The Senate was called to order at 4:10 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 Pope  
Abraham Hewitt Price  
Alain Johns Reese  
Barrow Luneau Smith  
Bernard McMath Talbot  
Bouie Milligan Tarver  
Cathey Mills, R. Ward  
Cloud Mizell White  
Fesi Peacock Womack  
Foil Peterson  
Total - 29

**ABSENT**

Boudreaux Henry Mills, F.  
Carter Hensgens Morris  
Connick Jackson  
Fields Lambert  
Total - 10

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

**Prayer**

The prayer was offered by Senator Beth Mizell, 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 Pope, the reading of the Journal was dispensed with and the Journal of June 26, 2020, was adopted.

**Message from the House**

**HOUSE CONFEREES APPOINTED**

June 25, 2020

To the Honorable President and Members of the Senate:

I am directed to inform your honorable body that the Speaker of the House of Representatives has appointed the following members, on the part of the House of Representatives, to confer, with a like committee from the Senate, on the disagreement to **House Bill No. 4** by Representative Magee:

Representatives Magee, Echols and Hughes.

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

**Introduction of Senate Resolutions**

**SENATE RESOLUTION NO. 42**

**BY SENATOR CARTER**

A RESOLUTION  
To express the sincere condolences of the Senate of the Legislature of Louisiana upon the death of Blaine S. Kern, "Mr. Mardi Gras".

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

**SENATE RESOLUTION NO. 43**

**BY SENATOR BARROW**

A RESOLUTION  
To commend Zion City on the occasion of its 100th anniversary.

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

**Senate Resolutions on Second Reading**

**SENATE RESOLUTION NO. 35**

**BY SENATOR CATHEY**

A RESOLUTION  
To express the sincere condolences of the Senate of the Legislature of Louisiana upon the death of Dr. Trapper Lee Munn.

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

**SENATE RESOLUTION NO. 36**

**BY SENATOR CLOUD**

A RESOLUTION  
To commend Lance Corporal K.M. Savoy on being awarded an Outstanding Service medal in recognition of the logistical work he provided the 1st Marine Expeditionary Force.

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

**SENATE RESOLUTION NO. 37**

**BY SENATOR JACKSON**

A RESOLUTION  
To commend Katina M. Semien for her excellent service as the 25th South Central Regional Director of Alpha Kappa Alpha Sorority, Inc.

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

**Rules Suspended**

**SENATE RESOLUTION NO. 38**

**BY SENATOR FIELDS**

A RESOLUTION  
To urge and request the State Board of Elementary and Secondary Education, through the state Department of Education, to develop and provide online educational resources to ensure that each public school student has access to robust online learning options for the 2020-2021 school year.

On motion of Senator Fields the resolution was read by title and adopted.
To enact R.S. 17:439.1 and 3391, relative to limitations of liability; 

17th DAY'S PROCEEDINGS
June 28, 2020

Report of Committee on Education

SENATE RESOLUTION NO. 39—
BY SENATOR FIELDS
A RESOLUTION
To urge and request the State Board of Elementary and Secondary Education to adopt rules relative to the use of school property and personnel for athletic activities during the 2020-2021 school year to ensure CDC and state health guidelines are implemented to protect the health and safety of student athletes, coaches, and spectators.

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

SENATE RESOLUTION NO. 40—
BY SENATORS CARTER, LUNEAU, REESE AND WOMACK
A RESOLUTION
To urge and request the governor of Louisiana, the members of Louisiana delegation of the United States Congress, the Senate Committee on Finance, and the House Committee on Appropriations to respond immediately to the drastic decline in the balance of Louisiana's unemployment trust fund to protect employers and workers during this time of economic uncertainty.

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

SENATE RESOLUTION NO. 41—
BY SENATOR REESE
A RESOLUTION
To commend Beauregard Parish Sheriff Ricky Moses for his long and distinguished career in law enforcement.

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

Reports of Committees

The following reports of committees were received and read:

REPORT OF COMMITTEE ON EDUCATION

Senator Cleo Fields, Chairman on behalf of the Committee on Education, submitted the following report:

June 26, 2020

To the President and Members of the Senate:

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

HOUSE BILL NO. 59—
BY REPRESENTATIVE MINCEY
AN ACT
To enact R.S. 17:439.1 and 3391, relative to limitations of liability; to provide for the limitation of liability during declared states of emergency or public health emergencies; to provide relative to the liability of public and private schools, public and private school districts, and charter school governing boards under certain circumstances; to provide for liability related to school sponsored events; to provide relative to the liability of public and private postsecondary education systems and institutions; to provide for an effective date; and to provide for related matters.

