

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

FOURTEENTH DAY'S PROCEEDINGS

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

Senate Chamber
State Capitol
Baton Rouge, Louisiana

Tuesday, May 19, 2020

The Senate was called to order at 2:10 o'clock P.M. by Hon. Patrick Page Cortez, President of the Senate.

Morning Hour

CONVENING ROLL CALL

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

PRESENT

Mr. President	Harris	Mizell
Abraham	Henry	Morris
Allain	Hensgens	Peacock
Barrow	Hewitt	Pope
Bernard	Jackson	Price
Bouie	Johns	Reese
Carter	Lambert	Smith
Cathey	Luneau	Tarver
Cloud	McMath	Ward
Connick	Milligan	White
Fesi	Mills, F.	Womack
Foil	Mills, R.	
Total - 35		

ABSENT

Boudreaux	Peterson
Fields	Talbot
Total - 4	

The President of the Senate announced there were 35 Senators present and a quorum.

Prayer

The prayer was offered by Senator Troy Carter, 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 Fred Mills, the reading of the Journal was dispensed with and the Journal of May 18, 2020, was adopted.

Introduction of Senate Resolutions

SENATE RESOLUTION NO. 49—
BY SENATOR BOUIE

A RESOLUTION

To commend Reverend Anthony M. Bozeman, SSJ, pastor of St. Raymond and St. Leo the Great Parish in New Orleans, upon the celebration of the twentieth anniversary of his ordination.

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

SENATE RESOLUTION NO. 50—
BY SENATOR FOIL

A RESOLUTION

To express the sincere condolences of the Senate of the Legislature of Louisiana upon the death of Billy M. Seay PhD, the founding Dean of Louisiana State University Honors College, and long-time academician at Louisiana State University.

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

SENATE RESOLUTION NO. 51—
BY SENATOR FOIL

A RESOLUTION

To express the sincere condolences of the Senate of the Legislature of Louisiana upon the death of native Baton Rougean, Karen Sue "Susie" Hannaman Tucker.

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

SENATE RESOLUTION NO. 52—
BY SENATOR FOIL

A RESOLUTION

To express the sincere condolences of the Senate of the Legislature of Louisiana upon the death of Charles E. Severance.

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

**Introduction of
Senate Concurrent Resolutions**

SENATE CONCURRENT RESOLUTION NO. 66—
BY SENATOR MCMATH

A CONCURRENT RESOLUTION

To suspend until July 1, 2021, the provisions of Act 260 of the 2019 Regular Session of the Louisiana Legislature which enacts R.S. 9:2713 through 2713.9 and repeals R.S. 9:2715, relative to structured settlements.

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

**Senate Resolutions on
Second Reading**

SENATE RESOLUTION NO. 48—

BY SENATORS FRED MILLS, BARROW, BOUDREAUX, HENSGENS, LUNEAU, MCMATH, MIZELL, POPE AND WARD

A RESOLUTION

To direct the executive branch agencies under the jurisdictional oversight of the Senate Committee on Health and Welfare to continue to submit statutorily mandated reports until such time as the mandate is specifically amended or repealed.

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

Message from the House

**ASKING CONCURRENCE IN
HOUSE CONCURRENT RESOLUTIONS**

May 18, 2020

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. 6	HCR No. 48	HCR No. 71
HCR No. 73	HCR No. 74	HCR No. 78
HCR No. 66	HCR No. 77	HCR No. 76
HCR No. 79		

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

**House Concurrent Resolutions
on First Reading**

HOUSE CONCURRENT RESOLUTION NO. 6—
BY REPRESENTATIVES EDMONDS, AMEDEE, BACALA, HORTON,
CHARLES OWEN, AND THOMAS
A CONCURRENT RESOLUTION

To adopt Joint Rule No. 11 of the Joint Rules of the Senate and House of Representatives, to establish the Joint Medicaid Oversight Committee to monitor, review, and make recommendations relative to all aspects of the state Medicaid program.

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

HOUSE CONCURRENT RESOLUTION NO. 48—
BY REPRESENTATIVE WRIGHT
A CONCURRENT RESOLUTION

To urge and request the House Committee on House and Governmental Affairs and the Senate Committee on Senate and Governmental Affairs to meet and function as a joint committee to study and make recommendations regarding all issues related to the process of rulemaking by state agencies and the existing Louisiana Administrative Code.

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

HOUSE CONCURRENT RESOLUTION NO. 66—
BY REPRESENTATIVE BISHOP
A CONCURRENT RESOLUTION

To suspend until sixty days after final adjournment of the 2021 Regular Session of the Legislature of Louisiana the state corporation franchise tax levied on domestic and foreign corporations at the rate of one dollar and fifty cents for each one thousand dollars, or major fraction thereof on the first three hundred thousand dollars of taxable capital pursuant to the provisions of R.S. 47:601(A) and to suspend the initial tax levied on corporations or other entities for the first accounting period in which the entity becomes subject to the corporation franchise tax pursuant to the provisions of R.S. 47:611(A).

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

HOUSE CONCURRENT RESOLUTION NO. 71—
BY REPRESENTATIVES SCHEXNAYDER AND GAROFALO
A CONCURRENT RESOLUTION

To authorize and direct state agencies and licensing boards to adopt emergency rules suspending fees that are imposed on businesses until the final adjournment of the 2021 Regular Session of the Legislature of Louisiana.

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

HOUSE CONCURRENT RESOLUTION NO. 73—
BY REPRESENTATIVES SCHEXNAYDER, ADAMS, AMEDEE,
BEAULLIEU, BRYANT, BUTLER, CARRIER, COUSSAN, COX, CREWS,
DESHOTEL, DUBUISSON, ECHOLS, EDMONDS, FARNUM, FIRMENT,
FONTENOT, FREIBERG, FRIEMAN, GADBERRY, GAROFALO,
GOUDEAU, GREEN, HARRIS, HORTON, ILLG, KERNER, LARVADAIN,
MCCORMICK, MCFARLAND, MIGUEZ, GREGORY MILLER, MINCEY,
NELSON, CHARLES OWEN, ROBERT OWEN, PRESSLY, RISER,
ROMERO, SCHAMERHORN, SEABAUGH, THOMAS, THOMPSON,
WHEAT, AND WRIGHT
A CONCURRENT RESOLUTION

To urge and request the Louisiana Department of Health and the division of administration to provide an immediate update to the Legislature of Louisiana on efforts to establish an application or system to track the incidence and spread of COVID-19 and to

urge the governor to amend his Proclamation Number 58-JBE-2020 to conform with the White House Guidelines for Opening Up America Again.

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

HOUSE CONCURRENT RESOLUTION NO. 74—
BY REPRESENTATIVES SCHEXNAYDER AND GAROFALO
A CONCURRENT RESOLUTION

To urge and request the state of Louisiana through the Louisiana Department of Health, or any other state agency as may be deemed appropriate, to provide funding from the CARES Act, P.L.116-136, or any additional federal funding to Louisiana private healthcare systems for COVID-19 testing and to report the proposed distribution to the legislature by June 1, 2020.

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

HOUSE CONCURRENT RESOLUTION NO. 76—
BY REPRESENTATIVE WRIGHT
A CONCURRENT RESOLUTION

To urge and request that changes to the carryback provisions of the corporate income tax deduction for net operating losses to mirror the carryback provisions of the net operating loss deduction adopted in the federal CARES Act be included in any proclamation convening an extraordinary session of the legislature in 2020.

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

HOUSE CONCURRENT RESOLUTION NO. 77—
BY REPRESENTATIVE SCHEXNAYDER
A CONCURRENT RESOLUTION

To urge and request the Broadband for Everyone in Louisiana Commission to identify public and private sector barriers to effective broadband expansion in the state and provide recommendations to the legislative committees on commerce on how to remove those barriers.

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

HOUSE CONCURRENT RESOLUTION NO. 78—
BY REPRESENTATIVES SCHEXNAYDER, GAROFALO, ADAMS,
AMEDEE, BACALA, BEAULLIEU, BRYANT, BUTLER, CARRIER, GARY
CARTER, ROBBY CARTER, CORMIER, COX, CREWS, DAVIS,
DESHOTEL, ECHOLS, EDMONDS, FIRMENT, FREIBERG, FRIEMAN,
GADBERRY, GAINES, GOUDEAU, HARRIS, HODGES, HORTON,
HUGHES, ILLG, JEFFERSON, JENKINS, MIKE JOHNSON, TRAVIS
JOHNSON, JONES, JORDAN, KERNER, LACOMBE, LANDRY,
LARVADAIN, LYONS, MACK, MARCELLE, MARINO, MCCORMICK,
MCFARLAND, MCKNIGHT, MCMAHEN, MIGUEZ, DUSTIN MILLER,
GREGORY MILLER, MINCEY, MOORE, CHARLES OWEN, PRESSLY,
RISER, ROMERO, SCHAMERHORN, SELDERS, ST. BLANC, STAGNI,
THOMAS, THOMPSON, WHEAT, WHITE, WILLARD, AND WRIGHT
A CONCURRENT RESOLUTION

To urge and request the Broadband for Everyone in Louisiana Commission to create and provide broadband maps, in cooperation and coordination with the Federal Communications Commission's efforts, to identify access and activation gaps in Louisiana.

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

HOUSE CONCURRENT RESOLUTION NO. 79—
BY REPRESENTATIVE BISHOP
A CONCURRENT RESOLUTION

To urge and request that changes to the eligibility requirements for participation in the Enterprise Zone incentive to extend eligibility to restaurants and hotels be included in any proclamation convening an extraordinary session of the legislature in 2020.

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

House Concurrent Resolutions on Second Reading

HOUSE CONCURRENT RESOLUTION NO. 2— BY REPRESENTATIVE MAGEE

A CONCURRENT RESOLUTION

To suspend until August 1, 2021, the provisions of Code of Criminal Procedure Article 875.1, relative to the financial obligations of criminal offenders and the court's authority to take certain actions when the offender is unable to pay financial obligations associated with the offense including court costs, fines, fees, and restitution.

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

HOUSE CONCURRENT RESOLUTION NO. 4— BY REPRESENTATIVES BEAULLIEU AND FARNUM

A CONCURRENT RESOLUTION

To amend the Louisiana Economic Development rules LAC 13:I.502 and 503(H), which provide for local approval for industrial ad valorem tax exemption applications; to authorize an ITEP Ready local governmental entity approval option; to provide for certain requirements and limitations; to provide for related matters; and to direct the Office of the State Register to print the amendments in the Louisiana Administrative Code.

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

HOUSE CONCURRENT RESOLUTION NO. 9— BY REPRESENTATIVES MIKE JOHNSON, ADAMS, BACALA, BEAULLIEU, EMERSON, FIRMENT, FREEMAN, HARRIS, ILLG, IVEY, NELSON, AND TARVER AND SENATOR BERNARD

A CONCURRENT RESOLUTION

To memorialize the United States Congress to support S.521 of the 116th Congress, the Social Security Fairness Act, and to take such actions as are necessary to review and consider eliminating provisions of federal law which reduce Social Security benefits for those receiving pension benefits from federal, state, or local government retirement or pension systems, plans, or funds.

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

HOUSE CONCURRENT RESOLUTION NO. 14— BY REPRESENTATIVE MOORE

A CONCURRENT RESOLUTION

To authorize and direct the Department of Public Safety and Corrections, the Louisiana Department of Health, and the Louisiana Department of Education to work collaboratively to identify the solutions and resources necessary to fully address the barriers that impede the successful reintegration of incarcerated persons back into society and to provide a report of its findings to the legislature prior to the convening of the 2021 Regular Session of the Legislature.

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

HOUSE CONCURRENT RESOLUTION NO. 20— BY REPRESENTATIVE WHITE

A CONCURRENT RESOLUTION

To urge and request the State Board of Elementary and Secondary Education to study the compensation schedule for school bus operators and to submit a written report of its findings and conclusions, including any recommendations for related legislation, to the House Committee on Education and the Senate Committee on Education not later than sixty days prior to the beginning of the 2021 Regular Session of the Legislature.

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

HOUSE CONCURRENT RESOLUTION NO. 25— BY REPRESENTATIVE GREGORY MILLER

A CONCURRENT RESOLUTION

To suspend until September 30, 2020, the provisions of all laws which apply to all legal deadlines, including liberative prescription, peremptive periods, lien periods, and filing deadlines applicable to legal proceedings in all courts, administrative agencies, and boards.

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

HOUSE CONCURRENT RESOLUTION NO. 28— BY REPRESENTATIVE WRIGHT AND SENATOR HEWITT

A CONCURRENT RESOLUTION

To memorialize the United States Congress to call a convention of states for the purpose of proposing amendments to set a limit on the number of terms that a person may be elected as a member of the United States House of Representatives and to set a limit on the number of terms that a person may be elected as a member of the United States Senate.

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

HOUSE CONCURRENT RESOLUTION NO. 31— BY REPRESENTATIVE EDMONDS

A CONCURRENT RESOLUTION

To suspend until sixty days after final adjournment of the 2021 Regular Session of the Legislature of Louisiana the provisions of R.S. 51:1286(C)(2)(c) that limit the amount of funds used by the Department of Culture, Recreation and Tourism for the purchase of in-state media advertisement to not more than ten percent of all funds used for the purchase of media advertisement.

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

HOUSE CONCURRENT RESOLUTION NO. 33— BY REPRESENTATIVE FREIBERG

A CONCURRENT RESOLUTION

To urge and request the Board of Regents, the Department of Revenue, the Louisiana Workforce Commission, and the office of student financial assistance to work collaboratively to develop a uniform way to track students who obtain jobs and internships after graduating from Louisiana public postsecondary education institutions.

