ACTS OF 2014
LEGISLATURE
Acts 1 - 121 (Except Acts 15, 25, 35, 45, 55, 65 & 75)

ACT No. 1
- - - - - -
SENATE BILL NO. 129
BY SENATORS THOMPSON AND WALSWORTH
AND REPRESENTATIVE THOMPSON
AN ACT
To amend and reenact R.S. 40:1472.3(B) and to enact R.S. 40:1472.3(A)(4), relative to public safety; to provide for requirements to obtain an explosives license, and to provide for related matters.

Be it enacted by the Legislature of Louisiana:
Section 1. R.S. 40:1472.3(B) is hereby amended and reenacted as follows:

§1472.3. - License; manufacturer, dealer-distributor, user, blaster, or handler of explosives
A. * * *
B. The Department of Public Safety and Corrections is authorized to inspect all facilities under the control of an explosives licensee when the license is issued pursuant to the provisions of this Section.

(1) Each manufacturer, dealer-distributor, and user shall possess a valid United States Bureau of Alcohol, Tobacco, Firearms and Explosives, explosives license or permit.
(2) Each manufacturer, dealer-distributor, and user maintaining a Type 1, Type 2, Type 4, or Type 5 storage magazine as defined by regulations promulgated pursuant to this Part shall possess an additional license, as herein set forth set forth in this Paragraph, for each magazine. Type 3 portable magazines or “day boxes” used for taking detonators and other explosives from storage magazines to the blasting area are exempt from the licensing and location reporting requirements of this Subsection Paragraph.

The department shall assign to each magazine licensed pursuant to this Part a license number which shall be posted on the magazine in a manner prescribed by the department. The exact location of such magazines shall be reported to the deputy secretary in the application for such license. Any change in such magazine locations shall be reported to the Department of Public Safety and Corrections, explosives control unit, in advance of the actual change in a manner prescribed by the department. Written notice of such location change shall be filed with the Department of Public Safety and Corrections, explosives control unit and the deputy secretary, not later than seven calendar days after such change is effected.

* * *

Section 2. 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.

Approved by the Governor, April 23, 2014.
A true copy:
Tom Schedler
Secretary of State

ACT No. 2
- - - - - -
HOUSE BILL NO. 18
BY REPRESENTATIVE LOPINTO
AN ACT
To repeal R.S. 15:550, 571.32, and 571.35, relative to pilot programs for alternative methods of incarceration and electronic monitoring; to repeal the authorization of certain statutorily created pilot programs.

Be it enacted by the Legislature of Louisiana:
Section 1. R.S. 15:550, 571.32, and 571.35 are hereby repealed in their entirety.

Approved by the Governor, April 23, 2014
A true copy:
Tom Schedler
Secretary of State

ACT No. 3
- - - - - -
HOUSE BILL NO. 56
BY REPRESENTATIVE LOPINTO
AN ACT
To enact R.S. 49:191(7)(a) and to repeal R.S. 49:1915(f), 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.

Be it enacted by the Legislature of Louisiana:
Section 1. Pursuant to R.S. 49:193, the Department of Public Safety and Corrections and the statutory entities made a part of the department by law shall be re-created effective June 30, 2014, and all statutory authority therefor is continued in accordance with the provisions of Part XII of Chapter 1 of Title 49 of the Louisiana Revised Statutes of 1950.

Section 2. All statutory authority for the existence of the Department of Public Safety and Corrections and the statutory entities may be re-created prior to such date in accordance with the provisions of Part XII of Chapter 1 of Title 49 of the Louisiana Revised Statutes of 1950.

Section 3. The provisions of R.S. 49:193 are hereby superseded to the extent that those provisions are in conflict with the provisions of this Act.

* * *

July 1, 2020:
(a) The Department of Public Safety and Corrections and all statutory entities made a part of the department by law.

Section 5. R.S. 49:191(5)(f) is hereby repealed in its entirety.

Section 6. This Act shall become effective on June 30, 2014; if vetoed by the governor and subsequently approved by the legislature, this Act shall become effective on June 30, 2014, or on the day following such approval by the legislature, whichever is later.

Approved by the Governor, April 23, 2014
A true copy:
Tom Schedler
Secretary of State

ACT No. 4
- - - - - -
HOUSE BILL NO. 131
BY REPRESENTATIVE LOPINTO
AN ACT
To enact R.S. 15:255.1, relative to retired or former law enforcement officers; to provide for the payment of witness fees to retired or former law enforcement officers in certain cases; to provide for the procedure for collection and payment of fees; and to provide for related matters.

Be it enacted by the Legislature of Louisiana:
Section 1. R.S. 15:255.1 is hereby enacted to read as follows:

§255.1. Witness fees to retired or former law enforcement officers
A. Unless otherwise provided for by law for a particular jurisdiction, whenever a retired or former law enforcement officer is required to be present, as a witness in any criminal case or delinquency adjudication in any parish or district court in this state or as a witness in any state court exercising juvenile jurisdiction, to testify as to events which occurred during his employment as a law enforcement officer, the retired or former law enforcement officer shall be paid the sum of fifty dollars for each day per case, but not more than one hundred fifty dollars in any one day, regardless of the number of cases for which he is required to be present or whether he actually testified in the case, and which sum shall be paid from those costs of court collected pursuant to the provisions of R.S. 15:255(D)(1) and (2).
B. The retired or former law enforcement officer shall submit to the parish governing authority an application for payment of the fee, accompanied by documentation verifying service as a witness. Within sixty days of receipt of the application for the fee, along with accompanying documentation, the governing authority of the parish shall transmit the fees due under this Section to the retired or former law enforcement officer.

Approved by the Governor, April 23, 2014
A true copy:
Tom Schedler
Secretary of State
ACT No. 5
HOUSE BILL NO. 188
BY REPRESENTATIVE LOPINTO
AN ACT
To repeal R.S. 15:751, 823, 825, 834, 835, 838, 840, 840.2, and 1131, relative to prisons and correctional institutions; to repeal antiquated and obsolete provisions regarding prisons and correctional institutions.
Be it enacted by the Legislature of Louisiana:
Section 1. R.S. 15:751, 823, 825, 834, 835, 838, 840, 840.2, and 1131 are hereby repealed in their entirety.
Approved by the Governor, April 23, 2014.
A true copy:
Tom Schedler
Secretary of State

ACT No. 6
HOUSE BILL NO. 8
BY REPRESENTATIVE HONORE
AN ACT
To amend and reenact R.S. 15:572.4(D), relative to pardons; to provide relative to applications for pardons by persons serving a life sentence; to reduce the length of time the applicant is required to wait before filing a subsequent application after a denial; and to provide for related matters.
Be it enacted by the Legislature of Louisiana:
Section 1. R.S. 15:572.4(D) is hereby amended and reenacted as follows:
§572.4. Board of Pardons; rules, regulations, and procedures; notice; restrictions on applications; time periods for additional review

D. Notwithstanding any provisions of law to the contrary, any applicant who has been sentenced to life imprisonment shall not be eligible to apply to the board for a pardon or commutation of sentence for a period of fifteen years after being sentenced by the trial court. If the application is denied, the applicant shall be notified in writing of the reason for the denial and thereafter may file a new application to the board no earlier than seven years from the date of action by the board. A third application shall not be filed earlier than five years from the date of action taken by the board on the second application. Any subsequent applications shall not be filed earlier than five years after the immediately preceding action taken by the board. However, the provisions of this Subsection shall not apply when the board determines that new and material evidence that, notwithstanding the exercise of reasonable diligence by the applicant, was not discovered before or during his trial, is available, and if it had been introduced at the trial, it would probably have changed the verdict or judgment of guilty.

Approved by the Governor, May 7, 2014.
A true copy:
Tom Schedler
Secretary of State

ACT No. 7
HOUSE BILL NO. 16
BY REPRESENTATIVES TERRY LANDRY, ARNOLD, GAINES, LEOPOLD, MORENO, JAY MORRIS, AND THIERRY
AN ACT
To enact R.S. 13:5401(C)(5), relative to reentry courts; to authorize the creation of a reentry division of the Fifteenth Judicial District Court; and to provide for related matters.
Be it enacted by the Legislature of Louisiana:
Section 1. R.S. 13:5401(C)(5) is hereby enacted to read as follows:
§5401. District courts; reentry courts; a subject matter

C. The following district courts may assign certain divisions of the court as a reentry division of court in accordance with the provisions of this Section:

(5) The Fifteenth Judicial District Court.

Approved by the Governor, May 7, 2014.
A true copy:
Tom Schedler
Secretary of State

ACT No. 8
HOUSE BILL NO. 241
BY REPRESENTATIVE ARMES AND SENATOR JOHN SMITH
AN ACT
To amend and reenact Section 3 of Act No. 437 of the 2013 Regular Session of the Legislature, relative to a proposed constitutional amendment to require certain residency specifications for members of the Wildlife and Fisheries Commission; to remove the effective date reference contained in the ballot language for such proposed constitutional amendment; and to provide for related matters.
Be it enacted by the Legislature of Louisiana:
Section 1. Section 3 of Act No. 437 of the 2013 Regular Session of the Legislature is hereby amended and reenacted to read as follows:

Section 3. Be it further resolved that on the official ballot to be used at the election, there shall be printed a proposition, upon which the electors of the state shall be permitted to vote YES or NO, to amend the Constitution of Louisiana, which proposition shall read as follows:

Do you support an amendment to require that two members of the Wildlife and Fisheries Commission be electors from parishes located north of the parishes of Beauregard, Allen, Evangeline, Avoyelles, and Pointe Coupee?

Effective January 1, 2015 (Amends Article IX, Section 7(A))

Section 2. 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.

Approved by the Governor, May 7, 2014
A true copy:
Tom Schedler
Secretary of State

ACT No. 9
HOUSE BILL NO. 284
BY REPRESENTATIVE ST. GERMAIN
AN ACT
To enact R.S. 49:191(7) and to repeal R.S. 49:191(5)(d), relative to the Department of Transportation and Development, including provisions to provide for the re-creation of the Department of Transportation and Development 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.
Be it enacted by the Legislature of Louisiana:
Section 1. Pursuant to R.S. 49:193, the Department of Transportation and Development and the statutory entities made a part of the department by law shall be re-created effective June 30, 2014, and all statutory authority therefor is continued in accordance with the provisions of Part XII of Chapter 1 of Title 49 of the Louisiana Revised Statutes of 1950.

Section 2. All statutory authority for the existence of the Department of Transportation and Development and the statutory entities made a part of the department as re-created by Section 1 of this Act shall cease as of July 1, 2018, pursuant to R.S. 49:191. However, the Department of Transportation and Development may be re-created prior to such date in accordance with the provisions of Part XII of Chapter 1 of Title 49 of the Louisiana Revised Statutes of 1950.

Section 3. The provisions of R.S. 49:193 are hereby superseded to the extent that those provisions are in conflict with the provisions of this Act.

Section 4. R.S. 49:191(7) is hereby enacted to read as follows:

§191. Termination of legislative authority for existence of statutory entities; phase-out period for statutory entities; table of dates

Notwithstanding any termination dates set by any previous Act of the legislature, the statutory entities set forth in this Section shall begin to terminate their operations on July first of each of the following years, and all legislative authority for the existence of any statutory entity, as defined in R.S. 49:190, shall cease as of July first of the following year, which shall be the termination date:

(7) July 1, 2017:

(a) The Department of Transportation and Development and all statutory entities made a part of the department by law.

Section 5. R.S. 49:191(5)(d) is hereby repealed in its entirety.

Section 6. This Act shall become effective on June 30, 2014; if vetoed by the governor and subsequently approved by the legislature, this Act shall become effective on June 30, 2014, or on the day following such approval by the legislature, whichever is later.

Approved by the Governor, May 7, 2014
A true copy:
Tom Schedler
Secretary of State
To enact R.S. 47:463.165, relative to motor vehicle special prestige license plates; to provide for the “Louisiana Cattlemen’s Association” special prestige license plate; to provide for the creation, issuance, and design of such license plates; to provide relative to the fee and distribution of fees for such plates; to authorize the promulgation of rules and regulations relative to the creation and implementation of a special prestige license plate; and to provide for related matters.

Be it enacted by the Legislature of Louisiana:

Section 1. R.S. 47:463.165 is hereby enacted to read as follows:

§463.165. Special prestige license plates; “Louisiana Cattlemen’s Association”

A. The secretary of the Department of Public Safety and Corrections shall establish a special prestige motor vehicle license plate to be known as the “Louisiana Cattlemen’s Association” plate, provided there is a minimum of one thousand applicants for such plate. These license plates shall be restricted to use on passenger cars, pickup trucks, recreational vehicles, and vans.

B. The license plate color and design shall be selected by the Louisiana Cattlemen’s Association provided it is in compliance with R.S. 47:463(A)(3).

C. The prestige license plate shall be issued, upon application, to any citizen of Louisiana in the same manner as any other motor vehicle license plates. The first one hundred plates shall be reserved for purchase at the direction of the Louisiana Cattlemen’s Association.

D. The department shall collect an annual royalty fee of twenty-five dollars, which shall be disbursed in accordance with Subsection E of this Section. The royalty fee shall be in addition to the standard motor vehicle license tax imposed by Article VII, Section 5 of the Constitution of Louisiana, and a handling fee of three dollars and fifty cents for each plate to be retained by the department to offset a portion of administrative costs.

E. The annual royalty fee collected by the department shall be forwarded to the Down Syndrome Association of Acadiana, to be used solely to promote the interests of persons with Down syndrome and their families through advocacy and public awareness throughout the state of Louisiana.

F. The secretary shall establish rules and regulations as are necessary to implement the provisions of this Section.

Approved by the Governor, May 7, 2014.

A true copy:

Tom Schedler
Secretary of State

ACT No. 11

HOUSE BILL NO. 323

BY REPRESENTATIVES TERRY LANDRY, BROWN, FRANKLIN, GISCRAIL, GUINN, HILL, HONORE, HOWARD, IVEY, LEOPOLD, NORTON, AND ST. GERMAIN

AN ACT

To enact R.S. 47:463.165, relative to motor vehicle special prestige license plates; to provide for the “Down Syndrome Awareness” special prestige plate; to provide for the creation, issuance, and design of such license plates; to provide relative to the fee and distribution of fees for such plates; to authorize the promulgation of rules and regulations relative to the creation and implementation of a special prestige license plate; and to provide for related matters.

Be it enacted by the Legislature of Louisiana:

Section 1. R.S. 47:463.165 is hereby enacted to read as follows:

§463.165. Special prestige license plates; “Down Syndrome Awareness”

A. The secretary of the Department of Public Safety and Corrections shall establish a special prestige motor vehicle license plate to be known as the “Down Syndrome Awareness” plate, provided there is a minimum of one thousand applicants for such plate. These license plates shall be restricted to use on passenger cars, pickup trucks, recreational vehicles, and vans.

B. The license plate color and design shall be selected by the Down Syndrome Association of Acadiana provided it is in compliance with R.S. 47:463(A)(3). The design shall include the words, “Down Syndrome Awareness”.

C. The prestige license plate shall be issued, upon application, to any citizen of Louisiana in the same manner as any other motor vehicle license plates.

D. The department shall collect an annual royalty fee of thirty dollars, which shall be disbursed in accordance with Subsection E of this Section. This fee shall be in addition to the standard motor vehicle license tax imposed by Article VII, Section 5 of the Constitution of Louisiana, and a handling fee of three dollars and fifty cents for each plate to be retained by the department to offset a portion of administrative costs.

E. The annual royalty fee collected by the department shall be forwarded to the Down Syndrome Association of Acadiana, to be used solely to promote the interests of persons with Down syndrome and their families through advocacy and public awareness throughout the state of Louisiana.

F. The secretary shall establish rules and regulations as are necessary to implement the provisions of this Section.

Approved by the Governor, May 7, 2014.

A true copy:

Tom Schedler
Secretary of State

ACT No. 12

HOUSE BILL NO. 346

BY REPRESENTATIVE ARNOLD

AN ACT

To amend and reenact R.S. 26:76(A)(2), 276(A)(2), and 912(A), relative to permits issued by the office of alcohol and tobacco control; to prohibit the transfer, assignment, or inheritance of tobacco permits by a limited liability company or other legal entities due to change of ownership or termination of business operations; to require that the permit be returned or surrendered under certain circumstances; to provide for notification requirements; to provide for time delays; and to provide for related matters.

Be it enacted by the Legislature of Louisiana:

Section 1. R.S. 26:76(A)(2), 276(A)(2), and 912(A) are hereby amended and reenacted to read as follows:

§76. Personal nature of permits; return of permits; necessity of display; penalties

A. The following shall apply to permits issued under this Chapter:

(2) The permit is not transferrable, assignable, or heritable. The permit must be returned to the office of alcohol and tobacco control or surrendered to an agent of the commissioner within five days of closure, when the ownership of the business is transferred, the new owner shall be allowed to continue to operate using the transferor’s permit until a new permit is issued or denied.

If the permit holder is a corporation or limited liability company, the permit holder shall notify the office of alcohol and tobacco control of any changes in the officers, directors, managers, shareholders, members, or persons previously qualified to conduct or manage the business within fifteen days of the date of such changes. The notification shall include the suitability documents and information for each new individual required to possess the qualifications of the applicants. However, in the event of the dissolution of a partnership by death, the surviving partner or partners may operate under the partnership permit. The office of alcohol and tobacco control shall be notified of any changes to the licensed business premises which increase or decrease the previously approved licensed business premises prior to any such changes.

§912. Permits; necessity of display; penalties

A. A permit issued under this Chapter is a personal privilege and cannot be transferred. If over fifty percent of a corporation is sold or transferred during the period for which a permit was issued, a new permit must be issued.
Section 2. 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.

Approved by the Governor, May 7, 2014.

A true copy:
Tom Schedler
Secretary of State

ACT No. 13

BY REPRESENTATIVES CARTER, BROADWATER, CHAMPAGNE, HOLLIS, IVEY, JEFFERSON, REYNOLDS, RICHARD, SHADON, AND SMITH

To amend and reenact R.S. 17:1808(J)(1) and (K) and 3141.15(G) and to enact R.S. 17:1808(L) and 3141.15(H), relative to reciprocity agreements that provide for interstate, online, postsecondary education; to authorize the Board of Regents to enter into and administer such agreements; to provide for participation by institutions in interstate, online education; to provide for application fees; and to provide for related matters.

Be it enacted by the Legislature of Louisiana:

Section 1. R.S. 17:1808(J)(1) and (K) and 3141.15(G) are hereby amended and reenacted and R.S. 17:1808(L) and 3141.15(H) are hereby enacted to read as follows:

§1808. Registration and licensure of postsecondary, academic degree-granting institutions

* * *

J.(1) Each public and independent institution of higher education funded in whole or in part through general appropriations of the state of Louisiana in Fiscal Year 1992 or which is specifically eligible for funding under the provisions of R.S. 17:2057B(1), which was a member of the Louisiana Association of Independent Colleges and Universities on January 1, 2001, shall be exempt from the provisions of this Section except as provided in Subsection K of this Section.

* * *

K.(1) The Board of Regents may, if it deems such agreements to be consistent with the purposes of this Chapter, negotiate and enter into state authorization reciprocity agreements that allow accredited postsecondary academic degree-granting institutions to offer online instruction in other states pursuant to the terms of the reciprocity agreement. The Board of Regents shall administer such agreements.

(2) If the Board of Regents enters into such an agreement, any accredited postsecondary academic degree-granting institution located in Louisiana may apply to the Board of Regents for authorization to offer online instruction in other states pursuant to the terms of the reciprocity agreement. The Board of Regents may approve or disapprove any such application. If the Board of Regents approves an application, the period of approval shall not be longer than one year. The Board of Regents shall assess an application fee not to exceed one thousand five hundred dollars for the initial and for each annual application to defray the costs of reviewing and evaluating such applications.

G.(1) The Board of Regents may, if it deems such agreements to be consistent with the purposes of this Chapter, negotiate and enter into state authorization reciprocity agreements that allow accredited degree-granting proprietary schools located in one state to offer online instruction in other states pursuant to the terms of the reciprocity agreement. The Board of Regents shall administer such agreements.

If the Board of Regents enters into such an agreement, any accredited degree-granting proprietary school located in Louisiana and licensed by the Board of Regents pursuant to this Chapter may apply to the Board of Regents for authorization to offer online instruction in other states pursuant to the terms of the reciprocity agreement. The Board of Regents may approve or disapprove any such application. If the Board of Regents approves an application, the period of approval shall not be longer than one year. The Board of Regents shall assess an application fee not to exceed one thousand five hundred dollars for the initial application and for each subsequent renewal or reapplication to defray the costs of reviewing and evaluating such applications.

(3) Any accredited, degree-granting proprietary school approved by another state and offering online instruction to Louisiana residents shall be exempt from the provisions of this Chapter, subject to the terms of such agreements.

H. Nothing herein shall impair the right of private colleges to award degrees.

Section 2. 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 in 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.

Approved by the Governor, May 7, 2014.

A true copy:
Tom Schedler
Secretary of State

ACT No. 14

BY REPRESENTATIVES HARRISON, BERETHEL, BILLIOT, WESLEY BISHOP, BROWN, COX, DOVE, GISCLAIR, REYNOLDS, SCHEXNAYDER, THIRRKY, WHITNEY, AND PATRICK WILLIAMS

AN ACT

To amend and reenact R.S. 56:499(B) and (C), relative to shrimp trawling and skimmer nets; to provide relative to the size and configuration of skimmer nets; and to provide for related matters.

Be it enacted by the Legislature of Louisiana:

Section 1. R.S. 56:499(B) and (C) are hereby amended and reenacted to read as follows:

§499. Trawls, butterfly, and skimmer nets, and cast nets; size of mesh; length; diameter of butterfly and skimmer nets extensions; prohibited devices

* * *

B.(1) No person shall take saltwater shrimp with any trawl, skimmer net, or butterfly net with a mesh size less than five-eighths of an inch square or one and one-fourth of an inch stretched. No trawl, skimmer net, or butterfly net may be used in closed waters.

(2) No person shall use a double butterfly net having an individual net frame more than twelve feet measured horizontally or vertically, whichever distance is greater, or a single stationary butterfly net having an individual net frame greater than twenty-two feet measured horizontally or vertically, whichever distance is greater, except that persons on a vessel may use a double butterfly net having individual net frames of not more than sixteen feet measured horizontally or twelve feet measured vertically, each. A single stationary butterfly net may be no more than twenty-four inches in diameter and may be used by persons on a vessel from the side of the vessel. Operation of butterfly and skimmer nets shall in no way impede or restrict normal navigation.

(3) No person on a vessel shall use a double skimmer net having an individual net frame more than sixteen feet measured horizontally or twelve feet measured vertically or twenty feet measured diagonally. Reinforcement framing that may be attached to the net frame shall not be considered in determining the dimensions of a double skimmer net. No person shall use a double skimmer net having an individual net frame measuring more than thirty feet measured horizontally or thirty-three feet measured vertically. No person shall use a double skimmer net having an individual net frame extending more than twenty feet from the gunwale of the vessel. Operation of butterfly and skimmer nets shall in no way impede or restrict normal navigation. A skimmer or butterfly net may be mounted no more than twenty-four inches from the gunwale of the vessel.

(4) Notwithstanding the provisions of Paragraph (1) of this Subsection to the contrary, no person shall take saltwater shrimp with a trawl, skimmer net, or butterfly net with a mesh size of less than two-eighths of an inch square in any one or one-fourth of an inch stretched in inside waters during the shrimp season, or in waters from the Atchafalaya River west to the western shore of Vermilion Bay and Southwest Pass at Marsh Island, mesh size shall be no less than three-quarters of an inch square or one and one-half of an inch stretched may be used in inside waters during the fall inshore shrimp season.
C. No person shall use sweeper devices, leads, extensions, wings, or other attachments in conjunction with or attached to butterfly nets or skimmer nets.

Approved by the Governor, May 7, 2014.

A true copy:
Tom Schedler
Secretary of State

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**ACT No. 15**
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**HOUSE BILL NO. 1**
General Appropriations will publish in a later edition.

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**ACT No. 16**
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**HOUSE BILL NO. 450**
BY REPRESENTATIVE SCHRODER
AN ACT
To designate a portion of Louisiana Highway 21 in St. Tammany Parish as "South Tyler Street".

Be it enacted by the Legislature of Louisiana:
Section 1. The portion of Louisiana Highway 21 in St. Tammany Parish, from the Little Tchefuncte River bridge traveling south to the intersection of Interstate 12, shall be hereinafter known and designated as "South Tyler Street".

Section 2. The Department of Transportation and Development or its contractors are hereby directed to erect and maintain appropriate signage reflecting this designation.

Approved by the Governor, May 7, 2014.

