POPE, STEFANSKI, AND WHITE
AN ACT
To enact R.S. 29:27.1, relative to parking for disabled veterans; to provide free parking for disabled veterans at airports; to establish identification requirements; to provide for the duration of time the veteran may park for free; and to provide for related matters.

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

**HOUSE BILL NO. 324—**
BY REPRESENTATIVE PIERRE
AN ACT
To amend and reenact R.S. 32:1711(Section heading), (A)(1), (2), (3), and (4), (C), (D), (E), (F)(3), and (H) and 172(D), relative to railroad crossings; to provide for on-track equipment; to provide for the designation of on-track equipment as a railway vehicle drivers must approach cautiously; to provide for the responsibility of railroad companies; and to provide for related matters.

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

**HOUSE BILL NO. 379—**
BY REPRESENTATIVE BAGNERIS
AN ACT
To enact R.S. 48:1660.1, relative to the Regional Transit Authority; to authorize the use of public-private partnership contracts by the authority for certain projects; to provide for procedure; and to provide for related matters.

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

**HOUSE BILL NO. 432—**
BY REPRESENTATIVE SHAHOIN
AN ACT
To amend and reenact R.S. 34:852.6(A) and to enact R.S. 32:702(17) and 705(B)(4), relative to transactions executing the transfer of certificates of title of certain movable property; to provide for definitions; to regulate certain transactions transferring certificates of title of movable property; to impose certain procedural 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. 438—**
BY REPRESENTATIVE ZERINGUE
AN ACT
To enact R.S. 29:27.1, relative to parking for disabled veterans; to provide free parking for disabled veterans at airports; to establish identification requirements; to provide for the duration of time the veteran may park for free; and to provide for related matters.

The bill was read by title and placed on the Calendar for a second reading.
To authorize the use of certain state property near Grand Isle for seafood research; to provide relative to the use of certain waters for oyster farming research; to provide relative to the specification of the boundaries and size of the areas in which the research will be conducted; 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 2, 2017

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. 53

Respectfully submitted,
ALFRED W. SPEER
Clerk of the House of Representatives

House Concurrent Resolutions on First Reading

HOUSE CONCURRENT RESOLUTION NO. 53—
BY REPRESENTATIVES HAZEL, GAROFALO, AND MARINO AND SENATOR DONAHUE
A CONCURRENT RESOLUTION
To commend the Holy Cross Tigers upon winning the 2017 All-State Sugar/LHSAA Division I state wrestling championship.

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. 7—
BY REPRESENTATIVE WHITE
AN ACT
To enact R.S. 15:255(S), relative to witness fees for off-duty law enforcement officers; to authorize the transfer of certain witness fee surplus funds within Washington Parish; to provide for the transfer procedures and use of such funds; to provide for definitions; and to provide for related matters.

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

HOUSE BILL NO. 94—
BY REPRESENTATIVES JIMMY HARRIS, AMDEE, BAGNERIS, CHAD BROWN, GARY CARTER, ROBBY CARTER, COUSSAN, EDMONDS, GAINES, GLOVER, HAZEL, HODGES, JACKSON, LEGER, LEOPOLD, MAGEE, MARINO, MARY MORRIS, SHADOIN, AND ZERINGUE
AN ACT
To amend and reenact R.S. 13:587(4)(A) and 5401(A) and (B)(1) and (2) and to repeal R.S. 13:5401(C), relative to reentry courts; to authorize the creation of a reentry division in all district courts; to remove the enumerated district courts authorized to create reentry divisions; to require certain criteria for eligibility and suitability; to provide for certain requirements of the court; and to provide for related matters.

The bill was read by title and referred by the President to the Committee on Judiciary B.
HOUSE BILL NO. 107—
BY REPRESENTATIVES ZERINGUE AND MAGEE
AN ACT
To amend and reenact R.S. 13:783(F)(7), relative to group insurance expenses of the clerk of court's office; to provide for the Terrebonne Parish clerk of court's group insurance expenses; 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. 325—
BY REPRESENTATIVE THIBAUT
AN ACT
To amend and reenact R.S. 9:154(A)(10) and R.S. 13:842 and to enact R.S. 13:843.1, relative to renewals of such taxes and fees; and to provide for related matters.

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

HOUSE BILL NO. 329—
BY REPRESENTATIVE BAGNERIS
AN ACT
To amend and reenact R.S. 37:2810(A) and (C)(2)(a), relative to the Orleans Parish; to provide relative to the Lake Barrington Subdivision Improvement District; to provide relative to the governing board of the district; to provide relative to the membership of the board; to provide relative to the special taxes and fees levied within the district; to provide relative to the renewal of such taxes and fees; and to provide for related matters.

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

HOUSE BILL NO. 492—
BY REPRESENTATIVES MAGEE, HOFFMANN, AND STOKES
AN ACT
To amend and reenact R.S. 13:842 and to repeal R.S. 13:843.1, relative to group insurance expenses of the clerk of court's office; to provide for the Terrebonne Parish clerk of court's group insurance expenses; and to provide for related matters.

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

Reports of Committees

The following reports of committees were received and read:

REPORT OF COMMITTEE ON COMMERCE, CONSUMER PROTECTION AND INTERNATIONAL AFFAIRS

Senator Daniel R. Martiny, Chairman on behalf of the Committee on Commerce, Consumer Protection and International Affairs, submitted the following report:

May 3, 2017

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 BILL NO. 37—
BY SENATOR MARTIN
AN ACT
To amend and reenact R.S. 37:2353(C)(5), 2354(B)(1), 2356(A)(6), and 2359(C) and to enact R.S. 37:21(B)(12) and 2354(B)(4) and (5), relative to the Louisiana State Board of Examiners of Psychologists; to provide for an exemption granted to certain boards; to provide for authority to conduct hearings; to provide for hearing fees; to provide for informal resolution fees; to provide for experience substitutions; to provide for authority to withhold license; to provide for an effective date; and to provide for related matters.

Reported with amendments.

SENATE BILL NO. 114—
BY SENATOR CORTEZ
AN ACT
To amend and reenact R.S. 37:844 and to enact R.S. 37:874(C) and (D), relative to embalming and funeral directing; to provide for certificate renewals; to provide for notice; to provide for a time frame for compliance; to provide for refunds of certain reinstatement fees; to provide for an effective date; and to provide for related matters.

Reported with amendments.

SENATE BILL NO. 37—
BY SENATOR MARTIN
AN ACT
To amend and reenact R.S. 37:844 and to enact R.S. 37:874(C) and (D), relative to embalming and funeral directing; to provide for certificate renewals; to provide for notice; to provide for a time frame for compliance; to provide for refunds of certain reinstatement fees; to provide for an effective date; and to provide for related matters.

Reported with amendments.

SENATE BILL NO. 193—
BY SENATOR ERDEY
AN ACT
To amend and reenact R.S. 37:844 and to enact R.S. 37:874(C) and (D), relative to embalming and funeral directing; to provide for certificate renewals; to provide for notice; to provide for a time frame for compliance; to provide for refunds of certain reinstatement fees; to provide for an effective date; and to provide for related matters.

Reported with amendments.

Respectfully submitted,
DANIEL R. MARTIN
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 3, 2017

To the President and Members of the Senate:

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

SENATE BILL NO. 59—
BY SENATORS MILLS, JOHNS, MORRISH AND GARY SMITH
AN ACT
To enact R.S. 37:1741.1, relative to prescription drug price information; to provide for disclosure of certain information; to provide for a form; to provide for penalties; to provide for rulemaking authority; to provide for an effective date; and to provide for related matters.

Reported with amendments.

SENATE BILL NO. 216—
BY SENATORS TARVER AND LAFLEUR
AN ACT
To amend and reenact R.S. 28:53(B)(1), (2)(a) and (b), and (F), relative to physicians assistants; to provide with respect to certificate documentation; to provide authority to require transportation; and to provide for related matters.

Reported with amendments.

Respectfully submitted,
FRED H. MILLS JR.
Chairman

REPORT OF COMMITTEE ON INSURANCE

Senator John Smith, Chairman on behalf of the Committee on Insurance, submitted the following report:

May 3, 2017

To the President and Members of the Senate:

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

SENATE BILL NO. 6—
BY SENATOR JOHN SMITH
AN ACT
To amend and reenact R.S. 42:883(D), relative to the Office of Group Benefits; to provide relative to the quorum for the Group Benefits Policy and Planning Board; and to provide for related matters.

Reported favorably.

SENATE BILL NO. 44—
BY SENATOR JOHN SMITH
AN ACT
To amend and reenact R.S. 22:2313(A), relative to producers’ authority to sell insurance policies issued by the Louisiana Citizens Property Insurance Corporation; to provide for reciprocity for producers in other states; and to provide for related matters.

Reported favorably.

SENATE BILL NO. 45—
BY SENATOR JOHN SMITH
AN ACT
To amend and reenact R.S. 22:2055(13) and to enact R.S. 22:46(19), relative to the definition of ocean marine insurance; and to provide for related matters.

Reported with amendments.

SENATE BILL NO. 56—
BY SENATOR LONG
AN ACT
To amend and reenact R.S. 22:1563(A), relative to reporting of administrative actions against an insurance producer; to provide with respect to the reporting of actions taken by a governmental or nongovernmental agency against an insurance producer; and to provide for related matters.

Reported favorably.

SENATE BILL NO. 184—
BY SENATOR LUNEAU
AN ACT
To enact R.S. 22:2062(A)(2)(c), relative to the Louisiana Insurance Guaranty Association; to provide with respect to the exhaustion of other coverage; to provide for the exclusion of a credit against uninsured and underinsured motorist policies upon the insolvency of the insurer; and to provide for related matters.

Reported favorably.