Reported with amendments.

Respectfully submitted,
CLEO FIELDS
Chairman
certain circumstances; to provide for recoverable medical expenses; to provide for expenses paid by a collateral source; to provide for effectiveness; and to provide for related matters.

Reported with amendments. Respectfully submitted, BARROW PEACOCK Chairman

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

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

HOUSE BILL NO. 59—
BY REPRESENTATIVE MINCEY
AN ACT
To enact R.S. 17:439.1 and 3391, relative to limitations of liability; to provide for the limitation of liability during declared states of emergency or public health emergencies; to provide relative to the liability of public and private schools, public and private school districts, and charter school governing boards under certain circumstances; to provide for liability related to school sponsored events; to provide relative to the liability of public and private postsecondary education systems and institutions; to provide for an effective date; and to provide for related matters.

Reported with amendments by the Committee on Education.

SENATE COMMITTEE AMENDMENTS

Amendments proposed by Senate Committee on Education to Reengrossed House Bill No. 59 by Representative Mincey

AMENDMENT NO. 1
On page 1, line 3, after "during" delete the remainder of the line, at the beginning of line 4, delete "emergencies" and insert "the COVID-19 public health emergency"

AMENDMENT NO. 2
On page 1, line 4, between "and" and "schools" change "private" to "nonpublic"

AMENDMENT NO. 3
On page 1, line 5, change "private school districts" to "nonpublic school systems"

AMENDMENT NO. 4
On page 1, line 7, between "and" and "postsecondary" change "private" to "nonpublic"

AMENDMENT NO. 5
On page 1, line 11, after "related to" delete the remainder of the line, and insert "the COVID-19 public health emergency"

AMENDMENT NO. 6
On page 1, delete line 12

AMENDMENT NO. 7
On page 1, delete line 14, and insert "nonpublic schools, public and nonpublic school systems, public and nonpublic school"

AMENDMENT NO. 8
On page 1, line 17, after "exposure to" delete the remainder of the line, delete lines 18 and 19, and insert "COVID-19 or acts undertaken in the effort to respond or adapt to the COVID-19 public health emergency"

AMENDMENT NO. 9
On page 2, at the end of line 1, delete "an"

AMENDMENT NO. 10
On page 2, at the beginning of line 2, change "infectious disease" to "COVID-19" and change "private" to "nonpublic" in both places the word occurs on the line

AMENDMENT NO. 11
On page 2, line 3, between "or" and "school bus" change "private" to "nonpublic" and between "public" and "school" change "and private" to "or nonpublic"

AMENDMENT NO. 12
On page 2, line 5, after "to the" delete the remainder of the line and insert "COVID-19 public health emergency."

AMENDMENT NO. 13
On page 2, delete lines 9 and 10, and insert "COVID-19 public health emergency."

AMENDMENT NO. 14
On page 2, delete line 11, and insert "E.(1) Public and nonpublic schools, public and nonpublic school systems, public"

AMENDMENT NO. 15
On page 2, line 12, between "or" and "school" change "private" to "nonpublic"

AMENDMENT NO. 16
On page 2, line 13, change "private" to "nonpublic" in both places the word occurs on the line

AMENDMENT NO. 17
On page 2, at the beginning of line 16, change "district, public or private" to "system, public or nonpublic"

AMENDMENT NO. 18
On page 2, between lines 20 and 21, insert the following: "(2) A public school governing authority shall not adopt a policy, rule, or regulation that imposes a lesser standard than what is prescribed in a rule or regulation adopted by the State Board of Elementary and Secondary Education in accordance with the Administrative Procedure Act."

AMENDMENT NO. 19
On page 2, line 22, after "related to" delete the remainder of the line, delete line 23, and insert "the COVID-19 public health emergency"

AMENDMENT NO. 20
On page 2, line 25, change "private" to "nonpublic" in both places the word occurs on the line

AMENDMENT NO. 21
On page 2, line 26, between "and" and "postsecondary" change "private" to "nonpublic"

AMENDMENT NO. 22
On page 2, line 29, change "an infectious disease" to "COVID-19" and at the end of the line change "a" to "the"

AMENDMENT NO. 23
On page 3, delete lines 1 and 2, and insert "COVID-19 public health emergency."