A true copy:
Tom Schedler
Secretary of State

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**ACT No. 17**
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**HOUSE BILL NO. 752**
BY REPRESENTATIVE MORENO
AN ACT
To amend and reenact R.S. 14:133.6(B)(1), relative to the crime of filing a false lien; to expand the crime of filing a false lien against a law enforcement or court officer; to amend the definition of "court officer" to include clerk of court, deputy clerk of court, and recorder of mortgages; and to provide for related matters.

Be it enacted by the Legislature of Louisiana:
Section 1. R.S. 14:133.6(B)(1) is hereby amended and reenacted to read as follows:
§133.6. Filing a false lien against a law enforcement or court officer

B. For purposes of this Section, the following definitions shall apply:
(1) "Court officer" means any active or retired justice of the peace, any active or retired judge of a city, parish, state, or federal court located in this state, any district attorney, assistant district attorney, or investigator within the office of a district attorney, any city prosecutor, assistant city prosecutor, or investigator within the office of a city prosecutor, and the attorney general and any assistant attorney general or investigator within the office of the attorney general, and any clerk of court, deputy clerk of court, and recorder of mortgages.

Approved by the Governor, May 7, 2014.

A true copy:
Tom Schedler
Secretary of State

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**ACT No. 18**
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**HOUSE BILL NO. 830**
BY REPRESENTATIVE ADAMS
AN ACT
To amend and reenact R.S. 26:351(2)(a) and (4) and to enact R.S. 26:351(9), relative to the size of containers for beverages of high alcoholic content; to require certain container sizes for certain alcoholic beverages sold or shipped in the state; to provide relative to the number of containers in each shipping case or container; to exempt certain products; and to provide for related matters.

Be it enacted by the Legislature of Louisiana:
Section 1. R.S. 26:351(2)(a) and (4) are hereby amended and reenacted and R.S. 26:351(9) is hereby enacted to read as follows:
§351. Limitation on size of containers of beverages of high alcoholic content; standards of fill

C. No person shall use sweeper devices, leads, extensions, wings, or other attachments in conjunction with or attached to butterfly nets or skimmer nets.

Approved by the Governor, May 7, 2014.

A true copy:
Tom Schedler
Secretary of State

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**ACT No. 19**
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**HOUSE BILL NO. 893**
BY REPRESENTATIVE SCHEXNAYDER
AN ACT
To amend and reenact R.S. 32:706.2(A)(1), 707.5(D)(1), 1728(D)(2) and (G)(1), 1728.3(D)(1)(b) and (F')(1)(a), and 1728.4(C)(5), relative to vehicle inspections; to provide that a peace officer can conduct physical inspections of a vehicle; and to provide for related matters.

Be it enacted by the Legislature of Louisiana:
Section 1. R.S. 32:706.2(A)(1), 707.5(D)(1), 1728(D)(2) and (G)(1), 1728.3(D)(1)(b) and (F')(1)(a), and 1728.4(C)(5) are hereby amended and reenacted to read as follows:
§706.2. Requirements for vehicle identification number inspections
A.(1) Any physical inspection of a vehicle for the purpose of vehicle identification number verification shall be by a full-time peace officer as defined by R.S. 40:2402(10) (Peace Officer Standards and Training (P.O.S.T.) certified law enforcement officer, who has been trained and certified by the Department of Public Safety and Corrections, office of state police, to inspect motor vehicles.

§707.5. Assembled vehicles
D. Prior to applying for a title or registration from the Department of Public Safety and Corrections, the assembler shall:
(1) Obtain a physical inspection of the assembled vehicle by a full-time Peace Officer Standards and Training (P.O.S.T.) certified law enforcement officer who has been trained and certified by the Department of Public Safety and Corrections, office of state police, to inspect vehicles to be crushed or dismantled.
§7128. Disposal of a stored motor vehicle
D. Prior to issuance of the permit to sell or permit to dismantle, the storage or parking facility owner shall provide the department with the following evidence:
(6) If the department requires an affidavit of physical inspection of the stored vehicle, it shall be completed by a full-time Peace Officer Standards and Training (P.O.S.T.) certified law enforcement officer, who has been trained and certified by the Department of Public Safety and Corrections, office of state police, to inspect vehicles to be crushed or dismantled.
§7128.2. Procedure for disposal of junk vehicles
D. Each owner-operator who possesses a vehicle which meets the criteria set forth in Paragraph (C)(2) of this Section may make application for crushing of the vehicle at the expiration of thirty days or make application for the dismantling of the vehicle at the expiration of thirty days from mailing of the notice. The application shall be made in a format authorized

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**THE ADVOCATE**

* As it appears in the enrolled bill

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**CODING**: Words in strike through type are deletions from existing law; words underscored (House Bills) and **boldfaced** (Senate Bills) are additions.
by the department upon satisfaction and submission of each of the following requirements:

(2) The owner-operator has the vehicle physically inspected by a full-time Peace Officer Standards and Training (P.O.S.T.) certified law enforcement officer, who has been trained and certified by the Department of Public Safety and Corrections, office of state police, to inspect vehicles to be crushed or dismantled.

G. The owner-operator shall maintain records of the following on all vehicles crushed or dismantled under the provisions of this Section:

(1) Completed physical inspection form as prepared by a full-time Peace Officer Standards and Training (P.O.S.T.) certified law enforcement officer who has been trained and certified by the Department of Public Safety and Corrections, office of state police, to inspect vehicles to be crushed or dismantled.

§1728.3 Procedure for disposal of certain vehicles deemed abandoned by municipality or parish

D.(1) Each owner-operator who possesses a vehicle which meets the criteria set forth in Subsection C of this Section may crush or dismantle the vehicle provided the owner-operator satisfies each of the following requirements:

(b) The owner-operator has the vehicle physically inspected by a full-time Peace Officer Standards and Training (P.O.S.T.) certified law enforcement officer who has been trained and certified by the Department of Public Safety and Corrections, office of state police, to inspect vehicles to be crushed or dismantled.

F.(1) The owner-operator shall maintain the following records on all vehicles crushed or dismantled under the provisions of this Section:

(a) A completed physical inspection form as prepared by a full-time Peace Officer Standards and Training (P.O.S.T.) certified law enforcement officer who has been trained and certified by the Department of Public Safety and Corrections, office of state police, to inspect vehicles to be crushed or dismantled.

§1728.4. Procedure for disposal of vehicles with no record of ownership, out-of-county vehicles

C. Prior to issuance of the permit to sell or permit to dismantle the stored vehicle, the storage or parking facility owner shall provide the department with the following information:

(5) An affidavit of physical inspection completed by a full-time Peace Officer Standards and Training (P.O.S.T.) certified law enforcement officer, who has been trained and certified by the Department of Public Safety and Corrections, office of state police, to inspect motor vehicles.

Approved by the Governor, May 7, 2014.

A true copy:

Tom Schedler
Secretary of State

ACT No. 20

SENATE BILL NO. 178

BY SENATORS MRRISH, ADLEY, ALARIO, ALLAIN, AMEDEE, APPEL,
BROOME, BROWN, BUFFINGTON, CHABERT, CLAIFOR, CORTEZ,
CROWE, DONAHUE, ERDEY, GUILLORY, JOHNS, LONG, MARTIN, MILD,
MURRAY, NEVERS, PEACOCK, PERRY, PETERSON, RISER, GARY SMITH,
JOHN SMITH, TARVER, THOMPSON, WALSORTH AND WARD

AN ACT

To enact Subpart J-1 of Part I of Chapter 2 of Title 22 of the Louisiana Revised Statutes of 1950, to be comprised of R.S. 22:318 and 319, relative to health care sharing ministries; to provide for the definition of a health care sharing ministry; to provide, with respect to required disclaimers; to provide for the exemption from provisions of the state insurance laws; and to provide for related matters.

Be it enacted by the Legislature of Louisiana:

Section 1. Subpart J-1 of Part I of Chapter 2 of Title 22 of the Louisiana Revised Statutes of 1950, to be comprised of R.S. 22:318 and 319, is hereby enacted to read as follows:

SUBPART J-1. HEALTH CARE SHARING MINISTRIES

§318. Health care sharing ministry; definitions

As used in this Subpart, “health care sharing ministry” means a faith-based, nonprofit, tax-exempt organization that does each of the following:

(1) Limits its participants to those who are of a similar faith and acts as a facilitator between participants who have financial or medical needs and those participants with the ability to provide financial or medical assistance in accordance with criteria established by the ministry.

(2) Provides amounts that participants may contribute without assumption of risk or promise to pay by the participants or by the ministry.

(3) Provides a written monthly statement to all participants listing the total dollar amount of qualified financial or medical needs submitted to the ministry and the dollar amount actually published or assigned to the participants for their contribution.

(4) Provides a written disclaimer on or with all applications and guideline materials distributed by or on behalf of the ministry that reads, in substance:

"Notice: The ministry facilitating the sharing of medical expenses is not an insurance company. Neither the guidelines nor the plan of operation of the ministry constitutes an insurance policy. Financial assistance for the payment of medical expenses is strictly voluntary. Participation in the ministry or a subscription to any publication issued by the ministry shall not be considered as enrollment in any health insurance plan or as a waiver of your responsibility to pay your medical expenses."

§319. Exemption from provisions of the Insurance Code

Health care sharing ministries shall be exempt from all provisions of the insurance code of this state unless the ministries are expressly provided for in such provisions or unless the provision is specifically made applicable by this Subpart.

Approved by the Governor, May 14, 2014.

A true copy:

Tom Schedler
Secretary of State

ACT No. 21

HOUSE BILL NO. 9

BY REPRESENTATIVE EDWARDS

To enact R.S. 22:1295.1, relative to motor vehicle liability insurance; to provide for liability for certain operators excluded from coverage; and to provide for related matters.

Be it enacted by the Legislature of Louisiana:

Section 1. R.S. 22:1295.1 is hereby enacted to read as follows:

§1295.1. Excluded driver; named insured; liability

A. The named insured and the operator of a motor vehicle shall be solidly liable for the damages caused by the operator’s negligent or intentional act when the operator is designated as a person excluded from coverage on the motor vehicle liability insurance policy pursuant to R.S. 32:900(L), and the operator is operating the vehicle with the express permission of the named insured.

B. The liability of the named insured provided by this Section shall not exceed the mandatory minimum limits for automobile insurance as provided by R.S. 32:900, unless the named insured has a parent-child or tutorship relationship to the operator, or unless the named insured is otherwise vicariously liable for the acts or omissions of the operator excluded from coverage on the motor vehicle liability insurance policy pursuant to R.S. 32:900(L) or unless the named insured is responsible for the acts and omissions of the operator excluded from coverage on the motor vehicle liability insurance policy pursuant to R.S. 32:900(L).

C. If the operator has been excluded pursuant to R.S. 32:900(L), the insurer shall not be liable, and no liability shall result to the named insured for the acts or omissions of the operator excluded from coverage on the motor vehicle liability insurance policy pursuant to R.S. 32:900(L) if the named insured provides the operator with permission of the named insured.

Approved by the Governor, May 16, 2014.

A true copy:

Tom Schedler
Secretary of State

ACT No. 22

HOUSE BILL NO. 11

BY REPRESENTATIVES EDWARDS, ADAMS, ARMES, ARNOLD, BARRAS,
BARROW, BERTHELOT, BILLIOT, BROADWATER, BURFORD, HENRY
BURNS, BURRELL, CARMODY, CHAMPAGNE, CHANEY, CONNICK,
COX, DIXON, DOVE, FOIL, GAINES, GAROFALO, GISCRAIL, GLENN,
GUILLOY, GUINN, HARRIS, HARRISON, HAZEL, HENRY, HENSSENS,
HILL, HODGES, HOFFMANN, HONORE, HOWARD, HUNTER, HUVAL,
KATRINA JACKSON, JAMES, JEFFERSON, JOHNSON, KLECKLEY,
LAMBERT, NANCY LANDRY, TERRY LANDRY, LEBAS, LEOPOLD,
LORUSO, MACK, MILLER, MORENO, MORRIS, ORTEGO, PEARSON,
PUE, POPE, PRICE, PUGH, PYLANT, REYNOLDS, RICHARD, RITCHIE,
SCHEXNAYDER, SCHRODER, SHAIDIN, SMITH, ST, GERMANN, TALBOT,
THIBAUD, THIERRY, and THOMSON, LFB, McKIN, WILLIAMS, MILLMOTT,
AND WOODFORD AND SENATORS ADLEY, ALARIO, ALLAIN, AMEDEE,
APPEL, BROOME, CLAIFOR, CORTEZ, CROWE, DORSEY-COLOMB,
GALLOT, GUILLOY, HEITMEIER, JOHNS, KOSTELKA, LAFLEUR,
LONG, MARTIN, MILLS, MORRELL, MURRAY, NEVERS, PEACOCK,
PERRY, PETERSON, RISER, GARY SMITH, JOHN SMITH, THOMPSON,
WARD, AND WHITE.

AN ACT
To enact R.S. 1:58.6, relative to state holidays; to establish “Purple Heart Recognition Day” as an annual state holiday; and to provide for related matters.

Be it enacted by the Legislature of Louisiana:

Section 1. R.S. 1:58.6 is hereby enacted to read as follows:

§58.6. Purple Heart Recognition Day

The seventh day of August shall be recognized as “Purple Heart Recognition Day” and shall be dedicated to the remembrance and recognition of those members of the armed forces of the United States who have earned the Purple Heart Medal for wounds received in combat.

Approved by the Governor, May 16, 2014.

A true copy:

Tom Schedler
Secretary of State

ACT No. 23

HOUSE BILL NO. 42
BY REPRESENTATIVE PEARSON

To amend and reenact R.S. 11:102(B)(3)(d)(vi), relative to the liabilities of the Louisiana School Employees’ Retirement System; to establish accounts for the full or partial payment of such liabilities; to provide for credits to such accounts; to provide for application of funds from certain accounts toward such liabilities; to provide an effective date; and to provide for related matters.

Notice of intention to introduce this Act has been published as provided by Article X, Section 29(C) of the Constitution of Louisiana.

Be it enacted by the Legislature of Louisiana:

Section 1. R.S. 11:102(B)(3)(d)(vi) is hereby amended and reenacted to read as follows:

§102. Employer contributions; determination; state systems

B. * * *

(3) With respect to each state public retirement system, the actuarially required employer contribution for each fiscal year, commencing with Fiscal Year 1989-1990, shall be that dollar amount equal to the sum of:

* * *

(d) That fiscal year’s payment, computed as of the first of that fiscal year and projected to the middle of that fiscal year at the actuarially assumed interest rate, necessary to amortize changes in actuarial liability due to:

* * *

(vi)(aa) Effective July 1, 2004, and beginning with Fiscal Year 2000-2001, the amortization period for the changes, gains, or losses of the Louisiana School Employees’ Retirement System provided in Items (i) through (iv) of this Subparagraph shall be thirty years, or in accordance with standards promulgated by the Governmental Accounting Standards Board, from the year in which the change, gain, or loss occurred. The outstanding balances of amortization bases established pursuant to Items (i) through (iv) of this Subparagraph before Fiscal Year 2000-2001, shall be amortized as a level dollar amount from July 1, 2004, through June 30, 2029. Beginning with Fiscal Year 2003-2004, and for each fiscal year thereafter, the outstanding balances of amortization bases established pursuant to Items (i) through (iv) of this Subparagraph shall be amortized as a level dollar amount.

(bb) The unused balance remaining in the experience account on June 30, 2013, after payment of a permanent benefit increase pursuant to the provisions of R.S. 11:145.1, shall be credited in an amortization conversion account from which annual contributions required pursuant to the Act that originated as Senate Bill No. 14 of the 2014 Regular Session of the Legislature shall be funded in whole or in part for the years July 1, 2014, through June 30, 2019. Effective June 30, 2019, all funds remaining in the amortization conversion account shall be amortized as a gain in accordance with Subitem (a) of this Item.

* * *

Section 2. This Act shall take effect and become operative if and when the Act which originated as Senate Bill No. 14 of the 2014 Regular Session of the Legislature is enacted and becomes effective.

Approved by the Governor, May 16, 2014.

A true copy:

Tom Schedler
Secretary of State

ACT No. 24

HOUSE BILL NO. 97
BY REPRESENTATIVE SHADON

TO AMEND AND REENACT R.S. 47:338.196, relative to additional sales and use tax; certain school boards; Union Parish School Board

To amend and reenact R.S. 47:338.196(A), to levy additional sales and use tax; certain school boards; Union Parish School Board

A. The school board of any school district comprised of a parish having a population between two thousand four hundred and twenty two thousand and eight hundred according to the latest federal decennial census Union Parish School Board is hereby authorized to levy and collect an additional sales and use tax not to exceed one percent within the territorial jurisdiction of the parish.

* * *

Approved by the Governor, May 16, 2014.

A true copy:

Tom Schedler
Secretary of State

ACT No. 25

HOUSE BILL NO. 2
Capital Outlay

will publish in a later edition.

ACT No. 26

HOUSE BILL NO. 102
BY REPRESENTATIVES FOIL AND BARROW

To amend and reenact Civil Code Article 356, relative to the title of proceedings; to provide for the title of proceedings for continuing tutorship; and to provide for related matters.

Be it enacted by the Legislature of Louisiana:

Section 1. Civil Code Article 356 is hereby amended and reenacted to read as follows:

Art. 356. Title of proceedings; procedural rules; parents as tutor and undertutor.

The title of the proceeding shall be Continuing Tutorship of (Name of Person), A Mentally Retarded Person.

(1) When the person to be placed under the continuing tutorship is above the age of fifteen, and under the age of majority, the proceeding shall be conducted according to the procedural rules established for ordinary tutorships.

(2) When the person to be placed under the continuing tutorship is above the age of majority, the proceeding shall be conducted according to the procedural rules established for interdictions.

(3) Upon the petition of both parents of the mentally deficient person during their marriage one parent shall be named as tutor and the other as undertutor, unless for good reasons the judge decrees otherwise.

Approved by the Governor, May 16, 2014.

A true copy:

Tom Schedler
Secretary of State

ACT No. 27

HOUSE BILL NO. 119
BY REPRESENTATIVES HOFFMANN, JOHNSON, HARRIS, HARRISON, HAVARD, HENSGENS, LOPINTO, AND RICHARD AND SENATOR THOMPSON

To amend and reenact R.S. 3:2803(61), relative to livestock at large on certain highways; to prohibit livestock at large on Louisiana Highway 29 from Bunkie to its intersection with Louisiana Highway 115 west of Evergreen; and to provide for related matters.

Be it enacted by the Legislature of Louisiana:

Section 1. R.S. 3:2803(61) is hereby amended and reenacted to read as follows:

§2803. Livestock at large upon certain highways

No person owning livestock shall knowingly, willfully, or negligently permit his livestock to go at large upon the following highways of this state:

Route Section

61. LA 29 Bunkie to LA 15 west of Evergreen * * *

Approved by the Governor, May 16, 2014.

A true copy:

Tom Schedler
Secretary of State

* As it appears in the enrolled bill
To enact R.S. 41:907, relative to the exchange of school lands; to authorize the West Baton Rouge Parish School Board to exchange certain school lands, including sixteen section lands; to provide procedures for such exchange; to provide for the reservation of mineral rights; and to provide for related matters.

Be it enacted by the Legislature of Louisiana:

Section 1. R.S. 41:907 is hereby enacted to read as follows:

§907. West Baton Rouge Parish School Board; exchange of sixteen section lands

A. Notwithstanding any other law to the contrary, if the West Baton Rouge Parish School Board, on behalf of the state of Louisiana, determines that any school lands, including but not limited to sixteen section lands, school indemnity lands, or other immovable property located in West Baton Rouge Parish and as more specifically described in any agreements entered into and documents executed by the West Baton Rouge Parish School Board, are no longer needed for school purposes and that the best interest of the West Baton Rouge Parish school system would be served by the exchange of such land for other land in at least comparable value, the school board may exchange such land for other land in West Baton Rouge Parish in accordance with the procedures set forth in this Section.

B. The West Baton Rouge Parish School Board shall obtain an appraisal of the lands to be exchanged from a certified, licensed appraiser, and such appraisal shall be available for public inspection.

C. The land to be received by the West Baton Rouge Parish School Board shall be of equal or greater value than the land that the West Baton Rouge Parish School Board is to relinquish or exchange.

D. The West Baton Rouge Parish School Board shall reserve to the state all of the mineral rights and minerals in accordance with law. The other party in an exchange may reserve its mineral rights and minerals subject to the terms of any agreement entered into with the school board.

E. The provisions of this Section shall be applicable to any Section 16 lands situated within West Baton Rouge Parish, including but not limited to exchanges of part or all of Section 16, Township 6 South, Range 11 East of West Baton Rouge Parish, less and except the Southwest corner of the Section 16 forming a tract approximately 600 feet fronting on Section Road and approximately 2,000 feet fronting on Rougon Road, and Section 16, Township 7 South, Range 12 East, commonly known as the "Leininger Tract." Approved by the Governor, May 16, 2014.

A true copy:
Tom Schedler
Secretary of State

ACT No. 29

HOUSE BILL NO. 146
BY REPRESENTATIVE THOMPSON
AN ACT

To enact R.S. 47:463.165, relative to motor vehicle special prestige license plates; to provide for the “Hunters for the Hungry Louisiana” special prestige plate; to provide for the promulgation of rules and regulations relative to the creation and implementation of such prestige license plate; and to provide for related matters.

Be it enacted by the Legislature of Louisiana:

Section 1. R.S. 47:463.165 is hereby enacted to read as follows:

§463.165. Special prestige license plates: “Hunters for the Hungry Louisiana”

A. The secretary of the Department of Public Safety and Corrections shall establish a special prestige motor vehicle license plate to be known as the “Hunters for the Hungry Louisiana” plate, provided there is a minimum of one thousand applicants for such plate. These license plates shall be restricted to use on passenger cars, pickup trucks, recreational vehicles, and vans.

B. The license plate color and design shall be selected by the board of directors of the Hunters for the Hungry Louisiana, a nonprofit corporation, qualified as tax exempt pursuant to Section 501(c)(3) of the Internal Revenue Code, provided it is in compliance with R.S. 47:463(A)(3), and shall bear the wording “Hunters for the Hungry Louisiana”.

C. The prestige license plate shall be issued, upon application, to any citizen of Louisiana in the same manner as any other motor vehicle license plate.

D. The department shall collect an annual royalty fee of twenty-five dollars, which shall be disbursed in accordance with Subsection E of this Section. This fee shall be in addition to the standard motor vehicle license tax imposed by Article VI, Section 3 of the Constitution of Louisiana, and a handling fee of three dollars and fifty cents for each plate to be retained by the department to offset a portion of administrative costs.

E. The annual royalty fee collected by the department shall be forwarded to the Wildlife and Fisheries Conservation Fund special account known as the “Hunters for the Hungry Account”. No more than ten percent of the monies in the account shall be used for administrative costs. The balance shall be used solely by Hunters for the Hungry Louisiana to pay for the procurement and distribution of meals, when such meals shall be used by a nonprofit entity or charitable organization in food or meal distribution at no cost to an individual pursuant to R.S. 56:644.

F. The secretary shall establish rules and regulations as are necessary to implement the provisions of this Section. Approved by the Governor, May 16, 2014.

A true copy:
Tom Schedler
Secretary of State

ACT No. 30

HOUSE BILL NO. 156
BY REPRESENTATIVE MACK
AN ACT

To enact R.S. 13:3049(B)(1)(e)(v), relative to the Twenty-First Judicial District Court; to provide for the transfer of surplus monies from certain funds to the Twenty-First Judicial District Court's criminal fund; to provide for definitions; to provide for a deadline to transfer funds; to provide for the use of such funds; and to provide for related matters.

Be it enacted by the Legislature of Louisiana:

Section 1. R.S. 13:3049(B)(1)(e)(v) is hereby enacted to read as follows:

§3049. Cash deposit; bond; duty to attend; compensation; procedure; filing fees
B.(1) . . . . .
(e) . . . . .
(v)(aa) . . . . .

(y)(aa) Notwithstanding any provisions to the contrary, all surplus monies in the special fund of each parish within the Twenty-First Judicial District at the end of each calendar year shall be transmitted by the governing authority of each parish to the Twenty-First Judicial District Court for deposit into the court's criminal court fund.

(bb) As used in this Item, “special fund” means the special fund provided for in this Subparagraph, and “surplus monies” means the amount of money that is in each special fund at the end of each calendar year and that is in excess of the total amount paid for jury fees in that calendar year. No money obligated to be paid to any juror as a fee or cost for attendance for jury duty shall be considered surplus money pursuant to this Item.