Respectfully submitted,
JOHN SMITH
Chairman

REPORT OF COMMITTEE ON TRANSPORTATION, HIGHWAYS AND PUBLIC WORKS

Senator Patrick Page Cortez, Chairman on behalf of the Committee on Transportation, Highways and Public Works, submitted the following report:

May 3, 2017

To the President and Members of the Senate:

I am directed by your Committee on Transportation, Highways and Public Works to submit the following report:

SENATE BILL NO. 80—
BY SENATOR BISHOP
AN ACT
To enact R.S. 32:398(N), relative to traffic accidents; to authorize a civilian traffic control officer or entity to investigate a traffic accident in any parish with a population of not less than two hundred fifty-five thousand nor more than three hundred fifty thousand, based upon the latest federal decennial census; to provide for exceptions; to provide for qualifications and training; and to provide for related matters.

Reported with amendments.

SENATE BILL NO. 101—
BY SENATOR RISER
AN ACT
To enact R.S. 47:490.1.1, relative to military honor license plates; to provide for issuance of a military honor license plate with an identical number for a motorcycle and a boat trailer to veterans and other military personnel; and to provide for related matters.

Reported with amendments.

229
To amend and reenact R.S. 40:2405.5(D), to enact R.S. 32:412(O) and R.S. 40:1321(R), and to repeal R.S. 40:2405.5(F), relative to motor vehicles; to provide for identification of persons with special needs; to require law enforcement training regarding mental health; and to provide for related matters.

Reported with amendments.

SENATE BILL NO. 154—
BY SENATOR CARTER

AN ACT

To enact Code of Civil Procedure Art. 1636.1, relative to the Louisiana Military Family Assistance Fund; to provide relative to the Support Our Troops Riders" specialty license plate; to provide for the creation, issuance, and design of such license plates; to provide for an increase of the annual royalty fee; to provide for an effective date; and to provide for related matters.

Reported favorably.

HOUSE BILL NO. 30—
BY REPRESENTATIVE SCHENXNADYER

AN ACT

To enact R.S. 47:463.60(B), relative to special prestige license plates; to provide with respect to the "Animal Friendly" prestige license plate; to provide for an increase of the annual royalty fee; to provide for an effective date; and to provide for related matters.

Reported favorably.

HOUSE BILL NO. 476—
BY REPRESENTATIVES HAZEL, TERRY BROWN, CARPENTER, STEVE CARTER, HALL, MARCELLE, PIERRE, POPE, AND STEFANSKI

AN ACT

To amend and reenact R.S. 13:2590(B), the introductory paragraph of 2590.1(B), and (C), relative to justice of the peace courts; to provide for court costs; to provide for distribution of court costs; to provide for court costs in certain parishes; to provide for agreements in cases with out-of-constable jurisdiction; and to provide for related matters.

Reported favorably.

Respectfully submitted,
PATRICK PAGE CORTEZ
Chairman

Senate Bills and Joint Resolutions on Second Reading
Reported by Committees

SENATE BILL NO. 35—
BY SENATOR COLOMB

AN ACT

To amend and reenact R.S. 40:966(I), relative to the Uniform Controlled Dangerous Substances Law; to provide exemptions from arrest and prosecution under the Uniform Controlled Dangerous Substances law to persons and other entities lawfully in possession of medical marijuana; and to provide for related matters.

Reported with amendments.

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. 35 by Senator Colomb

AMENDMENT NO. 1
On page 2, delete lines 22 through 29, and on page 3, delete lines 1 through 3, and insert the following:

"(3) Any licensee or its subordinate contractor licensed by the Department of Agriculture and Forestry to produce marijuana pursuant to R.S. 40:1046, and any employee, board member, director, or agent of a marijuana licensee or its subordinate contractor licensed pursuant to R.S. 40:1046, shall not be subject to arrest or prosecution for possession, manufacture, preparation, distribution, purchase, preparation, or transportation of marijuana, marijuana preparations, and marijuana paraphernalia under this Section. This defense shall be a complete bar to arrest and prosecution. This Paragraph shall not prevent the imposition of penalties for diversion of marijuana or other conduct outside the scope of the state-sponsored medical marijuana program or for violations of Department of Agriculture and Forestry rules and regulations.

AMENDMENT NO. 2
On page 3, between lines 13 and 14, insert the following:

"(5) Any person conducting research as the licensee pursuant to R.S. 40:1046 and any employee, board member, director, agent, or any person conducting research in partnership with the licensee shall not be subject to arrest or prosecution for possession, manufacture, preparation, distribution, purchase, preparation, or transportation of marijuana, marijuana preparations, and marijuana paraphernalia under this Section. This defense shall be a complete bar to arrest and prosecution. This Paragraph shall not prevent the imposition of penalties for diversion of marijuana or other conduct outside the scope of the state-sponsored medical marijuana program or for violations of Department of Agriculture and Forestry rules and regulations.

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

SENATE BILL NO. 43—
BY SENATOR MARTINY

AN ACT

To amend and reenact R.S. 13:2590(B), the introductory paragraph of 2590.1(B), and (C), relative to justice of the peace courts; to provide for court costs; to provide for distribution of court costs; to provide for court costs in certain parishes; to provide for agreements in cases with out-of-constable jurisdiction; and to provide for related matters.

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

SENATE BILL NO. 72—
BY SENATOR MILKOVICH

AN ACT

To enact Code of Civil Procedure Art. 1636.1, relative to contradictory hearings in civil proceedings; to provide for the right to present oral arguments; to provide with respect to waiver of oral argument and nullity of a judgment when oral argument is not allowed; and to provide for related matters.

Reported with amendments by the Committee on Judiciary A.
14th DAY'S PROCEEDINGS

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SENATE COMMITTEE AMENDMENTS

Amendments proposed by Senate Committee on Judiciary A to
Original Senate Bill No. 81 by Senator Milkovich

AMENDMENT NO. 1

On page 1, delete lines 4 and 5 and insert "respect to reasonable
control of oral argument by the court, waiver of oral argument, and
grounds for setting aside a judgment obtained in violation of
requirements; and to provide for related matters."

AMENDMENT NO. 2

On page 1, line 11, after "waived" insert "only"

AMENDMENT NO. 3

On page 1, between lines 12 and 13, insert
"B. Reasonable control over oral argument presented under
this Article may be exercised by the court."

AMENDMENT NO. 4

On page 1, delete lines 13 through 16 and insert
"C. The obtaining of a judgment in violation of this Article
shall be mandatory grounds for setting aside the judgment and
seeking a new hearing, by motion brought within thirty days after
the clerk has mailed, or the sheriff has served, the notice of
decision required by Article 1913."

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

SENATE BILL NO. 81—

BY SENATOR BISHOP

AN ACT

To amend and reenact Children's Code Article 405(A) and (B) and to
enact Children's Code Article 1164(1.1), relative to curators; to provide
for definitions; to provide for the payment of fees; and
to provide for related matters.

Reported with amendments by the Committee on Judiciary A.

SENATE COMMITTEE AMENDMENTS

Amendments proposed by Senate Committee on Judiciary A to
Original Senate Bill No. 81 by Senator Bishop

AMENDMENT NO. 1

On page 1, line 2, delete "Article 405(A) and (B)" and insert
"Articles 405(A) and (B), 1016(A), and 1025.4(A)(2)."

AMENDMENT NO. 2

On page 1, line 3, delete "Article 1164(1.1)" and insert
"Articles 1164(1.1), 643(C), 1004(D)(6), 1015(10), and 1023(C)"

AMENDMENT NO. 3

On page 1, line 4, after "fees," delete the remainder of the line and
insert "to provide relative to unidentified parents; to provide relative to
right to counsel; to provide relative to court scheduling; and to provide for
related matters."

AMENDMENT NO. 4

On page 1, line 6, delete "Article 405(A) and (B)" and insert
"Articles 405(A) and (B), 1016(A), and 1025.4(A)(2)"

AMENDMENT NO. 5

On page 1, line 7, delete "Article 1164(1.1) is" and insert
"Articles 1164(1.1), 643(C), 1004(D)(6), 1015(10), 1023(C) are"  

AMENDMENT NO. 6

On page 2, after line 24, insert
"Art. 643. Service; absentee or unidentified parent; curator ad
hoc

C. If the father is unidentified, it is not necessary to appoint
a curator ad hoc for that parent. The father shall be considered
unidentified if the biological father's name is not provided on the
birth certificate, there is no presumed father, and no party to the
proceedings is able to provide a first and last name of a putative
father or alias sufficient to provide a reasonable possibility of
identification and location."
On page 2, line 16, after "and" and before "furlough" insert "medical treatment" and after "or" and before "furlough" insert "medical treatment"

AMENDMENT NO. 6
On page 3, line 6, after "Article 890.3," delete the remainder of the line and delete lines 7 and 8 and insert the following: "except a first conviction for an offense with a maximum prison sentence of ten years or less that was not committed against a family member, household member, or dating partner, or of a second or third conviction if the second or third conviction is for a violation of R.S."

AMENDMENT NO. 7
On page 5, delete line 21 and insert "felony conviction, to enter and complete a"

AMENDMENT NO. 8
On page 6, line 4, after "A." insert "(1)"

AMENDMENT NO. 9
On page 6, line 8, after "probation," delete the remainder of the line and delete line 9 in its entirety.

AMENDMENT NO. 10
On page 6, between lines 11 and 12, insert the following:

"(2) Notwithstanding Subparagraph (1) of this Paragraph and any other law to the contrary, discharge credits may not be earned in connection with any other credits received toward a defendant's term of probation. If a defendant receives credit toward his term of probation for any other reason, he shall not receive discharge credits for that period of time.

AMENDMENT NO. 11
On page 7, line 15, delete "calendar month" and insert "one of the twelve periods of time in which the calendar is divided"

AMENDMENT NO. 12
On page 7, delete lines 21 through 24 and insert "(b) Fails to report, as ordered by the court or directed by the probation officer, for a scheduled meeting with a probation officer, and fails to make contact with a probation officer within thirty days of the missed meeting."