AMENDMENT NO. 24
On page 3, at the end of line 3, delete "an"

AMENDMENT NO. 25
On page 3, at the beginning of line 4, change "infectious disease" to "COVID-19" and between "or" and "postsecondary" change "private" to "nonpublic"

AMENDMENT NO. 26
On page 3, line 3, change "private" to "nonpublic" in both places the word occurs on the line
AMENDMENT NO. 1
On page 2, delete lines 2 through 10 and insert the following:

AMENDMENT NO. 2
On page 2, delete line 4, and insert "Section 2. Code of Civil Procedure Articles 1732, 1761(A), and 4871(1) are hereby"

AMENDMENT NO. 3
On page 2, delete lines 9 through 28 and insert the following:

"(1) A suit where the amount of no individual petitioner's cause of action exceeds fifty thousand dollars exclusive of interest and costs, except as follows:

(a) If an individual petitioner stipulates or otherwise judicially admits sixty days or more prior to trial that the amount of the individual petitioner's cause of action does not exceed fifty thousand dollars exclusive of interest and costs, a defendant shall not be entitled to a trial by jury.

(b) If an individual petitioner stipulates or otherwise judicially admits for the first time less than sixty days prior to trial that the amount of the individual petitioner's cause of action does not exceed fifty thousand dollars exclusive of interest and costs, any other party may retain the right to a trial by jury if he files a motion to transfer with the clerk of the court in which the matter is one to which defendant would have been entitled to trial by jury if defendant had stipulated sixty days or more prior to trial that the amount of the individual petitioner's cause of action does not exceed fifty thousand dollars exclusive of interest and costs, a defendant shall not be entitled to a trial by jury.

(c) Notwithstanding Subparagraphs (a) and (b) of this Paragraph, if, as a result of a compromise or dismissal of one or more claims or parties which occurs less than sixty days prior to trial, an individual petitioner stipulates or otherwise judicially admits that the amount of the individual petitioner's cause of action does not exceed fifty thousand dollars exclusive of interest and costs, a defendant shall not be entitled to a trial by jury.

(2)(a) A suit commenced in a parish or city court, wherein the individual petitioner stipulates or otherwise judicially admits that the amount of the individual petitioner's cause of action does not exceed the amount in dispute to which the jurisdiction of the court is limited by Articles 4842 and 4843, exclusive of interest, penalties, attorney fees, and costs.

(b) The provisions of this Paragraph shall not apply to delictual or quasi-delictual actions, which shall be governed by the provisions of Paragraph (1) of this Article.

(3) A suit on an unconditional obligation to pay a specific sum of money, unless the defense thereto is forgery, fraud, error, want, or failure of consideration.

(4) (4) A summary, executory, probate, mandamus, habeas corpus, quo warranto, injunction, concursus, workers' compensation, emancipation, tutorship, interdiction, curatorship, filiation, annulment of marriage, or divorce proceeding.

(5) (5) A proceeding to determine custody, visitation, alimony, or child support.

(6) (6) A proceeding to review an action by an administrative or municipal body.

(7) All cases where a jury trial is specifically denied by law."

AMENDMENT NO. 4
On page 2, add the following:

"Art. 4873. Transfer to district court; procedure; contest; effect
A party entitled thereto under the provisions of Article 4872 may transfer the action to the district court in the following manner:
(1) Within the delay allowed for answer in the trial court of the limited jurisdiction, or within ten days after answer has been filed, he may file a motion to transfer with the clerk of the court in which the suit is pending. The motion shall include a declaration that the matter is one to which defendant would have been entitled to trial by jury if commenced in district court, and that defendant desires trial by jury.
If a party fails to file a motion to transfer within the delays required by this Paragraph, the matter shall not be transferred."

AMENDMENT NO. 5
On page 3, delete lines 13 and 14, and insert "Section 3. Civil Code Articles 3492 and 3493.10 are hereby amended and reenacted and Civil"

AMENDMENT NO. 6
On page 3, delete lines 23 through 27, and insert the following:

"Art. 3492. Delictual actions
Delictual actions Except as provided in Civil Code Article 3493.10, delictual actions are subject to a liberative prescription of one year. This prescription commences to run from the date injury or damage is sustained. It does not run against minors or interdicts in actions involving permanent disability and brought pursuant to the Louisiana Products Liability Act or state law governing product liability actions in effect at the time of the injury or damage.

Art. 3493.10. Delictual actions; two-year prescription; criminal act

Delictual actions for injury or damage arising from the operation or control of any motor vehicle, aircraft, watercraft, or other means of conveyance, or those which arise due to damages sustained as a result of an act defined as a crime of violence under Chapter 1 of Title 14 of the Louisiana Revised Statutes of 1950, except as provided in Article 3496.2, are subject to a liberative

AMENDMENT NO. 7
On page 4, delete lines 4 through 6

AMENDMENT NO. 8
On page 4, delete lines 23 through 29, and insert the following:

"B. Any party receiving a discount or write-down to billed medical expenses as a result of an insurance contract may be reimbursed for the premiums paid by the party or their immediate family to obtain such insurance from the date of injury through the duration of treatment or one year, whichever is less. Such premiums may be introduced into evidence for this purpose. However, any recovery for past premiums shall not exceed the amount written down or discounted from billed medical expenses as a result of the insurance contract.