(cc) All surplus monies shall be transferred pursuant to this Item no later than January thirty-first of each calendar year. All surplus monies transferred pursuant to this Section may be used for the same purposes as the existing funds in the criminal court fund.

Approved by the Governor, May 16, 2014.

A true copy:
Tom Schedler
Secretary of State

ACT No. 31

HOUSE BILL NO. 162
BY REPRESENTATIVE STUART BISHOP AND SENATOR WALSWORTH
AN ACT

To enact Subpart PP of Part 1 of Chapter 1 of Subtitle II of Title 47 of the Louisiana Revised Statutes of 1950, to be comprised of R.S. 47:120.231, relative to state individual income tax return checkoffs for certain donations; to provide for a method for individuals to donate all or a portion of any refund due to them to The Louisiana Youth Leadership Seminar Corporation; to provide for the administration and disbursement of donated monies; to provide for reporting; to provide for an effective date; and to provide for related matters.

Be it enacted by the Legislature of Louisiana:

Section 1. Subpart PP of Part 1 of Chapter 1 of Subtitle II of Title 47 of the Louisiana Revised Statutes of 1950, comprised of R.S. 47:120.231, is hereby enacted to read as follows:

SUBPART PP. THE LOUISIANA YOUTH LEADERSHIP SEMINAR CORPORATION DONATION
$120.231. Income tax checkoff donation for The Louisiana Youth Leadership Seminar Corporation, also known as Hugh O'Brian Youth Leadership, every person who files an individual income tax return for the current tax year and who is entitled to a refund may designate on his current tax return form as prescribed by the secretary of the Department of Revenue any refund due to them to The Louisiana Youth Leadership Seminar Corporation in lieu of that amount being paid to him as a refund. In this case the refund shall be reduced by the amount so designated. The designation shall be made at the time of filing the current year tax return and shall be made upon the income tax return form as prescribed by the secretary of the Department of Revenue.

Approved by the Governor, May 16, 2014.

A true copy:
Tom Schedler
Secretary of State

* As it appears in the enrolled bill

CODING: Words in struck through type are deletions from existing law; words underscored (House Bills) and boldfaced (Senate Bills) are additions.
of Revenue. Donated monies shall be administered by the secretary and distributed to The Louisiana Youth Leadership Seminar Corporation in accordance with the provisions of R.S. 47:120.37. No donation made under the provisions of this Subpart shall be made in favor of any authentic act.

B. The House Committee on Ways and Means, may, at its discretion, request a report from The Louisiana Youth Leadership Seminar Corporation relative to its operations. The form and content of the report shall be prescribed by the chairman of the committee, but shall at a minimum contain a detailed explanation of the revenues and expenditures, as well as a description of the organization's activities. The committee may summon any person employed by or associated with The Louisiana Youth Leadership Seminar Corporation to provide testimony with respect to the report.

Section 2. The provisions of this Act shall become effective on taxable years beginning on or after January 1, 2015.

Approved by the Governor, May 16, 2014.

A true copy:
Tom Schedler
Secretary of State

ACT No. 32
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HOUSE BILL NO. 164
BY REPRESENTATIVE DIXON

To enact R.S. 49:191(7) and to repeal R.S. 49:191(5)(c), relative to the Louisiana Workforce Commission, including provisions to provide for the re-creation of the Louisiana Workforce Commission and the statutory entities made a part of the commission 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.

Be it enacted by the Legislature of Louisiana:

Section 1. Pursuant to R.S. 49:193, the Louisiana Workforce Commission and the statutory entities made a part of the department by law shall be re-created effective June 30, 2014, and all statutory authority therefor is continued in accordance with the provisions of Part XII of Chapter 1 of Title 49 of the Louisiana Revised Statutes of 1950.

Section 2. All statutory authority for the existence of the Louisiana Workforce Commission and the statutory entities made a part of the department as re-created by Section 1 of this Act shall cease as of July 1, 2019, pursuant to R.S. 49:191. However, the Louisiana Workforce Commission may be re-created prior to such date in accordance with the provisions of Part XII of Chapter 1 of Title 49 of the Louisiana Revised Statutes of 1950.

Section 3. The provisions of R.S. 49:193 are hereby superseded to the extent that those provisions are in conflict with the provisions of this Act.

Section 4. R.S. 49:191(7) is hereby enacted to read as follows:

§191. Termination of legislative authority for existence of statutory entities; phase-out period for statutory entities; table of dates
Notwithstanding any termination dates set by any previous Act of the legislature, the statutory entities set forth in this Section shall begin to terminate their operations on June 30 of each of the following years, and all legislative authority for the existence of any statutory entity, as defined in R.S. 49:190, shall cease as of July first of the following year, which shall be the termination date:

(7) July 1, 2018:
(a) The Louisiana Workforce Commission and all statutory entities made a part of the department by law.

Section 5. R.S. 49:191(5)(c) is hereby repealed in its entirety.

Section 6. This Act shall become effective on June 30, 2014; if vetoed by the governor and subsequently approved by the legislature, this Act shall become effective on June 30, 2014, or on the day following such approval by the legislature, whichever is later.

Approved by the Governor, May 16, 2014.

A true copy:
Tom Schedler
Secretary of State

ACT No. 33
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HOUSE BILL NO. 177
BY REPRESENTATIVES CHAMPAGNE, BARROW, WESLEY BISHOP, BROWN, HENRY, HODGES, HUNTER, IVEY, JAY MORRIS, ORTEGO, AND SMITH

AN ACT

To amend and reenact R.S. 39:1489, relative to professional, personal, consulting, and social services procurement; to require the director of contractual review to report certain information regarding contracts awarded without the necessity of public bidding or competitive negotiation; and to provide for related matters.

Be it enacted by the Legislature of Louisiana:

Section 1. R.S. 39:1489 is hereby amended and reenacted to read as follows:

§1489. Reporting requirements; annual report; noncompetitive awards
A. The director shall prepare such reports as he finds necessary for the proper conduct of his duties, to include an annual report of all professional, personal, consulting, social services, and other contracts over which the office of contractual review has power and authority under the provisions of this Chapter or through administrative rules and regulations. The annual report shall be compiled on a fiscal year basis and consist, at a minimum, of summary descriptive and statistical data regarding the number and amounts of such contracts by type of service. The annual report shall be submitted to the president of the Senate and speaker of the House of Representatives, not later than January first of the year following the end of the fiscal year for which the report is prepared.

B.(1) The director shall prepare an annual report of all professional, personal, consulting, and social services contracts awarded without the necessity of competitive bidding or competitive negotiation under the provisions of this Chapter. The annual report shall be compiled on a fiscal year basis by using agency and consist, at a minimum, of the following information for each contract:
(a) The name of the contractor
(b) The type of contract awarded
(c) A descriptive summary of the contract
(d) The amount of the contract
(e) The start and end dates of the contract.
(2) The annual report shall be submitted to the Joint Legislative Committee on the Budget not later than January first of the year following the end of the fiscal year for which the report is prepared.

Approved by the Governor, May 16, 2014.

A true copy:
Tom Schedler
Secretary of State

ACT No. 34
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HOUSE BILL NO. 180
BY REPRESENTATIVES DOVE AND WHITNEY

To amend and reenact R.S. 17:3402(D)(1), relative to Montessori schools; to authorize the extension of Montessori school programs through high school; and to provide for related matters.

Be it enacted by the Legislature of Louisiana:

Section 1. R.S. 17:3402(D)(1) is hereby amended and reenacted to read as follows:
§3402. Minimum requirements for school certification; admission policies; environment; program
The minimum requirements for certification as a Montessori school shall be as follows:

D. The program
The requirements for the program are:
(1) Montessori Junior School begins at six years of age and continues through the age of fourteen eighteen years, approximately. Thus, the junior school encompasses the child's learning experience from kindergarten through high school.

Approved by the Governor, May 16, 2014.

A true copy:
Tom Schedler
Secretary of State

ACT No. 35
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HOUSE BILL NO. 3
Omnibus Bond
will publish in a later edition.

ACT No. 36
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HOUSE BILL NO. 183
BY REPRESENTATIVE HARRIS

AN ACT

To amend and reenact R.S. 6:969.18(A)(2) and to repeal R.S. 6:969.18(G), relative to the Louisiana Motor Vehicle Sales Finance Act; to increase the documentation and compliance fee authorized to be collected by a motor vehicle seller, who may be an extender of credit, for certain transactions; to provide relative to the requirement of disclosure of the documentation and compliance fee; to provide for an effective date; and to provide for related matters.

Be it enacted by the Legislature of Louisiana:

Section 1. R.S. 6:969.18(A)(2) is hereby amended and reenacted to read as follows:
§969.18. Documentation and compliance fees; notary fees; transfer of vehicle seller, who may be an extender of credit, for certain transactions;
(c) A descriptive summary of the contract.

A. The director shall prepare such reports as he finds necessary for the proper conduct of his duties, to include an annual report of all professional, personal, consulting, social services, and other contracts over which the office of contractual review has power and authority under the provisions of this Chapter or through administrative rules and regulations. The annual report shall be compiled on a fiscal year basis and consist, at a minimum, of summary descriptive and statistical data regarding the number and amounts of such contracts by type of service. The annual report shall be submitted to the president of the Senate and speaker of the House of Representatives, not later than January first of the year following the end of the fiscal year for which the report is prepared.

B.(1) The director shall prepare an annual report of all professional, personal, consulting, and social services contracts awarded without the necessity of competitive bidding or competitive negotiation under the provisions of this Chapter. The annual report shall be compiled on a fiscal year basis by using agency and consist, at a minimum, of the following information for each contract:
(a) The name of the contractor
(b) The type of contract awarded
(c) A descriptive summary of the contract
(d) The amount of the contract
(e) The start and end dates of the contract.
(2) The annual report shall be submitted to the Joint Legislative Committee on the Budget not later than January first of the year following the end of the fiscal year for which the report is prepared.

Approved by the Governor, May 16, 2014.

A true copy:
Tom Schedler
Secretary of State

THE ADVOCATE
* As it appears in the enrolled bill
PAGE 9

CODING: Words in struck through type are deletions from existing law; words underscored (House Bills) and underscored and boldfaced (Senate Bills) are additions.
(2)(a) The seller, who may also be an extender of credit, may, in connection with any retail sale, including but not limited to a retail installment transaction, charge a fee for credit investigation, compliance with federal and state law, preparation of the documents necessary to perfect or satisfy a lien upon the objects sold, and any other functions incidental to the titling of the retail sale. The maximum amount permitted to be charged shall be one thousand dollars.

(b) Where a seller, who may also be an extender of credit, charges a fee pursuant to this Paragraph, a written disclosure shall be provided to the consumer stating the amount of the fee collected pursuant to this Paragraph, along with the following statements in conspicuous type:
- This fee is authorized by R.S. 6:969.18.(g). It is not a mandatory state fee.
- The seller, who may also be an extender of credit, may charge the fee for credit investigation, compliance with federal and state law, preparation of the documents necessary to perfect or satisfy a lien upon the objects sold, and any other functions incidental to the titling of the retail sale.
- The disclosure shall be printed on the bill of sale, buyer’s order, or sales contract which is signed by the buyer and retained by the buyer and seller.

Section 2. R.S. 6:969.18.(g) is hereby repealed in its entirety.

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.

Approved by the Governor, May 16, 2014.

A true copy:
Tom Schedler
Secretary of State

ACT No. 37

HOUSE BILL NO. 196

BY REPRESENTATIVE SMITH

AN ACT

To amend and reenact R.S. 15:1111(I), relative to work release; to provide for the eligibility to participate in the Department of Public Safety and Corrections work release program; to extend the length of time certain offenders may participate in work release programs; and to provide for related matters.

Be it enacted by the Legislature of Louisiana:

Section 1. R.S. 15:1111(I) is hereby amended and reenacted to read as follows:

§1111. Work release program

I.(1) Any inmate who has been convicted of forcible rape (R.S. 14:42.1), aggravated arson (R.S. 14:51), armed robbery (R.S. 14:64), attempted murder (R.S. 14:27 and 29), or attempted armed robbery (R.S. 14:27 and 64), and persons sentenced as habitual offenders under R.S. 15:529.1 shall be eligible to participate in a work release program during the last six months of their terms.

Any person sentenced as a habitual offender pursuant to R.S. 15:529.1 shall be eligible to participate in a work release program during the last year of his term if the inmate has served a minimum of fifteen years in the custody of the department for these crimes enumerated in this Section, shall be eligible to participate in a work release program during the last twelve months of their terms.

Approved by the Governor, May 16, 2014.

A true copy:
Tom Schedler
Secretary of State

ACT No. 38

HOUSE BILL NO. 201

BY REPRESENTATIVES BERTHELOT, ADAMS, BARROW, BILLIOT, BROWN, BURRELL, CHAMPAGNE, DOVE, GAROFALO, HARRISON, HAVARD, HENSGENS, HOFFMANN, HOLLIS, HOWARD, KRISTINA JACKSON, LEOPOLD, MONTOUCET, MORENO, JAY MORRIS, PLYLANT, REYNOLDS, AND SCHENXNYD

AN ACT

To amend and reenact R.S. 33:405(A)(4) and to enact R.S. 33:405(A)(5) and (6), relative to the Lawrason Act; to provide relative to the mayor pro tempore of a Lawrason Act municipality; to provide relative to the powers and duties of the mayor pro tempore; to authorize the mayor pro tempore to perform the duties of the mayor in the case of vacancy; and to provide for related matters.

Be it enacted by the Legislature of Louisiana:

Section 1. R.S. 33:405(A)(4) is hereby amended and reenacted and R.S. 33:405(A)(5) and (6) are hereby enacted to read as follows:

§405. Meetings of board of aldermen; notice; quorum; compensation; mayor pro tempore duties

A. * * *

(4)(a) If the mayor is unable to carry out the duties of the office of the mayor by reason of physical or mental disability, as determined by a licensed physician, the mayor pro tempore shall perform all of the duties of the mayor for the duration of any such disability.

(5) If a vacancy occurs in the office of the mayor, the mayor pro tempore shall perform all the duties of the mayor until such time as the vacancy is filled as otherwise provided by law.

(6) The mayor pro tempore shall have no additional authority to perform the duties of the mayor except as provided in this Subsection or upon the written consent of the mayor.

Approved by the Governor, May 16, 2014.

A true copy:
Tom Schedler
Secretary of State

ACT No. 39

HOUSE BILL NO. 206

BY REPRESENTATIVE DANAHAY

AN ACT

To enact R.S. 49:191(7) and to repeal R.S. 49:191(5)(o), relative to the Department of State Civil Service, including provisions to provide for the re-creation of the Department of State Civil Service 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.

Be it enacted by the Legislature of Louisiana:

Section 1. Pursuant to R.S. 49:193, the Department of State Civil Service and all statutory entities made a part of the department by law shall be re-created effective June 30, 2014, and all statutory authority therefor is continued in accordance with the provisions of Part XII of Chapter 1 of Title 49 of the Louisiana Revised Statutes of 1950.

Section 2. All statutory authority for the existence of the Department of State Civil Service and the statutory entities made a part of the department as re-created by Section 1 of this Act shall cease as of July 1, 2019. However, the Department of State Civil Service may be re-created prior to such date in accordance with the provisions of Part XII of Chapter 1 of Title 49 of the Louisiana Revised Statutes of 1950.

Section 3. The provisions of R.S. 49:193 are hereby superseded to the extent that those provisions are in conflict with the provisions of this Act.

Section 4. R.S. 49:191(7) is hereby enacted to read as follows:

§191. Termination of statutory authority for existence of statutory entities; phase-out period for statutory entities; table of dates

(7) July 1, 2018:
(a) The Department of State Civil Service and all statutory entities made a part of the department by law.

Section 5. R.S. 49:191(5)(o) is hereby repealed in its entirety.

Section 6. This Act shall become effective on June 30, 2014; if vetoed by the governor and subsequently approved by the legislature, this Act shall become effective on June 30, 2014, or on the day following such approval by the legislature, whichever is later.

Approved by the Governor, May 16, 2014.

A true copy:
Tom Schedler
Secretary of State

ACT No. 40

HOUSE BILL NO. 212

BY REPRESENTATIVE LEBAS

AN ACT

To amend and reenact R.S. 40:964(Schedule IV)(B)(1) and to enact R.S. 40:964(Schedule II)(E)(3), (Schedule III)(B)(15), (E)(29.1) and (53.1), and (Schedule IV)(B)(1.5) and (D)(13), relative to the Uniform Controlled Substance Act; and to provide for related matters.

Section 1. R.S. 40:964(Schedule IV)(B)(1) is hereby amended and reenacted and R.S. 40:964(Schedule II)(E)(3), (Schedule III)(B)(15), (E)(29.1) and (53.1), and (Schedule IV)(B)(1.5) and (D)(13) are hereby enacted to read as follows:

§964. Uniform Controlled Substance Act

(1) The uniform controlled substance act shall apply to all drugs controlled under Chapters 1, 2, and 3 of Title 40 of the Louisiana Revised Statutes of 1950.

(2)(a) The seller, who may also be an extender of credit, charges a fee pursuant to this Paragraph, a written disclosure shall be provided to the consumer stating the amount of the fee collected pursuant to this Paragraph, along with the following statements in conspicuous type:

- This fee is authorized by R.S. 6:969.18.(g). It is not a mandatory state fee.
- The seller, who may also be an extender of credit, may charge the fee for credit investigation, compliance with federal and state law, preparation of the documents necessary to perfect or satisfy a lien upon the objects sold, and any other functions incidental to the titling of the retail sale.
- The disclosure shall be printed on the bill of sale, buyer’s order, or sales contract which is signed by the buyer and retained by the buyer and seller.

Approved by the Governor, May 16, 2014.

A true copy:
Dangerous Substances Law; to add certain substances to Schedules II, III, and IV; and to provide for related matters.

Be it enacted by the Legislature of Louisiana:

Section 1. R.S. 40:964 (Schedule IV)(B)(1) is hereby amended and reenacted and R.S. 40:964 (Schedule II)(E)(3), (Schedule III)(B)(15), (E)(29.1) and (53.1), and (Schedule IV)(B)(1.5) and (D)(13) are hereby enacted to read as follows:

§964. Composition of schedules

Schedules I, II, III, IV, and V shall, unless and until added pursuant to R.S. 40:962, consist of the following drugs or other substances, by whatever official name, common or usual name, chemical name, or brand name designated:

E. Immediate precursors. Unless specifically excepted or unless listed in another schedule, any material, compound, mixture, or preparation which contains any quantity of the following substances:

*SCHEDULE II

*B. Depressants. Unless specifically excepted or unless listed in another schedule, any material, compound, mixture, or preparation which contains any quantity of the following substances having a depressant effect on the central nervous system:

*SCHEDULE III

C. Whenever the qualifying period is reopened as required by Subsections A or B hereof Subsection A of this Section, the clerk of court shall cause notice of the reopening, listing the dates and times the period shall run, to be posted in a prominent place in the office of the clerk of court. If the qualifying period is reopened solely for the qualification of one or more municipal candidates, or if the municipal offices to be filled by election are in a building other than the courthouse, the clerk of court shall cause the notice provided for herein to be posted in a prominent place at or near the door of the municipal building for the city for which the candidates are seeking an elective office, as well as in the court house and the clerk's office as above herein to be posted in a prominent place at or near the door of the municipal building for the city for which the candidates are seeking an elective office, as well as in the court house and the clerk's office as above.

Section 2. R.S. 18:469(B) is hereby repealed in its entirety. Section 3. This Act shall become effective on the day following its approval by the governor and shall be effective in its entirety as of the first day of the term for which the candidates are seeking elective office.

Approved by the Governor, May 16, 2014.

A true copy:

Tom Schedler
Secretary of State

ACT No. 43

HOUSE BILL NO. 229

BY REPRESENTATIVE MACK

AN ACT

To amend and reenact R.S. 18:469(C) and to add certain substances to Schedule IV of the Uniform Controlled Dangerous Substances Law; and to provide for related matters.

Be it enacted by the Legislature of Louisiana:

Section 1. R.S. 18:469(C) is hereby amended and reenacted to read as follows:

§469. Reopening of qualifying period; effect

B. In any action or proceeding seeking a declaratory judgment as to the constitutionality of the expenditure of state funds, the court shall set the matter with preference and proceed to hear and determine the matter as expeditiously as the ends of justice may require, notwithstanding resolution of a pending petition for injunctive relief pursuant to Article 3601 or a petition for mandamus sought pursuant to Article 3862.

Approved by the Governor, May 16, 2014.

A true copy:

Tom Schedler
Secretary of State

ACT No. 41

HOUSE BILL NO. 218

BY REPRESENTATIVE TALBOT

AN ACT

To amend and reenact Code of Civil Procedure Article 1878, relative to special civil proceedings; to provide for declaratory judgments; to provide for expedited hearings; to provide for the effect of supplemental proceedings on the hearing for a declaratory judgment; to provide for proceedings for temporary restraining orders, injunctions, and mandamus relative to the expenditure of state funds; and to provide for related matters.

Be it enacted by the Legislature of Louisiana:

Section 1. Code of Civil Procedure Article 1878 is hereby amended and reenacted to read as follows:

Art. 1878. Supplemental relief, expedited hearing for constitutional determination; effect of pendency of other proceedings

A. Further relief based on a declaratory judgment or decree may be granted whenever necessary or proper. The application therefor shall be presented to a court having jurisdiction to grant the relief. If the application is considered sufficient, the court, on reasonable notice, shall require any adverse party whose rights have been adjudicated by the declaratory judgment or decree, to show cause why further relief should not be granted forthwith.

B. In any action or proceeding seeking a declaratory judgment as to the constitutionality of the expenditure of state funds, the court shall set the matter with preference and proceed to hear and determine the matter as expeditiously as the ends of justice may require, notwithstanding resolution of a pending petition for injunctive relief pursuant to Article 3601 or a petition for mandamus sought pursuant to Article 3862.

Approved by the Governor, May 16, 2014.

A true copy:

Tom Schedler
Secretary of State

* As it appears in the enrolled bill
To enact R.S. 47:463.165, relative to motor vehicle special prestige license plates; to provide for the creation, issuance, and design of such license plates; to provide relative to the fee and distribution of fees for such plates; to authorize the promulgation of rules and regulations relative to the creation and implementation of the plates; and to provide for related matters.

Be it enacted by the Legislature of Louisiana:

Section 1. R.S. 47:463.165 is hereby enacted to read as follows:

§463.165. Special prestige license plate; “Louisiana Golf Association”

A. The secretary of the Department of Public Safety and Corrections shall establish a special prestige motor vehicle license plate to be known as the “Louisiana Golf Association” plate, provided there is a minimum of one thousand applicants for such plate. These license plates shall be restricted to use on passenger cars, pickup trucks, recreational vehicles, and vans.

B. The license plate color and design shall be selected by the Louisiana Golf Association, provided it is in compliance with R.S. 47:463(A)(3). The design shall include the words “Louisiana Golf Association.”

C. The prestige license plate shall be issued, upon application, to any citizen of Louisiana in the same manner as any other motor vehicle license plate.

D. The department shall collect an annual royalty fee of twenty-five dollars, which shall be disbursed in accordance with Subsection E of this Section. This fee shall be in addition to the standard motor vehicle license tax imposed by Article VII, Section 5 of the Constitution of Louisiana, and a handling fee of three dollars and fifty cents for each plate to be retained by the department to offset a portion of administrative costs.

E. The annual royalty fee collected by the department shall be forwarded to the Louisiana Golf Association, or its successor organization. The revenue from the fee shall be used for growth of the game initiatives, including but not limited to junior golf in Louisiana.

F. The secretary shall promulgate rules and regulations as are necessary to implement the provisions of this Section.

Approved by the Governor, May 16, 2014.

A true copy:

Tom Schedler
Secretary of State

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ACT No. 44

HOUSE BILL NO. 286

BY REPRESENTATIVE STUART BISHOP

AN ACT

To amend and reenact R.S. 22:942(introductory paragraph) and (10)(a) and to enact R.S. 22:931(A)(12), relative to individual life insurance policies; to provide for insures to notify insureds of their conversion option will expire; to allow for conversion from a group policy to an individual term life insurance policy; to provide for proof of notice to policyholders; to provide for the creation, issuance, and design of such license plates; and to provide for related matters.

Be it enacted by the Legislature of Louisiana:

Section 1. R.S. 22:942(introductory paragraph) and (10)(a) is hereby amended and reenacted and R.S. 22:931(A)(12) is hereby enacted to read as follows:

§942. Standard provisions for group life policies

(a) Each policy of group life insurance as defined in R.S. 22:941 shall contain in substance the following provision or provisions which, in the opinion of the commissioner of insurance, are more favorable to the policyholder:

   (12) Conversion notice. (a) A provision requiring that the insurer notify the policyholder of his option to convert his policy from term life insurance to permanent life insurance at least sixty days prior to the expiration of the conversion option, if such an option is applicable. Such notice shall be separate notice or contained in either a premium notice or an annual premium summary.