AMENDMENT NO. 13
On page 7, line 25, change "(d)" to "(c)"

AMENDMENT NO. 14
On page 7, line 26, after "A." insert "(1)"

AMENDMENT NO. 15
On page 8, line 3, alter "supervision," delete the remainder of the line and delete line 4 in its entirety.

AMENDMENT NO. 16
On page 8, between lines 5 and 6 insert the following:

"(2) Notwithstanding Subparagraph (1) of this Paragraph and any provision of law to the contrary, discharge credits may not be earned in connection with any other credits toward a defendant's term of parole. If a defendant receives credit toward his term of parole for any other reason, he shall not receive discharge credits for that period of time."

AMENDMENT NO. 17
On page 9, line 8, delete "calendar month" and insert "one of the twelve periods of time in which the calendar is divided"

AMENDMENT NO. 18
On page 9, delete lines 14 through 17 and insert "(b) Fails to report, as ordered by the court or directed by the parole officer, for a scheduled meeting with a parole officer, and fails to make contact with a parole officer within thirty days of the missed meeting."
AMENDMENT NO. 19
On page 9, line 18, change "(d)" to "(e)"

AMENDMENT NO. 20
On page 10, line 19, delete "known felons or persons" and insert "people known to be"

AMENDMENT NO. 21
On page 11, delete lines 18 and 19 in their entirety.

AMENDMENT NO. 22
On page 14, line 4, after "(d)" delete the remainder of the line and insert "If a"

AMENDMENT NO. 23
On page 15, at the end of line 21 and the beginning of line 22, delete "except for Class D and E felonies," and insert "except for a first conviction of an offense with a maximum prison sentence of ten years or less that was not committed against a family member, household member, or dating partner;"

AMENDMENT NO. 24
On page 15, line 25, after "R.S. 13:5304(B)(10)(b)" delete "and (c) are" and insert "is"

AMENDMENT NO. 25
On page 16, line 7, delete "except for Class D and E felonies," and insert "except a first conviction of an offense with a maximum prison sentence of ten years or less that was not committed against a family member, household member, or dating partner;"

AMENDMENT NO. 26
On page 16, delete lines 10 through 12

AMENDMENT NO. 27
On page 16, line 15, after "574.4(A)" delete "and (2)"

AMENDMENT NO. 28
On page 16, line 16, delete "574.4.2(B),"

AMENDMENT NO. 29
On page 17, delete lines 4 and 5 and insert the following: "rate of one and one half days for every one day thirteen days for every seven days in actual custody served on the imposed sentence, including time spent in custody with good"

AMENDMENT NO. 30
On page 17, at the end of line 7, change "z" to ".", and delete lines 8 through 11

AMENDMENT NO. 31
On page 17, line 24, after "rate of" delete the remainder of the line and insert "one day for every three"

AMENDMENT NO. 32
On page 18, line 3, delete "July" and insert "November"

AMENDMENT NO. 33
On page 20, line 27, after "offender" insert "convicted after November 1, 2017, and" and change "R.S. 15:574.4(A)" to "R.S. 15:574.4(A)(1)"

AMENDMENT NO. 34
On page 22, line 5, delete "thirty" and insert "sixty"

AMENDMENT NO. 35
On page 22, line 8, delete "forty-five" and insert "ninety"

AMENDMENT NO. 36
On page 22, line 18, delete "thirty" and insert "sixty"

AMENDMENT NO. 37
On page 23, line 1, delete "forty-five" and insert "ninety"

AMENDMENT NO. 38
On page 23, line 15, change "July" to "November"

AMENDMENT NO. 39
On page 24, line 1, after "imposed," insert "The offense shall not be counted as a second or subsequent offense if more than ten years have lapsed between the date of the commission of the instant offense and the expiration of the offender's maximum sentence of the previous conviction, or between the expiration of the offender's maximum sentence of each preceding conviction and the date of the commission of the following offense;"

AMENDMENT NO. 40
On page 24, line 10, delete "fifty-five" and insert "sixty-five"

AMENDMENT NO. 41
On page 25, delete lines 10 through 23

AMENDMENT NO. 42
On page 25, line 25, after "B.(1)" delete the remainder of the line and insert "No"

AMENDMENT NO. 43
On page 26, line 7, delete "forty-five" and insert "sixty"

AMENDMENT NO. 44
On page 27, delete lines 3 through 29 and insert the following: "F. Notwithstanding any provision of law to the contrary, an offender serving a life sentence for second degree murder (R.S. 14:30.1), shall be eligible for parole consideration pursuant to the provisions of this Subsection if all of the following conditions are met:

(1) The offender committed the offense after August 1, 1973, and prior to June 29, 1979.
(2) The offender has served at least thirty years of the sentence imposed.
(3) The offender has reached the age of fifty;"

AMENDMENT NO. 45
On page 28, delete lines 10 through 21

AMENDMENT NO. 46
On page 32, line 18, after "for" delete the remainder of the line and delete line 19 and insert "an allegation of the commission of another crime, it is enforceable until bond is set by the judge for the new crime." When"

AMENDMENT NO. 47
On page 33, line 26, after "(iii)" delete the remainder of the line and insert "If the"

AMENDMENT NO. 48
On page 35, line 28, after "Medical" insert "Treatment"

AMENDMENT NO. 49
On page 35 delete line 29 and on page 36 delete lines 1 through 20 in their entirety and insert the following: "(1) The committee on parole shall establish the medical treatment furlough program to be administered by the department for the purpose of utilizing off site medical facilities for an eligible offender's medical treatment. Medical treatment
furlough shall not be available to any offender who is awaiting execution.

(2) An offender eligible for consideration for release under the medical treatment furlough program shall be any offender who is ineligible for release on medical parole pursuant to Subsection B of this Section and is determined by the department to be a limited mobility offender.

(b) For the purposes of this Section, "limited mobility offender" means any offender who is unable to perform activities of daily living without help or is confined to a bed or chair, including but not limited to prolonged coma and medical ventilation.

(c) Notwithstanding any provision of law to the contrary, the committee on parole may authorize the release of an eligible offender on medical treatment furlough when all of the following conditions are met:

(a) Placement in an acute care hospital, nursing home, or other appropriate medical facility able to meet the offender’s medical and treatment needs is secured.

(b) All confinement and level of supervision requirements that the committee deems necessary are secured.

(c) The committee determines that the offender does not present a substantial flight risk.

AMENDMENT NO. 50
On page 36, at the beginning of line 22, insert "medical treatment"

AMENDMENT NO. 51
On page 36, line 29, after "or" and before "furlough" insert "medical treatment"

AMENDMENT NO. 52
On page 37, line 2, after "or" and before "furlough" insert "medical treatment"

AMENDMENT NO. 53
On page 37, at the end of line 4, insert "treatment"

AMENDMENT NO. 54
On page 37, line 6, after "medical" and before "furlough" insert "treatment"

AMENDMENT NO. 55
On page 37, line 9, after "medical" and before "furlough" insert "treatment"

AMENDMENT NO. 56
On page 37, line 12, after "medical" and before "furlough" insert "treatment"

AMENDMENT NO. 57
On page 37, at the beginning of line 17, insert "medical treatment"

AMENDMENT NO. 58
On page 37, line 18, after "medical" and before "furlough" insert "treatment"

AMENDMENT NO. 59
On page 37, line 21, after "or" and before "furlough" insert "medical treatment"

AMENDMENT NO. 60
On page 37, line 22, after "medical" and before "furlough" insert "treatment"

AMENDMENT NO. 61
On page 37, at the beginning of line 24 after "parole or" insert "medical treatment" and at the end of the line after "or medical" insert "treatment"

AMENDMENT NO. 62
On page 37, line 27, after "medical" and before "furlough" insert "treatment"
§54.1. Communicating of false information of planned arson

B. Whoever commits the crime of communicating of false information of arson or attempted arson shall be imprisoned at hard labor for not more than twenty-five years.

§56. Simple criminal damage to property

B. (1) Whoever commits the crime of simple criminal damage to property where the damage amounts to less than five hundred one thousand dollars shall be fined not more than one thousand dollars or imprisoned for not more than six months, or both.

(2) Where the damage amounts to five hundred one thousand dollars but less than fifty thousand dollars, the offender shall be fined not more than one thousand dollars or imprisoned with or without hard labor for not more than two years, or both.

§62.2. Simple burglary of an inhabited dwelling

B. Whoever commits the crime of simple burglary of an inhabited dwelling shall be imprisoned at hard labor for not less than one year, without benefit of parole, probation or suspension of sentence, nor more than twelve years.

§62.8. Home invasion

B. (1) Except as provided in Paragraphs (2) and (3) of this Section, whoever commits the crime of home invasion shall be fined not more than five thousand dollars and shall be imprisoned at hard labor for not less than five years nor more than thirty years.

(2) Whoever commits the crime of home invasion while armed with a dangerous weapon shall be fined not more than seven thousand dollars and shall be imprisoned at hard labor for not less than five years nor more than thirty years.

(3) Whoever commits the crime of home invasion when, at the time of the unauthorized entering, there is present in the dwelling or structure any person who is under the age of twelve years or who has a developmental disability as defined in R.S. 28:5472.1, shall be fined not more than ten thousand dollars and shall be imprisoned at hard labor for not less than ten nor more than twenty-five years. At least ten years of the sentence imposed shall be served without benefit of parole, probation, or suspension of sentence.

§67. Theft

B. (1) Whoever commits the crime of theft when the misappropriation or taking amounts to a value of twenty-five thousand dollars or more shall be imprisoned, with or without hard labor, for not less than five years nor more than twenty years, or may be fined not more than fifty thousand dollars, or both.

(2) When the misappropriation or taking amounts to a value of five thousand dollars or more, but less than a value of twenty-five thousand dollars, the offender shall be imprisoned, with or without hard labor, for not more than ten years, or may be fined not more than ten thousand dollars, or both.