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

HOUSE CONCURRENT RESOLUTION NO. 52— BY REPRESENTATIVE ECHOLS

A CONCURRENT RESOLUTION

To urge and request the Louisiana Department of Health and the Medicaid managed care organizations with which it contracts to plan for actions that are necessary for their compliance with newly issued federal rules on interoperability of health records and access by patients to their health data and to request that the department report on these plans to the legislative committees on health and welfare.

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

HOUSE CONCURRENT RESOLUTION NO. 57— BY REPRESENTATIVE MCFARLAND

A CONCURRENT RESOLUTION

To urge and request the Louisiana Department of Health to collect data on Medicaid enrollees with private insurance or offers of employer-sponsored health coverage and to report such data to

the House Committee on Appropriations, the Senate Committee on Finance, and the legislative committees on health and welfare at regular intervals.

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

Reports of Committees

The following reports of committees were received and read:

REPORT OF COMMITTEE ON

JUDICIARY B

Senator Gary L. Smith, Jr., Chairman on behalf of the Committee on Judiciary B, submitted the following report:

May 19, 2020

To the President and Members of the Senate:

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

SENATE BILL NO. 300— BY SENATOR JACKSON

AN ACT

To amend and reenact R.S. 4:714, 719(B) and 740(A), relative to charitable gaming; to provide relative to restrictions, requirements, transfers, and prohibitions; to provide relative to gaming time limits; and to provide for related matters.

Reported with amendments.

HOUSE CONCURRENT RESOLUTION NO. 46— BY REPRESENTATIVE JONES

A CONCURRENT RESOLUTION

To urge and request the Department of Public Safety and Corrections to study the impact of COVID-19 on its operations, specifically as it pertains to the safety and security of inmates and staff at its facilities, as well as the feasibility of releasing nonviolent offenders and its impact on mitigating the spread of COVID-19, and to report the number of inmates and staff that have died as a result of COVID-19.

Reported favorably.

HOUSE CONCURRENT RESOLUTION NO. 47— BY REPRESENTATIVE JONES

A CONCURRENT RESOLUTION

To urge and request the office of juvenile justice of the Department of Public Safety and Corrections to study the impact of COVID-19 on its operations, specifically as it pertains to the safety and security of juveniles and staff at its facilities, as well as the feasibility of releasing low-risk, nonviolent juvenile detainees and its impact on mitigating the spread of COVID-19, and to report the number of juveniles and staff that have died as a result of COVID-19.

Reported favorably.

HOUSE BILL NO. 58— BY REPRESENTATIVE RISER

AN ACT

To enact 13:5554(LL), relative to the Catahoula Parish Sheriff's Office; to provide for the payment of insurance premium costs; to provide for eligibility requirements for the payment of insurance premium costs for retired sheriffs and deputy sheriffs of the Catahoula Parish Sheriff's Office; and to provide for related matters.

Reported favorably.

HOUSE BILL NO. 77— BY REPRESENTATIVE DEVILLIER AN ACT

To enact Subpart (2) of Part II of Chapter 5 of Title 15 of the Louisiana Revised Statutes of 1950, to be comprised of R.S. 15:574.14, and Code of Criminal Procedure Article 895(P), relative to supervision of persons on probation or parole; to provide relative to the reporting requirements of persons on probation or parole; to authorize the use of certain technology to comply with reporting requirements; to provide certain specifications for the technology; to provide relative to when the technology may be used; to authorize the Department of Public Safety and Corrections to promulgate certain rules; and to provide for related matters.

Reported favorably.

HOUSE BILL NO. 80— BY REPRESENTATIVE ROMERO AN ACT

To amend and reenact R.S. 16:516(A), relative to district attorneys; to provide for the payment of group health insurance premiums from the district attorney's general fund in the Thirty-First Judicial District; to establish criteria for eligibility; and to provide for related matters.

Reported with amendments.

HOUSE BILL NO. 99— BY REPRESENTATIVE MARINO AN ACT

To enact R.S. 49:191(12)(b) and to repeal R.S. 49:191(9)(a), relative to the Department of Public Safety and Corrections, including provisions to provide for the re-creation of the Department of Public Safety and Corrections and the statutory entities made a part of the department by law; to provide for the effective termination date for all statutory authority for the existence of such statutory entities; and to provide for related matters.

Reported favorably.

HOUSE BILL NO. 113— BY REPRESENTATIVE AMEDEE AN ACT

To enact R.S. 15:284(F), relative to the use of facility dogs in certain circumstances; to provide an alternative reference to the law regarding the use of facility dogs in court proceedings; and to provide for related matters.

Reported favorably.

HOUSE BILL NO. 144— BY REPRESENTATIVE GREEN AN ACT

To amend and reenact R.S. 13:2582(A) and 2583(A), relative to certain elected officials; to provide relative to the office of justice of the peace; to provide relative to the office of constable; to provide relative to qualifications; to provide for the elimination of the mandatory age limit of justices of the peace and constables; and to provide for related matters.

Reported favorably.

HOUSE BILL NO. 204— BY REPRESENTATIVE JAMES AN ACT

To amend and reenact R.S. 15:587.1(J), relative to providing of information to protect children; to provide relative to the criminal history record information requested by and provided to a Court Appointed Special Advocate program; to provide relative to the duty of the Louisiana Bureau of Criminal Identification and Information with respect to federal criminal history record information; to provide relative to the program's authority to receive federal criminal history record information; and to provide for related matters.

Reported favorably.

HOUSE BILL NO. 265—
BY REPRESENTATIVE MUSCARELLO
AN ACT

To repeal R.S. 38:1501 and R.S. 51:282, relative to clerks of court; to eliminate requirements for the clerk of court to maintain certain records.

Reported favorably.

HOUSE BILL NO. 288—
BY REPRESENTATIVE MINCEY
AN ACT

To amend and reenact R.S. 13:783(D)(1)(a)(iii) and to repeal R.S. 13:783(D)(5), relative to the clerk of court of Livingston Parish; to exempt the clerk of court of Livingston Parish from obtaining consent from the governing authority to purchase an automobile; to remove the limitation on the amount the clerk may use to purchase the automobile; and to provide for related matters.

Reported favorably.

HOUSE BILL NO. 404—
BY REPRESENTATIVE FARNUM
AN ACT

To amend and reenact R.S. 1:55(E)(2) and R.S. 13:754(E)(8) and to enact R.S. 13:754(E)(13), relative to emergency closings for clerks of court; to provide relative to the Louisiana Clerks' Remote Access Authority; to require certain statements regarding closure of the office of the clerk; to provide for an electronic bulletin board on the statewide portal; and to provide for related matters.

Reported with amendments.

HOUSE BILL NO. 420—
BY REPRESENTATIVE BACALA
AN ACT

To amend and reenact R.S. 40:2404.2(B), relative to peace officers; to provide for the training of peace officers; to establish exceptions to annual training requirements; and to provide for related matters.

Reported favorably.

HOUSE BILL NO. 602—
BY REPRESENTATIVE BRYANT
AN ACT

To amend and reenact R.S. 15:587(A)(1)(a) and 587.1(B)(1) and to enact R.S. 15:576(6) and 587(A)(1)(j) and (l), relative to criminal identification and information; to provide relative to the Louisiana Bureau of Criminal Identification and Information; to provide relative to definitions; to require the bureau to make available to the Louisiana Department of Education criminal history record and identification files; to provide relative to latent fingerprint searches; to provide for an effective date; and to provide for related matters.

Reported favorably.

Respectfully submitted,
GARY L. SMITH, JR.
Chairman

**REPORT OF COMMITTEE ON
JUDICIARY A**

Senator Barrow Peacock, Chairman on behalf of the Committee on Judiciary A, submitted the following report:

May 19, 2020

To the President and Members of the Senate:

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

SENATE CONCURRENT RESOLUTION NO. 57—
BY SENATOR HEWITT
A CONCURRENT RESOLUTION

To urge and request the Louisiana Supreme Court and the Louisiana State Bar Association to implement a lawyer advertisement review recognition program.

Reported with amendments.

HOUSE BILL NO. 62—
BY REPRESENTATIVE WILFORD CARTER
AN ACT

To amend and reenact R.S. 13:477(14), 589(A), and 621.14, relative to the Fourteenth Judicial District; to provide for the election of judges in the Fourteenth Judicial District; to provide for a new division of the court with limited or specialized jurisdiction; to abolish a division of the court; to provide for the composition of the election sections for the election of judges; to provide for the election sections from which the judges are elected; to provide relative to the election of the magistrate judge of the Fourteenth Judicial District; and to provide for related matters.

Reported favorably.

HOUSE BILL NO. 98—
BY REPRESENTATIVE MAGEE
AN ACT

To amend and reenact Code of Civil Procedure Article 863(A), relative to the signing of civil pleadings; to provide for a physical service address; and to provide for related matters.

Reported favorably.

HOUSE BILL NO. 125—
BY REPRESENTATIVE GREGORY MILLER
AN ACT

To amend and reenact Civil Code Articles 897, 1495, and 1505(A) and (B) and Code of Civil Procedure Articles 2952 and 3396.18(A), to enact Civil Code Article 1495.1, and to repeal Part 1 of Chapter 4 of Title 9 of the Louisiana Revised Statutes of 1950, comprised of R.S. 9:2401, relative to successions; to modernize terminology; to provide for the calculation of the legitime; to provide for the calculation of the active mass of a succession; to provide for the independent administration of a succession; to provide for the sealing of a detailed descriptive list in a succession without administration; to repeal the Uniform Wills Law; and to provide for related matters.

Reported favorably.

HOUSE BILL NO. 126—
BY REPRESENTATIVE GREGORY MILLER
AN ACT

To amend and reenact Civil Code Article 477 and to repeal R.S. 9:2948, relative to bond for deed contracts; to provide for ownership of property for purposes of the homestead exemption; to repeal unconstitutional law; and to provide for related matters.

Reported favorably.

HOUSE BILL NO. 227—
BY REPRESENTATIVE COUSSAN
AN ACT

To amend and reenact R.S. 31:212.21, relative to production payments; to eliminate redundant terminology; to provide relative to the nature and classification of production payments; and to provide for related matters.

Reported favorably.

HOUSE BILL NO. 499—
BY REPRESENTATIVE SEABAUGH
AN ACT

To amend and reenact Code of Civil Procedure Article 3396.1, relative to the issuance of letters of independent administration or executorship; to authorize the clerk of court to issue letters of independent administration or executorship; to provide an effective date; and to provide for related matters.

Reported favorably.

HOUSE BILL NO. 594—
BY REPRESENTATIVE SEABAUGH
AN ACT

To amend and reenact Civil Code Article 811 and Code of Civil Procedure Articles 4607, 4621, 4622, 4624, 4625, 4627, 4629, and 4643 and to enact Code of Civil Procedure Article 4626(3), relative to property; to provide for partitions by private sale; to provide for absentee co-owners; to provide for publication notice; to provide for petitions, trials, and judgments of partitions by private sale; to provide for the appointment of an attorney; to provide for an effective date; and to provide for related matters.

Reported favorably.

Respectfully submitted,
BARROW PEACOCK
Chairman

REPORT OF COMMITTEE ON

JUDICIARY C

Senator Franklin J. Foil, Chairman on behalf of the Committee on Judiciary C, submitted the following report:

May 19, 2020

To the President and Members of the Senate:

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

HOUSE BILL NO. 29—
BY REPRESENTATIVE BACALA
AN ACT

To amend and reenact R.S. 14:403.3(A) and R.S. 40:2521, relative to reports of missing children; to provide relative to the duty of law enforcement upon receipt of reports of missing children; to provide relative to the entities to which the law enforcement agency is required and permitted to report; to provide relative to the entry of certain information into the National Crime Information Center's database; to provide relative to the time period within which the entry and reporting occur; and to provide for related matters.

Reported favorably.

HOUSE BILL NO. 57—
BY REPRESENTATIVE MUSCARELLO
AN ACT

To enact Code of Criminal Procedure Article 404(I), relative to jury commissions; to provide for the functions of the jury commission in the parish of Tangipahoa; to transfer the functions of the jury commission to the clerk of court of Tangipahoa Parish; and to provide for related matters.

Reported with amendments.

HOUSE BILL NO. 65—
BY REPRESENTATIVE DWIGHT
AN ACT

To amend and reenact R.S. 14:139.1(C), relative to the crime of political payroll padding; to provide relative to the exceptions to the crime of political payroll padding by a sheriff; to provide for

additional exceptions when no opponent qualifies to run against an incumbent sheriff or when an incumbent sheriff's reelection has been officially declared; and to provide for related matters.

Reported favorably.

HOUSE BILL NO. 89—
BY REPRESENTATIVE JAMES
AN ACT

To amend and reenact R.S. 40:964(Schedule II)(A)(1)(introductory paragraph) and (E)(3) and to enact R.S. 40:964(Schedule I)(A)(68) through (71), (D)(6) and (7), (Schedule IV)(B)(2.1) and (25.1) and (D)(14), and (Schedule V)(D)(5) and (6), relative to the Uniform Controlled Dangerous Substances Law; to add certain substances to Schedules I, II, IV, and V; to provide relative to substances of vegetable origin or chemical synthesis in Schedule II; and to provide for related matters.

Reported favorably.

Respectfully submitted,
FRANKLIN J. FOIL
Chairman

REPORT OF COMMITTEE ON

FINANCE

Senator Mack A. "Bodi" White, Jr., Chairman on behalf of the Committee on Finance, submitted the following report:

May 19, 2020

To the President and Members of the Senate:

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

SENATE CONCURRENT RESOLUTION NO. 65—
BY SENATORS CLOUD, HENRY, TARVER AND WHITE
A CONCURRENT RESOLUTION

To express the intent of the legislature to appropriate \$200,000,000 of the local government portion of the CARES Act funding for small businesses in Louisiana, of which \$25,000,000 shall be used for minority and women owned businesses.