(b) Evidence of a business procedure or practice to provide the required notice by mailing the notice to the policyholder at the address shown in the policy shall be sufficient to prove that the required notice was provided.

(c) This Paragraph shall not apply to a policyholder who is covered under a child term rider.

§942. Standard provisions for group life policies

Each policy of group life insurance, as defined in R.S. 22:941 shall contain in substance the following provision or, at the option of the insurer, provisions which in the opinion of the commissioner of insurance are not less favorable to the policyholder:

   (12) Conversion notice. (a) A provision requiring that the insurer notify the policyholder of his option to convert his policy from term life insurance to permanent life insurance at least sixty days prior to the expiration of the conversion option, if such an option is applicable. Such notice shall be separate notice or contained in either a premium notice or an annual premium summary.

   (b) Evidence of a business practice or procedure to provide the required notice by mailing the notice to the policyholder at the address shown in the policy shall be sufficient to prove that the required notice was provided.

   (c) This Paragraph shall not apply to a policyholder who is covered under a child term rider.

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ACT No. 45

HOUSE BILL NO. 262

Ancillary Appropriations
is insured an individual certificate setting forth the insurance protection afforded, to whom it is payable, information relating to notice and proof of loss, and that the standard provisions required for individual life insurance policies shall not apply to group life insurance policies:

(10) Conversion on termination of eligibility: A provision that if the insurance, or any portion of it, on an individual covered under the policy ceases because of termination of employment or of membership in the class or classes eligible for coverage under the policy, such individual shall be entitled to have issued to him by the insurer, without evidence of insurability, an individual policy of life insurance without disability or other supplementary benefits, provided application for the individual policy shall be made and the first premium paid to the insurer within thirty-one days after such termination. It is further provided that:

(a) The individual policy shall, at the option of such individual, be on any one of the forms—except term insurance—then customarily issued by the insurer at the age and for the amount applied for.

Approved by the Governor, May 16, 2014.

A true copy:
Tom Schedler
Secretary of State

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ACT No. 51

HOUSE BILL NO. 317

BY REPRESENTATIVES COX, ANDERS, ARNOLD, BISON, BILLIOT, WESLEY BISHOP, BROWN, HENRY BURNS, BURRELL, CHAMPAGNE, CHANEY, CROMER, FANNIN, GAROFALO, GISCLAIR, GREENE, HAZEL, HENSGENS, HILL, HOFFMANN, HOWARD, HUNTER, JEFFERSON, KLECKLEY, TERRY LANDRY, LEOPOLD, LOPINTO, LORUSSO, JAY MORRIS, NORTON, ORTEGO, PIERRE, PUGH, RITCHIE, SEABAUGH, THIBAULT, THOMPSON, AND PATRICK WILLIAMS AND SENATORS ADLEY, ALARIO, APPEL, BROOME, BUFFINGTON, CHAMBERLAIN, CROWEL, DONAHEU, GALLOWITZ, JOHNSTON, KOSTELKA, LONG, MARTINY, MORRELL, MURRAY, NEVERS, PEACOCK, RISER, GARY SMITH, JOHN SMITH, THOMPSON, AND WALSWORTH

AN ACT

To enact R.S. 47:490.26, relative to military honor license plates; to provide for the establishment of a military honor license plate for the United States Army Rangers; to require the secretary to promulgate rules and regulations relative to the creation and implementation of this military honor license plate; to provide for the creation, issuance, and design of such plates; and to provide for related matters.

Be it enacted by the Legislature of Louisiana:

Section 1. R.S. 47:490.26 is hereby enacted to read as follows:

§127. Opening bids; minimum royalties; terms of lease; deposit

(a) Deposit that may be required to be submitted with each bid shall be in the form of certified check, cashier's check, or bank money order, or electronic funds transfer.

* * *

Approved by the Governor, May 16, 2014.

A true copy:
Tom Schedler
Secretary of State

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ACT No. 50

HOUSE BILL NO. 308

BY REPRESENTATIVE SEABAUGH

AN ACT

To amend and reenact R.S. 14:108.1(E), relative to the crime of flight from an officer; to increase the possible term of imprisonment for the crime of aggravated flight from an officer; to provide for increased penalties when the crime results in serious bodily injury; to provide for a definition of "serious bodily injury"; and to provide for related matters.

Be it enacted by the Legislature of Louisiana:

Section 1. R.S. 14:108.1(E) is hereby amended and reenacted to read as follows:

§108.1. Flight from an officer; aggravated flight from an officer

E.(1) Whoever commits aggravated flight from an officer shall be imprisoned at hard labor for not more than five years and may be fined not more than two thousand dollars.

(2) Whoever commits the crime of aggravated flight from an officer that results in serious bodily injury shall be imprisoned at hard labor for not more than ten years and may be fined not more than two thousand dollars.

* * *

Approved by the Governor, May 16, 2014.

A true copy:
Tom Schedler
Secretary of State

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To amend and reenact R.S. 15:574.2(D)(8), relative to parole hearings; to provide relative to the method of delivery of the custody order to law enforcement; and to provide for related matters.

Be it enacted by the Legislature of Louisiana:

Section 1. R.S. 15:574.2(D)(8) is hereby amended and reenacted to read as follows:

§574.2. Committee on parole, Board of Pardons; membership; qualifications; vacancies; compensation; domicile; venue; meetings; quorum; panels; powers and duties; transfer of property to committee; representation of applicants before the committee; prohibitions

D. In accordance with the provisions of this Part, the committee on parole shall have the following powers and duties:

(8) To notify the district attorney of the parish where the conviction occurred. The notification shall be in writing and shall be issued at least thirty days prior to the hearing date. The district attorney of the parish where the conviction occurred shall be allowed to review the record of the offender since incarceration, including but not limited to any educational or vocational training, rehabilitative program participation, disciplinary conduct, and risk assessment score. The district attorney shall be allowed to present testimony to the committee on parole and submit information relevant to the proceedings.

(b) When requested, to notify the chief of police, where such exists, and the sheriff and district attorney of the parish where the individual resides and the conviction occurred. The notification shall be in writing and shall be issued at least seven days prior to the release of any parolees residing within the jurisdiction of the agency.

Approved by the Governor, May 16, 2014.

A true copy:
Tom Schedler
Secretary of State

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ACT No. 53

By Representative Lopinto

To amend and reenact R.S. 28:53.2(D), relative to involuntary mental health treatment; to provide relative to the method of delivery of the custody order to law enforcement; and to provide for related matters.

Be it enacted by the Legislature of Louisiana:

Section 1. R.S. 28:53.2(D) is hereby amended and reenacted to read as follows:

§53.2. Order for custody; grounds; civil liability; criminal penalty for making a false statement

D. The order for custody shall be effective for seventy-two hours from its issuance by the coroner or judge and shall be delivered to the appropriate law enforcement agency for execution by hand, facsimile, or other electronic means, including but not limited to e-mail. The law enforcement officer or transporting person shall deliver a copy of the order for custody to the coroner, or patient, and director of the treatment facility by the individual who has transported the person. The order shall be executed within the date and time that the person is taken into protective custody shall be clearly written on the order. Without delay, and in no event more than twelve hours after being taken into protective custody, the person shall be delivered to a treatment facility or the office of the coroner or he shall be released. Upon arrival, the person in custody shall be examined immediately by the coroner or, if at a treatment facility, by a physician, preferably a psychiatrist, medical psychologist, or psychiatric mental health nurse practitioner, who shall determine if the person shall be voluntarily admitted, admitted by emergency certificate, admitted as a noncontested admission, or discharged. The person in custody shall be examined within twelve hours of his arrival at the treatment facility or coroner’s office or he shall be released.

Approved by the Governor, May 16, 2014.

A true copy:
Tom Schedler
Secretary of State

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ACT No. 55

By Representative J. Jones

To authorize and provide for the transfer of certain state property; to authorize the transfer of certain state property in St. Mary Parish; to provide for the property description; to provide for reservation of mineral rights; to provide terms and conditions; to provide an effective date; and to provide for related matters.

Be it enacted by the Legislature of Louisiana:

Section 1. The commissioner of administration, notwithstanding any other provision of law to the contrary, is hereby authorized and empowered to convey, transfer, assign, lease or deliver any interest, excluding mineral rights, to the property described in Section 1 of this Act, and as more specifically described in any such agreements entered into and documents executed by and between the commissioner of administration and Lawrence Toups, Gloria Toups, Perry Toups, and Erin Toups, in exchange of consideration proportionate to the appraised value of the property. Any conveyance, transfer, assignment, lease, or delivery of title provided for in this Act shall be subject to and the land burdened with a right of way grant by the commissioner of administration through the State Land Office to the town of Berwick for an all purpose servitude as identified on a survey plat prepared by Terral J. Martin, Jr. Professional Land Surveyor bearing date January 1, 2014, revised, January 15, 2014. In the event that Lawrence Toups, Gloria Toups, Perry Toups, and Erin Toups do not acquire the property described in Section 1 of this Act on or before December 31, 2017, the authorization to convey, transfer, assign, lease, or deliver any interest in that property shall terminate and be null and void on that date.

Section 2. 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.

Approved by the Governor, May 16, 2014.

A true copy:
Tom Schedler
Secretary of State

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ACT No. 56

By Representatives Armes and Henry Burns

To enact R.S. 56:104(B)(3) and 302.2(D), relative to fees for hunting and fishing licenses; to provide relative to fees to be paid by surviving spouses of members of certain military service branches killed in action; and to provide for related matters.

Be it enacted by the Legislature of Louisiana:

Section 1. R.S. 56:104(B)(3) and 302.2(D) are hereby enacted to read as follows:

§104. License fees; reciprocity; exceptions

B. (3) Any resident of Louisiana who is the surviving spouse of a member of the United States Armed Forces, the Louisiana Army National Guard, or the Louisiana Air National Guard who was killed in action while in a combat zone, upon showing identification and documentation satisfactory to the department, shall be issued all hunting licenses and permits for a total fee of two dollars and fifty cents.
§302.2. Exception for certain residents, nonresidents, and military personnel from purchase or possession of basic recreational and saltwater license

D. Any resident of Louisiana who is the surviving spouse of a member of the United States Armed Forces, the Louisiana Army National Guard, or the Louisiana Air National Guard who was killed in action while in a combat zone, upon showing identification and documentation satisfactory to the department, shall be issued recreational and saltwater fishing licenses for a total fee of two dollars and fifty cents.

Approved by the Governor, May 16, 2014.

A true copy:

Tom Schedler
Secretary of State

ACT No. 57

HOUSE BILL NO. 345
BY REPRESENTATIVE ARNOLD
AN ACT

To amend and reenact R.S. 26:2 and 71(A)(4), relative to the alcoholic beverage control laws; to provide for the definition of "broker"; to provide for related permits for brokers; and to provide for related matters.

Be it enacted by the Legislature of Louisiana:

Section 1. R.S. 26:2 and 71(A)(4) are hereby amended and reenacted to read as follows:

§2. Definitions

For purposes of this Chapter, the following terms have the respective meanings ascribed to them in this Section, unless a different meaning clearly appears from the context:

(1) "Alcoholic beverages" means any fluid or solid capable of being converted into fluid, suitable for human consumption and having an alcoholic content of more than six percent by volume, including alcohol.

(2) "Bottler of wine" means any wine wholesaler who imports wine into the state in bulk and puts it in a closed container for distribution to other wholesalers or persons who subsequently sell at retail.

(3) "Broker" means any person, other than licensed dealers, who may solicit, receive, or transmit orders for beverage alcohol as an agent of one or more licensed dealers, and does not maintain an inventory of, possess a property right in, or deliver any beverage alcohol.

(4) "Commissioner" means the commissioner of alcohol and tobacco control who shall be the assistant secretary of the office of alcohol and tobacco control in the Department of Revenue.

(5) "Cordial liquors and specialties" means liquor obtained by the process of mixing or redistilling with or over fruit, flowers, plants, or juices therefrom and to which sugar or dextrose, or both, have been added in an amount not less than two and one-half percent by weight of the finished product.

(6) "Dealer" means any person who, as a business, manufactures, blends, rectifies, distills, processes, imports, stores, uses, handles, holds, sells, offers for sale, solicits orders for the sale of, distributes, delivers, serves, or transports any alcoholic beverage in the state or engages herein in any business transaction relating to any such beverage.

(7) "Dinner theater" means an establishment that is a "restaurant establishment", as defined by R.S. 26:73(C)(1), where food orders are taken and food service is provided in both a restaurant dining area and where food service is provided in both a restaurant dining area and where no person is allowed to tamper with or otherwise disrupt the manufacturer's seal on or about the licensed premises.

(8) "Liquor" means all distilled or rectified alcoholic spirits, brandy, whiskey, rum, gin, and all similar distilled alcoholic beverages, including all dilutions and mixtures of one or more of the foregoing, such as liquors, cordials, and similar compounds.

(9) "Liquor retail distribution center" means any liquor retailer who has continuously maintained a distribution center or centers for distribution to its wholly owned retail permittees on or prior to January 1, 1961, in this state, or any commercial airline which stores alcoholic beverages in sealed containers of any size at any airport regularly served by the permittee. Such possession for retail sale or distribution therefrom shall be limited to alcohol of high volume content in any quantity.

(10) "Liquor retailer" means any dealer, other than a manufacturer or wholesaler, who sells, offers for sale, exposes for sale, or has in his possession for sale or distribution any alcoholic beverages in any quantity.

(11) "Liquor wholesaler" means any dealer who sells any alcoholic beverage to other licensed liquor wholesale dealers or to licensed retail liquor dealers in the state or who sells alcoholic beverages for delivery beyond the borders of the state in amounts to be fixed by the commissioner, or who imports any alcoholic beverages into the state, and who meets the standards set forth in this Chapter.

§302.2. Exception for certain residents, nonresidents, and military personnel from purchase or possession of basic recreational and saltwater license

D. Any resident of Louisiana who is the surviving spouse of a member of the United States Armed Forces, the Louisiana Army National Guard, or the Louisiana Air National Guard who was killed in action while in a combat zone, upon showing identification and documentation satisfactory to the department, shall be issued recreational and saltwater fishing licenses for a total fee of two dollars and fifty cents.

Approved by the Governor, May 16, 2014.

A true copy:

Tom Schedler
Secretary of State

ACT No. 57

HOUSE BILL NO. 345
BY REPRESENTATIVE ARNOLD
AN ACT

To amend and reenact R.S. 26:2 and 71(A)(4), relative to the alcoholic beverage control laws; to provide for the definition of "broker"; to provide for related permits for brokers; and to provide for related matters.

Be it enacted by the Legislature of Louisiana:

Section 1. R.S. 26:2 and 71(A)(4) are hereby amended and reenacted to read as follows:

§2. Definitions

For purposes of this Chapter, the following terms have the respective meanings ascribed to them in this Section, unless a different meaning clearly appears from the context:

(1) "Alcoholic beverages" means any fluid or solid capable of being converted into fluid, suitable for human consumption and having an alcoholic content of more than six percent by volume, including alcohol.

(2) "Bottler of wine" means any wine wholesaler who imports wine into the state in bulk and puts it in a closed container for distribution to other wholesalers or persons who subsequently sell at retail.

(3) "Broker" means any person, other than licensed dealers, who may solicit, receive, or transmit orders for beverage alcohol as an agent of one or more licensed dealers, and does not maintain an inventory of, possess a property right in, or deliver any beverage alcohol.

(4) "Commissioner" means the commissioner of alcohol and tobacco control who shall be the assistant secretary of the office of alcohol and tobacco control in the Department of Revenue.

(5) "Cordial liquors and specialties" means liquor obtained by the process of mixing or redistilling with or over fruit, flowers, plants, or juices therefrom and to which sugar or dextrose, or both, have been added in an amount not less than two and one-half percent by weight of the finished product.

(6) "Dealer" means any person who, as a business, manufactures, blends, rectifies, distills, processes, imports, stores, uses, handles, holds, sells, offers for sale, solicits orders for the sale of, distributes, delivers, serves, or transports any alcoholic beverage in the state or engages herein in any business transaction relating to any such beverage.

(7) "Dinner theater" means an establishment that is a "restaurant establishment", as defined by R.S. 26:73(C)(1), where food orders are taken and food service is provided in both a restaurant dining area and where patrons are seated to view live theatrical productions or the showing of film, still pictures, electronic or digital reproductions, or other visual reproductions.

(8) "Liquor" means all distilled or rectified alcoholic spirits, brandy, whiskey, rum, gin, and all similar distilled alcoholic beverages, including all dilutions and mixtures of one or more of the foregoing, such as liquors, cordials, and similar compounds.

(9) "Liquor retail distribution center" means any liquor retailer who has continuously maintained a distribution center or centers for distribution to its wholly owned retail permittees on or prior to January 1, 1961, in this state, or any commercial airline which stores alcoholic beverages in sealed containers of any size at any airport regularly served by the permittee. Such possession for retail sale or distribution therefrom shall be limited to alcohol of high volume content in any quantity.

(10) "Liquor retailer" means any dealer, other than a manufacturer or wholesaler, who sells, offers for sale, exposes for sale, or has in his possession for sale or distribution any alcoholic beverages in any quantity.

(11) "Liquor wholesaler" means any dealer who sells any alcoholic beverage to other licensed liquor wholesale dealers or to licensed retail liquor dealers in the state or who sells alcoholic beverages for delivery beyond the borders of the state in amounts to be fixed by the commissioner, or who imports any alcoholic beverages into the state, and who meets the standards set forth in this Chapter.

§302.2. Exception for certain residents, nonresidents, and military personnel from purchase or possession of basic recreational and saltwater license

D. Any resident of Louisiana who is the surviving spouse of a member of the United States Armed Forces, the Louisiana Army National Guard, or the Louisiana Air National Guard who was killed in action while in a combat zone, upon showing identification and documentation satisfactory to the department, shall be issued recreational and saltwater fishing licenses for a total fee of two dollars and fifty cents.

Approved by the Governor, May 16, 2014.

A true copy:

Tom Schedler
Secretary of State

ACT No. 58

HOUSE BILL NO. 364
BY REPRESENTATIVE MACK
AN ACT

To amend and reenact R.S. 32:414(1)(d), and 667(B)(2)(c)(i) and (ii) and (1) (1)(b), relative to suspension and seizure of driver's licenses; to extend the time period that certain convictions or the refusal to submit to certain chemical tests can be considered for purposes of suspension of driving privileges; and to provide for related matters.

THE ADVOCATE

* As it appears in the enrolled bill

CODING: Words in strike-through type are deletions from existing law; words underscored (House Bills) and bold-faced (Senate Bills) are additions.
Be it enacted by the Legislature of Louisiana:

Section 1. R.S. 32:414(B)(2)(a) and 667(B)(2)(c)(i) and (ii) and (I)(b) are hereby amended and reenacted to read as follows:

§414. Suspension, revocation, renewal, and cancellation of licenses; judicial review

B. The department shall forthwith suspend the license of any person, for a period of twenty-four months, upon receiving satisfactory evidence of the conviction or of the entry of a plea of guilty and sentence thereupon or of the forfeiture of bail of any such person charged with any of the following crimes:

(2)(a) Conviction or the entry of a plea of guilty and sentence thereupon, or of the forfeiture of bail of any such person under the influence of alcoholic beverages which the person has committed.

§667. Seizure of license; circumstances; temporary license

B. If such written request is not made by the end of the thirty-day period, the person's license shall be suspended as follows:

(2) If the person refused to submit to the test, his driving privileges shall be suspended as follows:

(c)(i) Two years from the date of suspension on the second and subsequent refusal occurring within the ten years of the date of a refusal to submit to the test.

(ii) Two years from the date of suspension on the second and subsequent refusal occurring within ten years of the date of a refusal to submit to the test.

Approved by the Governor, May 16, 2014.

A true copy:

Tom Schedler
Secretary of State

ACT No. 60

HOUSE BILL NO. 383

BY REPRESENTATIVE TIM BURNS

AN ACT

To amend and reenact R.S. 18:58(B), 104(A)(15), 154(C)(1) introductory paragraph, (D)(3), and (G)(introductory paragraph), 425(A)(1)(b), 439(B)(8), 453(B), 465(E)(1)(a), 531(A)(b), 566(B)(7), 571(A)(6) and (7), 573(B), 1284(F)(1), 1299.1(A)(1), 1300.3(A) and (B)(1), 1300.7(A), 1300.32(A) and (B)(1), 1302(2), 1308(A)(1)(b), (h)(i), and (j), 1309(M)(1)(a), 1535(B) and (C)(2), 1361(A) and (B), and 1362, to enact R.S. 18:154(D)(4) and (F)(3), and to repeal R.S. 18:174 and Part I-A of Chapter 5 of Title 18 of the Louisiana Revised Statutes of 1950, comprised of R.S. 18:411 through 417, relative to the Louisiana Election Code; to revise the system of laws comprising the Louisiana Election Code; to provide relative to the duties of registrars of voters; to require registrars to assign voters according to voter districts; to provide: to provide relative to requirements and procedures for application for voter registration; to provide relative to disclosure of certain voter information; to repeal provisions requiring certain reports regarding changes of name and remarriage; to repeal provisions applicable to certain elections held in 1992; to provide relative to the selection of commissioners and commissioners-in-charge; to provide relative to the deadline for filing a list of watchers; to provide relative to the deadline for submitting a nominating petition; to provide relative to notification that a polling place will not be opened; to provide relative to the counting and tabulation of votes; to provide relative to the verification of election results; to provide relative to requirements for a proposition submitted to the voters at an election; to provide relative to the deadline for certifying a recall petition; to provide relative to the deadline for removing or adding a signature to a recall petition; to provide relative to the deadline for the governor to issue a proclamation ordering a recall election; to provide relative to certain deadlines for petitions relative to neighborhood and crime prevention districts; to provide relative to the early voting at an election; to provide relative to procedures and requirements for absentee voting by mail; to provide relative to voting machines and absentee by mail and early voting counting equipment; to provide relative to the authority of the secretary of state relative to voting machines and absentee by mail; to early voting counting equipment; to provide relative to related matters.

Be it enacted by the Legislature of Louisiana:

Section 1. R.S. 18:58(B), 104(A)(15), 154(C)(1) introductory paragraph, (D)(3), and (G)(introductory paragraph), 425(A)(1)(b), 439(B)(8), 453(B), 465(E)(1)(a), 531(A)(b), 566(B)(7), 571(A)(6) and (7), 573(B), 1284(F)(1), 1299.1(A)(1), 1300.3(A) and (B)(1), 1300.7(A), 1300.32(A) and (B)(1), 1302(2), 1308(A)(1)(b), (h)(i), and (j), 1309(M)(1)(a), 1535(B) and (C)(2), 1361(A) and (B), and 1362, to enact R.S. 18:154(D)(4) and (F)(3), and to repeal R.S. 18:174 and Part I-A of Chapter 5 of Title 18 of the Louisiana Revised Statutes of 1950, comprised of R.S. 18:411 through 417, relative to the Louisiana Election Code; to revise the system of laws comprising the Louisiana Election Code; to provide relative to the duties of registrars of voters; to require registrars to assign voters according to voter districts; to provide: to provide relative to requirements and procedures for application for voter registration; to provide relative to disclosure of certain voter information; to repeal provisions requiring certain reports regarding changes of name and remarriage; to repeal provisions applicable to certain elections held in 1992; to provide relative to the selection of commissioners and commissioners-in-charge; to provide relative to the deadline for filing a list of watchers; to provide relative to the deadline for submitting a nominating petition; to provide relative to notification that a polling place will not be opened; to provide relative to the counting and tabulation of votes; to provide relative to the verification of election results; to provide relative to requirements for a proposition submitted to the voters at an election; to provide relative to the deadline for certifying a recall petition; to provide relative to the deadline for removing or adding a signature to a recall petition; to provide relative to the deadline for the governor to issue a proclamation ordering a recall election; to provide relative to certain deadlines for petitions relative to neighborhood and crime prevention districts; to provide relative to the early voting at an election; to provide relative to procedures and requirements for absentee voting by mail; to provide relative to voting machines and absentee by mail and early voting counting equipment; to provide relative to the authority of the secretary of state relative to voting machines and absentee by mail; to early voting counting equipment; to provide relative to related matters.

Be it enacted by the Legislature of Louisiana:

Section 1. R.S. 18:10(B) and R.S. 18:154(C)(2)(d) is hereby amended and reenacted and R.S. 18:154(C)(2)(d) is hereby amended to read as follows:

§18. Secretary of state: powers and duties

D. The secretary of state may enter into cooperative agreements with other state agencies, the Louisiana Election Information Center, to share voter registration information or data for purposes of determining whether a voter is registered in more than one state and for the maintenance of the state voter registration computer system. The secretary of state shall include in any such cooperative agreement a provision for the privacy of the information or data that complies fully with applicable state and federal law.