C. Evidence of future medical expenses not yet incurred at the time of trial can be presented to the jury."

AMENDMENT NO. 9
On page 5, delete lines 21 through 26 and insert the following:

"Section 7. Civil Code Articles 3492 ad 3493.10 are hereby amended and reenacted to read as follows:"* * *

AMENDMENT NO. 10
On page 6, delete lines 1 through 17, and insert the following:

"Art. 3492. Delictual actions

Delictual actions Except as provided in Civil Code Article 3493.10, delictual actions are subject to a liberative prescription of one year. This prescription commences to run from the day injury or damage is sustained. It does not run against minors or interdicts in actions involving permanent disability and brought pursuant to the Louisiana Products Liability Act or state law governing product liability actions in effect at the time of the injury or damage.* * *

Art. 3493.10. Delictual actions; two-year prescription; criminal act

Delictual actions for injury or damage arising from the operation or control of any motor vehicle, aircraft, watercraft, or other means of conveyance, or those which arise due to damages sustained as a result of an act defined as a crime of violence under Chapter 1 of Title 14 of the Louisiana Revised Statutes of 1950, except as provided in Article 3496.2, are subject to a liberative* * *"

AMENDMENT NO. 11
On page 7, delete line 1 and insert "Section 8. Code of Civil Procedure Articles 1732, 1761(A), and 4873(1) are hereby"

AMENDMENT NO. 12
On page 7, delete lines 3 through 25 and insert the following:

"(1) A suit where the amount of no individual petitioner's cause of action exceeds ten fifty thousand dollars exclusive of interest and costs, any other party may retain the right to a trial by jury if that party is entitled to a trial by jury pursuant to this Article and has otherwise complied with the procedural requirements for obtaining a trial by jury; that the amount of the individual petitioner's cause of action does not exceed ten fifty thousand dollars exclusive of interest and costs, a defendant shall not be entitled to a trial by jury. If a party fails to file a motion to transfer within the delays required by this Paragraph, the matter shall not be transferred."

AMENDMENT NO. 13
On page 8, change "Section 10." to "Section 9."

AMENDMENT NO. 14
On page 8, delete lines 4 and insert "Section 10." to "Section 9."

AMENDMENT NO. 15
On page 8, delete lines 4 and insert "Section 11." to "Section 10."

AMENDMENT NO. 16
On page 8, line 22, change "Section 12." to "Section 11."

AMENDMENT NO. 17
On page 8, line 24, change "Section 13." to "Section 12."

AMENDMENT NO. 18
On page 9, delete line 1 and insert "Section 6. Code of Civil Procedure Articles 1732, 1761(A), and 4873(1) are hereby"

AMENDMENT NO. 19
On page 9, delete lines 9 and 10, and insert "Section 13. (A) This Section and Sections 1 through 6 and 12 of this Act are effective January 1, 2021.* * *

AMENDMENT NO. 20
On page 9, delete line 14 and insert "(C) The provisions of Section 7 through 11 of this Act are effective August 1, 2024."
AMENDMENT NO. 21
On page 9, line 15, change "August 1, 2023," to "April 1, 2024,"

AMENDMENT NO. 22
On page 9, line 16, change "Section 13" to "Section 12"

AMENDMENT NO. 23
On page 9, line 18, between "percent" and "compared" insert ", adjusted for inflation,"

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

House Concurrent Resolutions on Second Reading
Just Reported by Committees

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

HOUSE CONCURRENT RESOLUTION NO. 18—
BY REPRESENTATIVE SEABAUGH
A CONCURRENT RESOLUTION
To suspend until sixty days after final adjournment of the 2021 Regular Session of the Legislature of Louisiana R.S. 32:295.1(E), relative to the exclusion of evidence of failure to wear a safety belt.

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

SENATE COMMITTEE AMENDMENTS
Amendments proposed by Senate Committee on Judiciary A to Reengrossed House Concurrent Resolution No. 18 by Representative Seabaugh

AMENDMENT NO. 1
On page 1, delete lines 17 through 21 and insert the following:
"BE IT FURTHER RESOLVED that this Resolution shall become effective if, and only if, neither the Act which originated as House Bill No. 57 of the 2020 First Extraordinary Session or the Act which originated as Senate Bill No. 9 of the 2020 First Extraordinary Session is enacted or if both are vetoed.