Reported with amendments.

SENATE BILL NO. 318—
BY SENATOR CATHEY
AN ACT

To enact R.S. 17:5029(E), relative to the Taylor Opportunity Program for Students; to provide for eligibility for certain military veterans to receive a TOPS-Tech Award; to provide relative to eligibility requirements; and to provide for related matters.

Reported with amendments.

SENATE BILL NO. 359—
BY SENATORS HENSGENS, ALLAIN, BERNARD, CATHEY, CLOUD, CORTEZ, FESI, HENRY, HEWITT, JOHNS, MCMATH, MILLIGAN, ROBERT MILLS, MIZELL, PEACOCK, REESE, TALBOT, WHITE AND WOMACK AND REPRESENTATIVES AMEDEE, BEAULLIEU, BUTLER, CARRIER, COUSSAN, DEVILLIER, EMERSON, GOUDEAU, HORTON, MCCORMICK AND MIGUEZ
AN ACT

To amend and reenact R.S. 49:214.36(D) and (E), relative to the Louisiana Coastal Zone Management Program; to provide for the authority to bring enforcement actions; to provide for the imposition of civil liability and the assessment of damages; to provide certain terms, procedures, conditions, requirements, and effects; and to provide for related matters.

Reported favorably.

Respectfully submitted,
MACK A. "BODI" WHITE, JR.
Chairman

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

Senator White asked for and obtained a suspension of the rules to take up Senate Bills and Joint Resolutions just reported by Committees.

SENATE BILL NO. 300—

BY SENATOR JACKSON

AN ACT

To amend and reenact R.S. 4:714, 719(B) and 740(A), relative to charitable gaming; to provide relative to restrictions, requirements, transfers, and prohibitions; to provide relative to gaming time limits; and to provide for related matters.

Reported with amendments by the Committee on Judiciary B.

SENATE COMMITTEE AMENDMENTS

Amendments proposed by Senate Committee on Judiciary B to Original Senate Bill No. 300 by Senator Jackson

AMENDMENT NO. 1

On page 1, line 2, after "4:714" delete ", 719(B)" and after "740(A)," insert "and to enact R.S. 4:724.1,"

AMENDMENT NO. 2

On page 1, line 3, after "prohibitions;" insert "to provide for operation of machines;"

AMENDMENT NO. 3

On page 1, line 6, after "4:714" delete ", 719(B)" and after "reenacted" insert "and R.S. 4:724.1 is hereby enacted"

AMENDMENT NO. 4

On page 3, delete lines 4 through 12

AMENDMENT NO. 5

On page 3, between lines 12 and 13, insert the following:

"§724.1. Operation of machines

A. time location and duration of play. Electronic video bingo machines may be available in any location licensed for charitable bingo and played in the following manner.

(1) At commercial locations the machines may be played only during the times when an organization is licensed with a minimum of one member present on the premises.

(2) At noncommercial locations the machines may be played by the general public when call bingo is played.

(3) At noncommercial locations the machines may also be played by the membership of the organization and the general public at times other than called bingo, not to exceed the total number of sessions for bingo authorized by the local jurisdiction.

B. A violation of the aforementioned provisions result in a civil violation and fine and possible revocation of license.

* * *

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

SENATE BILL NO. 318—

BY SENATOR CATHEY

AN ACT

To enact R.S. 17:5029(E), relative to the Taylor Opportunity Program for Students; to provide for eligibility for certain military veterans to receive a TOPS-Tech Award; to provide relative to eligibility requirements; and to provide for related matters.

Reported with amendments by the Committee on Finance.

SENATE COMMITTEE AMENDMENTS

Amendments proposed by Senate Committee on Finance to Engrossed Senate Bill No. 318 by Senator Cathey

AMENDMENT NO. 1

On page 1, line 10, after "**effective for the**" delete the remainder of the line, and insert:

"2020-2021, 2021-2022, and 2022-2023 academic years, an"

AMENDMENT NO. 2

On page 1, line 11, change "**has been**" to "**was**"

AMENDMENT NO. 3

On page 1, line 12, after "**Forces**" and before "**shall be**" insert "**from a military installation in Louisiana**"

AMENDMENT NO. 4

On page 1, at the end of line 17, change "**service.**" to "**service, provided residency was established on or after January 1, 2020.**"

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

SENATE BILL NO. 359—

BY SENATORS HENSGENS, ALLAIN, BERNARD, CATHEY, CLOUD, CORTEZ, FESI, HENRY, HEWITT, JOHNS, MCMATH, MILLIGAN, ROBERT MILLS, MIZELL, PEACOCK, REESE, TALBOT, WHITE AND WOMACK AND REPRESENTATIVES AMEDEE, BEAULLIEU, BUTLER, CARRIER, COUSSAN, DEVILLIER, EMERSON, GOUDEAU, HORTON, MCCORMICK AND MIGUEZ

AN ACT

To amend and reenact R.S. 49:214.36(D) and (E), relative to the Louisiana Coastal Zone Management Program; to provide for the authority to bring enforcement actions; to provide for the imposition of civil liability and the assessment of damages; to provide certain terms, procedures, conditions, requirements, and effects; and to provide for related matters.

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

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

Senator Foil asked for and obtained a suspension of the rules to take up House Bills and Joint Resolutions just reported by Committees.

HOUSE BILL NO. 29—

BY REPRESENTATIVE BACALA

AN ACT

To amend and reenact R.S. 14:403.3(A) and R.S. 40:2521, relative to reports of missing children; to provide relative to the duty of law enforcement upon receipt of reports of missing children; to provide relative to the entities to which the law enforcement agency is required and permitted to report; to provide relative to the entry of certain information into the National Crime Information Center's database; to provide relative to the time period within which the entry and reporting occur; and to provide for related matters.

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

HOUSE BILL NO. 57—

BY REPRESENTATIVE MUSCARELLO

AN ACT

To enact Code of Criminal Procedure Article 404(I), relative to jury commissions; to provide for the functions of the jury commission in the parish of Tangipahoa; to transfer the functions of the jury commission to the clerk of court of Tangipahoa Parish; and to provide for related matters.

Reported with amendments by the Committee on Judiciary C.

May 19, 2020

SENATE COMMITTEE AMENDMENTS

Amendments proposed by Senate Committee on Judiciary C to Engrossed House Bill No. 57 by Representative Muscarello

AMENDMENT NO. 1

On page 1, line 2, after "404(I)" insert "and (J)"

AMENDMENT NO. 2

On page 1, line 3, after "jury" delete the remainder of the line and insert "commissions in the parishes of Tangipahoa and Jackson; to"

AMENDMENT NO. 3

On page 1, line 4, after "jury" delete the remainder of the line and insert "commissions to the clerks of court of Tangipahoa Parish and Jackson"

AMENDMENT NO. 4

On page 1, line 7, after "404(I)" delete "is" and insert "and (J) is"

AMENDMENT NO. 5

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

"J. In the parish of Jackson, the function of the jury commission shall be performed by the clerk of court of Jackson Parish or by a deputy clerk of court designated by the respective clerk in writing to act in his stead in all matters affecting the jury commission. The clerk of court or his designated deputy shall have the same powers, duties, and responsibilities, and shall be governed by all applicable provisions of law pertaining to jury commissioners. The clerk of court of Jackson Parish shall perform the duties and responsibilities otherwise imposed upon him by law with respect to jury venires, shall coordinate the jury venire process, and shall receive the compensation generally authorized for a jury commissioner."

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

HOUSE BILL NO. 58—

BY REPRESENTATIVE RISER

AN ACT

To enact 13:5554(LL), relative to the Catahoula Parish Sheriff's Office; to provide for the payment of insurance premium costs; to provide for eligibility requirements for the payment of insurance premium costs for retired sheriffs and deputy sheriffs of the Catahoula Parish Sheriff's Office; and to provide for related matters.

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

HOUSE BILL NO. 62—

BY REPRESENTATIVE WILFORD CARTER

AN ACT

To amend and reenact R.S. 13:477(14), 589(A), and 621.14, relative to the Fourteenth Judicial District; to provide for the election of judges in the Fourteenth Judicial District; to provide for a new division of the court with limited or specialized jurisdiction; to abolish a division of the court; to provide for the composition of the election sections for the election of judges; to provide for the election sections from which the judges are elected; to provide relative to the election of the magistrate judge of the Fourteenth Judicial District; and to provide for related matters.

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

HOUSE BILL NO. 65—

BY REPRESENTATIVE DWIGHT

AN ACT

To amend and reenact R.S. 14:139.1(C), relative to the crime of political payroll padding; to provide relative to the exceptions to the crime of political payroll padding by a sheriff; to provide for additional exceptions when no opponent qualifies to run against

an incumbent sheriff or when an incumbent sheriff's reelection has been officially declared; and to provide for related matters.

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

HOUSE BILL NO. 77—

BY REPRESENTATIVE DEVILLIER

AN ACT

To enact Subpart (2) of Part II of Chapter 5 of Title 15 of the Louisiana Revised Statutes of 1950, to be comprised of R.S. 15:574.14, and Code of Criminal Procedure Article 895(P), relative to supervision of persons on probation or parole; to provide relative to the reporting requirements of persons on probation or parole; to authorize the use of certain technology to comply with reporting requirements; to provide certain specifications for the technology; to provide relative to when the technology may be used; to authorize the Department of Public Safety and Corrections to promulgate certain rules; and to provide for related matters.

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

HOUSE BILL NO. 80—

BY REPRESENTATIVE ROMERO

AN ACT

To amend and reenact R.S. 16:516(A), relative to district attorneys; to provide for the payment of group health insurance premiums from the district attorney's general fund in the Thirty-First Judicial District; to establish criteria for eligibility; and to provide for related matters.

Reported with amendments by the Committee on Judiciary B.

SENATE COMMITTEE AMENDMENTS

Amendments proposed by Senate Committee on Judiciary B to Reengrossed House Bill No. 80 by Representative Romero

AMENDMENT NO. 1

On page 1, line 4, change "the Thirty-First Judicial District;" to "certain judicial districts;"

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

HOUSE BILL NO. 89—

BY REPRESENTATIVE JAMES

AN ACT

To amend and reenact R.S. 40:964(Schedule II)(A)(1)(introductory paragraph) and (E)(3) and to enact R.S. 40:964(Schedule I)(A)(68) through (71), (D)(6) and (7), (Schedule IV)(B)(2.1) and (25.1) and (D)(14), and (Schedule V)(D)(5) and (6), relative to the Uniform Controlled Dangerous Substances Law; to add certain substances to Schedules I, II, IV, and V; to provide relative to substances of vegetable origin or chemical synthesis in Schedule II; and to provide for related matters.

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

HOUSE BILL NO. 98—

BY REPRESENTATIVE MAGEE

AN ACT

To amend and reenact Code of Civil Procedure Article 863(A), relative to the signing of civil pleadings; to provide for a physical service address; and to provide for related matters.

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

HOUSE BILL NO. 99—BY REPRESENTATIVE MARINO
AN ACT

To enact R.S. 49:191(12)(b) and to repeal R.S. 49:191(9)(a), relative to the Department of Public Safety and Corrections, including provisions to provide for the re-creation of the Department of Public Safety and Corrections and the statutory entities made a part of the department by law; to provide for the effective termination date for all statutory authority for the existence of such statutory entities; and to provide for related matters.

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

HOUSE BILL NO. 113—BY REPRESENTATIVE AMEDEE
AN ACT

To enact R.S. 15:284(F), relative to the use of facility dogs in certain circumstances; to provide an alternative reference to the law regarding the use of facility dogs in court proceedings; and to provide for related matters.

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

HOUSE BILL NO. 125—BY REPRESENTATIVE GREGORY MILLER
AN ACT

To amend and reenact Civil Code Articles 897, 1495, and 1505(A) and (B) and Code of Civil Procedure Articles 2952 and 3396.18(A), to enact Civil Code Article 1495.1, and to repeal Part 1 of Chapter 4 of Title 9 of the Louisiana Revised Statutes of 1950, comprised of R.S. 9:2401, relative to successions; to modernize terminology; to provide for the calculation of the legitimate; to provide for the calculation of the active mass of a succession; to provide for the independent administration of a succession; to provide for the sealing of a detailed descriptive list in a succession without administration; to repeal the Uniform Wills Law; and to provide for related matters.

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

HOUSE BILL NO. 126—BY REPRESENTATIVE GREGORY MILLER
AN ACT

To amend and reenact Civil Code Article 477 and to repeal R.S. 9:2948, relative to bond for deed contracts; to provide for ownership of property for purposes of the homestead exemption; to repeal unconstitutional law; and to provide for related matters.

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

HOUSE BILL NO. 144—BY REPRESENTATIVE GREEN
AN ACT

To amend and reenact R.S. 13:2582(A) and 2583(A), relative to certain elected officials; to provide relative to the office of justice of the peace; to provide relative to the office of constable; to provide relative to qualifications; to provide for the elimination of the mandatory age limit of justices of the peace and constables; and to provide for related matters.

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

HOUSE BILL NO. 204—BY REPRESENTATIVE JAMES
AN ACT

To amend and reenact R.S. 15:587.1(J), relative to providing of information to protect children; to provide relative to the criminal history record information requested by and provided to a Court Appointed Special Advocate program; to provide relative to the duty of the Louisiana Bureau of Criminal

Identification and Information with respect to federal criminal history record information; to provide relative to the program's authority to receive federal criminal history record information; and to provide for related matters.