§154. Records open to inspection; copying; exceptions

C. * * *

§154. Records open to inspection; copying; exceptions

C. * * *

(2) * * *

(d) The provisions of Paragraph (1) of this Subsection shall not apply to voter registration information or data transmitted to a state or the Electronic Voter Information Center for the purposes of determining whether a voter is registered to vote in more than one state and for the maintenance of the state voter registration computer system.
openings of the absentee list for the primary election. For a general election, the assignment of voters shall be completed on or before the fifty-first day prior to the general election.

§104. Application for registration; form
A. The secretary of state, subject to approval by the attorney general as to content, shall prescribe the form that shall be used uniformly by each registrar in the state and any person authorized to accept voter registration applications in registering qualified citizens to vote. The form shall contain spaces for at least the following information with respect to the applicant:

(1) Applicant’s name and address to be kept confidential.

(2) If the state voter registration computer system indicates that certification has been received from the law enforcement agency employing the officer, the officer is engaging in hazardous activities to the extent that it is necessary for his name and address to be kept confidential.

(3) Any agency employing a law enforcement officer availing himself of Paragraph (1) or (2) of this Subsection shall also issue decertification notices to the registrar of voters and the secretary of state when the officer is no longer engaging in hazardous activities to the extent that it is necessary for his name and address to be kept confidential.

(4) Any agency employing a law enforcement officer availing himself of Paragraph (1) or (2) of this Subsection shall also issue decertification notices to the registrar of voters and the secretary of state when the officer is no longer engaging in hazardous activities to the extent that it is necessary for his name and address to be kept confidential.

C. The clerk of court, the registrar of voters, and the secretary of state, at each precinct:

A. In addition to the commissioner-in-charge, the following elections there shall be the following number of additional commissioners at each precinct:

(i) Three commissioners for precincts with more than three hundred active registered voters eligible to vote in the election.

(ii) Two commissioners for precincts with three hundred or fewer active registered voters eligible to vote in the election.

§425. Commissioners

A. Number.

B. Selection.

(8) After the commissioners-in-charge are selected, the parish board of election supervisors shall compile a list containing the name, social security number, date of birth, party affiliation, and mailing address of each and shall mail the list to the secretary of state. The clerk of court shall enter the list in the state voter registration computer system.

§435. Watchers; appointment and commission

A. Lists of watchers. A list of watchers shall be filed with the clerk of court before 5:00 p.m. on the tenth day before the primary or general election; however, if the tenth day before the primary or general election falls on a Saturday, Sunday, or other legal holiday, the list shall be filed on the next day which is not a Saturday, Sunday, or other legal holiday. Except for a candidate, or recognized political party filing for the list of candidates for primary or general election, any person filing a list of watchers must file a statement that the report required by R.S. 18:1486 has been filed with the supervisory committee in compliance with the Campaign Finance Disclosure Act. If any candidate submits a list for the primary election and does not submit a list for the general election, the list submitted in the primary election shall be treated as his list submitted for the general election.

B. Lists of watchers shall contain only one watcher and one alternate watcher for each precinct where the candidate or person submitting the list has been assigned to have a watcher. The list shall be typed or legibly written, and it shall contain the name and mailing address of each watcher and a designation of the precinct where he is to serve.

§465. Nominating petitions

E. Certification. (1)(a) A nominating petition shall be submitted to the registrars of voters in the parishes where the signers reside. A nominating petition shall be submitted to the registrars in such parishes not less than thirty days before the qualifying period ends for candidates in the primary election or, in the case of presidential elections, in the presidential election, except that in a special election called pursuant to R.S. 18:402(E), 601A(2), or 1279, a nominating petition shall be submitted by the candidate to the registrars of voters in such parishes not less than fourteen days before the qualifying period ends for candidates in the special election. If the final day for submitting a nominating petition to the registrars falls on a Saturday, Sunday, or legal holiday, then the next day which is not a Saturday, Sunday, or legal holiday shall be deemed to be the final day for submitting the nominating petition.

§31.1. Exception to opening polls; alternative voting locations

B. The registrar of voters shall notify the secretary of state and the other members of the parish board of election supervisors of all such determinations.

§566.2. Tabulation and counting of provisional ballots for federal office

B. The parish board of election supervisors in each parish shall be responsible for the counting and tabulation of all provisional ballots for federal office. The board may utilize absentee by mail and early voting provisional ballots. The board may utilize absentee by mail and early voting provisional ballots, but may also utilize provisional ballots cast at the polling place.

If the board determines that absentee by mail and early voting parish board commissioners are necessary to count and tabulate the provisional ballots, it shall select absentee by mail and early voting parish board commissioners in accordance with the provisions of R.S. 18:1314(D). In a parish where no absentee by mail and early voting parish board commissioners are utilized during the counting and tabulation of absentee by mail and early voting ballots, the board may utilize commissioners to count the provisional ballots. The selection and compensation of such commissioners to count and tabulate provisional ballots shall be in the same manner as absentee by mail and early voting parish board commissioners as provided for in R.S. 18:1314(D) and (E).

§571. Counting and tabulating the votes

A. At the termination of voting in a primary or general election, the commissioners shall announce that voting is terminated. The commissioners in the presence of the watchers shall immediately:

(6) Complete in duplicate an affidavit. The affidavit shall be prepared by the secretary of state and shall contain the name, address, and last four digits of the social security number of each commissioner and an acknowledgment that the law prohibits disclosure of confidential voter information listed in the affidavit.

(7) Place the duplicate affidavit, all duplicate records of challenges, and any address confirmation cards in the envelope marked “Registrar of Voters”, seal it, and attach it to the precinct register.

§573. Evidence of election results

B. Verification of election results. After the machines are opened, the clerk of court, in the presence of the parish board of election supervisors or other members of the parish board selected by the board as its representatives and the candidates or their representatives, shall immediately verify the total votes cast for each candidate and the total votes cast for and against each proposition as shown on the voting machines or voting machine election returns sheets and the total number of absentee by mail and early voting votes cast for each candidate and the total number of absentee by mail and early voting votes cast for and against each proposition as shown by the tabulation blanks of absentee by mail and early voting elections final absentee by mail and early voting report filed with the clerk of the parish board of
$1284. Resolution calling election; proposition

F.(1) The preparation of the proposition to be submitted to the voters at an election shall be the responsibility of the governing authority or other entity calling the election or submitting the question or proposition. The proposition shall be comprised of simple, unbiased, concise, and easily understood language and be in the form of a question. The proposition shall not exceed two hundred words in length and shall not include words that are struck through, underscored, or in boldface type.

$1299.1. Question or proposition to be voted on; length

A. The preparation of a question or proposition to be submitted to the voters at an election shall be the responsibility of the governing authority or other entity calling the election or submitting the question or proposition. The proposition shall be comprised of simple, unbiased, concise, and easily understood language and be in the form of a question. The proposition shall not exceed two hundred words in length and shall not include words that are struck through, underscored, or in boldface type.

$1300.3. Certification of registrar of voters; addition or withdrawal of signatures; form of names

A. The registrar of voters of each parish in the voting area wherein a recall election is sought shall certify on the recall petition, within fifteen working days after it is presented to him for that purpose, the number of names appearing thereon who are not electors of the voting area. The registrar shall place the voted ballot along with the signed certificate and waiver appearing thereon who are not electors of the voting area. Each person who participates in the review of the names on the petition for certification by the registrar as required in this Section shall initial each of those portions of the petition to be reviewed for certification by the registrar.

B.(1) The registrar of voters shall honor the written request of any voter who either desires to have his handwritten signature stricken from the petition or desires to have his handwritten signature added to the petition at any time after receipt of the signature and affidavits. The signature is provided in R.S. 18:1300.2(C) but prior to certification of the petition or within five days after receipt of such signed petition, whichever is earlier. If the deadline for removing or adding a signature to the petition falls on a Saturday, Sunday, or legal holiday, then the next day which is not a Saturday, Sunday, or legal holiday shall be deemed to be the deadline for removing or adding a signature to the petition. The written request of the voter shall include the name and address of the voter, the signature of the voter, the date of birth of the voter, and the date.

$1302. Definitions

As used in this Chapter, unless the context clearly indicates otherwise, the following terms shall have the meanings hereafter ascribed to each:

(2) “Board” means the parish board of election supervisors of each parish. If absentee by mail and early voting parish board commissioners are utilized by the parish board of election supervisors to count and tabulate absentee votes by mail and early voting ballots, the term “board” for the purposes of R.S. 18:402(E)(1) and R.S. 18:1312(A)(1) and (B)(3) shall also mean absentee by mail and early voting parish board commissioners.

$1308. Absentee voting by mail

A.(1)

(b) If the voter feels he will not have time to vote timely by mail, the voter may request that the registrar transmit to him by facsimile a ballot, including the affidavit and signed certificate and waiver of the right to a secret ballot, and the registrar shall be required to send a second ballot by facsimile if the voter received a ballot by mail. The waiver of the right to a secret ballot shall contain the following statement: “I understand that by faxing my voted ballot I am voluntarily waiving my right to a secret ballot.” This statement shall also contain spaces for the voter’s handwritten signature, the date, and the last four digits of the voter’s social security number. The voter may then mail his voted ballot, including the affidavit and signed certificate and waiver of the right to a secret ballot, to the registrar of voters in the parish or to the parish board of election supervisors.凡是在本条所规定的寄送文件的最后期限前，该文件的发送者，包括但不限于电子方式，可以自愿放弃其对秘密投票的权利。这一声明应当包含一个签名空间，日期，以及选民的最后四位社保号。选民随后可以邮寄其投票文件，包括但不限于电子方式，到选民所在的选区官员，或者选区选举委员会。
waiver back to the registrar or transmit the documents by facsimile at the facsimile machine number designated by the registrar. If the voter chooses to complete and transmit the documents to be transmitted shall contain the following statement: "I understand that by faxing my voted ballot I am voluntarily waiving my right to a secret ballot." This statement shall be followed by the voter's handwritten signature, date, and social security number. Upon receipt of the transmitted, the registrar shall place the voted ballot in an appropriately marked envelope and seal it. The registrar and his staff shall take the steps necessary to keep the voted ballots received by facsimile as confidential as practicable.

§1309. Early voting; verification

M.1(a) In a parish where early voting is conducted at an additional location pursuant to R.S. 18:1306, the registrar during the early voting period may conduct the early voting during the early voting period if such hours and days of voting are approved by the secretary of state no later than seven twenty-five days after the close of qualifying for prior to the election.

§1353. Secretary of state; powers and duties; voting machines; voter registration

B. The secretary of state shall prescribe uniform rules and regulations with respect to matters pertaining to the purchase, procurement, preparation, and use of voting machines and absentee by mail and early voting counting equipment in the conduct of elections and the duties of each category of persons charged with responsibility for any matter relating to voting machines or absentee by mail and early voting counting equipment. The rules and regulations shall be approved by the attorney general and thereafter shall be distributed by the secretary of state to the election officials having responsibilities relating to elections. The rules and regulations shall be applied uniformly throughout the state.

A. In addition to any other duties and functions now or hereafter provided by law, the secretary of state shall:

(2) Be responsible for all purchase, procurement, sales, and transfers of voting machines and absentee by mail and early voting counting equipment and for all matters in connection with issuing competitive bids or requests for proposals or the advertising for and opening of bids for or in connection therewith.

§1361. Approval of machines and equipment; certificate; expenses of examination

A. The secretary of state may examine any type or make of voting machine upon the request of a representative of the maker or supplier thereof, and if he determines that the machine complies with the requirements of this Chapter and that it meets standards acceptable to him as to durability, accuracy, efficiency, and capacity, he shall approve that type or make of machine for use in this state and shall issue his certificate of approval thereof. In addition, any electronic voting machine procured or used in the state must have been certified by NASED Independent Testing Authorities according to the voting systems standards adopted by the Federal Election Commission. This certificate, together with any relevant reports, drawings, and photographs, shall be a part of the public record.

B. Any absentee by mail and early voting counting equipment to be acquired procured for use in this state shall be certified by the secretary of state as meeting standards acceptable to him as to durability, accuracy, efficiency, and capacity.

§1362. Method of acquiring procuring voting machines; parts and supplies; and of contracting for the maintenance of voting machines

A.1 All voting machines used in this state shall be purchased procured by the secretary of state, out of state funds appropriated for that purpose, on the basis of a competitive request for proposals process or public bids submitted to the secretary of state in accordance with specifications prepared by him. The specifications may require tests and examinations of the operation of the machines, and the secretary of state, for that purpose, may employ experts to report thereon and charge the expense thereof to the bidders. Advertisement and letting of contracts for the purchase procurement of voting machines shall be in accordance with the Louisiana Procurement Code contained in Chapter 17 of Title 39 of the Louisiana Revised Statutes of 1950.

(2) Notwithstanding any provision of law to the contrary, particularly the provisions of Chapter 17 of Title 39 of the Louisiana Revised Statutes of 1950, the secretary of state is authorized to purchase procure directly from the supplier, through the Department of State, voting machine parts, supplies, and other election paraphernalia and to contract with the manufacturer through the Department of State for the maintenance of the voting machines.

B. Title to all voting machines purchased by the secretary of state shall vest in the state.

Section 2. R.S. 18:174 and Part I-A of Chapter 5 of Title 18 of the Louisiana Revised Statutes of 1950, comprised of R.S. 18:411 through 417, are hereby repealed in their entirety.

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. Approved by the Governor, May 16, 2014.

A true copy:

Tom Schedler
Secretary of State

ACT No. 61

HOUSE BILL NO. 417
BY REPRESENTATIVE HAZEL

To amend and reenact Code of Criminal Procedure Article 814(A)(26) and (27), relative to responsive verdicts; to provide changes in responsive verdicts for theft and attempted theft; and to provide for related matters. Be it enacted by the Legislature of Louisiana:

Section 1. Code of Criminal Procedure Article 814(A)(26) and (27) are hereby amended and reenacted to read as follows:

Art. 814. Responsive verdicts; in particular

A. The only responsive verdicts which may be rendered when the indictment charges the following offenses are:

26. Theft:

Guilty of theft of property having a value of one thousand five hundred dollars or more.

Guilty of theft of property having a value of five hundred dollars or more, but less than one thousand five hundred dollars.

Guilty of theft of property having a value of three hundred dollars or more, but less than five hundred dollars.

Guilty of theft of property having a value of less than three hundred dollars.

Guilty of attempted theft of property having a value of one thousand five hundred dollars or more.

Guilty of attempted theft of property having a value of five hundred dollars or more, but less than one thousand five hundred dollars.

Guilty of attempted theft of property having a value of less than five hundred dollars.

Guilty of unauthorized use of movables having a value in excess of five hundred dollars.

Guilty of unauthorized use of movables having a value of five hundred dollars or less.

Guilty of unauthorized use of movables having a value of one thousand five hundred dollars or more.

Guilty of unauthorized use of movables having a value of less than one thousand five hundred dollars.

Guilty of unauthorized use of movables having a value of less than one thousand five hundred dollars.

Guilty of unauthorized use of movables having a value of less than five hundred dollars.

Guilty of unauthorized use of movables having a value of less than one thousand five hundred dollars.

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(1) The use by a contractor, or by an agent or employee of a contractor, of any deception, false pretence, or false promise to cause any person to enter into a contract for home improvements.

(2) The damaging of any property of any person, by a contractor, or by an agent or employee of a contractor, with the intent to induce that person to enter into a contract for home improvements.

For the purpose of this Section, "home improvement" means any alteration, repair, modification, or other improvement to any immovable or movable property primarily designed or used as a residence or to any structure within the residence or upon the land adjacent thereto.

C. The following shall constitute affirmative defenses to a violation of Paragraph (A):

(1) The work could not be performed due to excessive inclement weather conditions, and the work to be performed is outdoors.

(2) The work could not be performed due to the failure to receive necessary materials.

D. The work could not be performed for justifiable medical reasons which can be verified.

E. The work could not be performed due to the inability to access the job site.

F. The parties have contracted to provisions which are different than those provided by this statute, and those provisions are clear and unambiguous.

G. The contractor has written verification of job completion.

H. The work could not be performed due to the inability to obtain proper work permits.

I. Whoever commits the crime of home improvement fraud shall be fined not more than one thousand dollars and shall be imprisoned for not more than six months, when any of the following occur:

(1) The home improvement fraud is an act specified in Paragraph (A) of this Section, and the person with whom the contract for the home improvement has been entered into has been paid an amount of less than five hundred dollars.

(2) The home improvement fraud is a first offense commission of an act specified in Paragraph (A) of this Section, and the cost of repairing work fraudulently performed by the contractor and the cost of repairing work fraudulently performed by the contractor and the cost of completing work for which the contractor was paid but did not complete.

J. In determining the amount of the misappropriation or intentional taking amounts to a value of not less than one thousand dollars or more, but less than one thousand five hundred dollars, the offender shall be imprisoned, with or without hard labor, for not more than five years, or may be fined not more than two thousand dollars, or both.

K. When the misappropriation or intentional taking amounts to a value of one thousand dollars or more, but less than one thousand five hundred dollars, the offender shall be imprisoned, with or without hard labor, for not more than five years, or may be fined not more than ten thousand dollars, or both.

L. When the misappropriation or intentional taking amounts to a value of less than five hundred dollars, the offender shall be imprisoned, with or without hard labor, for not more than two years, and shall be fined not more than five thousand dollars, or both.

M. When determining the amount of the misappropriation or intentional taking amounts to a value of more than one thousand dollars or more, the offender shall be imprisoned, with or without hard labor, for not more than ten years, or may be fined not more than thirty thousand dollars, or both.

N. In determining the amount of the misappropriation or intentional taking amounts to a value of not less than one thousand dollars, but less than one thousand five hundred dollars, the offender shall be imprisoned, with or without hard labor, for not more than two years, and shall be fined not more than five thousand dollars, or both.

O. In determining the amount of the misappropriation or intentional taking amounts to a value of less than one thousand dollars, the offender shall be imprisoned, with or without hard labor, for not more than six months, fined not more than one thousand dollars, or both.

(2) The person with whom the contract for home improvement is entered into has been paid an amount of less than five hundred dollars, the offender shall be imprisoned for not more than six months, fined not more than one thousand dollars, or both.

(3) The person with whom the contract for home improvement is entered into has been paid an amount of five hundred dollars or more, but less than one thousand five hundred dollars, the offender shall be imprisoned, with or without hard labor, for not more than five years, or may be fined not more than two thousand dollars, or both.

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

(5) The work could not be performed due to success in obtaining work fraudulently performed by the contractor and the cost of repairing work fraudulently performed by the contractor and the cost of completing work for which the contractor was paid but did not complete.

(6) When determining the amount of the misappropriation or intentional taking amounts to a value of not less than one thousand dollars or more, the offender shall be imprisoned, with or without hard labor, for not more than ten years, or may be fined not more than thirty thousand dollars, or both.

Approved by the Governor, May 16, 2014.

A true copy:

Tom Schedler
Secretary of State

ACT No. 63

HOUSE BILL NO. 428
BY REPRESENTATIVE BARRAS
AN ACT

To amend and reenact R.S. 18:461(B), relative to qualifying for an election; to repeal provisions of law that allow for a refund of qualifying fees under certain circumstances when a candidate files multiple notices of candidacy; to provide for effectiveness; and to provide for related matters.

Be it enacted by the Legislature of Louisiana:

Section 1. R.S. 18:461(B) is hereby amended and reenacted to read as follows:

§461. Manner of qualifying

A. When a candidate has filed multiple notices of candidacy for election to more than one office at the same election, which multiple candidacies would be in violation of R.S. 18:453, the candidate shall be disqualified as a candidate in all the primary and general elections for all but the last of such offices for which he filed notices of candidacy, and any qualifying fees paid by the candidate shall be refunded as provided in R.S. 18:501. The secretary of state shall include the name of the candidate on the ballot for election to the last of such offices for which the candidate filed notices of candidacy and to no other such office for which dual candidacy would be prohibited.

Section 2. 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 last day following such approval.

Approved by the Governor, May 16, 2014.

A true copy:

Tom Schedler
Secretary of State
To enact R.S. 49:191(7) and to repeal R.S. 49:191(5)(n), relative to the Department of State, including provisions to provide for the re-creation of the Department of State 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.

Be it enacted by the Legislature of Louisiana:

Section 1. Pursuant to R.S. 49:193, the Department of State and the statutory entities made a part of the department by law shall be re-created effective June 30, 2014, and all statutory authority therefor is continued in accordance with the provisions of Part XII of Chapter 1 of Title 49 of the Louisiana Revised Statutes of 1950.

Section 2. All statutory authority for the existence of the Department of State and the statutory entities made a part of the department as re-created by Section 1 of this Act shall cease as of July 1, 2019, pursuant to R.S. 49:191. However, the Department of State may be re-created prior to such date in accordance with the provisions of Part XII of Chapter 1 of Title 49 of the Louisiana Revised Statutes of 1950.

Section 3. The provisions of R.S. 49:193 are hereby superseded to the extent that those provisions are in conflict with the provisions of this Act.

Section 4. R.S. 49:191(7) is hereby enacted to read as follows:

§191. Termination of legislative authority for existence of statutory entities; phase-out period for statutory entities; table of dates

Notwithstanding any termination dates set by any previous Act of the legislature, the statutory entities set forth in this Section shall begin to terminate their operations on July first of each of the following years, and all legislative authority for the existence of any statutory entity, as defined in R.S. 49:190, shall cease as of July first of the following year, which shall be the termination date:

(a) The Department of State and all statutory entities made a part of the department by law.

Section 5. R.S. 49:191(5)(n) is hereby repealed in its entirety.

Section 6. This Act shall become effective on June 30, 2014, if vetoed by the governor and subsequently approved by the legislature, this Act shall become effective on June 30, 2014, or on the day following such approval by the legislature, whichever is later.

Approved by the Governor, May 16, 2014.

A true copy:
Tom Schedler
Secretary of State

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To enact R.S. 34:851.15(D), relative to operation of motorboats on a portion of Lake Louis and Bayou Louis; to prohibit waterskiing on certain waterbodies; to restrict the use of personal watercraft on certain waterbodies; and to provide for related matters.

Be it enacted by the Legislature of Louisiana:

Section 1. R.S. 34:851.15(D) is hereby enacted to read as follows:

§851.15. Waterskiing

D. No motorboat shall have in tow or shall be otherwise assisting a person on water skis, surfboard, or similar contrivance on that portion of Lake Louis in Catahoula Parish, from latitude 31°47'42.6" N, longitude 91°40'40" W, to latitude 31°46'26" N, longitude 91°39'03" N, known as the "Rocks", southward on Bayou Louis. Additionally, no person shall operate a personal watercraft, as defined in R.S. 34:855.2, above bare steerage speed, the slowest speed the vessel can travel while allowing the operator to maintain directional control to produce the minimum water surface turbulence, in the portion of Lake Louis and Bayou Louis provided for in this Subsection.

Approved by the Governor, May 16, 2014.

A true copy:
Tom Schedler
Secretary of State

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To enact R.S. 8:75(C) and (D) and to enact R.S. 8:75(E), relative to the powers of the Louisiana Cemetery Board; to authorize the board to impose fines upon natural or juridical persons; to provide the amount of such fines; and to provide for related matters.

Be it enacted by the Legislature of Louisiana:

Section 1. R.S. 8:75(C) and (D) are hereby amended and reenacted and R.S. 8:75(E) is hereby enacted to read as follows:

§75. Refusal to grant, revocation, or suspension of certificate; injunction; fines; additional orders

* * *

C. If the board finds that any natural or juridical person has violated the provisions of this Title or the rules or regulations adopted and promulgated by the authority vested in this Chapter, it may impose a fine upon that natural or juridical person in an amount not to exceed one thousand dollars for each non-willful violation and in an amount not to exceed ten thousand dollars for each willful violation, plus cost of the court reporter and the attorney fees of the board.

D. The board may grant not more than thirty days from the date of the order for the payment of any fine.

E. The board may apply to a district court of the parish in which the cemetery is located for, and such court shall have the authority to issue, such additional orders as may be necessary to protect the health, welfare, or safety of the public.

Approved by the Governor, May 16, 2014.

A true copy:
Tom Schedler
Secretary of State

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To enact R.S. 33:2541.3, relative to the municipal fire and police civil service; to provide relative to the position of police chief for the city of Covington; to provide that such position is in the unclassified service; to provide relative to the appointment, supervision, and discharge of any person in any such position; to provide relative to qualifications; to provide relative to resignation from the position and return to the classified service; and to provide for related matters.