BE IT FURTHER RESOLVED that, if and only if neither House Bill No. 57 of the 2020 First Extraordinary Session or the Act which originated as Senate Bill No. 9 of the 2020 First Extraordinary Session is enacted or if both are vetoed, this"

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

HOUSE CONCURRENT RESOLUTION NO. 19—
BY REPRESENTATIVE SEABAUGH
A CONCURRENT RESOLUTION
To suspend until sixty days after final adjournment of the 2021 Regular Session of the Legislature of Louisiana Code of Civil Procedure Article 1732(1), relative to the jury trial threshold for a petitioner's cause of action.

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

HOUSE CONCURRENT RESOLUTION NO. 20—
BY REPRESENTATIVE SEABAUGH
A CONCURRENT RESOLUTION
To suspend until sixty days after final adjournment of the 2021 Regular Session of the Legislature of Louisiana Code of Civil Procedure Article 1732(1), relative to the jury trial threshold for a petitioner's cause of action.

Called from the Calendar
Senator White asked that House Concurrent Resolution No. 25 be called from the Calendar.

HOUSE CONCURRENT RESOLUTION NO. 25—
BY REPRESENTATIVES SCHEXNAYDER AND ZERINGUE AND SENATORS CORTEZ AND WHITE
A CONCURRENT RESOLUTION
To elect Christopher A. Keaton as the legislative fiscal officer.

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

ROLL CALL

The roll was called with the following result:

YEAS
Mr. President Harris Morris
Abraham Henry Peacock
Allain Hensgens Pope
Bernard Hewitt Price
Boudreaux Johns Reese
Bouie Lambert Smith
Carter Luneau Talbot
Cathey McMath Ward
Cloud Milligan White
Fesi Mills, F. Womack
Fields Mills, R.
Foil Mizell
Total - 34

NAYS
Total - 0

ABSENT
Barrow Jackson Tarver
Connick Peterson
Total - 5

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

Called from the Calendar
Senator Talbot asked that House Concurrent Resolution No. 26 be called from the Calendar.

HOUSE CONCURRENT RESOLUTION NO. 26—
BY REPRESENTATIVES BROWN, ADAMS, AMEDEE, BRYANT, CARRIER, WILFORD CARTER, CREWS, DAVIS, DESHOTEL, FRIEMAN, GAINES, GREEN, HILFERTY, MIKE JOHNSON, JONES, THOMPSON, WHITE, AND WILLARD
A CONCURRENT RESOLUTION
To authorize and request the chairmen of the House Committee on Insurance and the Senate Committee on Insurance, acting jointly, to appoint a joint subcommittee composed of members from each committee to research, study, and make recommendations for proposed legislation and policy changes to address the issue of balance or surprise billing in Louisiana.

The resolution was read by title. Senator Talbot moved to concur in the House Concurrent Resolution.
ROLL CALL
The roll was called with the following result:

YEAS

Mr. President Harris Morris
Abraham Henry Peacock
Allain Hensgens Pope
Bernard Hewitt Price
Boudreaux Johns Reese
Bouie Lambert Smith
Carter Luneau Talbot
Cloud Milligan White
Fesi Mills, F. Womack
Fields Mills, R.
Foil Mizell
Total - 34

NAYS
Total - 0

ABSENT

Barrow Jackson Tarver
Connick Peterson
Total - 5

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

Called from the Calendar

Senator Peacock asked that House Concurrent Resolution No. 27 be called from the Calendar.

HOUSE CONCURRENT RESOLUTION NO. 27—
BY REPRESENTATIVES HILFERTY AND GREGORY MILLER
A CONCURRENT RESOLUTION
To authorize and direct the House Committee on Health and Welfare, the Senate Committee on Health and Welfare, the House Committee on Civil Law and Procedure, and the Senate Committee on Judiciary A, or a subcommittee thereof, to meet and to study the adequacy of rights afforded to caregivers of persons with serious mental illness, to make recommendations regarding the establishment of a "caregivers' bill of rights" for family members, legal guardians, and other persons who provide care for persons with serious mental illness, and to report their findings to the Legislature of Louisiana.

Floor Amendments

Senator Peacock proposed the following amendments.

SENATE FLOOR AMENDMENTS

Amendments proposed by Senator Peacock to Original House Concurrent Resolution No. 27 by Representative Hilferty

AMENDMENT NO. 1
On page 1, line 2, change "authorize and direct" to "urge and request"

AMENDMENT NO. 2
On page 3, line 13, change "authorize and direct" to "urge and request"

On motion of Senator Peacock, the amendments were adopted.