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

HOUSE BILL NO. 227—BY REPRESENTATIVE COUSSAN
AN ACT

To amend and reenact R.S. 31:212.21, relative to production payments; to eliminate redundant terminology; to provide relative to the nature and classification of production payments; and to provide for related matters.

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

HOUSE BILL NO. 265—BY REPRESENTATIVE MUSCARELLO
AN ACT

To repeal R.S. 38:1501 and R.S. 51:282, relative to clerks of court; to eliminate requirements for the clerk of court to maintain certain records.

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

HOUSE BILL NO. 288—BY REPRESENTATIVE MINCEY
AN ACT

To amend and reenact R.S. 13:783(D)(1)(a)(iii) and to repeal R.S. 13:783(D)(5), relative to the clerk of court of Livingston Parish; to exempt the clerk of court of Livingston Parish from obtaining consent from the governing authority to purchase an automobile; to remove the limitation on the amount the clerk may use to purchase the automobile; and to provide for related matters.

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

HOUSE BILL NO. 404—BY REPRESENTATIVE FARNUM
AN ACT

To amend and reenact R.S. 1:55(E)(2) and R.S. 13:754(E)(8) and to enact R.S. 13:754(E)(13), relative to emergency closings for clerks of court; to provide relative to the Louisiana Clerks' Remote Access Authority; to require certain statements regarding closure of the office of the clerk; to provide for an electronic bulletin board on the statewide portal; and to provide for related matters.

Reported with amendments by the Committee on Judiciary B.

SENATE COMMITTEE AMENDMENTS

Amendments proposed by Senate Committee on Judiciary B to Reengrossed House Bill No. 404 by Representative Farnum

AMENDMENT NO. 1

On page 1, line 2, after "and R.S." delete the remainder of the line and insert "13:754(B) and (E)(1), (5), (8), and (10), and Code of Civil Procedure Article 253(B) and (E), and to enact R.S."

AMENDMENT NO. 2

On page 1, line 3, after "13:754(E)(13)" insert "and Code of Civil Procedure Article 253(F) through (H)"

AMENDMENT NO. 3

On page 1, line 4, after "Authority;" insert "to facilitate electronic transactions or communications; to disseminate information to the public;"

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AMENDMENT NO. 4

On page 2, line 15, after "Section 2. R.S." change "13:754(E)(8) is" to "13:754(B) and (E)(1), (5), (8), and (10) are"

AMENDMENT NO. 5

On page 2, between lines 19 and 20, insert the following:

"B. The LCRAA shall provide for infrastructure, governance, standard operating procedures, technology, and training to support a statewide portal for secure remote access by Internet users to certain records maintained by LCRAA members and shall provide assistance to LCRAA members in procuring, implementing, enhancing, and maintaining equipment, supplies and services related to technology to facilitate electronic transactions and communications and to disseminate information to the public, to facilitate the operations of any member during any declared emergency, and to provide for document preservation.

* * *

AMENDMENT NO. 6

On page 2, between lines 21 and 22, insert the following:

"(1) To design, construct, administer, and maintain a statewide portal for remote access of certain electronic images of certain records maintained by members and technology to facilitate electronic transactions and communications, and to disseminate information to the public.

* * *

(5) To provide such services and make such expenditures as LCRAA deems proper for the establishment and maintenance of a statewide portal achievement of the purposes of this Section."

AMENDMENT NO. 7

On page 3, between lines 3 and 4, insert the following:

"(10) To establish and administer a grant program for assisting members with acquiring hardware and software and related equipment, supplies, and services for the conversion of records to increase the records made available through the statewide portal, to facilitate electronic transactions or communications, to disseminate information to the public, or to facilitate the operations of any member during any declared emergency.

* * *

AMENDMENT NO. 8

On page 3, after line 8, insert the following:

"Section 3. Code of Civil Procedure Art. 253(B) and (E) are hereby amended and reenacted and Code of Civil Procedure Art. 253(F) through (H) are hereby enacted to read as follows: Art. 253. Pleadings, documents, and exhibits to be filed with clerk

* * *

B. The filings as provided in Paragraph A of this Article and all other provisions of this Chapter, may be transmitted electronically in accordance with a system established by a clerk of court or by Louisiana Clerks of Court Remote Access Authority. When a clerk of court establishes such a system is established, he the clerk of court shall adopt and implement procedures for the electronic filing and storage of any pleading, document, or exhibit. The official record shall be the electronic record. A pleading or document filed electronically is deemed filed on the date and time stated on the confirmation of electronic filing sent from the system, if the clerk of court accepts the electronic filing. Public access to electronically filed pleadings and documents shall be in accordance with the rules governing access to written filings.

* * *

E. The clerk shall not refuse to accept for filing any pleading or other document signed by electronic signature, as defined by R.S. 9:2602, and executed in connection with court proceedings, or which complies with the procedures for electronic filing implemented pursuant to this Article, if any applicable fees for filing and transmission are paid, solely on the ground that it was signed by electronic signature.

F. If the filing party fails to comply with any requirement of this Article, the electronic filing shall have no force or effect. The district courts may provide by court rule for other matters related to filings by electronic transmission.

G. The clerk of court may procure equipment, services, and supplies necessary to accommodate electronic filings out of the clerk's salary fund.

H. All electronic filings shall include an electronic signature. For the purpose of this Article, "electronic signature" means an electronic symbol, or process attached to or logically associated with a record and executed or adopted by a person with the intent to sign the record."

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

HOUSE BILL NO. 420— BY REPRESENTATIVE BACALA AN ACT

To amend and reenact R.S. 40:2404.2(B), relative to peace officers; to provide for the training of peace officers; to establish exceptions to annual training requirements; and to provide for related matters.

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

HOUSE BILL NO. 499— BY REPRESENTATIVE SEABAUGH AN ACT

To amend and reenact Code of Civil Procedure Article 3396.1, relative to the issuance of letters of independent administration or executorship; to authorize the clerk of court to issue letters of independent administration or executorship; to provide an effective date; and to provide for related matters.

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

HOUSE BILL NO. 594— BY REPRESENTATIVE SEABAUGH AN ACT

To amend and reenact Civil Code Article 811 and Code of Civil Procedure Articles 4607, 4621, 4622, 4624, 4625, 4627, 4629, and 4643 and to enact Code of Civil Procedure Article 4626(3), relative to property; to provide for partitions by private sale; to provide for absentee co-owners; to provide for publication notice; to provide for petitions, trials, and judgments of partitions by private sale; to provide for the appointment of an attorney; to provide for an effective date; and to provide for related matters.

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

HOUSE BILL NO. 602— BY REPRESENTATIVE BRYANT AN ACT

To amend and reenact R.S. 15:587(A)(1)(a) and 587.1(B)(1) and to enact R.S. 15:576(6) and 587(A)(1)(j) and (I), relative to criminal identification and information; to provide relative to the Louisiana Bureau of Criminal Identification and Information; to provide relative to definitions; to require the bureau to make available to the Louisiana Department of Education criminal history record and identification files; to provide relative to latent fingerprint searches; to provide for an effective date; and to provide for related matters.

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

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

SENATE BILL NO. 27—
BY SENATOR HEWITT

AN ACT

To amend and reenact R.S. 33:4575.3(20)(a), relative to the Harbor Center District; to provide for the powers and duties of the district; and to provide for related matters.

Reported with amendments by the Committee on Local and Municipal Affairs.

SENATE COMMITTEE AMENDMENTS

Amendments proposed by Senate Committee on Local and Municipal Affairs to Original Senate Bill No. 27 by Senator Hewitt

AMENDMENT NO. 1

On page 1, line 2, after "reenact" delete the remainder of the line and insert "R.S. 33:4575.1(A)(5), (6), (10), and (12), and 4575.3(20)(a), relative to the Harbor Center District; to provide for the board of commissioner appointments; to"

AMENDMENT NO. 2

On page 1, line 6, after "R.S." and before "hereby" delete "33:4575.3(20)(a) is" and insert "33:4575.1(A)(5), (6), (10), and (12), and 4575.3(20)(a) are"

AMENDMENT NO. 3

On page 1, between lines 7 and 8, insert the following:
"§4575.1. Board of commissioners; appointment; terms; vacancies
A. The control and management of the affairs of the district shall be vested in a board of commissioners that is hereby created. The board shall consist of fourteen members charged with administering the business and recreational and cultural events and programs undertaken by the district. Except for the executive director of the St. Tammany Parish Tourist and Convention Commission, all members of the commission shall be qualified voters and residents of Ward Eight or Ward Nine of St. Tammany Parish. The board shall be composed as follows:

* * *

(5) One member appointed by the St. Tammany Parish ~~Police~~ **Jury Council**, who shall be a resident of the Ninth Ward of said parish.

(6) One member appointed by the ~~Greater Slidell Area St. Tammany~~ **Chamber of Commerce**.

* * *

(10) One member appointed by the ~~state senator for District 11~~ **East St. Tammany Business Alliance**.

* * *

(12) One member appointed by the state senator for District 1; ~~provided that such senator's district comprises portions of Ward Eight or Ward Nine.~~

* * *

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

SENATE BILL NO. 166—
BY SENATOR HEWITT

AN ACT

To amend and reenact R.S. 39:21.3(E)(1), to enact R.S. 39:21.3(H), and to repeal R.S. 39:21.3(E)(4) and (5), relative to the forecast of the Medicaid program; to provide for the duties of the Health and Social Services Estimating Conference; to provide for the Medicaid Estimating Conference; to provide relative to the duties and meetings of the Medicaid Estimating Conference; to provide relative to the principals and participants of the Medicaid Estimating Conference; to provide for the termination of the Medicaid Subcommittee of the Health and Social Services

Estimating Conference; to provide for an effective date; and to provide for related matters.

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

SENATE BILL NO. 231—
BY SENATOR TALBOT

AN ACT

To amend and reenact R.S. 22:1203, 1205, and 1215.1, to enact R.S. 22:1209, 1210, 1216, and 1217, and to repeal R.S. 22:1205(7), relative to the Louisiana Health Plan; to provide relative to coverage for preexisting conditions; to provide for assessment of service charges; to provide for fees; to provide for policy provisions and penalties; to provide relative to health insurance rejections; and to provide for related matters.

Reported with amendments by the Committee on Finance.

SENATE COMMITTEE AMENDMENTS

Amendments proposed by Senate Committee on Finance to Engrossed Senate Bill No. 231 by Senator Talbot

AMENDMENT NO. 1

On page 1, line 2, following "To" delete the remainder of the line and insert "enact R.S. 22:1203(E), 1205(C)(8) and (9), 1209, 1210, 1215.1(4), 1216,"

AMENDMENT NO. 2

On page 1, line 8, after "Section 1." delete the remainder of the line and delete line 9 and insert "R.S. 22:1203(E), 1205(C)(8) and (9), 1209, 1210, 1215.1(4), 1216, and 1217 are hereby enacted to read as follows:"

AMENDMENT NO. 3

On page 11, line 14, change "Section 4:" to "Section 4."

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

SENATE BILL NO. 334—
BY SENATOR ALLAIN

AN ACT

To amend and reenact R.S. 47:1602(A)(4), 1603(A)(1), 1604, 1604.1, and 1624(A)(1) and (2)(b) and to enact R.S. 47:1602(A)(5), 1608, and 1624(F) relative to the Department of Revenue and tax administration; to provide for the funding of the Department of Revenue; to provide for the disposition of certain taxes, penalties, and interest collected by the department; to provide for certain requirements and limitations; to equalize the tax deficiency and refund interest rates; to provide for the calculation of interest on certain overpayments; to provide for certain limitations and requirements; to provide for penalties for failure to file a tax return; to provide for penalties for fraud, negligence, substantial understatement of tax, and willful disregard of tax laws; to provide for definitions; to provide for an effective date; and to provide for related matters.

Reported with amendments by the Committee on Finance.

SENATE COMMITTEE AMENDMENTS

Amendments proposed by Senate Committee on Finance to Engrossed Senate Bill No. 334 by Senator Allain

AMENDMENT NO. 1

On page 3, line 7, after "A." insert "Finding of negligence."

AMENDMENT NO. 2

On page 4, line 4, change "**(1) Willful disregard for Louisiana tax laws.**" to "**Willful disregard for Louisiana tax laws. (1)**"

May 19, 2020

AMENDMENT NO. 3

On page 4, line 10, after "E." insert "Definitions."

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

SENATE BILL NO. 344—

BY SENATOR JOHNS

AN ACT

To enact R.S. 33:1376, relative to the regulation of battery-charged fences; to authorize parish and municipal governing authorities to enact ordinances to provide for such regulation; to provide for the requirements of any such ordinance; and to provide for related matters.

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

SENATE BILL NO. 396—

BY SENATOR ABRAHAM

AN ACT

To amend and reenact R.S. 33:9021(8) and (10), and 9022(1) and to enact R.S. 33:2759, relative to ad valorem tax exemptions; to provide for payments in lieu of taxes pursuant to certain cooperative endeavor agreements; to provide relative to procedures for the validity of certain cooperative endeavor agreements; to require cooperative endeavor agreement approval; to provide for limitations and requirements; to provide for definitions; to provide for effectiveness; and to provide for related matters.

Reported with amendments by the Committee on Local and Municipal Affairs.