Notice of intention to introduce this Act has been published as provided by Article III, Section 13 of the Constitution of Louisiana.

Be it enacted by the Legislature of Louisiana:

Section 1. R.S. 33:2541.3 is hereby enacted to read as follows:

§2541.3. Police chief; city of Covington; unclassified service

D. Notwithstanding any provision of law to the contrary, the position of chief of police for the city of Covington is in the unclassified service, and the right of selection, appointment, supervision, and discharge for such position is vested in the mayor of the city. The appointment and selection of the chief of police shall be subject to the approval of the municipal governing authority.

(2) The chief of police shall have not less than five years of full-time law enforcement experience and shall have successfully completed a certified training program approved by the Peace Officer Standards and Training Council. Any person appointed to the position of chief of police shall meet all qualifications and requirements as provided in the municipal compensation plan in effect at the time of his appointment.

B. Any person who resigns from a position in the classified service to accept an appointment as chief of police shall not forfeit his seniority accumulated to the date of his resignation, but he shall not accumulate seniority during the time he is not in the classified service. If any such person resigns from the position of chief of police or is terminated for any reason other than malfeasance in office, he shall be eligible to be reemployed to the same position in the classified service in which he was employed immediately preceding his resignation from the classified service. If the position has been filled or no longer exists, then his employer shall employ him in a comparable position.

Section 2. The provisions of this Act are prospective only and shall not apply to the individual occupying the position of chief of police for the city of Covington on the effective date of this Act.

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.

Approved by the Governor, May 16, 2014.

A true copy:
Tom Schedler
Secretary of State

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* As it appears in the enrolled bill
To amend and reenact R.S. 26:87(A)(2), 98, 284(B), 295, and 919(A), relative to the office of alcohol and tobacco control; to provide with respect to the delivery of official correspondence from the commissioner of alcohol and tobacco control; and to provide for related matters.

Be it enacted by the Legislature of Louisiana:

Section 1. R.S. 26:87(A)(2), 98, 284(B), 295, and 919(A) are hereby amended and reenacted to read as follows:

§87. Procedure for determination to issue or withhold permit
A. The right to determine what persons shall or shall not be licensed under this Chapter shall be exercised in the following manner:

(2) The commissioner shall investigate all applications for state permits and shall withhold the issuance of the permit where that action is justified under the provisions of this Chapter. The decision to withhold the permit shall be made within thirty-five calendar days of the filing of the application. Within that period, the commissioner shall notify in writing the municipal authority or parish governing authority, as the case may be, where the applicant has his place of business, that it is withholding the permit and shall give his reasons therefor. Upon receipt of this notice, the governing authorities of the municipality or parish, as the case may be, shall withhold the issuance of the local permit. Within five calendar days of the decision to withhold the permit the commissioner shall notify the applicant in writing of the withholding of the permit and shall assign the reasons therefor. Such notice shall be either delivered to the applicant in person or sent to him by registered mail with return receipt requested or certified mail at the mailing address given in his last application. When so addressed and mailed, notices or summonses shall be conclusively presumed to have been received by the applicant.

§98. Notice of hearing by commissioner
Whenever the commissioner is to hold a hearing pursuant to the provisions of this Part, he shall issue a written summons or notice thereof to the applicant or permittee, as the case may be, directing him to show cause why his application should not be refused or why his permit should not be suspended or revoked. The notice or summons shall state the time, place, and hour of the hearing, which shall be not less than ten nor more than thirty calendar days from the date of the notice. The notice or summons shall enumerate the cause or causes alleged for refusing the application or for suspending or revoking the permit. When a petition has been filed opposing the issuance of the permit or asking for its suspension or revocation, a copy of the petition shall accompany the notice or summons. All notices or summonses shall be either delivered to the applicant or permittee and directed to him at the mailing address of his place of business as given in his last application for the permit. When so addressed and mailed, notices or summonses shall be conclusively presumed to have been received by the applicant or permittee.

§284. Procedure for determination to issue or withhold permit
The right to determine what persons shall or shall not be licensed under this Chapter shall be exercised in the following manner:

B. The commissioner shall investigate all applications for state permits and shall withhold the issuance of a permit where that action is justified under the provisions of this Chapter. This action may be taken without a prior hearing except as provided in R.S. 26:2380(F). The decision to withhold a state permit shall be made within thirty-five calendar days of the filing of an application. Within that period of time, the commissioner shall notify in writing the municipal authorities or parish governing authority, as the case may be, where the applicant has or was to have his place of business and shall specify the reasons for withholding the issuance of the state permit. Upon receipt of this notice, the municipal authorities or the parish governing authority shall withhold the issuance of the local permit. Within five calendar days of mailing the notice of withholding to the local authorities, the commissioner shall notify the applicant in writing of the withholding of the permit and shall assign reasons therefor. Such notice shall be either delivered to the applicant in person or sent to him by certified mail at the mailing address given in his last application for a state permit. When so addressed and mailed, it shall be conclusively presumed to have been received by the applicant.

§295. Notice of hearing by commissioner
Whenever the commissioner is to hold a hearing pursuant to the provisions of this Part, he shall issue a written summons or notice thereof to the applicant or permittee, as the case may be, directing him to show cause why his application should not be refused or why his permit should not be suspended or revoked. The notice or summons shall state the time, place, and hour of the hearing, which shall be not less than ten nor more than thirty calendar days from the date of the notice. The notice or summons shall enumerate the cause or causes alleged for refusing the application or for suspending or revoking the permit. When a petition has been filed opposing the issuance of the permit or asking for its suspension or revocation, a copy of the petition shall accompany the notice or summons. All notices or summonses shall be either delivered to the applicant or permittee and directed to him at the mailing address of his place of business as given in his last application for the permit. When so addressed and mailed, notices or summonses shall be conclusively presumed to have been received by the applicant or permittee.

§919. Administrative hearings
A. When the commissioner holds a hearing pursuant to this Chapter, he shall issue a written summons or notice to the applicant or permittee, as the case may be, directing him to show cause why his application should not be refused or why he should not be assessed a penalty or why his permit should not be suspended or revoked. The notice or summons shall state the time, place, and hour of the hearing, which shall be not less than ten nor more than thirty calendar days from the date of the notice. The notice or summons shall enumerate the cause or causes alleged for refusing the application or for assessing the penalty or suspending or revoking the permit. If a petition has been filed opposing the issuance of the permit or asking for its suspension or revocation, a copy of the petition shall accompany the notice or summons. All notices or summonses shall be either delivered to the applicant or permittee in person or sent by certified mail to the applicant or permittee and directed to him at the mailing address of his place of business as given in his last application for the permit. When so addressed and mailed, notices or summonses shall be conclusively presumed to have been received by the applicant or permittee.

ACT No. 70

HOUSE BILL NO. 476
BY REPRESENTATIVE LORUSSO
AN ACT
To amend and reenact R.S. 22:1554(A)(7), relative to insurance producer licenses; to allow the commissioner of insurance to deny, refuse to renew, or revoke an insurance producer license under certain circumstances; and to provide for related matters.

Be it enacted by the Legislature of Louisiana:

Section 1. R.S. 22:1554(A)(7) is hereby amended and reenacted to read as follows:

§1554. License denial, nonrenewal, or revocation
A. The commissioner of insurance may place on probation, suspend, revoke, or refuse to issue, renew, or reinstate an insurance producer license, or may levy a fine not to exceed five hundred dollars for each violation occurring, up to ten thousand dollars aggregate for all violations in a calendar year per applicant or licensee, or any combination of actions, for any one or more of the following causes:

(7) The conviction or nolo contendere plea to any felony, participation in a pretrial diversion program pursuant to a felony charge, suspension and deferral of sentence and probation pursuant to Article 883 of the Code of Criminal Procedure, or conviction of any misdemeanor involving moral turpitude or public corruption.

Approved by the Governor, May 16, 2014.

A true copy:
Tom Schedler
Secretary of State

ACT No. 71

HOUSE BILL NO. 480
BY REPRESENTATIVE RITCHIE AND SENATORS NEVERS AND GARY SMITH
AN ACT
To enact R.S. 1:58.6, relative to special days; to designate three days in July as the “Louisiana Collector Car Appreciation” weekend; to provide that these dates shall be observed annually by the state; and to provide for related matters.

Be it enacted by the Legislature of Louisiana:

Section 1. R.S. 1:58.6 is hereby enacted to read as follows:

§58.6. Louisiana Collector Car Appreciation weekend
A. The second Friday in July has long been recognized nationally as the Collector Car Appreciation Day.
B. In order to recognize the integral role collector cars have played in fostering our nation’s appreciation for the automobile’s unique place in our history, Friday, Saturday, and Sunday of the second weekend in July are hereby designated annually as “Louisiana Collector Car Appreciation Weekend throughout the state of Louisiana.”

Approved by the Governor, May 16, 2014.

A true copy:

Tom Schedler
Secretary of State

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ACT No. 72

BY REPRESENTATIVE HENRY AND SENATORS CLAIGHT, DORSEY-COLOMB, ERELL, MINT, AND NEVERS

To enact Part LXXV of Chapter 5 of Title 40 of the Louisiana Revised Statutes of 1950, to be comprised of R.S. 40:1300.381 through 1300.382, relative to chromosome deletion disorders; to provide for definitions; to provide for dissemination of information regarding velocardiofacial syndrome and 22q11.2 deletion syndrome; to provide for rulemaking authority; to authorize the use of available resources for cost containment; and to provide for related matters.

Be it enacted by the Legislature of Louisiana:

Section 1. Part LXXV of Chapter 5 of Title 40 of the Louisiana Revised Statutes of 1950, comprised of R.S. 40:1300.381 through 1300.382, is hereby enacted as follows:

PART LXXV. CHROMOSOME DELETION DISORDERS

§1300.381. Definitions

In this Part, unless the context otherwise requires, the following definitions are applicable:

(1) “Department” means the Department of Health and Hospitals.

(2) “Early intervention services provider” means services that are designed to meet the developmental needs of an infant or toddler with a disability, in any one or more of the following areas:

(a) Physical development.

(b) Cognitive development.

(c) Communication development.

(d) Social or emotional development.

(e) Adaptive development.

(f) “Early intervention services provider” means any provider of early intervention services to infants and toddlers with disabilities and their families. Early intervention services provider includes but is not limited to the following:

(g) Special educators.

(h) Speech-language pathologists and audiologists.

(i) Occupational therapists.

(j) Physical therapists.

(k) Psychologists.

(l) Nurses.

(m) Social workers.

(n) Family therapists.

(o) Vision specialists, including ophthalmologists and optometrists.

(p) Orientation and mobility specialists.

(q) Pediatricians and other physicians.

§1300.382. Velocardiofacial syndrome and 22q11.2 deletion syndrome; dissemination of information; rulemaking authority; costs

A. The department shall make available materials regarding velocardiofacial syndrome and 22q11.2 deletion syndrome to each early intervention services provider in this state.

B. Each early intervention services provider may offer the materials to parents of a child who is known by the provider to have at least two of the following conditions:

(1) Hypotonicity.

(2) Communication delay.

(3) Articulation disorder.

(4) Resonance disorder.

(5) Nasal regurgitation during feeding as an infant with no history of a cardiac anomaly.

(6) Recurrent ear infections as well as diagnosis of cardiac anomaly, feeding disorder, cleft palate, or submucosal cleft palate.

(7) Fine motor or gross motor skills delay.

C. (1) The department shall develop the materials required pursuant to this Section using medically accurate, peer-reviewed literature.

(2) The materials made available by the department pursuant to this Section shall include, at a minimum, all of the following:

(a) An explanation of velocardiofacial syndrome and 22q11.2 deletion syndrome symptoms, diagnosis, and treatment options.

(b) Information on relevant state agency and nonprofit resources, parent support groups, and available Medicaid waiver programs.

(c) A recommendation for follow-up with a healthcare provider for evaluation of the underlying etiology and an explanation that the existence of any of the conditions listed in Subsection B of this Section will necessarily result in a diagnosis of velocardiofacial syndrome or 22q11.2 deletion syndrome.

D. The department may adopt, in accordance with the Administrative Procedure Act, any rules and regulations necessary to implement this Section.

E. In developing the materials required by this Section, the department may utilize any available resources for the purposes of minimizing costs to the department.

Approved by the Governor, May 16, 2014.

A true copy:

Tom Schedler
Secretary of State

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ACT No. 73

BY REPRESENTATIVE HUVAL

AN ACT

To authorize and provide for the transfer of certain state property; to authorize the transfer of certain state property in St. Martin Parish; to provide for the property description; to provide for reservation of mineral rights; to provide terms and conditions; to provide an effective date; and to provide for related matters.

Be it enacted by the Legislature of Louisiana:

Section 1. The commissioner of the division of administration, notwithstanding any other provision of law to the contrary, is hereby authorized and empowered to convey, transfer, assign, lease, or deliver any interest, excluding mineral rights, the state may have to all or any portion of the following described parcel of property to the adjacent landowners, but only upon the condition that the Atchafalaya Land Corporation or its successors in title reject their option to purchase their former interest pursuant to the provisions of R.S. 41:1338.

Parcels of land directly behind and adjacent to Lots 34, 35, 36, 37, 38, 39, 40, 41, 42, 43, 44, 45, 46, 47, 48, 49, 50, 51, 52, 53, 54, 55, 56, 57, and 58, not to exceed beyond the bank of the borrow pit canal or the extent of state ownership, located within Section 11, T9S-R7E, St. Martin Parish. Said Lots are described on a plat by C.L. Jack Stelly dated April 3, 1904, revised June 27, 1997, on file in the St. Martin Parish Courthouse, COB 1259 Folio 424, conveyance number 285081, reserving to the State a right-of-way for the general public along the trail existing parallel and next to the borrow pit canal.

Section 2. The commissioner of the division of administration is hereby authorized to enter into such agreements, covenants, conditions, and stipulations and to execute such documents as necessary to properly effectuate any conveyance, transfer, assignment, lease or delivery of title, excluding mineral rights, to the property described in Section 1 of this Act, and as more specifically described in any such agreements entered into and documents executed by and between the commissioner of the division of administration and the adjacent landowners in exchange of consideration proportionate to the appraised value of the property.

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.

Approved by the Governor, May 16, 2014.

A true copy:

Tom Schedler
Secretary of State

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ACT No. 74

BY REPRESENTATIVE ADAMS

AN ACT

To amend and reenact R.S. 14:206 relative to the crime of fire prevention interference; to add elements to the crime; and to provide for related matters.

Be it enacted by the Legislature of Louisiana:

Section 1. R.S. 14:206 is hereby amended to read as follows:

§206. Fire prevention interference; penalty

A. Fire prevention interference is the intentional performance of any of the following acts:

(1) Defacing or destroying fire warning notices or posters.

(2) In any manner interfering with the use of any tools, equipment, towers, buildings, or telephone lines, or life safety systems and equipment as defined in R.S. 40:1646(C), used in the detection, reporting or suppression of fire.

(3) Obstructing, exasperating, or exceeding the capacity or posted occupant load of a building or structure.

(4) Unauthorized use or proximate display as defined in R.S. 51:650(9), of fireworks in a building or structure.
B. Whoever commits the crime of fire prevention interference shall be fined not more than five hundred dollars or imprisoned for a period of not more than six months; or both.

Approved by the Governor, May 16, 2014.

A true copy:
Tom Schedler
Secretary of State

ACT No. 75

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HOUSE BILL NO. 1194
Legislative Appropriations will publish in a later edition.

ACT No. 76

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BY REPRESENTATIVES LORUSSO AND SEABAUGH
AN ACT

To amend and reenact R.S. 47:463.73(G), relative to motor vehicle special prestige license plates; to provide for the “Mount Carmel Academy” special prestige plate; to provide for the creation and issuance of such license plates; and to provide for related matters.

Be it enacted by the Legislature of Louisiana:

Section 1. R.S. 47:463.73(G) is hereby amended and reenacted to read as follows:

§463.73. Special prestige license plate; Louisiana public and private high schools

* * *

G. The secretary shall establish special prestige license plates for Archbishop Hannan High School, Jesuit High School, and Mount Carmel Academy in accordance with the provisions of this Section as it was enacted.

Approved by the Governor, May 16, 2014.

A true copy:
Tom Schedler
Secretary of State

ACT No. 77

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HOUSE BILL NO. 576
BY REPRESENTATIVE TIM BURNS
AN ACT

To amend and reenact R.S. 33:2211(A), relative to the city of Mandeville; to provide that laws governing employment of municipal police, including matters of compensation, leave, and hours, do not apply to Mandeville; to provide relative to effectiveness; and to provide for related matters.

Notice of intention to introduce this Act has been published as provided by Article III, Section 13 of the Constitution of Louisiana.

Be it enacted by the Legislature of Louisiana:

Section 1. R.S. 33:2211(A) is hereby amended and reenacted to read as follows:

A.(1) The Except as provided in Paragraph (2) of this Subsection and as otherwise specified in R.S. 33:2212.1, provisions of this Subpart shall apply to municipalities having a population of not less than twelve thousand nor more than two hundred fifty thousand; however, §2214 shall not apply to the city of Westwego.

(2)(a) R.S. 33:2214 shall not apply to the city of Mandeville.

(b) The provisions of this Subpart, including R.S. 33:2212.1, shall not apply to the city of Mandeville.

* * *

Section 2. The provisions of this Act shall be given retroactive and prospective effect.

Approved by the Governor, May 16, 2014.

A true copy:
Tom Schedler
Secretary of State

ACT No. 78

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HOUSE BILL NO. 579
BY REPRESENTATIVE DANAHAY
AN ACT

To enact R.S. 33:4727.2, relative to the city of Sulphur; to provide relative to planning and zoning within the city; to provide relative to the powers and duties of the city's governing authority and zoning commission; to grant the governing authority of the city the power to grant certain powers and duties to the city's zoning commission; and to provide for related matters.

Notice of intention to introduce this Act has been published as provided by Article III, Section 13 of the Constitution of Louisiana.

Be it enacted by the Legislature of Louisiana:

Section 1. R.S. 33:4727.2 is hereby enacted to read as follows:

§4727.2. City of Sulphur; zoning commission; powers of board of adjustment
In addition to all other powers authorized by the provisions of this Subpart, the governing authority of the city of Sulphur may authorize the zoning commission of the city of Sulphur to exercise any or all powers, duties, and responsibilities which may be exercised by a board of adjustment pursuant to the provisions of R.S. 33:4727.

Approved by the Governor, May 16, 2014.

A true copy:
Tom Schedler
Secretary of State

ACT No. 79

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HOUSE BILL NO. 642
BY REPRESENTATIVE HILL
AN ACT

To enact R.S. 13:2116, relative to court costs in the Oberlin Municipal Court; to provide for additional court costs for traffic matters; to provide for the collection and disposition of funds; and to provide for related matters.

Be it enacted by the Legislature of Louisiana:

Section 1. R.S. 13:2116 is hereby enacted to read as follows:

§2116. Oberlin Municipal Court; traffic matters; additional costs
A. Except as otherwise provided by law, in all traffic violation cases, the municipal judge may assess, in addition to any other fine or other penalty which may be legally imposed, costs of court in an amount not to exceed fifty dollars.

* * *

To enact R.S. 22:362(C), 369(A)(5), and 369.1, relative to vehicle mechanical breakdown insurers; to permit the commissioner of insurance to levy a fine; to provide that mechanical breakdown insurers shall notify the commissioner of insurance within sixty days of any material change in its ownership, control, or other circumstance affecting its qualifications for a license; to provide that the commissioner may levy a fine, suspend, or revoke a license for failing to comply with the law or a lawful order of the commissioner; to provide for reinstatement of license for failure to pay the annual license renewal fee; to provide for reinstatement of license for failure to file the annual audited financial statement; and to provide for related matters.

Be it enacted by the Legislature of Louisiana:

Section 1. R.S. 22:369(A)(introductory paragraph) and to enact R.S. 22:362(C), 369(A)(5), and 369.1, relative to vehicle mechanical breakdown insurers; to permit the commissioner of insurance to levy a fine; to provide that mechanical breakdown insurers shall notify the commissioner of insurance within sixty days of any material change in its ownership, control, or other circumstance affecting its qualifications for a license; to provide that the commissioner may levy a fine, suspend, or revoke a license for failing to comply with the law or a lawful order of the commissioner; to provide for reinstatement of license for failure to pay the annual license renewal fee; to provide for reinstatement of license for failure to file the annual audited financial statement; and to provide for related matters.

Be it enacted by the Legislature of Louisiana:

Section 1. R.S. 22:369(A)(introductory paragraph) is hereby amended and reenacted and R.S. 22:362(C), 369(A)(5), and 369.1 are hereby enacted to read as follows:

§362. License required of vehicle mechanical breakdown insurer

* * *

C. Every licensee shall notify the commissioner within sixty days of any material change in its ownership, control, or other fact or circumstance affecting its qualifications for a license in this state. Material changes shall include but are not limited to the following:

(1) Changes in officers or directors.
(2) Changes in ownership.
(3) Change in articles of incorporation.
(4) A merger.
(5) An addition or change of a trade name or “d/b/a”.
(6) Cessation of business in Louisiana.

* * *

§369. Revocation or suspension of license
A. In accordance and compliance with R.S. 49:961, the commissioner may levy a fine not to exceed one thousand dollars per violation or revoke or suspend any license required by this Subpart should he find any of the following:

* * *

(5) If the insurer fails to comply with any provision of this Subpart or a lawful order of the commissioner.

* * *

§369.1. Reinstatement of license
A. A vehicle mechanical breakdown insurer whose license has been suspended for failure to pay the annual renewal fee required by R.S. 22:362 shall have his license reinstated if the annual renewal fee is paid within
ninety days of the date of suspension, provided all other requirements of this Subpart have been met.
B. A vehicle mechanical breakdown insurer whose license has been suspended for failure to file the annual audited financial statement required by R.S. 22:3366 shall have his license reinstated if the annual audited financial statement is filed within ninety days of the deadline for filing provided in R.S. 22:3366.

Approved by the Governor, May 16, 2014.
A true copy:
Tom Schedler
Secretary of State

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ACT No. 81

HOUSE BILL NO. 655
BY REPRESENTATIVE MACK
AN ACT

To amend and reenact R.S. 32:403.4(A)(1), relative to medical evaluation reports required of persons driving a commercial motor vehicle; and to provide for related matters.

Be it enacted by the Legislature of Louisiana:
Section 1. R.S. 32:403.4(A)(1) is hereby amended and reenacted to read as follows:
§403.4. Medical evaluation report required of persons driving a commercial motor vehicle
A.(1) A person applying for a Class “A”, “B”, or “C” commercial driver’s license shall not have any physical or mental disability affecting the ability to exercise ordinary and reasonable control in the operation of a commercial motor vehicle. Such person, unless exempted by the office of motor vehicles or by a rule or regulation, shall provide a current medical report medical examiner’s certificate, on a form approved by the office of motor vehicles, prepared by a duly licensed medical examiner, certifying that he is capable of exercising ordinary and reasonable control in the operation of a commercial motor vehicle. Such person shall submit a valid medical report medical examiner’s certificate at every renewal and shall carry a current medical examiner’s certificate on his person at all times when driving a commercial motor vehicle requiring either a Class “A”, “B”, or “C” commercial driver’s license as defined herein.

* * *

Approved by the Governor, May 16, 2014.
A true copy:
Tom Schedler
Secretary of State

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ACT No. 82

HOUSE BILL NO. 660
BY REPRESENTATIVE PIERRE
AN ACT

To amend and reenact R.S. 22:3382 and 339(A)(introductory paragraph) and to enact R.S. 22:3389(A)(5) and 339.1, relative to property residual value insurers; to provide that a property residual value insurer shall notify the commissioner of insurance within sixty days of any material change in its ownership, control, or other circumstance affecting its qualifications for a license; to permit the commissioner of insurance to levy a fine; to authorize the commissioner to levy a fine, suspend, or revoke a license under certain circumstances; to provide for reinstatement of license for failure to pay the annual license renewal fee; to provide for reinstatement of license for failure to file the annual audited financial statement; and to provide for related matters.

Be it enacted by the Legislature of Louisiana:
Section 1. R.S. 22:3382 and 339(A)(introductory paragraph) are hereby amended and reenacted and R.S. 22:3389(A)(5) and 339.1 are enacted to read as follows:
§338. License required of property residual value insurer; notice of material change required
A. A person shall not act as or attempt to act as a property residual value insurer unless licensed to do so by the commissioner. Each application shall be submitted to the commissioner along with the fee for such license in the amount of one thousand five hundred dollars. Licenses shall be renewed annually upon payment of a fee of one thousand five hundred dollars, which shall be paid no later than March fifteenth of each year.
B. A licensee shall notify the commissioner within sixty days of any material change in its ownership, control, or other fact or circumstance affecting its qualification for a license in this state. Material changes shall include but are not limited to the following:
(1) Changes in officers or directors.
(2) Changes in ownership.
(3) Change in articles of incorporation.
(4) A merger.
(5) An addition or change of a trade name or “d/b/a”.
(6) Cessation of business in Louisiana.