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

ROLL CALL
The roll was called with the following result:

YEAS

Mr. President Harris Morris
Abraham Henry Peacock
Allain Hensgens Peterson
Bernard Hewitt Pope
Boudreaux Johns Reese
Bouie Lambert Smith
Carter Luneau Talbot
Cloud Milligan White
Fesi Mills, F. Womack
Fields Mills, R.
Foil Mizell
Total - 37

NAYS
Total - 0

ABSENT

Connick Tarver
Total - 2

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

House Concurrent Resolutions on Second Reading
Reported by Committees

HOUSE CONCURRENT RESOLUTION NO. 10—
BY REPRESENTATIVE BAGLEY
A CONCURRENT RESOLUTION
To urge and request governing authorities of public schools to continue to follow the operational pay schedule for school bus operators during emergencies.

Reported favorably by the Committee on Education.

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

ROLL CALL
The roll was called with the following result:

YEAS

Mr. President Foil Mizell
Abraham Harris Morris
Allain Henry Peacock
Barrow Hensgens Peterson
Bernard Hewitt Pope
Boudreaux Jackson Price
Bouie Johns Reese
Carter Luneau Talbot
Cloud Milligan White
Connick Mills, F. Womack
Fesi Mills, R.
Fields Total - 38

NAYS
Total - 0
SENATE
17th DAY'S PROCEEDINGS
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ABSENT
Tarver
Total - 1

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

House Concurrent Resolutions on Third Reading and Final Passage

HOUSE CONCURRENT RESOLUTION NO. 1—
BY REPRESENTATIVE ZERINGUE
A CONCURRENT RESOLUTION
To authorize the Revenue Estimating Conference to incorporate certain monies available for appropriation from the Budget Stabilization Fund into the official forecast for Fiscal Year 2020-2021.

On motion of Senator White, the concurrent resolution was read by title and returned to the Calendar, subject to call.

HOUSE CONCURRENT RESOLUTION NO. 2—
BY REPRESENTATIVE SCHEXNAYDER
A CONCURRENT RESOLUTION
To provide for a hospital stabilization formula pursuant to Article VII, Section 10.13 of the Constitution of Louisiana; to establish the level and basis of hospital assessments; to establish certain reimbursement enhancements for inpatient and outpatient hospital services; to establish certain criteria for the implementation of the formula; and to provide for related matters.

On motion of Senator White, the concurrent resolution was read by title and returned to the Calendar, subject to call.

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

Called from the Calendar

Senator McMath asked that House Bill No. 11 be called from the Calendar.

HOUSE BILL NO. 11—
BY REPRESENTATIVE STEFANSKI
AN ACT
To amend and reenact R.S. 47:306(A)(3)(a), relative to the compensation of persons required to collect state sales and use tax; to provide for the amount of compensation persons required to collect state sales and use tax may deduct for the purpose of remitting sales and use taxes; to provide for certain requirements and limitations; and to provide for related matters.

Floor Amendments

Senator Jackson proposed the following amendments.

SENATE FLOOR AMENDMENTS

Amendments proposed by Senator Jackson to Engrossed House Bill No. 11 by Representative Stefanski

AMENDMENT NO. 1
On page 2, after line 6, insert the following:

"Section 2. In the event that there are mid-year cuts to the Fiscal Year 2020-2021 budget, the provisions of this Act shall be null, void, and of no effect."

Senator Jackson moved the adoption of the amendments.

Senator McMath objected.

ROLL CALL

The roll was called with the following result:

YEAS
Barrow Fields Peterson
Boudreaux Harris Price
Bouie Jackson Smith
Carter Luneau
Connick Mills, F.
Total - 13

NAYS
Mr. President Hensgens Peacock
Abraham Hewitt Pope
Allain Johns Reese
Bernard Lambert Talbot
Cathey McMath Ward
Cloud Milligan Womack
Fesi Mills, R.
Foil Mizell
Henry Morris
Total - 25

ABSENT
Tarver
Total - 1

The Chair declared the amendments were rejected.

The bill was read by title. Senator McMath 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 Pope
Bernard Hewitt Reese
Boudreaux Johns Smith
Cathey Lambert Talbot
Cloud Luneau Ward
Connick McMath White
Fesi Milligan Womack
Foil Mills, F.
Total - 29

NAYS
Barrow Fields Peacock
Bouie Jackson Peterson
Carter Mills, R.
Total - 9

ABSENT
Tarver
Total - 1

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

Called from the Calendar

Senator Milligan asked that House Bill No. 13 be called from the Calendar.
The bill was read by title. Senator Milligan moved the final passage of the amended bill.