(3) When the misappropriation or taking amounts to a value of seven hundred fifty one thousand dollars or more, but less than a value of five thousand dollars, the offender shall be imprisoned, with or without hard labor, for not more than five years, or may be fined not more than three thousand dollars, or both.

(4) When the misappropriation or taking amounts to less than a value of seven hundred fifty one thousand dollars, the offender shall be imprisoned for not more than six months, or may be fined not more than one thousand dollars, or both. If the offender in such cases has been convicted of theft two or more times previously, upon any subsequent conviction he shall be imprisoned, with or without hard labor, for not more than two years, or may be fined not more than two thousand dollars, or both.
D. (1) Whoever commits the crime of organized retail theft when the aggregate amount of the misappropriation, taking, purchasing, possessing, procuring, receiving, or concealing in any one-hundred-eighty-day period amounts to a value less than five hundred thousand dollars or more but less than a value of twenty-five thousand dollars, shall be imprisoned without hard labor for not more than six months, or may be fined not more than five thousand dollars, or both.  

(2) Whoever commits the crime of organized retail theft when the aggregate amount of the misappropriation, taking, purchasing, possessing, procuring, receiving, or concealing in any one-hundred-eighty-day period amounts to a value more than twenty-five thousand dollars or more, but less than a value of fifty thousand dollars or more, but less than a value of five hundred thousand dollars or more, but less than a value of five thousand dollars or more, but less than a value of twenty-five thousand dollars more, but less than a value of five thousand dollars shall be imprisoned, with or without hard labor, for not more than six months, or may be fined not more than ten thousand dollars, or both.  

3. Whoever commits the crime of organized retail theft when the aggregate amount of the misappropriation, taking, purchasing, possessing, procuring, receiving, or concealing in any one-hundred-eighty-day period amounts to a value more than five hundred thousand dollars or more, but less than a value of twenty-five thousand dollars shall be imprisoned with or without hard labor for not more than ten years, or may be fined not more than ten thousand dollars, or both.  

(3) Whoever commits the crime of organized retail theft when the aggregate amount of the misappropriation, taking, purchasing, possessing, procuring, receiving, or concealing in any one-hundred-eighty-day period amounts to a value more than twenty-five thousand dollars or more, but less than a value of five thousand dollars shall be imprisoned, with or without hard labor, for not more than five years.  

(a) When the misappropriation or taking amounts to less than a value of one thousand dollars, the offender shall be imprisoned for not more than six months, or may be fined not more than one thousand dollars, or both.  

(b) When the offender in such cases has been convicted of theft two or more times previously, upon any subsequent conviction the offender shall be imprisoned, with or without hard labor, for not more than two years, or fined not more than two thousand dollars, or both.  

§67.26 Theft of a motor vehicle  

B. Whoever commits the crime of unauthorized use of a motor vehicle  

* * *  

86. Unauthorized use of a movable  

B. Whoever commits the crime of unauthorized use of a movable having a value of five hundred thousand dollars or less shall be fined not more than five thousand dollars, imprisoned for not more than six months, or both.  

§68. Unauthorized use of a movable  

* * *  

B. Whoever commits the crime of unauthorized use of a movable having a value in excess of five hundred thousand dollars shall be fined not more than five thousand dollars, imprisoned, with or without hard labor, for not more than five years, or both.  

* * *  

§68.4 Unauthorized use of a motor vehicle  

B. Whoever commits the crime of unauthorized use of a motor vehicle when the aggregate amount of the misappropriation, taking, purchasing, possessing, procuring, receiving, or concealing in any one-hundred-eighty-day period amounts to a value less than five hundred thousand dollars or more, shall be imprisoned with or without hard labor for not more than ten years, or both.  

* * *  

§68.7 Receipts and universal product code labels; unlawful acts  

B. (1) Except as provided in Paragraphs (3) and (4) of this Subsection, whoever violates the provisions of this Section shall be subject to the following penalties:  

(a) When the fair market value of the goods which are the subject of the falsified retail sales receipts or universal product code labels, as described in Subsection A of this Section, exceeds one thousand five hundred dollars or more, imprisonment, with or without hard labor, for not more than ten years amounts to a value of twenty-five thousand dollars or more, the offender shall be imprisoned at hard labor, for not more than ten years, or a fine not to exceed three twenty-five thousand dollars, or both.  

(b) When the fair market value of the goods which are the subject of the falsified retail sales receipts or universal product code labels, as described in Subsection A of this Section, equals five thousand dollars, or more but less than five hundred dollars, imprisonment, with or without hard labor, for not more than five years amounts to a value of five thousand dollars or more, but less than a value of twenty-five thousand dollars shall be imprisoned, with or without hard labor, for not more than ten years, or a fine not to exceed five hundred three thousand dollars, or both.  

(c) When the fair market value of the goods which are the subject of the falsified retail sales receipts or universal product code labels, as described in Subsection A of this Section, equals five hundred dollars, or more but less than one thousand dollars, imprisonment, with or without hard labor, for not more than five years, or a fine not to exceed fifty thousand dollars, or both.  

(d) When the fair market value of the goods which are the subject of the falsified retail sales receipts or universal product code labels, as described in Subsection A of this Section, equals one thousand dollars, or more but less than five hundred dollars, imprisonment, with or without hard labor, for not more than five years, or a fine not to exceed fifty thousand dollars, or both.  

(e) When the fair market value of the goods which are the subject of the falsified retail sales receipts or universal product code labels, as described in Subsection A of this Section, equals one hundred dollars, or more but less than five hundred dollars, or more but less than a value of five thousand dollars, the offender shall be imprisoned, with or without hard labor, for not more than five years, or a fine not to exceed five hundred dollars, or more but less than a value of five thousand dollars, or more but less than a value of twenty-five thousand dollars shall be imprisoned, with or without hard labor, for not more than five years, or a fine not to exceed five hundred dollars, or more but less than a value of five thousand dollars.
be imprisoned at hard labor for not more than twenty years, or may be fined not more than three thousand dollars, or both.

(2) When the value of the stolen things is five hundred dollars or more, but less than five thousand dollars, the offender shall be imprisoned, with or without hard labor, for not more than five years, or may be fined not more than five thousand dollars, or both.

(3) When the value of the stolen things is one thousand dollars or more, but less than a value of five thousand dollars, the offender shall be imprisoned, with or without hard labor, for not more than ten years, or may be fined not more than twenty-five thousand dollars, or both.

(4) When the value of the stolen things is less than five hundred one thousand dollars, the offender shall be imprisoned for not more than six months or may be fined not more than one thousand dollars, or both. If the offender in such cases has been convicted of receiving stolen things by a number of distinct acts, the aggregate of the amount of the things so received shall determine the grade of the offense.

(5) When the offender has committed the crime of illegal possession of stolen things by a number of distinct acts, the aggregate of the amount of the things so received shall determine the grade of the offense.

§70.2. Refund or access device application fraud

C.(1) Whoever commits the crime of refund fraud shall be fined not more than five hundred dollars or imprisoned for not more than six months, or both.

(2) Whoever commits the crime of access device application fraud when the misappropriation or taking amounts to a value of one thousand five hundred dollars or more shall be imprisoned, with or without hard labor, for not more than ten years, or may be fined not more than three thousand dollars, or both.

(3) When the offender has committed the crime of illegal possession of stolen things by a number of distinct acts, the aggregate of the amount of the things so received shall determine the grade of the offense.

D. It shall be an affirmative defense to a violation of this Section committed by means of possessing, that the accused, within seventy-two hours of acquiring knowledge or good reason to believe that a thing was the subject of robbery or theft, reports that fact or belief in writing to the district attorney in the parish of his domicile.

§70.4. Access device fraud

E.(1) A person who commits the crime of access device fraud when the misappropriation or taking amounts to a value of one twenty-five thousand five hundred dollars or more shall be imprisoned, with or without hard labor, for not more than twenty years, or fined not more than five twenty-five thousand dollars, or both.

(2) When the offender has committed the crime of access device application fraud when the misappropriation or taking amounts to a value of one thousand five hundred twenty-five thousand dollars or more, but less than a value of one thousand five hundred twenty-five thousand dollars, the offender shall be imprisoned, with or without hard labor, for not more than five ten years, or fined not more than three ten thousand dollars, or both.

F. Upon a third or subsequent conviction of a violation of the provisions of this Section, the offender shall be imprisoned, with or without hard labor, for not more than ten years, or may be fined not more than ten two thousand dollars, or both.

§71. Issuing worthless checks

C.(1) Whoever commits the crime of issuing worthless checks, when the amount of the check or checks is one thousand five hundred twenty-five thousand dollars or more, shall be imprisoned, with or without hard labor, for not more than twenty years, or may be fined not more than twenty-five thousand dollars, or both.

(2) When the amount of the check or checks is five hundred twenty-five thousand dollars or more, but less than one twenty-five thousand five hundred dollars, the offender shall be imprisoned, with or without hard labor, for not more than five years, or may be fined not more than one twenty five thousand dollars, or both.

(3) When the amount of the check or checks is more than one thousand dollars, but less than five thousand dollars, the offender shall be imprisoned, with or without hard labor, for not more than five years, or may be fined not more than three thousand dollars, or both.

D. When the offender has issued more than one worthless check within a one hundred eighty-day period, the amount of several or all worthless checks issued during that one hundred eighty-day period may be aggregated to determine the grade of the offense.

E. In addition to any other fine or penalty imposed under this Section, the court shall order as part of the sentence restitution in the amount of the check or checks, plus a fifteen dollar per check service charge payable to the person or entity that initially honored the worthless check or checks, an authorized collection agency, or justice of the peace. In the event the fifteen dollar per check service charge is paid to a person or entity other than one who initially honored the worthless check or checks, the court shall also order as part of the sentence restitution in the amount of the check or checks, plus a fifteen dollar per check service charge payable to the person or entity that initially honored the worthless check, plus the actual cost of notifying the offender of nonpayment as required in Paragraph B.(1).