* * *

§389. Revocation or suspension of license; fine
A. The commissioner may levy a fine not to exceed one thousand dollars for violation or revocation of suspension of license required by this Subpart in accordance with R.S. 49:961—Any license issued under the provisions of this Subpart shall be revoked or suspended for the following causes for any of the following:
* * *

(5) The insurer fails to comply with any provision of this Subpart or a lawful order of the commissioner.

* * *

§389.1. Reinstatement of license
A. A property residual value insurer whose license has been suspended for failure to file the annual audited financial statement required by R.S. 22:3382 shall have his license reinstated if the annual audited financial statement is filed within ninety days of the deadline for filing provided in R.S. 22:3386.

Approved by the Governor, May 16, 2014.
A true copy:
Tom Schedler
Secretary of State

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ACT No. 83

HOUSE BILL NO. 721
BY REPRESENTATIVE HUVAL
AN ACT

To amend and reenact R.S. 22:1573(D)(1) and (3), (J), (K), (L), and (M), relative to insurance producer continuing education requirements; provides that the commissioner shall grant twenty-four continuing education credits to a licensed producer who is a member of the legislature during the member’s term; provides that a licensed producer who actively participates in a state or national insurance association may receive up to four continuing education credits; and to provide for related matters.

Be it enacted by the Legislature of Louisiana:
Section 1. R.S. 22:1573(D)(1) and (3), (J), (K), (L), and (M) are hereby amended and reenacted to read as follows:
§1573. Continuing education requirements

I.(a) The provisions of this Section, imposing continuing education requirements for renewal of a license, shall not apply to any person sixty-five years of age or older on January 1, 2012, who has at least fifteen years of experience as a licensed producer and who either:
(1) Is no longer actively engaged in the insurance business or who and who is receiving social security benefits, if eligible.
(2) Is actively engaged in the insurance business as a producer and who represents or operates through a licensed Louisiana insurer.

I.(b) The provisions of this Subsection imposing continuing education requirements for renewal of a license, shall not apply to any person who is a member of the legislature while that person is serving a term in the legislature.

* * *

(3) The provisions of Subparagraph (1)(a) of this Subsection shall only apply only to an individual a person who retires on or after January 1, 1994.

J. The department commissioner may grant continuing education credits to an individual for participating any of the following:
(1) A licensed producer who participates in a qualified graduate-level national designation program, only if the individual passes the test required of such program, and earns a certificate of completion. Qualified graduate-level national designation programs include programs in which an individual a person may be designated as a Chartered Life Underwriter (CLU), Chartered Property and Casualty Underwriter (CPCU), Certified Insurance Counselor (CIC), and other such national professional designations.

K. The department commissioner may grant twenty-four continuing education credits to a licensed producer who is a member of the legislature while that person is serving a term in the legislature.

L. Beginning with license renewals effective in 2015, title insurance producers licensed pursuant to Subpart B of Part 1 of Chapter 2 of this Title, R.S. 22:511 et seq., shall complete twelve hours of approved instruction in accident and fire insurance within the preceding twelve months. Licensees shall also complete an additional twelve hours of approved instruction in flood insurance on his first license renewal when continuing education is required.

* As it appears in the enrolled bill

THE ADVOCATE
CODING: Words in struck through type are deletions from existing law; words underscored (House Bills) and underscored and boldfaced (Senate Bills) are additions.

PAGE 25
Fifteen voting members shall be appointed by the governor subject to the provisions set forth in Paragraph (2) of this recommendations for sentencing and post-only sentencing and post-sentencing procedures and description.

A. Notwithstanding any other law to the contrary, if the Ouachita Parish School Board, on behalf of the state of Louisiana, determines that any school land, including but not limited to sixteenth section lands, school indemnity lands, or other immovable property located in Ouachita Parish and as more specifically described in any agreements entered into and documents executed by the Ouachita Parish School Board, is no longer needed for school purposes and that the best interest of the Ouachita Parish school system would be served by the sale or exchange of such land, the school board may sell its interest or exchange such land for other land in Ouachita Parish in accordance with the procedures set forth in this Section.

B. The Ouachita Parish School Board shall obtain an appraisal of the land to be sold or exchanged from a certified, licensed appraiser and such appraisal shall be available for public inspection.

C. If land is being exchanged, the land to be received by the Ouachita Parish School Board shall be of equal or greater value than the land that the Ouachita Parish School Board is to relinquish or exchange.

D. The Ouachita Parish School Board shall reserve to the state all of the mineral rights and minerals in accordance with law.

The provisions of this Section shall be applicable but shall not be limited to the sale or exchange of part or all of Section 16, Township 17 North, Range 5 East of Ouachita Parish, as well as any other sixteenth section land situated within Ouachita Parish.

Section 2. This Act shall become effective upon signature of 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 in 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.

Approved by the Governor, May 16, 2014.

A true copy:
Tom Schedler
Secretary of State

ACT No. 84

BY REPRESENTATIVE KATRINA JACKSON

AN ACT
To enact R.S. 41:907, relative to the sale or exchange of school lands; to authorize Ouachita Parish School Board to sell or exchange certain school lands; to provide procedures for such sale or exchange; to provide for the reservation of mineral rights; and to provide for related matters.

Be it enacted by the Legislature of Louisiana:

Section 1. R.S. 41:907 is hereby enacted to read as follows:

§907. Ouachita Parish School Board; sale or exchange of school lands; procedures; description.

A. Notwithstanding any other law to the contrary, if the Ouachita Parish School Board, on behalf of the state of Louisiana, determines that any school land, including but not limited to sixteenth section lands, school indemnity lands, or other immovable property located in Ouachita Parish and as more specifically described in any agreements entered into and documents executed by the Ouachita Parish School Board, is no longer needed for school purposes and that the best interest of the Ouachita Parish school system would be served by the sale or exchange of such land, the school board may sell its interest or exchange such land for other land in Ouachita Parish in accordance with the procedures set forth in this Section.

B. The Ouachita Parish School Board shall obtain an appraisal of the land to be sold or exchanged from a certified, licensed appraiser and such appraisal shall be available for public inspection.

C. If land is being exchanged, the land to be received by the Ouachita Parish School Board shall be of equal or greater value than the land that the Ouachita Parish School Board is to relinquish or exchange.

D. The Ouachita Parish School Board shall reserve to the state all of the mineral rights and minerals in accordance with law.

The provisions of this Section shall be applicable but shall not be limited to the sale or exchange of part or all of Section 16, Township 17 North, Range 5 East of Ouachita Parish, as well as any other sixteenth section land situated within Ouachita Parish.

Section 2. This Act shall become effective upon signature of 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 in 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.

Approved by the Governor, May 16, 2014.

A true copy:
Tom Schedler
Secretary of State

ACT No. 85

BY REPRESENTATIVE LOPINTO

AN ACT
To amend and reenact Code of Criminal Procedure Article 559(A), relative to the withdrawal of a guilty plea; to require a contradictory hearing on any motion to withdraw a guilty plea; to authorize the state to waive the contradictory hearing; and to provide for related matters.

Be it enacted by the Legislature of Louisiana:

Section 1. Code of Criminal Procedure Article 559(A) is hereby amended and reenacted to read as follows:

Art. 559. Withdrawal or setting aside of plea of guilty
A. Upon motion of the defendant and after a contradictory hearing, which may be waived by the state in writing, the court may permit a plea of guilty to be withdrawn at any time before sentence.

Approved by the Governor, May 16, 2014.

A true copy:
Tom Schedler
Secretary of State

ACT No. 86

BY REPRESENTATIVE MORENO AND SENATOR KOSTELKA

AN ACT
To amend and reenact R.S. 15:323(B), (D), (G)(introductory paragraph), and (H), and 323(A), (B)(2)(introductory paragraph), (D), and (G) and to enact R.S. 15:323(B)(2)(j) and (j), relative to the Louisiana Sentencing Commission; to provide relative to the duties of the commission; to provide relative to legislation recommended by the commission; to provide for the membership of the commission; to provide for additional members of the commission; to provide relative to persons serving as a proxy for a voting member of the commission; and to provide for related matters.

Be it enacted by the Legislature of Louisiana:

Section 1. R.S. 15:323(B), (D), (G)(introductory paragraph), and (H), and 323(A), (B)(2)(introductory paragraph), (D), and (G) are hereby amended and reenacted and R.S. 15:323(B)(2)(i) and (j) are hereby enacted to read as follows:

§321. Purpose: duties of the commission; conducting of evaluation of sentencing structure; report

A. The legislature has determined that the best interest of the state would be served by the development and implementation of a uniform sentencing policy for use by the Louisiana judiciary. The sole purpose of the Louisiana Sentencing Commission is to assist the judiciary and the legislature in formulating such policy.

B. The legislature has determined that the best interest of the state would be served by the development and implementation of a uniform sentencing policy for use by the Louisiana judiciary. The sole purpose of the Louisiana Sentencing Commission is to assist the judiciary and the legislature in formulating such policy.

C. The legislature has determined that the best interest of the state would be served by the development and implementation of a uniform sentencing policy for use by the Louisiana judiciary. The sole purpose of the Louisiana Sentencing Commission is to assist the judiciary and the legislature in formulating such policy.

D. The commission shall conduct a continuous review of the state's sentencing structure based upon existing criminal law and law relative to criminal procedure. The commission may recommend such only sentencing and post-sentencing procedures; description.

The provisions of this Section shall be applicable but shall not be limited to the sale or exchange of part or all of Section 16, Township 17 North, Range 5 East of Ouachita Parish, as well as any other sixteenth section land situated within Ouachita Parish.

Section 2. This Act shall become effective upon signature of 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 in 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.

Approved by the Governor, May 16, 2014.

A true copy:
Tom Schedler
Secretary of State

THE ADVOCATE

* As it appears in the enrolled bill

CODING: Words in struck through type are deletions from existing law; words underscored (House Bills) and boldfaced (Senate Bills) are additions.
(3) The proxy appointed by the voting member shall not be subject to the same nominating and appointment procedures as is required for the voting member for whom he is serving and shall not be subject to Senate confirmation, professional management, or any other means of enhancing the revenue-producing potential of such facilities. In the exercise of this authority, the commission is further authorized and empowered to construct, create, lease, acquire, or erect, and to exhibit the aircraft carrier U.S.S. Cabot-Dedalo, or other naval museum vessel it acquires, and to adopt rules and regulations for the use of such museum and vessel.

B. The commission may have control over the aircraft carrier U.S.S. Cabot-Dedalo or other any naval museum vessel it acquires, and shall have control over any improvements and exhibits located thereon and any additions constructed, created, leased, acquired, or erected in connection therewith.

C. The commission shall select a site for permanently docking the U.S.S. Cabot-Dedalo or other any naval museum vessel it acquires at Kenner and make all necessary arrangements for leasing or acquiring a location for its exhibition.

D. The commission shall be responsible for all distribution and collection of funds connected with this project. It is also authorized to contract for, receive, accept, and expend any funds made available from public or private sources. No employees of the commission shall be deemed to be employees of the state or be entitled to join the state retirement system.

E. The commission is authorized and empowered to contract for professional management of all or part of the operations of the U.S.S. Cabot-Dedalo or other any naval vessel it acquires and related facilities.

F. The commission shall have the authority to contract with the U.S.O., U.S. Navy and any other branch of the U.S. Armed Services, other naval and military museums, military and quasi-military organizations, corporations, associations, and other legal entities for the purpose of soliciting and acquiring exhibits, equipment, additional improvements, films, videos, photographs, and memorabilia for public display, as well as donations for the acquisition of such items, and for events on the U.S.S. Cabot-Dedalo, or other any naval vessel it acquires.

§1005.3. Authority to acquire, lease, construct, and finance certain facilities and improvements

A. The Kenner Naval Museum Commission, in addition to those duties specified in R.S. 25:1005.2, shall have the authority to acquire, lease, construct, and finance a landing facility for commercial excursion boats, an observation area, a platform for tourist related recreational projects, and other related improvements to the U.S.S. Cabot-Dedalo and its related museum any naval vessel it acquires, as needed public facilities and improvements, and as a means of enhancing the revenue-producing potential of such facilities. In the exercise of this authority, the commission is further authorized and empowered to enter into and execute an agreement or agreements with the U.S.S. Cabot-Dedalo Foundation, the city of Kenner, the parish of Jefferson, or all of them, either before or after the effective time of the “city” and "parish", and such entities are likewise authorized to enter into such agreements for participation by the foundation, the city, and the parish in the acquisition, construction, and financing of such facilities and improvements.

Approved by the Governor, May 16, 2014.
A true copy:
Tom Schedler
Secretary of State

ACT No. 89

HOUSE BILL NO. 794
BY REPRESENTATIVE WILLMOTT
AN ACT
To amend and reenact R.S. 25:1005, 1005.2, and 1005.3(A), relative to the Kenner Naval Museum Commission; to remove provisions relative to acquisition and exhibit of a specific ship by the museum; and to provide for related matters.

Be it enacted by the Legislature of Louisiana:
Section 1. R.S. 25:1005, 1005.2, and 1005.3(A) are hereby amended and reenacted to read as follows:

§1005. Legislative intent
The legislature hereby recognizes that it is appropriate to establish a naval museum on the Mississippi River at Kenner and that including a naval vessel of historic significance as part of such museum will be a significant factor in its effectiveness. The legislature finds that such a museum would be an excellent educational and historical facility for Louisianians, especially school children, and would also be a distinctive attraction to visitors to Louisiana and that the location of such a facility at Kenner would complement and be be complemented by the many museums and other visitor attractions located there. The legislature recognizes that the museum would also pay fitting tribute to those citizens of Louisiana who participated in the naval engagements of our past wars. The legislature therefore further recognizes the desirability of including as part of the museum the U.S.S. Cabot-Dedalo, formerly an aircraft carrier of the United States Navy which was involved in virtually the entire Pacific campaign in World War II and which later was the flagship of the Spanish Navy.

§1005.2. Duties
A. The commission shall have authority to acquire, lease, transport, berth, renovate, equip, operate, and maintain, and to exhibit the aircraft carrier U.S.S. Cabot-Dedalo or, if acquisition thereof becomes impossible or undesirable, any other naval vessel acquired for use as a permanent naval museum, and to adopt rules and regulations for the use of such museum and vessel.

B. The commission may have control over the aircraft carrier U.S.S. Cabot-Dedalo or other any naval museum vessel it acquires, and shall have control over any improvements and exhibits located thereon and any additions constructed, created, leased, acquired, or erected in connection therewith.

C. The commission shall select a site for permanently docking the U.S.S. Cabot-Dedalo or other any naval museum vessel it acquires at Kenner and make all necessary arrangements for leasing or acquiring a location for its exhibition.

D. The commission shall be responsible for all distribution and collection of funds connected with this project. It is also authorized to contract for, receive, accept, and expend any funds made available from public or private sources. No employees of the commission shall be deemed to be employees of the state or be entitled to join the state retirement system.

E. The commission is authorized and empowered to contract for professional management of all or part of the operations of the U.S.S. Cabot-Dedalo or other any naval vessel it acquires and related facilities.

F. The commission shall have the authority to contract with the U.S.O., U.S. Navy and any other branch of the U.S. Armed Services, other naval and military museums, military and quasi-military organizations, corporations, associations, and other legal entities for the purpose of soliciting and acquiring exhibits, equipment, additional improvements, films, videos, photographs, and memorabilia for public display, as well as donations for the acquisition of such items, and for events on the U.S.S. Cabot-Dedalo, or other any naval vessel it acquires.

§1005.3. Authority to acquire, lease, construct, and finance certain facilities and improvements

A. The Kenner Naval Museum Commission, in addition to those duties specified in R.S. 25:1005.2, shall have the authority to acquire, lease, construct, and finance a landing facility for commercial excursion boats, an observation area, a platform for tourist related recreational projects, and other related improvements to the U.S.S. Cabot-Dedalo and its related museum any naval vessel it acquires, as needed public facilities and improvements, and as a means of enhancing the revenue-producing potential of such facilities. In the exercise of this authority, the commission is further authorized and empowered to enter into and execute an agreement or agreements with the U.S.S. Cabot-Dedalo Foundation, the city of Kenner, the parish of Jefferson, or all of them, either before or after the effective time of the “city” and "parish", and such entities are likewise authorized to enter into such agreements for participation by the foundation, the city, and the parish in the acquisition, construction, and financing of such facilities and improvements.

Approved by the Governor, May 16, 2014.
A true copy:
Tom Schedler
Secretary of State

THE ADVOCATE
*
As it appears in the enrolled bill
To amend and reenact R.S. 22:2161(A)(10), (14), and (17), to enact R.S. 22:2161(A)(7) and (9), and to repeal R.S. 22:2161(A)(21), relative to the Louisiana Health Care Commission, to make changes to the membership of the commission; to provide for nominations to the commission; to change references to certain organizations of the commission; and to provide for related matters.

Be it enacted by the Legislature of Louisiana:

Section 1: R.S. 22:2161(A)(10), (14), and (17) are hereby amended and reenacted and R.S. 22:2161(A)(7) and (9) are hereby enacted to read as follows:

§2161. Louisiana Health Care Commission; creation
A. There is hereby created the Louisiana Health Care Commission within the Department of Insurance. The commission shall be domiciled in Baton Rouge, and its members shall serve for terms of two years. The functions, duties, and responsibilities of the commission shall be to review and study the availability, affordability, and delivery of quality health care in the state. The commission shall specifically examine the rising costs of health care in the state, including but not limited to the cost of administrative duplication, the costs associated with excess capacity and duplication of medical services, and the costs of medical malpractice and liability and shall examine the adequacy of consumer protections, as well as the formation and implementation of insurance pools that better assure citizens the ability to obtain health insurance at affordable costs and encourage employers to provide health care benefits for their employees by increased bargaining power and economies of scale for better coverage and benefit options at reduced costs.

Further, the commission shall examine the implementation issues related to national health care reform initiatives. The commission shall appoint five at-large members to the commission. The remainder of the members shall be appointed by the commissioner of insurance from a list of nominees submitted by the governing boards of state colleges and universities and by a dean from the business schools represented by the Louisiana Association of Independent Colleges and Universities. One member of the Senate Committee on Insurance shall be appointed by the president of the Senate and one member of the House Committee on Insurance shall be appointed by the speaker of the House. The commission shall be a volunteer representative.

(b) The members of the commission shall be nonvoting members. The remainder of the members shall be appointed by the commissioner of insurance from a list of nominees, one nominee to be submitted by each of the following:

(7) Health Agents for America.

(9) Independent Insurance Agents & Brokers of Louisiana.

(10) Louisiana State Program of the American Association of Retired Persons AARP Louisiana.

(14) American Association of Retired Persons AARP, the nominee of which shall be a volunteer representative.

(17) Louisiana Association of Insurance and Financial Advisers NAIFA Louisiana.

Section 2. R.S. 22:2161(A)(21) is hereby repealed in its entirety.

Approved by the Governor, May 16, 2014.

A true copy:
Tom Schedler
Secretary of State

ACT No. 90

HOUSE BILL NO. 796
BY REPRESENTATIVE CROMER
AN ACT

To amend and reenact R.S. 36:259(Y) and 802.24 and Chapter 19 of Title 46 of the Louisiana Revised Statutes of 1950, to be comprised of R.S. 46:1721 through 1740, relative to a savings program for persons with disabilities; to provide for definitions, findings, and purposes; to create the ABLE Account Program and the ABLE Account Authority to administer such program; to provide for composition, powers, and duties of the ABLE Account Authority; to provide for equivalency of certain aspects of the ABLE Account Program to aspects of the Louisiana Student Tuition Assistance and Revenue Trust Program; to establish program rules; to provide for qualified expenses; to provide for transfer of entities to the Department of Health and Hospitals for the purpose of conferring rulemaking authority; to provide for promulgation of rules; to provide for effectiveness contingent upon certain actions by congress; and to provide for related matters.

Be it enacted by the Legislature of Louisiana:

Section 1. R.S. 36:259(Y) and 802.24 are hereby enacted to read as follows:

§259. Transfer of agencies and functions to Department of Health and Hospitals

Y. The ABLE Account Authority (R.S. 46:1725) is hereby placed within the Department of Health and Hospitals and shall exercise and perform its powers, duties, functions, and responsibilities in the manner provided in R.S. 36:802.24.

$802.24. Transfer; ABLE Account Authority
The ABLE Account Authority, transferred by the provisions of R.S. 36:259(Y), is transferred to and placed within the Department of Health and Hospitals and shall continue to be comprised and continued by law, and shall continue to exercise all of the powers, duties, functions, and responsibilities as provided in Chapter 19 of Title 46 of the Louisiana Revised Statutes of 1950.
Section 2.  Chapter 19 of Title 46 of the Louisiana Revised Statutes of 1950, comprised of R.S. 46:1721 through 1740, is hereby enacted to read as follows:

CHAPTER 19.  ABLE ACCOUNT PROGRAM FOR DISABILITY-RELATED EXPENSES

§1721.  Short title
This Chapter shall be known and may be cited as the “Achieving a Better Life Experience in Louisiana Act” or the “Louisiana ABLE Act”.

§1722.  Definitions
As used in this Chapter, the following terms have the meanings ascribed to them in this Section:

(1)  “ABLE Account” means a special savings account for financing certain qualified disability expenses of persons with disabilities as specifically provided in this Chapter.

(2)  “ABLE Account Program” and “program” mean the special savings account program provided for in this Chapter.

(3)  “Authority” means the ABLE Account Authority created by this Chapter to establish, operate, and maintain the ABLE Account Program.

(4)  “Beneficiary” means the ABLE Account owner or the person entitled to apply the savings accrued in an ABLE Account, if not the account owner.

(5)  “Department” means the Department of Health and Hospitals.

(6)  “Person with a disability” means a person who meets either of the following criteria:

(a)  Has a medically determinable physical or mental impairment which results in marked and severe functional limitations, and which can be expected to result in death or which has lasted or can be expected to last for a continuous period of not less than twelve months.

(b)  Is blind.

(7)  “Qualified disability expense” means any expense made for the benefit of a person with a disability who is a designated beneficiary as defined and specified under the authorities provided for in this Chapter.  Qualified disability expenses may include, without limitation, the following:

(a)  Assistive technology and personal support service expenses for devices and services that facilitate maintenance of health, independence, and quality of life.

(b)  Education expenses, including tuition for preschool through postsecondary education, which shall include higher education expenses and expenses for books, supplies, and educational materials related to preschool and secondary education tutors, and special education services.

(c)  Employment support expenses related to obtaining and maintaining employment, including job-related training, assistive technology, and personal assistance supports.

(d)  Health, prevention, and wellness expenses including but not limited to medical, vision, dental, and mental healthcare expenses.

(e)  Housing expenses for a primary residence, including rent, purchase of a primary residence or an interest in a primary residence, mortgage payments, real property taxes, and utility charges.

(f)  Miscellaneous expenses, including expenses for financial management and administrative services; legal fees; expenses for oversight; monitoring; home improvements, modifications, maintenance, and repairs at primary residence; and funeral and burial expenses.

(g)  Transportation expenses, including the use of mass transit, the purchase or modification of vehicles, and moving expenses.

(h)  Any other expenses which are consistent with the purposes of this Chapter, approved by the authority, and provided for in duly promulgated administrative rules.

§1723.  ABLE Account Program; creation; purpose; legislative intent
A.  There is hereby created the ABLE Account Authority, which shall have the powers enumerated in this Chapter.

B.  Maximum contributions to ABLE Accounts shall be no higher than the limit established by the state for the Louisiana Student Tuition Assistance and Revenue Trust Program, R.S. 17:3091 et seq.

C.  Qualified disability expenses paid from an ABLE Account shall be treated in the same manner as qualified higher education expenses are treated in the qualified tuition program and the accounts provided for in the Louisiana Student Tuition Assistance and Revenue Trust Program law, R.S. 17:3091 et seq., except when inconsistent with this Chapter.

D.  The authority shall operate under the same laws, rules, and regulations of the Department of Health and Hospitals and the Louisiana Rehabilitation Services program of the Louisiana Workforce Commission.

E.  The authority shall solicit, accept, and expend gifts or grants.

F.  The authority shall promote, advertise, and publicize the ABLE Account Program.

G.  The state treasurer who shall be an ex officio voting member of the authority.

H.  The authority shall establish and impose reasonable limits on the number of ABLE Accounts.

I.  Indemnify or purchase policies on behalf of members, officers, and employees of the authority from insurers licensed to do business in the state providing for coverage against any loss in connection with the authority’s property, assets, or activities or to further ensure the value of ABLE Accounts.