SENATE COMMITTEE AMENDMENTS

Amendments proposed by Senate Committee on Local and Municipal Affairs to Original Senate Bill No. 396 by Senator Abraham

AMENDMENT NO. 1

On page 2, line 12, change "business" to "property owner"

AMENDMENT NO. 2

On page 2, line 15, change "business" to "property owner"

AMENDMENT NO. 3

On page 4, line 25, change "that" to "which"

AMENDMENT NO. 4

On page 5, line 21, after "No." change the underscore " _ " to "272"

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

SENATE BILL NO. 410—

BY SENATOR BARROW

AN ACT

To amend and reenact R.S. 33:2740.67(B), relative to Baton Rouge North Economic Development District; to provide relative to the boundaries of the district; and to provide for related matters.

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

SENATE BILL NO. 411—

BY SENATOR BARROW

AN ACT

To amend and reenact R.S. 33:9038.71(A), (B), and (D), relative to Bethany Convention Center Development District; to provide for a change in the name of the district; to provide for a change in the boundary lines; to provide for its governance; to provide

relative to the board of commissioners; to provide for the rights and powers of the board of commissioners; to provide for related matters.

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

SENATE BILL NO. 415—

BY SENATOR MIZELL

AN ACT

To amend and reenact R.S. 39:1351(A)(2)(a) and (3), and the introductory paragraph of R.S. 39:1351(B)(1) and R.S. 1339:51(B)(1)(a), 1352(A)(1) and (3), 39:1352(B)(1), 1353(A) and 1354(A), and to enact R.S. 39:1352(B)(2)(e) and (4), relative to fiscal administrators of political subdivisions; to provide relative to appointments; to provide relative to duties of a fiscal administrator; to provide relative to the adoption of budget amendments; and to provide for related matters.

Reported with amendments by the Committee on Local and Municipal Affairs.

SENATE COMMITTEE AMENDMENTS

Amendments proposed by Senate Committee on Local and Municipal Affairs to Original Senate Bill No. 415 by Senator Mizell

AMENDMENT NO. 1

On page 1, line 2, after "(3)," delete the remainder of the line and delete line 3 and insert "the introductory paragraph of (B)(1) and (1)(a), 1352(A)(1) and (3) and (B)(1),"

AMENDMENT NO. 2

On page 1, line 9, after "(3)," delete the remainder of the line and delete line 10 and insert "the introductory paragraph of (B)(1) and (1)(a), 1352(A)(1) and (3) and (B)(1), 1353(A), and"

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

SENATE BILL NO. 416—

BY SENATOR CARTER

AN ACT

To amend and reenact R.S. 33:4530(A), (B), and (C), 4531, and 4532, to enact R.S. 33:4530(D), 4534, 4535, 4536, and 4537, and to repeal R.S. 33:4533 and Act 279 of the 2011 Regular Session, relative to the New Orleans public belt railroad; to provide for the creation of the New Orleans Public Belt Railroad Commission; to provide for the composition of the commission membership; to provide for the commission's purpose; to provide for the operation and maintenance of the Huey P. Long Bridge; to authorize the transfer of assets; to provide for employee arrangements; to provide for financial matters; and to provide for related matters.

Reported with amendments by the Committee on Local and Municipal Affairs.

SENATE COMMITTEE AMENDMENTS

Amendments proposed by Senate Committee on Local and Municipal Affairs to Original Senate Bill No. 416 by Senator Carter

AMENDMENT NO. 1

On page 3, line 23, following "to" and before "permit" delete "a"

AMENDMENT NO. 2

On page 3, line 26, change "filed" to "filled"

AMENDMENT NO. 3

On page 5, line 3, after "operation by" delete the remainder of the line and on line 4, delete "public belt"

AMENDMENT NO. 4

On page 6, line 5, following "Orleans" insert "rail"

AMENDMENT NO. 5

On page 6, line 16, delete "and the public belt railroad system"

AMENDMENT NO. 6

On page 7, line 13, change "board of commissioners of the port" to "Board of Commissioners of the Port"

AMENDMENT NO. 7

On page 8, line 1, delete "said" and insert "the"

AMENDMENT NO. 8

On page 8, line 7, delete "Said" and insert "The"

AMENDMENT NO. 9

On page 8, line 12, delete "said" and insert "the"

AMENDMENT NO. 10

On page 8, line 14, delete "said" and insert "the"

AMENDMENT NO. 11

On page 8, line 29, following "subdivision" and before "undertake" insert "or state agency" and change "(+) (i)" to ";

AMENDMENT NO. 12

On page 9, line 8, delete "said" and insert "the"

AMENDMENT NO. 13

On page 12, line 8, following "D." and before "The" add: "The railroad commission, and any of its successors and assigns that operate, manage and develop the public belt railroad system, shall be subject to the provisions of all federal railroad laws to the extent applicable by their terms to the public belt railroad system, including the Railway Labor Act, the Federal Employers Liability Act, the Railroad Retirement Act, the Railroad Retirement Tax Act, the Railroad Unemployment Insurance Act, the Federal Railroad Safety Act, and the Interstate Commerce Act."

AMENDMENT NO. 14

On page 13, between 11 and 12, insert:

"F. The railroad commission and the Board of Commissioners of the Port of New Orleans may make agreements between themselves to engage jointly in the construction, finance, acquisition or improvement of any public port or rail project or improvement, the promotion and maintenance of any undertaking, or the exercise of any power, provided that at least one of those political subdivisions is authorized under a provision of general or special law to perform such activity to exercise such power as may be necessary for completion of the undertaking. Such arrangements may provide for the joint use of funds, facilities, or property or any combination thereof necessary to accomplish the purposes of the agreement, and such agreements may include but are not limited to activities concerning the construction, finance, acquisition or improvement, or repair and maintenance, of public port or rail projects or improvements."

AMENDMENT NO. 15

On page 13, line 12, change "F." to "G."

AMENDMENT NO. 16

On page 13, line 16, change "G." to "H."

AMENDMENT NO. 17

On page 13, line 24, change "H." to "I."

AMENDMENT NO. 18

On page 14, delete lines 1 through 14, and insert the following:

"A. The employees of the public belt railroad system, which were transferred from the Public Belt Railroad Commission of the city of New Orleans to the New Orleans Public Belt Railroad Corporation and pursuant to this Part are further transferred to

the railroad commission, may continue with the railroad commission, their existing employment arrangements upon such transfer, including but not limited to existing labor contracts. These employees are to be included in the unclassified service of state civil service pursuant to Article X, Section 2 of the Louisiana Constitution of 1974. The railroad commission shall recognize and maintain the rights of these employees under existing labor contracts and applicable law. This Subsection shall not be interpreted to prohibit future changes as may be permitted by law, contract, or negotiated agreement with employees."

AMENDMENT NO. 19

On page 14, line 23, change "officer" to "officers"

AMENDMENT NO. 20

On page 16, line 6, change "interest" to "interests"

AMENDMENT NO. 21

On page 16, delete lines 16 through 28

AMENDMENT NO. 22

On page 16, line 29, after "Section" change "9." to "8."

AMENDMENT NO. 23

On page 16, line 29, change "2,4,7, 8, and 10" to "1, 2, 4, and 8"

AMENDMENT NO. 24

On page 17, line 6, after "Section" change "10." to "9."

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

SENATE BILL NO. 423—

BY SENATOR WHITE AND REPRESENTATIVE EDMONDS
AN ACT

To enact Part IX-A of Chapter 6 of Title 33 of the Louisiana Revised Statutes of 1950, to be comprised of R.S. 33:3121 through 3125, relative to government within East Baton Rouge Parish; to provide for the continued collection of tax revenue to fund essential public services within the city of St. George; to authorize the parish to continue collection of a previously approved two percent sales and use tax and to continue providing essential public services within the corporate limits of the city of St. George pursuant to intergovernmental agreement; to create a St. George Transition District as a taxing district to provide monies for essential public services within the municipality; to provide for the board of directors of the district; to provide for the duties, powers, and responsibilities of the district; to authorize the district to levy and collect a sales and use tax not to exceed two percent; to provide time limits for the continuation of such taxes; to authorize contracts, intergovernmental agreements, and cooperative endeavors; and to provide for related matters.

Reported with amendments by the Committee on Local and Municipal Affairs.

SENATE COMMITTEE AMENDMENTS

Amendments proposed by Senate Committee on Local and Municipal Affairs to Original Senate Bill No. 423 by Senator White

AMENDMENT NO. 1

On page 2, line 4, change "of" to "the lawsuit challenging"

AMENDMENT NO. 2

On page 2, line 5, between "Parish" and "a" insert "is unsuccessful"

AMENDMENT NO. 3

On page 3, delete lines 6 through 18 and insert the following:

"Notwithstanding any law to the contrary, in the event the incorporation of the city of St. George as approved by the voters

on October 12, 2019, is declared incorporated, the parish may continue to levy and collect the parish tax within the corporate limits of the municipality pursuant to an intergovernmental agreement between the parish and municipality, for the purpose of providing essential public services to, or funding essential public services for, the citizens within St. George until the St. George Transition District levies and collects a two percent sale and use tax, the municipality levies and collects a two percent sales and use tax, the end of the quarter following the election to impose the municipal tax if the proposition is not approved by the electorate, or twelve months after the incorporation becomes final, whichever occurs first."

AMENDMENT NO. 4
On page 4, line 8, change "16" to "6"

AMENDMENT NO. 5
On page 4, line 12, change "chairpersons" to "chairman and vice chairman"

AMENDMENT NO. 6
On page 5, line 2, change "sixty" to "twenty"

AMENDMENT NO. 7
On page 7, line 15, change "as the board may deem appropriate, and the" to "applicable to other entities within the parish."

AMENDMENT NO. 8
On page 7, delete lines 16 and 17

AMENDMENT NO. 9
On page 7, delete lines 24 through 29

AMENDMENT NO. 10
On page 8, delete lines 1 through 25

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

SENATE BILL NO. 441—
BY SENATOR ABRAHAM AN ACT

To amend and reenact R.S. 34:484(B), relative to the Calcasieu-Cameron Navigation District board of commissioners; to provide for meetings of the board of commissioners; and to provide for related matters.

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

SENATE BILL NO. 459—
BY SENATOR REESE AN ACT

To enact Subpart B-49 of Part IV of Chapter 1 of Title 33 of the Louisiana Revised Statutes of 1950, to be comprised of R.S. 33:130.870 through 130.878 relative to economic development districts; to create the Vernon Parish Economic Development District in Vernon Parish; to provide for the district boundaries, purpose, and governance; to provide relative to powers and duties of the district; and to provide for related matters.

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

First Day Actions

SENATE BILL NO. 485—
BY SENATOR HEWITT AN ACT

To enact Part VI of Chapter 10 of Title 46 of the Louisiana Revised Statutes of 1950, to be comprised of R.S. 46:1098.1 through 1098.12, relative to the St. Tammany Parish Hospital Service

District No. 2; to provide for governance; to provide for the board of commissioners nominating committee and appointing authority; to provide for powers, duties, and responsibilities; to provide for taxing and bonding authority; and to provide for related matters.

Reported by substitute by the Committee on Local and Municipal Affairs. The bill was read by title; the committee substitute bill was read.

SENATE BILL NO. —(Substitute of Senate Bill No. 485 by Senator Hewitt)

BY SENATOR HEWITT AN ACT

To enact Part VI of Chapter 10 of Title 46 of the Louisiana Revised Statutes of 1950, to be comprised of R.S. 46:1098.1 through 1098.18, relative to the St. Tammany Parish Hospital Service District No. 2; to provide for governance; to provide for the board of commissioners nominating committee and appointing authority; to provide for powers, duties, and responsibilities; to provide for taxing and bonding authority; and to provide for related matters.

Be it enacted by the Legislature of Louisiana:
Section 1. Part VI of Chapter 10 of Title 46 of the Louisiana Revised Statutes of 1950, comprised of 46:1098.1 through 1098.18, is hereby enacted to read as follows:

PART VI. ST. TAMMANY PARISH HOSPITAL SERVICE DISTRICT NO. 2

§1098.1. St. Tammany Parish Service District No. 2; creation; boundaries; purpose

A. There is hereby created a hospital service district in St Tammany Parish, hereafter to be termed the St. Tammany Parish Hospital Service District No. 2, a political subdivision of the state, referred to in this Part as the "district". The district is hereby granted all of the rights, powers, privileges, and immunities accorded by law and the Constitution of Louisiana to political subdivisions of the state, subject to the limitations provided in this Part.

B. The district shall be comprised of all territory within Wards 6, 7, 8, and 9 of St. Tammany Parish and shall own and operate the Slidell Memorial Hospital.

C. The district is created for the following purposes:

(1) To own and operate health care facilities, including but not limited to hospitals, for the care of persons suffering from illness or disability.

(2) To administer other activities related to health care provision or promotion or to the promotion of the financial viability of the district.

(3) To promote and conduct scientific research and training related to health care.

(4) To participate, so far as circumstances may warrant, in any activity designated and conducted to promote the general health of the community. The district shall cooperate with the parish health department in the detection, prevention, and combating of any illness, mass immunization and screening tests, or public health education that contributes to the best interest of the public.

(5) To cooperate with other public and private institutions and agencies engaged in providing health services to the public.

D. The district shall constitute a body corporate in law with all the powers of a corporation, shall have perpetual existence, shall have the power and right to incur debts and contract obligations, to sue and be sued, and to do and perform any and all acts in its corporate capacity and its corporate name necessary and proper for the carrying out of the objects and purposes for which the district was created. The hospital service district shall have the right and power of expropriating property for the purpose of acquiring land for any purpose that it may find necessary in the operation of a hospital service district and may acquire by donation or purchase, any existing hospital facility in the district. It shall also have the power and authority to acquire any and all necessary equipment and buildings for the purpose of performing the objects for which it is formed, and shall own all sites and physical facilities, which are acquired either by

donation, purchase, expropriation, exchange, or otherwise, in full ownership. The provisions of this Subsection shall be subject to the limitations of this Part.