F. In any prosecution for a violation of this Section, the prosecution may enter as evidence of a violation of this Section any check, draft, or order for the payment of money upon any bank or other depository which the bank or other depository has refused to honor because the person who issued the check, draft, or order did not have sufficient credit with the bank or other depository for the payment of that check, draft, or order in full upon its presentation.

G. In addition to the provisions of Subsection H, in any prosecution for a violation of this Section, the prosecution may enter as evidence of a violation of this Section any tangible copy, facsimile, or other reproduction of the check, draft, or order, or any
electronic reproduction of the check, draft, or order, or any other form of the record of the check, draft, or order, provided that the tangible copy, facsimile, or other reproduction, or the electronic reproduction, or the other form of the record of the check, draft, or order has been made, recorded, stored, and reproduced in accordance with the requirements of the Louisiana Office of Financial Institutions, or in accordance with the requirements of the federal agency which regulates the bank or other depository, and provided that the appropriate officer of the bank or other depository has certified that the tangible copy, facsimile, or other reproduction, or the electronic copy, or the other form of the record of the check, draft, or order for the payment of money has been made, stored, and reproduced in accordance with the requirements of the Louisiana Office of Financial Institutions, or in accordance with the requirements of the federal agency which regulates the bank or other depository, and is a true and correct record of the transaction involving the check, draft, or order upon which the prosecution is based.

§230. Money laundering; transactions involving proceeds of criminal activity

§82. Prostitution; definition; penalties; enhancement

C.(1) *          *          *

(3) On a third and subsequent conviction, the offender shall be imprisoned, with or without hard labor, for not less than twenty more than four years and shall be fined not less than five hundred dollars nor more than four thousand dollars.

§95.1. Possession of firearm or carrying concealed weapon by a person convicted of certain felonies

B. Whoever is found guilty of violating the provisions of this Section shall be imprisoned at hard labor for not more than five nor more than twenty years, suspension of sentence, or suspension of sentence and be fined not less than one thousand dollars nor more than five thousand dollars. Notwithstanding the provisions of R.S. 14:27, whoever is found guilty of attempting to violate the provisions of this Section shall be imprisoned at hard labor for not more than seven and one-half years and fined not less than five hundred dollars nor more than two thousand five hundred dollars.

§202.1. Residential contractor fraud; penalties

C.(1) When the misappropriation or intentional taking amounts to a value of less than five hundred one thousand dollars, the offender shall be imprisoned for not more than six months, fined not more than one thousand dollars, or both. If the offender in such cases has been convicted of theft two or more times previously, or on conviction the offender shall be imprisoned, with or without hard labor, for not more than two years, or fined not more than two thousand dollars.

(3) When the misappropriation or intentional taking amounts to a value of one thousand dollars or more, but less than one five thousand five hundred dollars, the offender shall be imprisoned, or fined not more than five years, or both.

§230.1. Money laundering; transactions involving proceeds of criminal activity

E.(1) *          *          *

(4) Whoever violates the provisions of this Section, if the value of the funds is one hundred thousand dollars or more, shall be imprisoned at hard labor for not less than five nor more than sixty years and may be fined not more than thirty thousand dollars.

* * * *

CHAPTER 3. LOUISIANA FELONY CLASS SYSTEM

TASK FORCE

§601. Louisiana Felony Class System Task Force

A. The legislature hereby finds that it is in the best interest of the public to have, to the greatest extent possible, a clear, regular, and simple sentencing system, whereby nearly every felony offense falls into a class, with sentencing to be imposed by designated class, to ensure consistency across crimes of similar severity and greater transparency for victims, defendants, and criminal justice practitioners. Such a system will henceforth be referred to as a felony class system.

B. Accordingly, the Legislature of Louisiana hereby authorizes and directs the creation of the Louisiana Felony Class System Task Force to study, evaluate, and develop a recommendation for a felony class system to the legislature before the 2018 Regular Session of the Louisiana Legislature.

C.(1) The membership of the task force shall be as follows:

(a) Three persons designated by the president of Louisiana District Attorneys Association.

(b) Three persons designated by the state public defender.

(c) Three persons designated by the chief justice of the Louisiana Supreme Court.

(2)(a) The names of the persons who are to serve on the task force shall be submitted to the chief justice of the Louisiana Supreme Court on or before July 1, 2017.

(b) The chief justice shall call the first meeting of the task force, which meeting shall be held on or before July 15, 2017.

(c) At the first meeting of the task force, the members shall elect a chairman and vice chairman and such other officers as the task force may deem advisable. The chief justice, or the chief justice's designee, shall preside over the task force until a chairman is elected.

(d) The task force shall meet a minimum of six times between July 15, 2017, and February 1, 2018, and may hold public hearings as part of its evaluation process. Meetings of the task force shall be held in the state capital.

D. The task force shall prepare and submit a final report of its findings and recommendations, including but not limited to any specific and complete draft legislation, to the governor, the president of the Senate, the chairman of the Senate Committee on Administration of Criminal Justice, the chairman of the Senate Committee on Judiciary C, and the chief justice of the Louisiana Supreme Court, no later than February 1, 2018. The report shall be made available to the public and the task force shall be abolished upon submission of the report.

E.(1) The task force may apply for, contract for, receive, and expend for purposes of this Chapter any appropriation or grant from the state, its political subdivisions, the federal government, or any other public or private source.

(2) The books and records of the task force shall be subject to audit by the legislative auditor pursuant to R.S. 24:513.

F. This Chapter shall become null and of no effect on February 2, 2018.

§966. Penalty for distribution or possession with intent to distribute a Schedule I, II, III, IV, or V controlled substance, Schedule II, III, IV, or V controlled substance, or a Schedule II, III, IV, or V controlled substance

(1) Except as otherwise provided in Paragraph (4) Paragraphs (2) and (3) of this Subsection, for a substance classified in Schedule

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I that is a narcotic drug (all substances in Schedule I preceded by an asterisk [*]), upon conviction shall be sentenced to imprisonment at hard labor for not less than ten nor more than thirty years, and pay a fine of not less than one hundred thousand dollars, or more than one hundred fifty thousand dollars.

(2) A substance classified in Schedule I which is marijuana, tetrahydrocannabinol, or chemical derivatives thereof, the offender shall be punished as follows:

(a) On a first conviction, wherein the offender possesses fourteen grams or less, the offender shall be fined not more than three hundred fifty thousand dollars, imprisoned in the parish jail for not more than fifteen days, or both.

(b) On a second conviction, wherein the offender possesses more than fourteen grams, the offender shall be fined not more than five hundred thousand dollars, imprisoned in the parish jail for not more than sixty days, or both.

(c) Any person who has been convicted of a violation of the provisions of Item (i) or (ii) of this Subparagraph (a) or (b) of this Paragraph and who has not been convicted of any other violation of a statute or ordinance prohibiting the possession of marijuana for a period of two years from the date of completion of sentence, probation, parole, or suspension of sentence shall not be eligible to have the conviction used as a predicate conviction for enhancement purposes. The provisions of this Subparagraph Paragraph shall occur only once with respect to any person.

(d) On a second conviction the offender shall be fined not more than one hundred thousand dollars, imprisoned in the parish jail for not more than six months, or both.
(c)(t) Except as provided in Subsection F of this Section, on a third conviction for violation of Subsection C of this Section with regard to marijuana, tetrahydrocannabinol or chemical derivatives thereof, the offender shall be sentenced to imprisonment with or without hard labor for not more than five years, sentenced to imprisonment at hard labor for not more than twenty years, and may, in addition, be fined not more than five thousand dollars.

(2) Any person who knowingly or intentionally possesses ten or more but less than twenty-five thousand pounds or more of marijuana, tetrahydrocannabinol or chemical derivatives thereof, or synthetic cannabinoids shall be sentenced to imprisonment at hard labor for not more than twenty years, and to pay a fine of not less than ten thousand dollars nor more than thirty thousand dollars.

(f) If the court places the offender on probation, the probation shall provide for the purposes of this Subsection relating to penalties for second, third, or subsequent offenders.

(4) Any person who knowingly or intentionally possesses ten or more but less than twenty-five thousand pounds or more of marijuana, tetrahydrocannabinol or chemical derivatives thereof, or synthetic cannabinoids shall be sentenced to imprisonment at hard labor for not more than twenty years, and to pay a fine of not less than ten thousand dollars nor more than thirty thousand dollars.

(5) Any person who knowingly or intentionally possesses ten or more but less than twenty-five thousand pounds or more of marijuana, tetrahydrocannabinol or chemical derivatives thereof, or synthetic cannabinoids shall be sentenced to imprisonment at hard labor for not more than twenty years, and to pay a fine of not less than ten thousand dollars nor more than thirty thousand dollars.

(6) A conviction for the violation of any other provision of law or ordinance with the same elements as this Subsection prohibiting the possession of synthetic cannabinoids shall be considered a prior conviction for the purposes of this Paragraph relating to penalties for second, third, or subsequent offenders.

(e) A conviction for the violation of any other provision of law or ordinance with the same elements as this Paragraph relating to penalties for second, third, or subsequent offenders.

(f) Any person who knowingly or intentionally possesses ten or more but less than twenty-five thousand pounds or more of marijuana, tetrahydrocannabinol or chemical derivatives thereof, or synthetic cannabinoids shall be sentenced to imprisonment at hard labor for not more than twenty years, and to pay a fine of not less than ten thousand dollars nor more than thirty thousand dollars.

(g) Except as otherwise authorized in this Part:

(1) Any person who knowingly or intentionally possesses two and one-half pounds or more, but less than sixty pounds of marijuana, tetrahydrocannabinol or chemical derivatives thereof, or synthetic cannabinoids shall be sentenced to a term of imprisonment, with or without hard labor, for not less than two years nor more than ten years, and to pay a fine of not less than ten thousand dollars nor more than thirty thousand dollars.