ROLL CALL

The roll was called with the following result:

YEAS

Mr. President  Foil  Mills, R.
Abraham  Harris  Peacock
Allain  Henry  Pope
Bernard  Hensgens  Reese
Boudreaux  Hewitt  Talbot
Carter  Johns  Ward
Cloud  McMath  White
Connick  Milligan  Womack
Festi  Mills, F.

Total - 26

NAYS

Barrow  Jackson  Morris
Bouie  Lambert  Peterson
Carter  Luneau  Price
Fields  Mizell  Smith

Total - 12

ABSENT

Tarver  Total - 1

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

Rules Suspended

Senator White asked for and obtained a suspension of the rules to revert to:

House Concurrent Resolutions on
Third Reading and Final Passage, Subject to Call
Called from the Calendar

Senator White asked that House Concurrent Resolution No. 2 be called from the Calendar.

HOUSE CONCURRENT RESOLUTION NO. 2—
BY REPRESENTATIVE SCHEXNAYDER
A CONCURRENT RESOLUTION
To provide for a hospital stabilization formula pursuant to Article VII, Section 10.13 of the Constitution of Louisiana; to establish the level and basis of hospital assessments; to establish certain reimbursement enhancements for inpatient and outpatient hospital services; to establish certain criteria for the implementation of the formula; and to provide for related matters.

Floor Amendments

Senator White proposed the following amendments.

SENATE FLOOR AMENDMENTS

Amendments proposed by Senator White to Engrossed House Concurrent Resolution No. 2 by Representative Schexnayder

AMENDMENT NO. 1
In Senate Committee Amendment No. 1, proposed by the Senate Committee on Finance and adopted by the Senate of June 25, 2020, on page 1, line 2, change "2" to "3" and change "30" to "2"
AMENDMENT NO. 2
In Senate Committee Amendment No. 1, proposed by the Senate Committee on Finance and adopted by the Senate of June 25, 2020, on page 1, delete line 3 and insert “Subject to the approval of the Centers for Medicare and Medicaid Services, any hospital under fifty beds shall be exempt from the hospital assessment”

On motion of Senator White, the amendments were adopted.

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

ROLL CALL

The roll was called with the following result:

YEAS

Mr. President  Foil  Mizell
Abraham  Harris  Morris
Allain  Henry  Peacock
Barrow  Hensgens  Peterson
Bernard  Hewitt  Pope
Boudreaux  Jackson  Price
Bouie  Johns  Reese
Carter  Lambert  Smith
Cathey  Luneau  Talbot
Cloud  McMath  Ward
Connick  Milligan  White
Fesi  Mills, F.  Womack
Fields  Mills, R.
Total - 38

NAYS

Total - 0

ABSENT

Tarver
Total - 1

The Chair declared the amended concurrent resolution was passed and ordered it returned to the House. Senator White moved to reconsider the vote by which the concurrent resolution was passed and laid the motion on the table.

Rules Suspended

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

Introduction of Senate Resolutions

SENATE RESOLUTION NO. 44—
BY SENATOR JOHNS
A RESOLUTION
To express the sincere condolences of the Senate of the Legislature of Louisiana upon the death of Ruby B. Guillory.

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

SENATE RESOLUTION NO. 45—
BY SENATORS ROBERT MILLS AND PEACOCK
A RESOLUTION
To commend Zachary Evans Cryer of Benton Middle School for being named the 2020 Louisiana Middle School Student of the Year by the Louisiana Department of Education and to recognize his extraordinary accomplishments.

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

Privileged Report of the Legislative Bureau

June 28, 2020

To the President and Members of the Senate:

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

The following instruments are approved as to construction and duplication.

HOUSE CONCURRENT RESOLUTION NO. 18—
BY REPRESENTATIVE SEABAUGH
A CONCURRENT RESOLUTION
To suspend until sixty days after final adjournment of the 2021 Regular Session of the Legislature of Louisiana R.S. 32:295.1(E), relative to the exclusion of evidence of failure to wear a safety belt.

Reported without amendments.

HOUSE CONCURRENT RESOLUTION NO. 19—
BY REPRESENTATIVE SEABAUGH
A CONCURRENT RESOLUTION
To suspend until sixty days after final adjournment of the 2021 Regular Session of the Legislature of Louisiana R.S. 22:333(E) and 1269(B), relative to the right of direct action against an insurer in certain circumstances.

Reported without amendments.

HOUSE CONCURRENT RESOLUTION NO. 20—
BY REPRESENTATIVE SEABAUGH
A CONCURRENT RESOLUTION
To suspend until sixty days after final adjournment of the 2021 Regular Session of the Legislature of Louisiana Code of Civil Procedure Article 1732(1), relative to the jury trial threshold for a petitioner's cause of action.