E. The district shall have an audit and examination of its books and accounts conducted annually by a qualified certified public accountant. The audit shall be filed with the legislative auditor within six months after the close of the period audited. The legislative auditor shall have the authority to prescribe the terms and conditions of the audit conducted by a certified public accountant and to require the district to present the terms and conditions to him for approval prior to the commencement of the audit. The legislative auditor shall have access to the working papers of the accountant during the examination and subsequent to its termination. The legislative auditor shall be authorized to conduct an independent audit and examination of the books and accounts of the district pursuant to R.S. 24:513.

F. The district may establish by resolution any health care facility as a profit or nonprofit corporation as defined by law. The district shall have a corporate seal, and copies of all the regulations and copies of proceedings of the board certified by its secretary-treasurer, under its corporate seal, shall be received in all courts as prima facie evidence of the acts and proceedings of the commission.

§ 1098.2. Domicile and membership of the board of commissioners

A. The domicile of the board shall be the Slidell Memorial Hospital in Slidell, Louisiana.

B. In order to provide for effectuation of the purposes of the district, the district shall be administered and governed by a board of commissioners, referred to in this Part as the "board", comprised of nine commissioners as follows:

(1) Seven members, appointed pursuant to R.S. 46:1098.5, all of whom shall be registered to vote in and shall be residents and domiciliaries of Wards 6, 7, 8, or 9 of St. Tammany Parish for not less than two years prior to appointment.

(2) Two members shall be appointed by Slidell Memorial Hospital pursuant to R.S. 46:1098.4.

§1098.3. Nominating committee

A. Commissioners appointed to the board, except those named by the Slidell Memorial Hospital medical staff, shall be chosen by the appointing authority as provided for in R.S. 46:1098.5, from nominations received from the nominating committee composed of nine members as provided in this Section. Members of the permanent nominating committee shall be appointed from entities outlined in this Section and shall submit a copy of their appointments to the state senator in whose district Slidell Memorial Hospital resides. The state senator shall be responsible for ensuring the proper appointment of all members of the nominating committee pursuant to this Section, calling and providing proper notice of all meetings of the nominating committee, and maintaining all appropriate documentation of the nominating committee. The nominating committee shall select annually a chairman to conduct meetings of the committee.

B. The nominating committee shall be composed as follows:

(1) Three persons, appointed jointly by the mayor and the city council of Slidell, who reside within the city limits of Slidell.

(2) Three persons, appointed jointly by the parish president and the parish governing authority of St. Tammany Parish, who reside within the geographical boundaries of the district.

(3) Three persons appointed jointly by the legislative delegation comprised of all state representatives and senators who represent all or part of Wards 6, 7, 8, or 9 of St. Tammany Parish. The legislative delegation shall choose among nominees of the Slidell Memorial Hospital medical staff.

C. All members of the nominating committee shall serve terms of three years.

D. All members of the nominating committee shall:

(1)(a) Seek applications from the community as a whole by widely publicizing the openings on the board of commissioners' website and in the newspaper of public record.

(b) Seek applications from a broad section of community organizations and shall obtain nominations from each of Wards 6, 7, 8, and 9 of St. Tammany Parish where feasible.

(2) Public interviews of the applicants shall be conducted.

(3) The nominating committee shall attempt to identify whether any potential nominee has a conflict of interest that would preclude his or her participation as a member of the board of commissioners under the Louisiana Code of Governmental Ethics.

E. The nominating committee should make every reasonable effort to include in its nominations at least one person from each of the following categories:

(1) A member of the Louisiana State Bar Association in good standing who has considerable experience or expertise in hospital representation.

(2) A certified public accountant authorized to practice in Louisiana with a minimum of five years experience in audit and financial procedures of hospitals.

(3) A person with at least a bachelor's degree and five years of financial experience in commercial and bond work.

(4) An insurance executive with at least a bachelor's degree and five years experience in the area of group benefits and managed care issues.

(5) A health professional with five years experience in the previous ten years in either a hospital or other direct care setting.

(6) A business executive with at least an MBA or equivalent degree and five years of experience in operating a large business corporation or large nonprofit corporation.

F. Members of the nominating committee shall not be public officials.

G. The nominating committee shall hold interviews in a public forum and as a result of the forum present to the appointing authority, pursuant to this Section, a list of a minimum of two and a maximum of three nominees for each position to be filled.

§ 1098.4. Board nominations by Slidell Memorial Hospital

Slidell Memorial Hospital Appointments. The board members from the Slidell Memorial Hospital medical staff shall be nominated and appointed as follows:

(1) Two practicing medical staff members of Slidell Memorial Hospital shall be nominated by the medical staff of the hospital. One nominee shall be the current chief of the medical staff or his medical staff designee, and the other shall be a staff member who regularly treats patients at the hospital and who has the majority of his practice at Slidell Memorial Hospital. Both physician nominees shall have long-standing professional ties to Slidell Memorial Hospital. Medical staff nominees are not required to reside within the geographical boundaries of the district.

(2) The appointing authority shall appoint as members of the board the two nominees of the medical staff.

(3)(a) Notwithstanding any other provision of law to the contrary, a licensed physician who is a member or former member of the board of commissioners elected pursuant to this Subsection, is not prohibited from contracting, subcontracting with another provider who contracts, owning an interest in an entity that contracts, or accepting employment with Slidell Memorial Hospital, provided that the contract is related to the licensed physician's practice of medicine or expertise as a licensed physician. However, such licensed physician shall recuse himself from participating in any transaction before the board relating to any contracts permitted by this Paragraph and entered into by him, by a provider with which he subcontracts, or by any entity in which he owns an interest.

(b) All contracts permitted by this Section, entered into while the physician is a member of the board of commissioners, shall be disclosed to the Louisiana Board of Ethics within thirty days of the execution of the contract. The disclosure shall include the parties to the contract, the purpose of the contract, and the date the contract was executed.

§1098.5 Appointing authority

A. The members of the board of commissioners shall be appointed in a public forum by the appointing authority from the list of nominees, within thirty days of receipt of the nominations pursuant to R.S. 46:1098.3.

B. The appointing authority shall be composed of seven members as follows:

(1) One appointee of the Slidell city council who resides within the city limits of Slidell.

(2) One appointee of the mayor of Slidell who resides within the city limits of Slidell.

(3) One appointee of the St. Tammany Parish council who resides within the geographical boundaries of the district.

(4) One appointee of the St. Tammany Parish president who resides within the geographical boundaries of the district.

(5) One appointee of the governing authority of the town of Pearl River who resides within the corporate limits of Pearl River.

(6) Two appointees of the state senator and the state representative in whose district Slidell Memorial Hospital resides.

C. The state senator shall be responsible for ensuring the proper appointment of all members of the nominating committee pursuant to this Section, calling and providing proper notice of all meetings of the nominating committee, and maintaining all appropriate documentation of the nominating committee. The nominating committee shall select annually a chairman to conduct meetings of the committee.

D.(1) The appointing authority members who are not elected officials shall serve terms of three years.

(2) Elected officials serving on the appointing authority may serve for a term commensurate with their term of office.

E. For board vacancies expected due to term limits, the appointing authority shall conduct their meetings and fulfill their duties by December 15 of each year in order that each appointee may have six months to observe and orient to the board prior to taking their office on July 1 of the following year. Orienting appointees shall be compensated a per diem rate and reasonable expenses for attending meetings or education sessions of the board prior to taking office.

§1098.6 Qualifications of board of commissioners

A.(1) No person owning or possessing any property interest in any of the stocks, bonds, or other securities issued by any private hospital located in the same area served by the district, and no person who is a director or other officer of any private hospital shall be eligible for or hold any position on the board of commissioners except those positions to be named by the Slidell Memorial Hospital medical staff.

(2) With respect to privileges at any district hospital, such a decision regarding a person owning or possessing any property interest in any of the stocks, bonds, or other securities issued by a private hospital located in the same area served by the St. Tammany Parish Hospital Service District No. 2 is strictly left to the discretion of the board of commissioners. Such an interest shall not require the suspension of or the rejection of a request for privileges at a service district hospital; however, privileges may be suspended or denied based upon such an ownership interest.

(3) For the purposes of this Subsection, the possession or ownership of an interest, stocks, bonds, or other securities by the spouse or minor children of any person shall be deemed to be the possession or interest of such person.

B.(1) Members of the board are eligible for reappointment by the appointing authority. Any vacancy on the commission shall be filled for the remaining portion of the term in the same manner as the original appointment.

(a) No member of the board, whether appointed by recommendation of the nominating committee or the medical staff, shall serve more than three consecutive terms.

(b) An appointee named to fill the term of a member who has left the board and less than two years remain in the term, that appointee's term shall not be considered one of the three consecutive terms to which a member is limited.

(c) An appointee named to fill the term of a member who has left the board and more than two years remain in the term, that appointee's term shall be considered one of the three consecutive terms to which a member is limited.

(d) All vacancies on the board shall be filled by the appointing authority within sixty days of the vacancy.

(2) Notwithstanding any other provision of law to the contrary, any member of the board who is a licensed physician shall not be prohibited from contracting or accepting

employment with Slidell Memorial Hospital following expiration of his service on the board of commissioners.

C. Any commissioner may be removed by majority vote of the board or by the appointing authority, but only for cause, including misconduct, incompetency or neglect of duty, and on charges preferred against the member in writing and after public hearing and proof of the sufficiency of such charges. Any commissioner so removed shall have the right to contest in the Twenty-Second Judicial District Court the sufficiency of the charges and of the evidence tendered in support thereof.

§1098.7. Rights, powers, and duties of board of commissioners

The district acting by and through its board shall have and exercise all rights, powers, and duties for the carrying out of its objects and purposes including but not limited to the following:

(1) To represent the public interest in providing medical care in the parish.

(2) To advise the parish governing authority and the directors of health care facilities under its control of problems concerning the operation of district facilities.

(3) To make, amend, and repeal and to promulgate and enforce rules, regulations, resolutions, guidelines, and organizational modifications concerning the conduct of health care facilities in order to ensure proper and reliable operation of such facilities.

(4) To conduct hearings and rule upon complaints by or against any officer or employee of the district.

(5) To review and modify or set aside any action of the officers or employees of the district which the board may determine to be desirable or necessary in the public interest.

(6)(a) To select, appoint, and enter into an employment contract with a chief executive officer of the hospital who shall be given full responsibility and authority to manage the hospital in accordance with the policies established by the board.

(b) The chief executive officer's employment contract may be for a fixed term.

(c) The chief executive officer shall report directly to the board of commissioners.

(7) To contract for the construction of facilities, the provision of services, or in any other manner which will assist the board in providing quality health care for the district.

(8) To appoint any standing and special committees as may be necessary to carry out the purposes of the district.

(9)(a) To select, appoint and enter into an employment contract with a chief financial officer to oversee the financial matters of the district.

(b) The chief financial officer shall report directly to the chief executive officer, but shall maintain a fiduciary duty to the board of commissioners.

(10) To approve bylaws for the medical staff and for the board, to suspend the bylaws at any time and for any length of time, and to require the rewriting of all or part of such bylaws.

(11) To accept any or all officers elected by the medical staff, or to refuse to accept any or all such officers, and to require the election of new officers.

(12)(a) To purchase and acquire lands and to purchase, acquire, construct, and maintain health care facilities, including: hospitals, clinics, nursing homes, offices for health care professionals, laboratories, and any other physical facilities necessary to carry out the purposes of the district.

(b) The board shall not relocate the primary health care facilities from the municipal corporate limits of the city presently the domicile of the board of commissioners without the consent of the governing authority of St. Tammany Parish.

(13) To employ legal counsel as determined by the board of commissioners.

(14) To establish, maintain, and carry on its activities through one or more profit or nonprofit corporations for the benefit of the district.

(15) To borrow money and to issue general obligation bonds, revenue bonds, notes, certificates, or other evidences of indebtedness of the district in order to accomplish any of its objects and purposes.

(16) To delegate authority to its officers, appointees, and employees.

(17) To do any and all things except as limited by the Louisiana Constitution which are necessary for and to the advantage of health care facilities, including but not limited to the extension of privileges and use of health care facilities to persons residing outside the district.

(18) In addition to other benefits, salary, and compensation, to offer assistance through the district to members of the medical staff in order to attract and retain competent staff, including but not limited to the following:

(a) The establishment of clinic and group practice.

(b) Malpractice insurance coverage under the health care facility's policy of professional liability insurance.

(c) Professional fee billing.

(d) The opportunity to rent office space in facilities owned and operated by the district.

(e) The employment of physicians by contracts for a fixed term.

(19)(a) The board may permit by a general or specific grant of authority upon a majority vote of the board of commissioners a health care facility to expend or contract to expend money, or incur liability, including a mortgage on property, or enter into a contract or contracts which by the terms involves the expenditure of money for purposes not provided for in the budget or which are in excess of the amounts appropriated in the resolution of the commission approving the budget for the next fiscal year.

(b) The board may upon a majority vote of the board of commissioners expend, or contract to expend money, or incur liability, including a mortgage on property, or enter into a contract or contracts which by the terms involves the expenditure of money for purposes not provided for in the budget or which are in excess of the amounts appropriated in the resolution of the board approving the budget for the fiscal year.

(20) To attend and complete all education courses and seminars made available or assigned to the board by the hospital, including but not limited to state ethics laws, HIPAA, and preventing sexual harassment and fraud and abuse.