(2) Any person who knowingly or intentionally possesses sixty or more but less than two hundred fifty pounds of marijuana, tetrahydrocannabinol or chemical derivatives thereof, or synthetic cannabinoids shall be sentenced to a term of imprisonment, with or without hard labor, for not less than two years nor more than four years and may, in addition, be required to pay a fine of not more than five thousand dollars.

(3) Any person who knowingly or intentionally possesses two thousand or more but less than ten thousand pounds of marijuana, tetrahydrocannabinol or chemical derivatives thereof, or synthetic cannabinoids shall be sentenced to an aggregate weight of two grams or more but less than twenty grams, shall be sentenced to imprisonment, with or without hard labor, for not less than one year nor more than ten years and may, in addition, be required to pay a fine of not more than five thousand dollars.

(4) Any person who knowingly or intentionally possesses ten or more but less than twenty-five thousand pounds or more of marijuana, tetrahydrocannabinol or chemical derivatives thereof, or synthetic cannabinoids shall be sentenced to a term of imprisonment at hard labor for not more than twenty years, and to pay a fine of not less than ten thousand dollars nor more than thirty thousand dollars.

(5) Any person who knowingly or intentionally possesses ten or more but less than twenty-five thousand pounds or more of marijuana, tetrahydrocannabinol or chemical derivatives thereof, or synthetic cannabinoids shall be sentenced to imprisonment at hard labor for not more than twenty years, and to pay a fine of not less than ten thousand dollars nor more than thirty thousand dollars.

(6) A substance classified in Schedule I which is a synthetic cannabinoid, the offender shall be punished as follows:

(a) On a first conviction, the offender shall be fined not more than five hundred dollars, imprisoned for not more than six months, or both.

(b) An aggregate weight of two grams or more but less than twenty grams, shall be sentenced to imprisonment, with or without hard labor, for not less than one year nor more than ten years and may, in addition, be required to pay a fine of not more than five thousand dollars.

(c) On a third or subsequent conviction, the offender shall be sentenced to imprisonment at hard labor for not more than twenty years, and may, in addition, be fined not more than five thousand dollars.

(d) A conviction for the violation of any other provision of law or ordinance with the same elements as this Subsection prohibiting the possession of synthetic cannabinoids shall be considered a prior conviction for the purposes of this Paragraph relating to penalties for second, third, or subsequent offenses.

(e) A conviction for the violation of any other provision of law or ordinance with the same elements as Paragraph (B)(3) of this Section prohibiting the distributing or dispensing or possession with intent to distribute or dispense synthetic cannabinoids shall be considered a prior conviction for the purposes of this Paragraph relating to penalties for second, third, or subsequent offenses.

(f) If the court places the offender on probation, the probation shall provide for the purposes of this Subsection relating to penalties for second, third, or subsequent offenders.

(g) A conviction for the violation of any other provision of law or ordinance with the same elements as this Paragraph relating to penalties for second, third, or subsequent offenses.

(h) A conviction for the violation of any other provision of law or ordinance with the same elements as Subsection C of this Section prohibiting the distributing or dispensing or possession with intent to distribute or dispense synthetic cannabinoids shall be considered a prior conviction for the purposes of this Paragraph relating to penalties for second, third, or subsequent offenses.

(i) A conviction for the violation of any other provision of law or ordinance with the same elements as Paragraph (B)(3) of this Section prohibiting the distributing or dispensing or possession with intent to distribute or dispense synthetic cannabinoids shall be considered a prior conviction for the purposes of this Paragraph relating to penalties for second, third, or subsequent offenses.
D. If a person knowingly or intentionally possesses a controlled substance as classified in Schedule II, unless such substance was obtained directly or pursuant to a valid prescription or order from a practitioner, as provided in R.S. 40:978, while acting in the course of his professional practice, where the amount of the controlled substance is an aggregate weight of twenty-eight grams or more, it shall be considered a violation of Subsection A of this Section:

(1) For marijuana, tetrahydrocannabinol, synthetic cannabinoids, or chemical derivatives thereof, more than two and one half pounds.

(2) For any Schedule I controlled substance, more than twenty-eight grams.

F. Immunity from prosecution. Any person who is a patient of the state-sponsored medical marijuana program in Louisiana, and who possesses medical marijuana in a form permissible under R.S. 40:1046 for a condition enumerated therein, a caregiver as defined in R.S. 15:1503, or any person who is a domiciliary parent of a minor child who possesses medical marijuana on behalf of his minor child in a form permissible under R.S. 40:1046 for a condition enumerated therein, or, for the purpose of establishing that the possession or distribution of the marijuana was in accordance with the state-sponsored medical marijuana program.

§967. Prohibited acts-Schedule II, penalties

B. Penalties for violation Violations of Subsection A. Except as provided in Subsection F, any person who violates Subsection A of this Section with respect to:

(1) Except as otherwise provided in Paragraphs (2) and (3) of this Section, a substance classified in Schedule II which is an amphetamine or methamphetamine, or which is a narcotic drug, except cocaine or cocaine base or a mixture or substance containing cocaine or its analogues as provided in Schedule II, shall be imprisoned, with or without hard labor, for not less than two years and for not more than five years and, in addition, may be sentenced to pay a fine of not more than five thousand dollars.

(2) An aggregate weight of less than twenty-eight grams, shall be imprisoned, with or without hard labor, for not less than one year nor more than ten years and may, in addition, be fined not more than fifty thousand dollars.

(3) Penalties for violation Violations of Subsection A. Any person who violates Subsection A of this Section with respect to any controlled dangerous substance classified in Schedule III, shall be sentenced to a term of imprisonment, of not more than five years, at least ten years of which shall be served without benefit of parole, probation, or suspension of sentence.

(4)(a) Production or manufacturing of cocaine or cocaine base or a mixture or substance containing cocaine or its analogues as provided in Schedule II(A)(4) of R.S. 40:964 or oxycodone as provided in Schedule II(A)(1)(o) of R.S. 40:964 or methadone as provided in Schedule II(B)(11) of R.S. 40:964 shall be sentenced to imprisonment at hard labor for not less than ten nor more than thirty years, at least ten years of which shall be served without benefit of parole, probation, or suspension of sentence, and may be fined not more than five hundred thousand dollars.

(5) Any other controlled dangerous substance classified in Schedule II except pentazocine, amphetamine, methamphetamine, cocaine, or oxycodone, or methadone shall be sentenced to a term of imprisonment at hard labor for not more than ten years, and, in addition, may be sentenced to pay a fine of not more than five thousand dollars.

G. Possession. It is unlawful for any person knowingly or intentionally to possess a controlled dangerous substance as classified in Schedule II unless such substance was obtained directly or pursuant to a valid prescription or order from a practitioner, as provided in R.S. 40:978 while acting in the course of his professional practice, or except as otherwise authorized by this Part. Whoever violates this Subsection with respect to:

(1) Any person who violates this Subsection with respect to pentazocine, shall be imprisoned, with or without hard labor, for not less than two years and for not more than five years and, in addition, may be sentenced to pay a fine of not more than five thousand dollars.

An aggregate weight of less than two grams, shall be imprisoned, with or without hard labor, for not more than two years and, in addition, may be sentenced to pay a fine of not more than five thousand dollars.

(2) Any other controlled dangerous substance shall be imprisoned, with or without hard labor, for not less than one year nor more than five years and, in addition, may be sentenced to pay a fine of not more than five thousand dollars.

An aggregate weight of two grams or more but less than twenty-eight grams shall be imprisoned, with or without hard labor, for not less than one year nor more than five years and, in addition, may be sentenced to pay a fine of not more than five thousand dollars.

D. If a person knowingly or intentionally possesses a controlled substance as classified in Schedule II, unless such substance was obtained directly or pursuant to a valid prescription or order from a practitioner, as provided in R.S. 40:978 while acting in the course of his professional practice, where the amount of the controlled substance is an aggregate weight of twenty-eight grams or more, it shall be considered a violation of Subsection A of this Section.

§968. Prohibited acts-Schedule III; penalties

B. Penalties for violation Violations of Subsection A. Any person who violates Subsection A of this Section with respect to any controlled dangerous substance classified in Schedule III shall be sentenced to a term of imprisonment, at with or without hard labor, for not more than ten years and, in addition, may be sentenced to pay a fine of not more than fifteen thousand dollars.

§969. Prohibited acts-Schedule IV; penalties

B. Penalties for violation Violations of Subsection A. Any person who violates Subsection A of this Section with respect to:

(1) Flunitrazepam shall be sentenced to a term of imprisonment at hard labor for not less than five years one year nor more than thirty twenty years and pay a fine of not more than fifty thousand dollars.

(2) Any other controlled dangerous substance classified in Schedule IV, except flunitrazepam, shall be sentenced to a term of imprisonment, at with or without hard labor, for not less than one
year nor more than ten years and, in addition, may be sentenced to pay a fine of not more than fifteen thousand dollars.

C. Possession. It is unlawful for any person knowingly or intentionally to possess a controlled dangerous substance classified in Schedule IV unless such substance was obtained directly or pursuant to a valid prescription or order from a practitioner, or as provided in R.S. 40:978, while acting in the course of his professional practice or except as otherwise authorized by this Part. Any person who violates this Subsection with respect to:

(1) Flunitrazepam shall be imprisoned, at with or without hard labor, for not less than one year nor more than ten years, and may, in addition, be required to pay a fine of not more than five thousand dollars.

(2) Any other controlled dangerous substance shall be imprisoned with or without hard labor for not less than one year nor more than five years and, in addition, be required to pay a fine of not more than five thousand dollars.

* §970. Prohibited acts-Schedule V; penalties

B. Penalties for violation Violations of Subsection A. Any person who violates Subsection A of this Section with respect to any controlled dangerous substance classified in Schedule V shall be sentenced to a term of imprisonment, with or without hard labor, for not less than one year nor more than five years and, in addition, may be sentenced to pay a fine of not more than five thousand dollars.