Reported without amendments.

HOUSE BILL NO. 59—
BY REPRESENTATIVE MINCEY
AN ACT
To enact R.S. 17:439.1 and 3391, relative to limitations of liability; to provide for the limitation of liability during declared states of emergency or public health emergencies; to provide relative to the liability of public and private schools, public and private school districts, and charter school governing boards under certain circumstances; to provide for liability related to school sponsored events; to provide relative to the liability of public and private postsecondary education systems and institutions; to provide for an effective date; and to provide for related matters.

Reported without amendments.

HOUSE BILL NO. 66—
BY REPRESENTATIVE NELSON
AN ACT
To amend and reenact the heading of Section 1-A of Chapter 4 of Title XXIV of Book III of the Civil Code, the heading of Section 1-A of Chapter 4 of Title XXIV of Book III of the Civil Code, and Civil Code Article 3493.10, Code of Civil Procedure Articles 1732(1) and 1761(A), Code of Evidence Article 411, and R.S. 22:1454(A), to enact Civil Code Article 2323(D) and Section 1 of Chapter 4 of Title XXIV of Book III of the Civil Code, to be comprised of Civil Code Articles 3492 through 3493, Code of Civil Procedure Article 1733(D), R.S. 9:2800.27, and R.S. 22:1269(B)(3) and (4), and to repeal Civil Code Article 2323(D) and Section 1 of Chapter 4 of Title XXIV of Book III of the Civil Code, Code of Civil Procedure Article 1733(D), R.S. 9:2800.27, and R.S. 22:1269(B)(3) and (4), and to repeal Civil Code Article 2323(D) and Section 1 of Chapter 4 of Title XXIV of Book III of the Civil Code, Code of Civil Procedure Article 1733(D), R.S. 9:2800.27, and R.S.
22:1269(B)(3) and (4), relative to civil actions; to provide for comparative fault and the recovery of damages; to extend the prescriptive period for delictual actions; to provide relative to jury trials; to provide relative to the jury trial threshold; to provide for a six-person jury by default; to allow a party to request a twelve-person jury; to provide relative to the right of direct action against an insurer; to provide relative to certain insurance rating standards and methods; to provide for the admissibility of evidence of liability insurance; to prohibit the jury from receiving evidence of the insurance contract in certain circumstances; to provide for recoverable medical expenses; to provide for expenses paid by a collateral source; to provide for effectiveness; and to provide for related matters.

Reported without amendments.

Respectfully submitted,
FRED MILLS
Chairman

Adoption of Legislative Bureau Report

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

Privileged Report of the Committee on Senate and Governmental Affairs

ENROLLMENTS

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

June 28, 2020

To the President and Members of the Senate:

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

The following Senate Concurrent Resolution has been properly enrolled:

SENATE CONCURRENT RESOLUTION NO. 12—
BY SENATOR WARD
A CONCURRENT RESOLUTION
To create the Drug and Specialty Courts Commission to study and evaluate the utilization of opioid settlement funds for the expansion and optimization of drug and specialty courts in Louisiana.

Respectfully submitted,
SHARON W. HEWITT
Chairman

The foregoing Senate Concurrent Resolution was signed by the President of the Senate.

Message from the House

SIGNED HOUSE BILLS AND JOINT RESOLUTIONS

June 28, 2020

To the Honorable President and Members of the Senate:

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

HOUSE BILL NO. 37—
BY REPRESENTATIVE HARRIS AND SENATORS ABRAHAM, BARROW, BERNARD, BOUDREAX, BOUJE, CARTER, CATHEY, CLOUD, CORTEZ, FIELDS, HARRIS, HEWITT, JACKSON, JOHNS, LUNEAU, MCMATH, MILLIGAN, ROBERT MILLS, MORRIS, PEACOCK, REESE, SMITH, TALBOT, WARD, WHITE, AND WOMACK
AN ACT
To enact R.S. 47:1602.2, relative to the Department of Revenue; to require the secretary of the Department of Revenue to waive certain penalties and interest; to provide for limitations; to provide for applicability; to provide for an effective date; and to provide for related matters.

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

The House Bills and Joint Resolutions contained herein were signed by the President of the Senate.
ATTENDANCE ROLL CALL

PRESENT

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

Total - 39

ABSENT

Total - 0

Adjournment

On motion of Senator Talbot, at 6:10 o'clock P.M. the Senate adjourned until Monday, June 29, 2020, at 10:00 o'clock A.M.

The President of the Senate declared the Senate adjourned.

YOLANDA J. DIXON
Secretary of the Senate

DIANE O’QUIN
Journal Clerk