(21) Notwithstanding any other provisions of law to the contrary, the board may annually appoint a former member of the board to serve as a nonvoting "Commissioner Emeritus" to advise and provide historical perspective to the board when requested by the chairman. Such person shall be paid a per diem equal to that paid to other board members for attendance at the meeting together with reasonable expenses to attend any event attended by the board of commissioners. The "Commissioner Emeritus" may not serve longer than one year.

(22) At the beginning of each hospital fiscal year the board shall elect a chairperson, vice chairperson, secretary/treasurer, and other officers deemed necessary, all to serve terms of one year. No chairperson or vice chairperson shall serve more than two consecutive terms as chairperson or vice chairperson.

(23) The board shall hold regular meetings at least monthly and as often as necessary for the conduct of its business. Special meetings may be called upon forty-eight hour notice by the chairperson, or in his absence, by the vice chairperson or upon the written authorization of a majority of the members of the board. Emergency meetings, providing notice of at least twenty-four hours, may be called by the chairperson, or in his absence, by the vice chairperson, or by any three members of the board.

(24)(a) Each board member shall receive per diem not to exceed one hundred dollars for each meeting attended. However, except in the case of an emergency, no board member shall receive per diem for more than seven meetings per month. The chairman or other officer of the board may receive per diem for ten meetings per month. In the case of an emergency, the chairman may receive per diem for more than ten meetings per month. Telephone or video conferences for educational or managerial purposes may be considered by the chairman of the board to be a meeting for which compensation may be paid.

(b) Members of the board shall receive no additional compensation for any other services rendered as commissioners.

(c) Members of the board, or physician, by reason of his service on the board, shall not receive health insurance as compensation for service on the board.

(d) Members of the board may be reimbursed for reasonable expenses, for the board member only, to a professional or educational meeting or seminar, the subject matter of which would be directly beneficial to the service district. Any board member seeking approval of such expenses shall make the request in writing and shall present to the board a written report on the contents of the meeting or seminar within sixty days of returning from the meeting or seminar.

(25) Each quarter, at regularly scheduled public meetings of the board a financial overview of the current financial status of the district shall be presented, taking into consideration both proprietary information and information pertaining to marketing.

(26) Each year, the board shall present to the appointing authority in a regularly scheduled open meeting the audited and certified financial statement for the previous fiscal year.

§1098.8. Bylaws; compliance

The bylaws of the board and of the medical staff shall be made compatible in all respects within the provisions of this Part. Any discrepancy between the bylaws of the medical staff and this Part, or between the bylaws of the board and this Part, shall be resolved in favor of this Part. In no case shall the bylaws of the medical staff prevail against either this Part or the bylaws of the board.

§1098.9. Board officers; powers, duties, and responsibilities

The duties and responsibilities of the officers of the board of commissioners shall be as follows:

(1) The chairman shall preside over all meetings, decide all questions of procedure, and have all authority generally granted to chairmen and other presiding officers. Except as otherwise provided in this Part, he may vote on any issue before the commission, and he shall vote to break a tie in any vote taken by the commission. Except to break a tie, he shall have no vote in the selection of the vice chairman. The chairman shall appoint all standing committees and their officers not later than September 30, 1984, and annually thereafter, and he shall appoint all other committees and their officers whether or not such committees consist of commission members. The chairman shall have the right and power to interest himself in all affairs of the district and the facilities operated by the district.

(2) The vice chairman shall act as chairman in the absence of the chairman.

(3) The secretary-treasurer shall issue notices of all regular and special meetings, receive and attend to all correspondence of the commission, have custody of all documents of the board, and otherwise perform such acts as usually pertain to his office.

§1098.10. Chief executive officer; appointment, powers, duties, and responsibilities

A. The board of commissioners shall select, appoint, and employ a chief executive officer, referred to in this Part as "CEO", who has training and experience in the field of hospital administration and who is familiar with the principles and methods of hospital and institutional care. He shall be a full-time employee of the district and shall receive compensation as fixed by the board. The board may contract with the CEO, or he may serve at its pleasure.

B. In addition to the powers, duties, and responsibilities conferred by any other provisions of this Part, the CEO shall have the following powers, duties, and responsibilities:

(1) To attend all meetings of the board.

(2) To establish positions of employment and to appoint and employ personnel necessary for the operation of the health care facility or facilities under his jurisdiction; to establish rates of pay and employee benefits; to abolish positions; and to transfer, promote, demote, and otherwise alter the status of employees of the facility or facilities.

(3) Within the rules, regulations, guidelines, directives, policies, and procedures set forth by the board, to control and direct all business affairs of the health care facility, including but not limited to the following:

(a) Maintaining the accounts of the district.

(b) Making necessary purchases of equipment, supplies, and materials.

(c) Making major and minor repairs to physical facilities.

(d) Negotiating and signing contracts.

(4) Within the rules, regulations, guidelines, directives, policies, and procedures set forth by the board, to set and amend rates for all health care services as deemed necessary for the proper fiscal operation of the health care facility.

(5) To prepare and publish such reports regarding the work of the health care facility as may be required by law or at the direction of the board.

(6) To ensure that the goals, directives, and policies relating to the conduct of the affairs of the health care facility, as established by the board or by state or federal laws, are carried out.

(7) To cooperate with the medical staff in the execution of the bylaws and policies which the staff may establish.

(8) To prepare an annual budget for approval by the board.

(9) To provide for documentation and maintenance of appropriate medical records and reports.

(10) To receive, record, and maintain a correct accounting of all gifts, bequests, grants in aid, and other revenues for purposes designated, all subject to any conditions that may be imposed in any act of donation or any law providing grants in aid or other revenues for such purposes.

(11) To perform any other duties and functions which the CEO or the board considers necessary or desirable to carry out the purposes of this Part.

(12) To serve as ex officio adviser to all committees of the commission unless specifically excluded from this role by the board or its chairman.

§1098.11. Medical staff; appointment; duties, and responsibilities

A. The board shall appoint a medical staff to the health care facilities owned or operated by the district. Such appointments may be made after consultation with the physicians who are authorized to practice within the health care facility or facilities.

B. The medical staff so appointed shall have the following duties:

(1) To provide professional care to the sick and injured.

(2) To advise and assist the board and the CEO relative to standards of health care operation and professional problems.

(3) To participate in the educational activities of the district.

(4) To propose rules and regulations for the conduct of the medical staff for board approval.

(5) To elect from its membership a chief of staff, a vice chief of staff, and a secretary-treasurer. If the medical staff of the health care facility is departmentalized, the staff shall also select from its membership the heads of any specialized services of the health care facility. Subsequent to the election, the elected heads of specialized services shall be approved by a committee consisting of the chairman of the board, who shall serve as chairman of the committee, the CEO, and the newly elected chief of staff. If an elected head of a specialized service is not approved by the committee, the committee shall nominate at least two qualified staff members for the position of head of the specialized service, and the staff shall elect one from those nominated.

(6) To consult with the board in the appointment of a CEO.

§1098.12. Sale of ownership or control of hospital

Notwithstanding any other law to the contrary, the board may sell to any person an ownership interest in the district hospital that results in the acquiring person holding less than fifty percent interest in the ownership or control of the hospital. The provisions of R.S. 33:4341 shall not apply to any sale pursuant to the authority granted in this Section.

§1098.13. Tax collection and allocation of proceeds

For the purpose of providing revenue to carry out the objects contemplated hereby, the board may levy and collect annually a special tax not to exceed five mills on all property in the district subject to such tax in accordance with Article VI, Section 32 of the Louisiana Constitution, subject to approval by a majority of the electors of the district voting at an election called by the board of commissioners and held for that purpose. The tax shall be collected in the same manner as other special taxes. The avails of any such tax shall be used solely for acquisition, construction, improvement, maintenance, and operation of health care facilities or improvements.

§1098.14. Authority to issue bonds; continuation of prior obligations

A. The board shall have the power to issue bonds for the purpose of constructing, acquiring, extending, and improving health care facilities of the district pursuant to Article VI, Section 33 of the Louisiana Constitution and other constitutional and statutory authority supplemental thereto. Such bonds may be issued only after authorization by a majority of voters in the district voting at an election called by the board and held for that purpose.

B. Bonds or other obligations secured by Slidell Memorial Hospital on August 1, 1984, shall continue to be secured by both the hospital and the district until they are retired.

§1098.15. Contracts; cooperation

The Slidell Memorial Hospital may contract to receive or offer agreements for materials, services, or supplies pursuant to a shared service or group purchasing arrangement with other hospitals, either public or private, in accordance with the provisions of R.S. 38:2211 et seq. In addition, Slidell Memorial Hospital and the district shall otherwise cooperate in all respects possible for the best interests of the citizens of St. Tammany Parish.

§1098.16. Minority partner

Only in the event that Slidell Memorial Hospital should acquire a minority partner with a share of less than fifty percent of the assets of the hospital, shall the board of commissioners be empowered to allow representation of the minority partner on the board.

(1) By a two-thirds vote of the board of commissioners, the size of the board may be increased by not more than two members in order to allow for representation of a minority shareholder on the board.

(2) Such board members shall be appointed by the minority shareholder to serve initial terms of one year and two years respectively.

(3) Subsequently, these appointees of the minority shareholder shall serve full four-year terms.

(4) No other restrictions or qualifications shall apply to board members appointed by a minority shareholder, except with regard to term limitations contained herein.

§1098.17. Liberal construction

This Part, being intended to carry out a function of the state to protect the health and welfare of the inhabitants of the state to be affected thereby, shall be liberally construed by the courts to effect its purposes.

§1098.18. Miscellaneous

Members or officers of the medical staff, employees or officers of the health care facilities of the district, board members, and persons who occupy management positions or any other office whatsoever for a facility of the district or for the district may possess a property interest in or own stocks, bonds, or other securities issued by health maintenance organizations and preferred provider organizations and may refer members of these organizations to the health care facilities of the district.

Section 2. The provisions of this Act shall supercede and control any conflicting provisions of any Special Act creating St. Tammany Hospital Service District No. 2, including in particular Act No. 180 of the Regular Session of 1984 Regular Session, as amended by Act 353 of the 1986 Regular Session, Act 999 of the 1991 Regular Session, Act 570 of the 1992 Regular Session, Act 440 of the 1997 Regular Session, Acts 562 and 1214 of the 2003 Regular Session, Act 682 of the 2004 Regular Session, Act 536 of the 2006 Regular Session, Act 178 of the 2007 Regular Session, Act 394 of the 2010 Regular Session, Act 141 of the 2011 Regular Session, Act 703 of the 2012 Regular Session, and Act 221 of the 2018 Regular Session.

Section 3. This Act shall become effective upon signature by the governor or, if not signed by the governor, upon expiration of the time for bills to become law without signature by the governor, as provided by Article III, Section 18 of the Constitution of Louisiana. If vetoed by the governor and subsequently approved by the legislature, this Act shall become effective on the day following such approval.

On motion of Senator Henry, the committee substitute bill was adopted and becomes Senate Bill No. 518 by Senator Hewitt, substitute for Senate Bill No. 485 by Senator .

SENATE BILL NO. 518— (Substitute of Senate Bill No. 485 by Senator Hewitt)

BY SENATOR HEWITT

AN ACT

To enact Part VI of Chapter 10 of Title 46 of the Louisiana Revised Statutes of 1950, to be comprised of R.S. 46:1098.1 through 1098.18, relative to the St. Tammany Parish Hospital Service District No. 2; to provide for governance; to provide for the board of commissioners nominating committee and appointing authority; to provide for powers, duties, and responsibilities; to provide for taxing and bonding authority; and to provide for related matters.

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

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

HOUSE BILL NO. 95—

BY REPRESENTATIVE GREEN

AN ACT

To amend and reenact R.S. 13:718(I)(1), relative to commissioner fees in the Twenty-Fourth Judicial District Court; to authorize an increase in fees for all persons convicted of a felony or misdemeanor offence in the Twenty-Fourth Judicial District Court; and to provide for related matters.

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

HOUSE BILL NO. 116—

BY REPRESENTATIVE COX

AN ACT

To amend and reenact R.S. 13:5807(A)(15) and 5807.1(A)(introductory paragraph), to enact R.S. 13:5807(C), and to repeal R.S. 13:5807.1(D), relative to costs and fees; to provide relative to the fees of office of city marshals and constables; to increase fees that the city marshal of Natchitoches is entitled to charge for services provided in civil matters; to provide relative to the marshal's training and equipment fund; to provide relative to the use of the marshal's training and equipment fund; and to provide for related matters.

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

HOUSE BILL NO. 400—

BY REPRESENTATIVE GARY CARTER

AN ACT

To amend and reenact R.S. 13:996.67(D), relative to the imposition of court costs and service charges by the Civil District Court for the parish of Orleans and the clerk of court of the Civil District Court for the parish of Orleans; to provide for an extension of time in which to impose such fees and charges; and to provide for related matters.

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

**Senate Resolutions
on Second Reading
Reported by Committees**

SENATE RESOLUTION NO. 36—

BY SENATOR WHITE

A RESOLUTION

To recreate and provide with respect to the task force to study and make recommendations with respect to the advisability of creating a statewide business court.

Reported with amendments by the Committee on Finance.

SENATE COMMITTEE AMENDMENTS

Amendments proposed by Senate Committee on Finance to Original Senate Resolution No. 36 by Senator White

AMENDMENT NO. 1

On page 1, line 2, delete "recreate and provide with respect to the task force" and insert "urge and request the Senate Committee on Judiciary A"

AMENDMENT NO. 2

On page 1, line 11, delete "; and" and insert a period "."

AMENDMENT NO. 3

On page 1, delete lines 12 through 16.