C. Possession. It is unlawful for any person unknowingly or intentionally to possess a controlled dangerous substance classified in Schedule V unless such substance was obtained directly or pursuant to a valid prescription or order from a practitioner, or as provided in R.S. 40:978, while acting in the course of his professional practice or except as otherwise authorized by this Part. Any person who violates this Subsection shall be imprisoned with or without hard labor for not less than one year nor more than five years; and in addition, may be required to pay a fine of not more than five thousand dollars.

AMENDMENT NO. 7

On page 71, at the beginning of line 14 after "Section 3." delete the remainder of the line and delete lines 15 through 17, and insert the following: "R.S. 14:2(B)(8), (14), (25), and (29), 56.1, 56.2, 56.3, 67.1, 67.2, 67.6, 67.7, 67.8, 67.9, 67.10, 67.18, 67.20, 67.21, 67.24, 67.25(E), 67.28, 67.30, 68.5, 71(H) and (I), 94(E) and (F), 95(J) and (K) and 211 and R.S. 40:966(G), (H), and (l) and 967(F) and (G) are hereby repealed in their entirety."

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

SENATE BILL NO. 221—

BY SENATOR ALARIO

AN ACT

To amend and reenact the introductory paragraph of R.S. 15:529.1(A) and 529.1(C), relative to the Habitual Offender Law; to provide relative to the period of time for which certain prior offenses are used for habitual offender penalty enhancements in the context of a felony class system; to provide for definitions; 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. 221 by Senator Alario

AMENDMENT NO. 1

On page 1, line 2, after "To amend and reenact" delete the remainder of the line and insert "R.S. 15:529.1(A)(1), (3)(a), and (4) and (C) and to enact R.S. 15:529.1(I) and (J), relative"

AMENDMENT NO. 2

On page 1, line 3, after "Habitual Offender Law;" delete the remainder of the line and delete lines 4 and 5 and insert "to decrease the cleansing period for offenses that are not crimes of violence or sex offenses; to provide for the reduction by the court of a sentence under the Habitual Offender Law under certain circumstances; and to provide for related"

AMENDMENT NO. 3

On page 1, line 8, after "Section 1." delete the remainder of the line and insert "R.S. 15:529.1(A)(1), (3)(a), and (4) and (C) are hereby"
sentences of correctional supervision, or term of incarceration if no supervision, for each preceding conviction or convictions alleged in the multiple offender bill and the date of the commission of the following offense or offenses. In computing the intervals of time as provided herein, any period of parole, probation, or incarceration by a person in a penal institution, within or without the state, shall not be included in the computation of any of said sentences of correctional supervision, or term of incarceration if no supervision, and the next succeeding offense or offenses.

(2) The current offense shall not be counted as, respectively, a second, third, fourth, or higher offense if more than ten years have elapsed between the date of the commission of the current offense or offenses and the expiration of correctional supervision, or term of incarceration if no supervision, for a crime of violence as defined in R.S. 14:2(B) or a sex offense as defined in R.S. 15:541, or between the expiration of correctional supervision, or term of incarceration if no supervision, for each preceding conviction or convictions alleged in the multiple offender bill for a crime of violence as defined in R.S. 14:2(B) or a sex offense as defined in R.S. 15:541 and the date of the commission of the following offense or offenses. In computing the intervals of time as provided herein, any period of parole, probation, or incarceration by a person in a penal institution, within or without the state, shall not be included in the computation of any of said ten-year periods between the expiration of correctional supervision, or term of incarceration if no supervision, for a crime of violence as defined in R.S. 14:2(B) or a sex offense as defined in R.S. 15:541 and the date of the commission of the following offense or offenses.

I. If the court finds that a sentence imposed under the provisions of this Section would be constitutionally excessive pursuant to the criteria set forth in State v. Dorthey, 623 So.2d 1276 (La. 1993), then the court shall state for the record the reasons for such finding and shall impose the most severe sentence that is not constitutionally excessive.

J. For purposes of this Section, "correctional supervision" means any period of parole, probation, or incarceration of a person in a penal institution, either within the state of Louisiana or outside of the state.

Section 2. This Act shall become effective November 1, 2017, and shall have prospective application only to offenders whose convictions became final on or after November 1, 2017.

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

SENATE BILL NO. 236—
BY SENATOR LAFFLEUR

AMENDMENT NO. 2
On page 1, line 7, after "documents," delete the remainder of the line and insert "to provide relative to redaction and contents of certain personal information in filings and recordings; and"

AMENDMENT NO. 3
On page 2, line 15, change "may" to "may shall"

AMENDMENT NO. 4
On page 2, line 22, change "twenty" to "twenty-five"

AMENDMENT NO. 5
On page 2, line 23, change "twenty-one" to "twenty-six"

AMENDMENT NO. 6
On page 8, delete line 7 and insert "and Code of Civil Procedure Articles 258(D) and 259 are hereby enacted to read as follows:"

AMENDMENT NO. 7
On page 9, after line 3 insert ""Art. 259. Redaction of certain personal information in filings and recordings"

A. Except as otherwise required by law or court order, a pleading, motion, or other document filed or recorded with the clerk of court that includes a social security number, taxpayer-identification number, financial account number, birth date, or the name of a person known to be a minor, shall specify only:

1. The last four digits of the social security number, taxpayer identification number, or financial account number.
2. The year of the person's birth.
3. The initials of the minor.

B. The failure to comply with the provisions of this Article shall not affect the validity of what is filed or recorded, or provide a basis for the clerk of court to refuse to accept it.

C. The clerk of court shall not be liable for loss or damages resulting from the filing or recording of a pleading, motion or other document that fails to comply with the provisions of this Article.

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

Senate Concurrent Resolutions
Returned from the House of Representatives with Amendments

SENATE CONCURRENT RESOLUTION NO. 62—
BY SENATOR MARTINY

A CONCURRENT RESOLUTION
To recognize May 2017 as Building Safety Month.

The concurrent resolution was read by title. Returned from the House of Representatives with amendments:

HOUSE FLOOR AMENDMENTS

Amendments proposed by Representative Thomas to Original Senate Concurrent Resolution No. 62 by Senator Martiny

AMENDMENT NO. 1
On page 2, line 22, at the beginning of the line delete "Katherine Mosely Smith" and insert in lieu thereof "Rick Foster"

Senator Martiny moved to concur in the amendments proposed by the House.
ROLL CALL

The roll was called with the following result:

YEAS

Mr. President Fannin
Allain Gatti
Appel Hewitt
Barrow Johns
Bishop LaFleur
Boudreaux Lambert
Carter Luneau
Chabert Martiny
Claitor Milkovich
Cortez Mills
Donahue Mizell
Erdey Morrell
Total - 34

NAYS

Total - 0

ABSENT

Colomb Morrell
Long Tarver
Total - 4

The Chair declared the Senate concurred in the amendments proposed by the House.

Senate Concurrent Resolutions
on Second Reading
Reported by Committees

SENATE CONCURRENT RESOLUTION NO. 31—
BY SENATOR WHITE
A CONCURRENT RESOLUTION
To continue and provide for the Louisiana Law Enforcement Body Camera Implementation Task Force to study and make recommendations regarding the requirements for implementation and development of best procedures for the use of body cameras and policies for access to and use of body camera recordings by law enforcement agencies in this state, and to provide for a written report of its recommendations and findings not later than sixty days prior to the 2018 Regular Session of the Louisiana Legislature.

Reported favorably by the Committee on Judiciary C.

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

ROLL CALL

The roll was called with the following result:

YEAS

Mr. President Fannin
Allain Gatti
Appel Hewitt
Barrow Johns
Bishop LaFleur
Boudreaux Lambert
Carter Luneau
Chabert Martiny
Claitor Milkovich
Cortez Mills
Donahue Mizell
Erdey Morrell
Total - 34

NAYS

Total - 0

ABSENT

Colomb Morrell
Long Tarver
Total - 4

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

Rules Suspended

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

Introduction of Senate Resolutions

SENATE RESOLUTION NO. 75—
BY SENATOR MARTINY
A RESOLUTION
To express the sincere condolences of the Senate of the Legislature of Louisiana upon the death of G. Frank Purvis.

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

Reports of Committees

The following reports of committees were received and read:

REPORT OF COMMITTEE ON EDUCATION

Senator Dan W. "Blade" Morrish, Chairman on behalf of the Committee on Education, submitted the following report:

May 3, 2017

To the President and Members of the Senate:

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

SENATE BILL NO. 133—
BY SENATOR MORRELL
AN ACT
To amend and reenact R.S. 17:170(E), relative to immunization of persons entering school for the first time; to provide for parental notification if there are students enrolled in a prekindergarten program or licensed day care center who opted not to provide evidence of required immunizations; to provide for confidentiality; and to provide for related matters.

Reported by substitute.

SENATE BILL NO. 215—
BY SENATORS TARVER AND LAFLEUR
AN ACT
To enact R.S. 17:3991(C)(1)(c)(v), relative to the admission of children of teachers recruited from other nations to teach at a language immersion charter school; and to provide for related matters.

Reported favorably.

SENATE BILL NO. 233—
BY SENATOR LAFLEUR
AN ACT
To enact R.S. 17:10.1(G), relative to the school and district accountability system; to require the State Board of Elementary and Secondary Education to adopt a policy to award additional

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points to the school performance score of a school that offers a certified foreign language immersion program; and to provide for related matters.