AMENDMENT NO. 4

On page 1, line 18, delete "recreates the task force" and insert "urges and requests the Senate Committee on Judiciary A"

AMENDMENT NO. 5

On page 2, delete lines 2 through 30.

AMENDMENT NO. 6

On page 3, delete lines 1 through 6

AMENDMENT NO. 7

On page 3, line 7, change "task force" to "committee"

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

The resolution was read by title. On motion of Senator White, the amended Senate Resolution was adopted.

**Senate Bills and Joint Resolutions on
Third Reading and Final Passage**

SENATE BILL NO. 437—

BY SENATOR JACKSON

AN ACT

To amend and reenact R.S. 17:2148(A)(4), 2149, and 3311(A)(4), and to enact R.S. 17:3312(A)(1)(c), (d), and (e), relative to postsecondary education management board sick leave policies; to provide for the definition of sick leave; and to provide for related matters.

The bill was read by title and returned to the Calendar, subject to call.

SENATE BILL NO. 466—

BY SENATOR HEWITT

AN ACT

To amend and reenact R.S. 42:12(A) and 13(A) and to enact R.S. 24:7.1 and R.S. 42:14(E), relative to meetings by public bodies; to provide for teleconferencing by public bodies in times of catastrophe; to provide requirements for holding a meeting by teleconference; to provide for participation in certain meetings by teleconferencing or other electronic means for legislative bodies; and to provide for related matters.

May 19, 2020

Floor Amendments

Senator Fred Mills sent up floor amendments.

SENATE FLOOR AMENDMENTS

Amendments proposed by Senator Fred Mills on behalf of the Legislative Bureau to Engrossed Senate Bill No. 466 by Senator Hewitt

AMENDMENT NO. 1
On page 1, line 17, following "business" delete "pursuant"

AMENDMENT NO. 2
On page 3, line 3, change "open meetings law" to "Open Meetings Law"

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

Floor Amendments

Senator Hewitt proposed the following amendments.

SENATE FLOOR AMENDMENTS

Amendments proposed by Senator Hewitt to Engrossed Senate Bill No. 466 by Senator Hewitt

AMENDMENT NO. 1
On page 2, line 6, after "permitted to" insert "participate in the debate and"

On motion of Senator Hewitt, the amendments were adopted.

Floor Amendments

Senator Morris proposed the following amendments.

SENATE FLOOR AMENDMENTS

Amendments proposed by Senator Morris to Engrossed Senate Bill No. 466 by Senator Hewitt

AMENDMENT NO. 1
On page 4, after line 29, insert:
"Section 3. Any action taken at a meeting conducted pursuant to and in accordance with the provisions of Section 4 of Proclamation Number JBE 2020-30, and any extension thereof, during the COVID-19 public health emergency shall not be subject to the provisions of R.S. 42:24 and any member of a public body who participated in a meeting conducted pursuant to and in accordance with the provisions of Section 4 of Proclamation Number JBE 2020-30, and any extension thereof, during the COVID-19 public health emergency shall not be subject to the provisions of R.S. 42:28."

AMENDMENT NO. 2
On page 5, line 1, change "Section 3." to "Section 4."

On motion of Senator Morris, the amendments were adopted.

Floor Amendments

Senator Barrow proposed the following amendments.

SENATE FLOOR AMENDMENTS

Amendments proposed by Senator Barrow to Engrossed Senate Bill No. 466 by Senator Hewitt

AMENDMENT NO. 1
On page 2, line 2, after "B." insert "(1)"

AMENDMENT NO. 2
On page 2, between lines 9 and 10, insert the following:

"(2) Any amendment, to be considered during legislative operations taking place remotely by telephone, teleconference, or other electronic means, shall be submitted at least twenty-four hours in advance of consideration of the amendment to the legislative body."

On motion of Senator Barrow, the amendments were adopted.

Floor Amendments

Senator Luneau proposed the following amendments.

SENATE FLOOR AMENDMENTS

Amendments proposed by Senator Luneau to Engrossed Senate Bill No. 466 by Senator Hewitt

AMENDMENT NO. 1
On page 4, lines 8 and 18, change "difficult" to "impractical"

On motion of Senator Luneau, the amendments were adopted.

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

ROLL CALL

The roll was called with the following result:

YEAS

Table listing names of members voting YEAS: Mr. President, Abraham, Allain, Barrow, Bernard, Bouie, Carter, Cathey, Cloud, Connick, Fesi, Foil, Harris, Henry, Hensgens, Hewitt, Jackson, Johns, Luneau, McMath, Milligan, Mills, F., Mills, R., Mizell, Morris, Peacock, Pope, Price, Reese, Smith, Talbot, Tarver, Ward, White, Womack.

Total - 35

NAYS

Lambert
Total - 1

ABSENT

Boudreaux, Fields, Peterson
Total - 3

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

SENATE BILL NO. 477—
BY SENATOR WARD

AN ACT

To enact R.S. 22:1272, relative to property insurance; to provide for required notice; and to provide for related matters.

Floor Amendments

Senator Ward proposed the following amendments.

SENATE FLOOR AMENDMENTS

Amendments proposed by Senator Ward to Engrossed Senate Bill No. 477 by Senator Ward

AMENDMENT NO. 1

On page 1, line 8, change "August 1, 2020" to "January 1, 2021"

On motion of Senator Ward, the amendments were adopted.

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

ROLL CALL

The roll was called with the following result:

YEAS

Mr. President	Henry	Morris
Abraham	Hewitt	Pope
Allain	Jackson	Price
Barrow	Johns	Reese
Bernard	Lambert	Smith
Bouie	Luneau	Talbot
Carter	McMath	Tarver
Cathey	Milligan	Ward
Connick	Mills, F.	White
Foil	Mills, R.	
Harris	Mizell	
Total - 31		

NAYS

Cloud	Peacock
Fesi	Womack
Total - 4	

ABSENT

Boudreaux	Hensgens
Fields	Peterson
Total - 4	

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

SENATE BILL NO. 506—

BY SENATORS BARROW, BERNARD, BOUIE, CATHEY, JACKSON, ROBERT MILLS AND TALBOT

AN ACT

To enact R.S. 22:49, relative to property insurance; to authorize insurance policies to cover disinfecting fumigation costs of the insured property where a person with a positive diagnosis for COVID-19 resides or works; and to provide for related matters.

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

ROLL CALL

The roll was called with the following result:

YEAS

Abraham	Henry	Morris
Allain	Hensgens	Pope
Barrow	Jackson	Price
Bernard	Johns	Reese
Bouie	Lambert	Smith
Carter	Luneau	Talbot
Cathey	McMath	Tarver
Cloud	Milligan	Ward

Connick	Mills, F.	White
Foil	Mizell	Womack
Total - 30		

NAYS

Mr. President	Hewitt	Peacock
Fesi	Mills, R.	
Total - 5		

ABSENT

Boudreaux	Harris
Fields	Peterson
Total - 4	

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

SENATE BILL NO. 440—

BY SENATORS FESI AND ALLAIN

AN ACT

To amend and reenact R.S. 49:214.36(E) and (J), relative to the Coastal Zone Management Program; to provide for enforcement actions; to provide for the imposition of civil liability, the assessment of damages, and court orders; to provide for distribution of monies collected; to provide for the use of funds; and to provide for related matters.

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

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

Called from the Calendar

Senator Talbot asked that Senate Bill No. 204 be called from the Calendar.

SENATE BILL NO. 204—

BY SENATOR TALBOT

AN ACT

To enact R.S. 22:1054.1, relative to health insurance coverage for cancer treatments; to prohibit denial of coverage in certain circumstances; to require coverage of prescription drugs that target a specific mutation for a minimum initial period; to require a physician's certification for continued coverage; to provide for an effective date; and to provide for related matters.

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

ROLL CALL

The roll was called with the following result:

YEAS

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

May 19, 2020

NAYS		
Total - 0		
ABSENT		
Boudreaux	Fields	Peterson
Total - 3		

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

Called from the Calendar

Senator Luneau asked that Senate Bill No. 156 be called from the Calendar.

SENATE BILL NO. 156—
BY SENATOR LUNEAU

AN ACT

To amend and reenact R.S. 22:868(A), relative to insurers; to provide relative to insurance contracts; to provide relative to limiting of actions; to provide certain prohibitions; to provide relative to jurisdiction and venue; and to provide for related matters.

Floor Amendments

Senator Peacock proposed the following amendments.

SENATE FLOOR AMENDMENTS

Amendments proposed by Senator Peacock to Engrossed Senate Bill No. 156 by Senator Luneau

AMENDMENT NO. 1

On page 1, line 2, after "R.S. 22:868(A)" and before the comma ",", insert "and to enact R.S. 22:868(D)"

AMENDMENT NO. 2

On page 1, line 6, after "reenacted" insert "and R.S. 22:868(D) is hereby enacted"

AMENDMENT NO. 3

On page 1, after line 17, insert the following:

"D. The provisions of Subsection A of this Section shall not prohibit a forum or venue selection clause in a policy form that is not subject to approval by the Department of Insurance."

On motion of Senator Peacock, the amendments were adopted.

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

ROLL CALL

The roll was called with the following result:

YEAS		
Mr. President	Harris	Mizell
Abraham	Henry	Morris
Allain	Hensgens	Peacock
Barrow	Hewitt	Pope
Bernard	Jackson	Price
Bouie	Johns	Reese
Carter	Lambert	Smith
Cathy	Luneau	Talbot
Cloud	McMath	Ward
Connick	Milligan	White
Fesi	Mills, F.	Womack
Foil	Mills, R.	
Total - 35		

NAYS	
Total - 0	
ABSENT	
Boudreaux	Peterson
Fields	Tarver
Total - 4	

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

Called from the Calendar

Senator White asked that Senate Bill No. 188 be called from the Calendar.

SENATE BILL NO. 188—
BY SENATOR WHITE

AN ACT

To amend and reenact R.S. 14:95.1(D) and to enact R.S. 14:2(B)(29) and 95.1(E), relative to crimes of violence; to make the crime of possession of firearm or carrying concealed weapon by a person convicted of certain felonies a crime of violence; and to provide for related matters.

Floor Amendments

Senator White proposed the following amendments.

SENATE FLOOR AMENDMENTS

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

AMENDMENT NO. 1

Delete Amendment No. 4 of the set of amendments proposed by Senator White and adopted by the Senate on May 14, 2020 (SFASB188 CLEMENTA 1481)

AMENDMENT NO. 2

On page 2, at the end of line 1, insert "**The provisions of this Paragraph shall be void on June 30, 2022, unless extended by legislative Act.**"

AMENDMENT NO. 3

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

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

* * *

D. Except for drug offenses in violation of the Uniform Controlled Dangerous Substance Law that are punishable by a sentence of imprisonment at hard labor for ten years or less, if any offense listed in Subsection A of this Section is a predicate offense for a prosecution under this Section and the offender uses, possesses, or has under his immediate control any firearm while having been convicted of a prior felony, then the conviction shall be designated as a crime of violence.

E. For the purposes of this Section, "firearm" means any pistol, revolver, rifle, shotgun, machine gun, submachine gun, black powder weapon, or assault rifle which is designed to fire or is capable of firing fixed cartridge ammunition or from which a shot or projectile is discharged by an explosive."

On motion of Senator White, the amendments were adopted.

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

ROLL CALL

The roll was called with the following result:

YEAS

Mr. President	Harris	Mizell
Abraham	Henry	Morris
Allain	Hensgens	Peacock
Barrow	Hewitt	Pope
Bernard	Jackson	Reese
Bouie	Johns	Smith
Carter	Lambert	Talbot
Cathey	Luneau	Tarver
Cloud	McMath	Ward
Connick	Milligan	White
Fesi	Mills, F.	Womack
Foil	Mills, R.	
Total - 35		

NAYS

Price
Total - 1

ABSENT

Boudreaux	Fields	Peterson
Total - 3		

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

Rules Suspended

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

Introduction of Senate Resolutions

SENATE RESOLUTION NO. 53—

BY SENATOR FOIL

A RESOLUTION

To express the sincere condolences of the Senate of the Legislature of Louisiana upon the death of James Randall Goodwin, businessman and tireless community leader in Baton Rouge, Louisiana.

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

SENATE RESOLUTION NO. 54—

BY SENATORS CONNICK, HENRY AND TALBOT

A RESOLUTION

To express the sincere condolences of the Senate of the Legislature of Louisiana upon the death of the Honorable Henry Garland Sullivan Jr.

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

Introduction of Senate Concurrent Resolutions

SENATE CONCURRENT RESOLUTION NO. 67—

BY SENATOR FOIL

A CONCURRENT RESOLUTION

To urge and request that local governmental subdivisions, when setting manufactured home elevation requirements for the

purposes of freeboard, take into account that the top of the chassis may be accepted as the finished floor elevation as long as the bottom of the chassis is elevated to the base elevation requirement.

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

ATTENDANCE ROLL CALL

PRESENT

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

ABSENT

Boudreaux	Fields	Peterson
Total - 3		

Leaves of Absence

The following leaves of absence were asked for and granted:

Boudreaux	1 Day	Fields	1 Day
Peterson	1 Day		

Announcements

The following committee meetings for May 20, 2020, were announced:

Commerce	10:00 A.M.	Room A
Health and Welfare	12:30 P.M.	Room A
Insurance	9:00 A.M.	Room E
Senate and Gov't Affairs	11:30 A.M.	Room E

Adjournment

On motion of Senator Talbot, at 3:50 o'clock P.M. the Senate adjourned until Wednesday, May 20, 2020, at 3:00 o'clock P.M.

The President of the Senate declared the Senate adjourned.

YOLANDA J. DIXON
Secretary of the Senate

DIANE O' QUIN
Journal Clerk