Respectfully submitted,
DAN W. "BLADE" MORRISH
Chairman

REPORT OF COMMITTEE ON
LABOR AND INDUSTRIAL RELATIONS

Senator Neil Riser, Chairman on behalf of the Committee on Labor and Industrial Relations, submitted the following report:

May 3, 2017

To the President and Members of the Senate:

I am directed by your Committee on Labor and Industrial Relations to submit the following report:

SENATE BILL NO. 2—
BY SENATORS MORREL AND PETERSON
AN ACT
To amend and reenact Chapter 6-A of Title 23 of the Louisiana Revised Statutes of 1950, to be comprised of R.S. 23:661 through 669, to provide with respect to public policy; to provide for definitions; to further prohibit pay discrimination; to provide for a complaint procedure, penalties, attorney fees, and damages; and to provide for related matters.

Reported favorably.

SENATE BILL NO. 63—
BY SENATOR GATTI
AN ACT
To amend and reenact R.S. 33:2011(B), relative to occupational diseases or infirmities connected with the duties of a firefighter; to provide for the classification of certain types of cancer as occupational diseases; to provide with respect to firefighters; to provide for attorney fees, and damages; and to provide for related matters.

Reported with amendments.

Respectfully submitted,
NEIL RISER
Chairman

Privileged Report of the Committee on Senate and Governmental Affairs

ENROLLMENTS

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

May 3, 2017

To the President and Members of the Senate:

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

The following Senate Concurrent Resolutions have been properly enrolled:

SENATE CONCURRENT RESOLUTION NO. 54—
BY SENATOR CHABERT
A CONCURRENT RESOLUTION
To recognize Monday, May 22, 2017, as "LUMCON Day" at the Louisiana State Capitol and to commend the members of the Louisiana Universities Marine Consortium for Research and Education.

SENATE CONCURRENT RESOLUTION NO. 55—
BY SENATORS COLOMB, BARROW, HEWITT, MIZELL AND PETERSON AND REPRESENTATIVES AMEDEE, CARPENTER, DAVIS, EMERSON, HILFERTY, HILL, HODGES, HORTON, JACKSON, NANCY LANDRY, MARCELLE, MORENO, NORTON, SMITH, STOKES, THOMAS AND WHITE
A CONCURRENT RESOLUTION
To commend Mackenzie Kay Andrews upon her receipt of a 2017 Women of Excellence Award from the Louisiana Legislative Women's Caucus Foundation in the category of High School Women of Excellence and upon being a recipient of a Louisiana Legislative Women's Caucus Foundation Scholarship.

SENATE CONCURRENT RESOLUTION NO. 56—
BY SENATORS COLOMB, BARROW, HEWITT, MIZELL AND PETERSON AND REPRESENTATIVES AMEDEE, CARPENTER, DAVIS, EMERSON, HILFERTY, HILL, HODGES, HORTON, JACKSON, NANCY LANDRY, MARCELLE, MORENO, NORTON, SMITH, THOMAS AND WHITE
A CONCURRENT RESOLUTION
To commend Bria Janai Williams upon her receipt of a 2017 Women of Excellence Award from the Louisiana Legislative Women's Caucus Foundation in the category of College Women of Excellence and upon being a recipient of a Louisiana Legislative Women's Caucus Foundation Scholarship.

SENATE CONCURRENT RESOLUTION NO. 57—
BY SENATORS COLOMB, BARROW, HEWITT, MIZELL AND PETERSON AND REPRESENTATIVES AMEDEE, CARPENTER, DAVIS, EMERSON, HILFERTY, HILL, HODGES, HORTON, JACKSON, NANCY LANDRY, MARCELLE, MORENO, NORTON, SMITH, STOKES, THOMAS AND WHITE
A CONCURRENT RESOLUTION
To commend Malori Dawn Dupree upon her receipt of a 2017 Women of Excellence Award from the Louisiana Legislative Women's Caucus Foundation in the category of High School Women of Excellence and upon being a recipient of a Louisiana Legislative Women's Caucus Foundation Scholarship.

SENATE CONCURRENT RESOLUTION NO. 58—
BY SENATOR MILLS
A CONCURRENT RESOLUTION
To commend the Southern Mutual Help Association for its support in disaster recovery.

SENATE CONCURRENT RESOLUTION NO. 59—
BY SENATOR PERRY AND REPRESENTATIVE HENGENS
A CONCURRENT RESOLUTION
To commend Randall Bertrand, coach of the girls' basketball team at Gueydan High School, upon the occasion of being named Louisiana Class 1A Coach of the Year in girls' basketball for the 2016-2017 season.

SENATE CONCURRENT RESOLUTION NO. 61—
BY SENATOR PERRY AND REPRESENTATIVE MIGUEZ
A CONCURRENT RESOLUTION
To commend and congratulate Elijah Mitchell on his outstanding football career at Erath High School and to wish him much success with his upcoming college career at the University of Louisiana at Lafayette as a Ragin' Cajun.

SENATE CONCURRENT RESOLUTION NO. 63—
BY SENATOR WHITE AND REPRESENTATIVES BACALA, BERTHELOT, CHAD BROWN, CARPENTER, STEVE CARTER, DAVIS, EDMONDS, FOIL, HAVARD, HODGES, IVEY, JAMES, JORDAN, MACK, MARCELLE, POPE, PRICE, SCHENK, SMITH AND THIBAUT
A CONCURRENT RESOLUTION
To commend and congratulate the city of Baton Rouge, Louisiana, and its citizenry and public officials on the Bicentennial celebration of municipal incorporation and to encourage civic participation in the year-long calendar of events known as BR200.
SENATE CONCURRENT RESOLUTION NO. 64—
BY SENATORS COLOMB, ALARIO, ALLAIN, APPEL, BARROW, BISHOP, BOUDREAU, CARTER, CHABERT, CARTIER, CORTEZ, DONAHUE, ERDEY, FANNIN, GATTI, HEWITT, JOHNS, LAFEUF, LAMBERT, LONG, LUNEAU, MARTINY, MILKOVICH, MILLS, MIZELE, MORRELL, MORRIS, PEACOCK, PERRY, PETERSON, RISER, GARY SMITH, JOHN SMITH, TARVER, THOMPSON, WALLS, WARD AND WHITE AND REPRESENTATIVES ABRAHAM, ABRAMSON, AMEDEE, ANDERS, ARMES, BACALA, BAGLEY, BAGNERIS, BARRAS, BERTHELOT, BILLIOT, BISHOP, BOUE, BROADWATER, CHAD BROWN, TERRY BROWN, CARMODY, CARPENTER, GARY CARTER, ROBBY CARTER, STEVE CARTER, CHANEY, CONNICK, COUSSAN, COX, CROMER, DANAHAY, DAVIS, DEVILLIER, DWIGHT, EDMONDS, EMERSON, FALCONER, FOIL, FRANKLIN, GAINES, GAROFALO, GISCLEAR, GLOVER, GUINN, HALL, LANCE HARRIS, HENDERSON, HOFFMAN, BERNARD, HENRY, HENSGENS, RAY, HILL, BERNARD HODGES, SPARBER, HORMAGE, HOWARD, HUNTER, HUVAL, IVEY, JACKSON, JAMES, JEFFERSON, JENKINS, JOHNSON, JONES, KINGSLEY JOHN, NANCY LANDRY, TERRY LANDRY, LEBAS, LÉGER, LEOPOLD, LYNDS, MACK, MAGEE, MARCELLE, MARINO, MCFARLAND, MIGUEZ, DUSTIN MILLER, GREGORY MILLER, MORENO, JAY MORRIS, JIM MORRIS, NORTON, PEARSON, PIERRE, PRICE, PUGH, PUYANT, REYNOLDS, RICHARD, SCHENK, SCHREIDER, SEABAUGH, SHADOIN, SIMON, SMITH, STAGNI, STEFANSK, STOKES, TALBOT, TIBBART, THOMAS, WHITE AND ZERINGUE

A CONCURRENT RESOLUTION

To express the sincere and heartfelt condolences of the Legislature of Louisiana upon the passing of Rose Landry Long, of Natchitoches, Louisiana, and to celebrate the joyous life of a great lady who was fulfilled by her service to her God, her family, and her community.

Respectfully submitted,
KAREN CARTER PETERSON
Chairman

The foregoing Senate Concurrent Resolutions were signed by the President of the Senate.

Message from the House

SIGNED HOUSE CONCURRENT RESOLUTIONS
May 2, 2017

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. 49—
BY REPRESENTATIVE STOKES

A CONCURRENT RESOLUTION
To designate Wednesday, May 3, 2017, as the National Multiple Sclerosis Society Louisiana State Action Day at the state capitol and to encourage efforts to inform the citizens of Louisiana about multiple sclerosis.

HOUSE CONCURRENT RESOLUTION NO. 50—
BY REPRESENTATIVE CARMODY

A CONCURRENT RESOLUTION
To recognize May 2017 as National Multiple Sclerosis Society Month in Louisiana, and to raise awareness of the importance of building codes for the health, safety, and welfare of the public.

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

Respectfully submitted,
ALFRED W. SPEER
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 Fannin Morrish
Allain Gatti Peacock
Apel Hewitt Perry
Appel Hewitt Perry
Barrow Johns Peterson
Bishop LaFleur Peterson
Boudreaux Lambert Smith, G.
Carter Luneau Smith, J.
Chabert Martiny Thompson
Claitor Milkovich Walsworth
Cortez Mills Ward
Donahue Mizell White
Erdey Morrel

Total - 35

ABSENT
Colomb Long Tarver

Total - 3

Leaves of Absence

The following leaves of absence were asked for and granted:

Colomb 1 Day Long 1 Day
Tarver 1 Day

Announcements

The following committee meetings for May 8, 2017, were announced:

Finance 10:00 A.M. Room A
Retirement 1:30 P.M. Room E
Revenue and Fiscal Affairs 12:30 P.M. Hainkel Room

Adjournment

On motion of Senator Peacock, at 4:30 o'clock P.M. the Senate adjourned until Monday, May 8, 2017, at 3:00 o'clock P.M.

The President of the Senate declared the Senate adjourned.

GLENN A. KOEPP
Secretary of the Senate

DIANE O’ QUIN
Journal Clerk