J.  Promote, advertise, and publicize the ABLE Account Program.

K.  Solicit, accept, and expend gifts or grants.

L.  The authority shall, by adoption of rules pursuant to the Administrative Procedure Act, provide for the following:

1.  Qualification rules and procedures for beneficiaries of programs established to apply the savings accrued in an ABLE Account, if not the account owner.

2.  The determination of any liability of the state to a beneficiary, or a designated beneficiary, or an owner of an ABLE Account, or a designated owner, in any civil action, demand, or claim against a director, officer, or employee that was by reason of an act or omission by the director, officer, or employee that was not manifestly outside the scope of his employment or official duties or with malice or in a wanton or reckless manner.

3.  Make, execute, and deliver contracts, conveyances, and other instruments necessary to the exercise and discharge of the powers and duties of the authority.

4.  Promote, advertise, and publicize the ABLE Account Program.

5.  Solicit, accept, and expend gifts or grants.
(c) The establishment and imposition of limits on the amount which may accrue in an ABLE Account on behalf of any beneficiary.
(d) The establishment and imposition of restrictions on the substitution of one beneficiary for another.
(e) The establishment and imposition of restrictions on the transfer of ownership of ABLE Accounts.
(f) The determination of the rate of interest to be paid on ABLE Accounts of record at the close of a calendar year, provided that such rate is not a negative rate and is approved by the state treasurer.
(g) The disposition of abandoned accounts in compliance with state law.
(h) The establishment and imposition of restrictions on investment of deposits in an ABLE Account and the interest earned thereon.
(2) The authority may, through the exclusive means of adoption of rules pursuant to the Administrative Procedure Act, provide for the implementation and administration of this Chapter.

§1726 through §1740. [Reserved.]

Section 2. The effectiveness of the provisions of Section 1 of this Act shall be contingent upon enactment of amendments to Section 529 of the federal Internal Revenue Code that establish tax-advantaged savings accounts for persons with disabilities as provided in the Achieving a Better Life Experience Act of 2013, or any Act of the United States Congress that is substantially similar thereto.

Approved by the Governor, May 16, 2014.

A true copy:
Tom Schedler
Secretary of State

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ACT No. 94

HOUSE BILL NO. 860
BY REPRESENTATIVE MACK
AN ACT

To enact R.S. 47:508(A)(3), relating to the registration of certain commercial vehicles and trailers; to establish the expiration date and renewal period for the registration of certain vehicles and trailers; and to provide for related matters.

Be it enacted by the Legislature of Louisiana:
Section 1. R.S. 47:508(A)(3) is hereby enacted to read as follows:

§508. Registration; commercial vehicles; exemption

A. * * *

(3) Notwithstanding any other provision of law to the contrary, every registration of a truck in excess of ten thousand pounds or trailer licensed pursuant to R.S. 47:462, except those trailers provided in R.S. 47:462(B)(1)(b), shall expire one year from the date of issuance and thereafter shall be renewed annually.

* * *

Approved by the Governor, May 16, 2014.

A true copy:
Tom Schedler
Secretary of State

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ACT No. 95

HOUSE BILL NO. 896
BY REPRESENTATIVES DANAHAY AND WILLMOTT
AN ACT

To enact R.S. 32:43, relative to the use of automated speed enforcement devices; to prohibit the installation and use of automated speed enforcement systems on state highways; to prohibit the imposition and collection of certain fines, fees, or penalties under certain circumstances; to provide for definitions; and to provide for related matters.

Be it enacted by the Legislature of Louisiana:
Section 1. R.S. 32:43 is hereby enacted to read as follows:

§43. Automated speed enforcement devices; prohibition

A. (1) Local municipal authorities or local parish authorities shall not install or utilize automated speed enforcement devices to regulate traffic on interstate roadways within their corporate or territorial limits.

(2) The provisions of this Section shall not apply to highway construction zones, where work is being performed by the Department of Transportation and Development or a private contractor under contract with the Department of Transportation and Development, where construction workers are present. However, the exemption provided by this Paragraph shall not apply to local municipal authorities and local parish authorities.

B. For the purposes of this Section, the term “automated speed enforcement device” means an unmanned or handheld camera or optical device installed to work in conjunction with a traffic control signal or radar speed detection equipment, or both, and designed to collect photographic evidence of alleged traffic violations for the issuance of traffic citations by reviewing images of a license plate or other identifying feature of a motor vehicle not in compliance with a traffic control signal or posted traffic sign.

C. Effective January 1, 2015, local municipal authorities or local parish authorities shall not impose or collect any civil or criminal fine, fee, or penalty as a result of an image produced by an automated speed enforcement device in violation of this Section.

Section 2. 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.

Section 3. Any local municipal authority or local parish authority using an automated speed enforcement device in violation of this Act shall discontinue such use by January 1, 2015.

Approved by the Governor, May 16, 2014.

A true copy:
Tom Schedler
Secretary of State

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ACT No. 96

HOUSE BILL NO. 902
BY REPRESENTATIVES ST. GERMAIN, ANDERS, ARNOLD, BERTHELOT, BILLIOT, HENRY BURNS, BURRELL, CHAMPAGNE, COX, EDWARDS, GISCRAIR, HILL, HODGES, JEFFERSON, JONES, LEBAS, ORTEGO, RITCHIE, SCHENXNADYER, AND WILLMOTT

To enact R.S. 47:463.165, relative to motor vehicle special prestige license plates; to provide for the Juvenile Diabetes Research Foundation Special prestige plate; to provide for the creation, issuance, and design of such license plates; to provide relative to the fee and distribution of fees for such plates; to authorize the promulgation of rules and regulations relative to the creation and implementation of a special prestige license plate; and to provide for related matters.

Be it enacted by the Legislature of Louisiana:
Section 1. R.S. 47:463.165 is hereby enacted to read as follows:

§463.165. Special prestige license plate; Juvenile Diabetes Research Foundation

A. The secretary of the Department of Public Safety and Corrections shall establish a special prestige motor vehicle license plate to be known as the Juvenile Diabetes Research Foundation, or “JDRF” plate, provided there is a minimum of one thousand applicants for such plate. These license plates shall be restricted to use on passenger cars, pickup trucks, recreational vehicles, and vans.

B. The license plate color and design shall be selected by the Louisiana Chapter of the Juvenile Diabetes Research Foundation, provided it is in compliance with R.S. 47:463(A)(3). The design shall include the letters “JDRF.”

C. The prestige plate shall be issued, upon application, to any citizen of Louisiana in the same manner as any other motor vehicle license plate.

D. The department shall collect an annual royalty fee of thirty dollars, which shall be disbursed in accordance with Subsection E of this Section. This fee shall be in addition to the standard motor vehicle license tax imposed by Article VII, Section 5 of the Constitution of Louisiana, and a handling fee of three dollars and fifty cents for each plate to be retained by the department to offset a portion of administrative costs.

E. The annual royalty fee collected by the department shall be forwarded to the Louisiana Chapter of the Juvenile Diabetes Research Foundation, or its successor organization. The monies received from the royalty fees shall be used to improve the lives of all people affected by Type 1 Diabetes by accelerating progress on the most promising opportunities for curing, better treating, and preventing Type 1 Diabetes.

F. The secretary shall promulgate rules and regulations as are necessary to implement the provisions in this Section.

Approved by the Governor, May 16, 2014.

A true copy:
Tom Schedler
Secretary of State

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ACT No. 97

HOUSE BILL NO. 918
BY REPRESENTATIVE BARROW

To enact Chapter 13-M of Title 33 of the Louisiana Revised Statutes of 1950, to be known as R.S. 33:4720.201, relative to redevelopment authorities; to provide relative to the powers and duties of the authorities; to authorize the authorities to create public benefit corporations; to provide relative to the powers and duties of the corporations; and to provide for related matters.

Be it enacted by the Legislature of Louisiana:
Section 1. Chapter 13-M of Title 33 of the Louisiana Revised Statutes of 1850, comprised of R.S. 33:4720.201, is hereby enacted to read as follows:

CHAPTER 13-M. REDEVELOPMENT AUTHORITIES.

PUBLIC BENEFIT CORPORATIONS

§4720.201. Redevelopment authorities; public benefit corporations
A. Notwithstanding any other provision of law to the contrary, any redevelopment authority, created as a special district and political subdivision of the state as defined in the Constitution of Louisiana, may create one or more public benefit corporations. Any such public benefit corporation shall be created by a duly adopted resolution of the governing board of the respective redevelopment authority.

B. Notwithstanding any provision of R.S. 12:202(I)(d) to the contrary, any public benefit corporation created pursuant to the provisions of this Chapter shall be created for the purpose of redeveloping, owning, planning, renovating, reconstructing, constructing, leasing, subleasing, managing, operating, and improving property and facilities within the jurisdiction of the respective redevelopment authority.

C. The respective redevelopment authority shall be the sole shareholder of each public benefit corporation that it creates pursuant to the provisions of this Chapter. The resolution authorizing the creation of any public benefit corporation shall describe the purposes for which any such public benefit corporation is formed and the governing board for the respective redevelopment authority shall also serve as the board of directors for each public benefit corporation that it creates pursuant to the provisions of this Chapter.

D. Unless otherwise specified in the resolution authorizing the creation of a public benefit corporation, and in addition to the powers granted to it by Chapter 2 of Title 12 of the Louisiana Revised Statutes of 1950, each such public benefit corporation shall have all the power, authority, privileges, immunities, tax exemptions, and other exemptions granted by law to the redevelopment authority that created the public benefit corporation. Each public benefit corporation shall conduct all of its activities in accordance with the provisions of the law governing the respective redevelopment authority that created such public benefit corporation.

E. Each public benefit corporation shall be a distinct and separate juridical entity, and the rights, interests, and liabilities of each such public benefit corporation shall not under any circumstances be considered those of the redevelopment authority that created the public benefit corporation. A public benefit corporation created pursuant to the provisions of this Chapter shall be an instrumentality of the public benefit corporation created pursuant to the provisions of Chapter 2 of Title 12 of the Louisiana Revised Statutes of 1950. Upon dissolution of a public benefit corporation, all of its funds, property, both movable and immovable, and both corporeal or incorporeal, assets, interests, rights, and all other property whatsoever, shall become owned by and shall inure to the benefit of the redevelopment authority that created such public benefit corporation.

F. No public benefit corporation created pursuant to the provisions of this Chapter shall be a political subdivision of the state as defined in the Constitution of Louisiana but shall be a nonprofit corporation organized and governed by the applicable provisions of Chapter 2 of Title 12 of the Louisiana Revised Statutes of 1950, and shall additionally have all of the powers defined in R.S. 41:1215(B) and R.S. 12:202.1(D). Each public benefit corporation created pursuant to the provisions of this Chapter shall be an instrumentality of the redevelopment authority that created such public benefit corporation.

G. Each public benefit corporation created pursuant to the provisions of this Chapter shall be subject to the Public Records Law (Chapter 1 of Title 44 of the Louisiana Revised Statutes of 1950), the Open Meeting Law (R.S. 42:11 et seq.), and the Code of Governmental Ethics (Chapter 13 of Title 44 of the Louisiana Revised Statutes of 1950).

H. Notwithstanding the provisions of R.S. 42:14, until thirty days prior to the date the board of directors of a public benefit corporation is scheduled to consummate a final sale or lease of any immovable property owned by such public benefit corporation, the board of directors may meet in executive session to discuss negotiations between the public benefit corporation and any prospective seller, purchaser, lessor or lessee of that property.

I. The provisions of R.S. 44:31 through 35 shall not apply to any records related to the negotiations or to the terms of such a sale or lease until thirty days prior to the date the board of directors of the public benefit corporation is scheduled to consummate a final sale or lease. The board of directors shall give written public notice of its intention to consummate a final sale or lease at which the directors intend to take such action. This notice shall comply with the procedural provisions of R.S. 42:19.

J. Nothing in this Chapter shall be construed as a restriction or a limitation upon powers which any redevelopment authority might otherwise have pursuant to any applicable state or local law. The provisions of this Section shall be regarded as supplemental and additional to other powers conferred by other applicable laws.

Approved by the Governor, May 16, 2014.

Tom Schedler
Secretary of State

ACT No. 98

HOUSE BILL NO. 935

BY REPRESENTATIVES JAY MORRIS, BADON, BERTHELOT, BROWN, BURRELL, DOVE, GAROFALO, HARRIS, HARRISON, HAVARD, HOFFMANN, HOLLIS, HOWARD, LEMBER, LEOPOLD, LORUSO, MORENO, ORTEGO, PONTI, POPE, PYLANT, REYNOLDS, ST. GERMAIN, AND TALBOT

AN ACT

To enact R.S. 47:463.165, relative to motor vehicle special prestige license plates; to provide for the “Lung Cancer Alliance” for lung cancer awareness special prestige plate; to provide for the creation, issuance, and design of such license plates; to provide relative to the fee and distribution of fees for such plates; to authorize the promulgation of rules and regulations relative to the creation and implementation of a special prestige license plate; and to provide for related matters.

Be enacted by the Legislature of Louisiana:

Section 1. R.S. 47:463.165 is hereby enacted to read as follows:

§463.165. Special prestige license plate; “Lung Cancer Alliance”. A. The secretary of the Department of Public Safety and Corrections shall establish a special prestige motor vehicle license plate to be known as the “Lung Cancer Alliance” plate, provided there is a minimum of one thousand applicants for such plate. These license plates shall be restricted to use on passenger cars, pickup trucks, recreational vehicles, and vans.

B. The license plate color and design shall be selected by Lung Cancer Alliance, provided it is in compliance with R.S. 47:463(A)(3). The design shall include the Lung Cancer Alliance logo and the words “Shine a Light on Lung Cancer”.

C. The prestige plate shall be issued upon application, to any citizen of Louisiana, in the same manner as any other motor vehicle license plate.

D. The department shall collect an annual royalty fee of fifty dollars, which shall be disbursed in accordance with Subsection E of this Section. This fee shall be in addition to the standard motor vehicle license tax imposed by Article VII, Section 5 of the Constitution of Louisiana, and a handling fee of three dollars and fifty cents for each plate to be retained by the department to offset a portion of administrative costs.

E. The annual royalty fee collected by the department shall be forwarded to the Lung Cancer Alliance, or its successor organization. The monies received from the royalty fees shall be used solely for the purpose of programs established and administered by the Lung Cancer Alliance in Louisiana.

F. The secretary shall promulgate rules and regulations as are necessary to implement the provisions of this Section.

Approved by the Governor, May 16, 2014.

A true copy:

Tom Schedler
Secretary of State

THE ADVOCATE

* As it appears in the enrolled bill

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and to provide recognition of the attainment of these skills through the establishment of the State Seal of Biliteracy.

The purposes of the State Seal of Biliteracy are as follows:

1. To encourage students to learn languages other than English.
2. To certify attainment of biliteracy.
3. To provide employers with a method to identify people with language and biliteracy skills.
4. To provide universities with a method to recognize and give academic credit to applicants seeking admission.
5. To prepare students with twenty-first century skills.
6. To recognize and promote world language instruction in public schools.
7. To strengthen intergroup relationships, affirm the value of diversity, and honor the multiple cultures and languages of a community.
8. To continue and renew Louisiana’s historical tradition of bilingualism.

The state superintendent of education shall be responsible for the following:

1. Preparing and delivering to participating public school governing authorities an appropriate insignia to be affixed to the diploma or transcript of a student who has earned the State Seal of Biliteracy.
2. Providing other information he deems necessary for school governing authorities to successfully participate in the State Seal of Biliteracy program.

Public school governing authorities are encouraged but not required to participate in the State Seal of Biliteracy program. A participating school governing authority shall maintain appropriate records in order to identify students who have earned the seal and affix the appropriate insignia to the diploma or transcript of each student who earns the seal.

D. (1) The State Seal of Biliteracy certifies that a student meets all of the following criteria:

a. Completion of all English language arts requirements for graduation.

b. Passing the Reading and English parts of the ACT series with a score of nineteen or above.

c. Proficiency in one or more languages other than English, demonstrated through one of the following methods:

1. Passing a world language Advanced Placement examination with a score of three or higher on a world language International Baccalaureate examination with a score of four or higher. For languages in which an Advanced Placement test is not available, school systems may use an equivalent summative test as approved by the state superintendent of education.

2. Successful completion of a four-year high school course of study in a world language or successful completion of seven Carnegie units or more in language or content courses in a world language immersion setting.


4. If the primary language of a student in grades nine through twelve is other than English, he shall do both of the following in order to qualify for the State Seal of Biliteracy:

a. Attain the Early Advanced proficiency level on the English Language Development Assessment.

b. Meet the requirements of Paragraph (1) of this Subsection.

E. (1) The State Board of Elementary and Secondary Education shall promulgate rules in accordance with the Administrative Procedure Act to implement the provisions of this Section.

(2) For purposes of this Section, “world language” means a language other than English and includes American Sign Language.

Approved by the Governor, May 16, 2014.

A true copy:

Tom Schedler
Secretary of State

ACT No. 101

HOUSE BILL NO. 1075

AN ACT

To grant a permanent benefit increase to retirees and beneficiaries of the Louisiana State Police Retirement System in conformity with the statutory provisions governing the system’s experience account. Notice of intention to introduce this bill had been published. Be it enacted by the Legislature of Louisiana:

Section 1. The legislature finds that the experience account of the Louisiana State Police Retirement System was created for the purpose of accumulating money sufficient to provide for actual and contingent fund liabilities. The legislature further finds that the experience account provides a portion of the system’s investment gain in excess of certain thresholds and with interest on funds in the account; provided, however, that the amount of such experience account has not exceeded the reserve necessary to grant permanent benefit increases for certain retirees and beneficiaries of the system. The legislature further finds that the experience account is credited with a portion of the system’s investment gain in excess of certain thresholds and with interest on funds in the account; and provides that the amount of such experience account has not exceeded the reserve necessary to grant permanent benefit increases.

Section 2. The legislature finds that permanent benefit increases funded by the experience account monies are payable to regular retirees who have been retired for at least one year and who have attained the age of sixty years; to disability retirees who have been retired at least one year regardless of age; to beneficiaries of retirees who would have met the applicable criteria to receive the increase if they had survived; and to nonretiree beneficiaries who have been receiving benefits for at least one year and whose benefits are

* 4. “Litter” means all waste material except as provided and defined in R.S. 30:2173(2), including but not limited to disposable packages, containers, sand, gravel, rubbish, cans, bottles, refuse, garbage, trash, cigarette butts, and all kinds of packaging, except as provided and defined in this section. While being used for or distributed in accordance with their intended uses, litter shall not include political pamphlets, handbills, religious tracts and newspapers, and other similar printed materials, the unsolicited distribution of which is protected by the Constitution of the United States, the Constitution of the State of Louisiana, or the Louisiana Constitution; provided, however, that “Agricultural products” as used in this definition means all crops, livestock, poultry, and forestry, and all aquacultural, floricultural, horticultural, silvicultural, and viticultural products.

\*2531. Intentional littering prohibited; criminal penalties; simple littering prohibited; civil penalties; special court costs

A. * * * * *
derived from service of deceased members who would have attained age sixty. The legislature further finds that any increase payable in 2014 shall be calculated on the first ninety-four thousand three hundred thirteen dollars of a retirement benefit only.

Section 3. The legislature finds that, in accordance with the provisions of R.S. 11:1332, the board of trustees of the Louisiana State Police Retirement System is expected to send a resolution recommending to the president of the Senate and the speaker of the House of Representatives that the legislature grant a permanent benefit increase to the eligible retirees and beneficiaries of the system in accordance with the provisions of R.S. 11:1332 and Article X, Section 29(F) of the Constitution of Louisiana.

Section 4. The legislature finds that, as presented to the presiding officers of this body is expected to contain a recitation of the statutory conditions and specification of the satisfaction of each as follows:

(A) For the plan year that ended June 30, 2013, the Louisiana State Police Retirement System earned an actuarial rate of return of sixteen and seventy-one-hundredths percent, which exceeded the board-approved actuarial valuation rate of seven percent.

(B) For any year in which the system's rate of return is at least seven percent, R.S. 11:1332(C) provides that a permanent benefit increase shall not exceed the lesser of three percent or the increase in the consumer price index, U.S. city average for all urban consumers, as prepared by the U.S. Department of Labor, Bureau of Labor Statistics, for the calendar year immediately preceding the increase.

(C) The system actuary has determined that the actuarial liability created by providing a permanent base benefit increase of one percent is approximately three million one hundred thirty-one thousand dollars. The system actuary has determined that the actuarial liability created by providing a permanent supplemental benefit increase pursuant to R.S. 11:1332(F) is approximately three million eight hundred sixty-two thousand dollars. The system actuary computed the balance in the experience account to be over eighteen million dollars, an amount sufficient to fund a base benefit increase to three percent and a supplemental increase pursuant to R.S. 11:1332(F).

Section 5. The legislative auditor has confirmed that the legislative auditor's actuary is in the process of determining whether he agrees with the determinations of the system actuary.

Section 6. The consumer price index, U.S. city average for all urban consumers, as prepared by the U.S. Department of Labor, Bureau of Labor Statistics, for the 2013 calendar year, released January 16, 2014, was determined to be one and one-half of one percent, which does not exceed three percent.

Section 7(A) Contingent upon satisfaction of all necessary conditions contained in R.S. 11:1332, the first ninety-four thousand three hundred thirteen dollars of the current benefit of each retiree and beneficiary of the Louisiana State Police Retirement System who meets the eligibility criteria contained in the statute and recited in this Act shall be increased by the applicable 2013 consumer price index of one and one-half of one percent effective July 1, 2014.

(B) Contingent upon satisfaction of all necessary conditions contained in R.S. 11:1332(F), each retiree and beneficiary of the Louisiana State Police Retirement System who meets the eligibility criteria contained in the statute shall receive the supplemental increase pursuant to R.S. 11:1332(F).

Section 8. If any of the instruments which originated as Senate Bill No. 18, Senate Bill No. 19, Senate Bill No. 21, or House Bill No. 1225 of the 2014 Regular Session of the Legislature does not become effective, this Act shall be null and void and of no effect.

Section 9. This Act shall become effective on June 30, 2014; if vetoed by the governor and subsequently approved by the legislature, this Act shall become effective on June 30, 2014, or on the day following such approval by the legislature, whichever is later. Approved by the Governor, May 16, 2014.

A true copy -

Secretary of State

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JIM MORRIS, NORTON, ORTEGO, PEARSON, PIERRE, POPE, PRICE, RICHARD, RITCHIE, SCHEXNADYER, SEABAUGH, SHADOIN, SIMON, ST. GERMAIN, STOKES, THIERRY, WHITNEY, PATRICK WILLIAMS, WILLMOTT AND WOODRUFF

AN ACT

To grant a permanent benefit increase to retirees and beneficiaries of the Louisiana State Employees’ Retirement System in conformity with the statutory conditions and specification of the satisfaction of each as follows:

Section 1. The legislature finds that the experience account of the Louisiana State Employees’ Retirement System has adopted a resolution recommending to the president of the Senate and the speaker of the House of Representatives that the legislature grant a permanent benefit increase to the eligible retirees and beneficiaries of the system. The legislature further finds that the experience account is credited with a portion of the system’s investment gain in excess of certain thresholds approved actuarial valuation rate of eight percent.

Section 2. The legislature finds that permanent benefit increases funded by the experience account monies are payable to regular retirees who have been retired for at least one year and who have attained the age of sixty years; to disability retirees who have been retired at least one year regardless of age; to beneficiaries of retirees who would have met the applicable criteria to receive the increase if they had survived; and to nonretiree beneficiaries who have received a benefit for at least one year and whose benefits originate from service of deceased members who would have attained the age of sixty.

Section 3. The legislature finds that, in accordance with the provisions of R.S. 11:542, the board of trustees of the Louisiana State Employees’ Retirement System has adopted a resolution recommending to the president of the Senate and the speaker of the House of Representatives that the legislature grant a permanent benefit increase to the eligible retirees and beneficiaries of the system in accordance with the provisions of R.S. 11:542 and Article X, Section 29(F) of the Constitution of Louisiana.

Section 4. The legislature finds that the resolutions presented to the presiding officers of this body contained a recitation of the statutory conditions and specification of the satisfaction of each as follows:

(A) For the plan year that ended June 30, 2013, the Louisiana State Employees’ Retirement System earned an actuarial rate of return of fourteen and five one-hundredths percent, which exceeded the board-approved actuarial valuation rate of seven percent.

(B) For any year in which the system’s rate of return is at least seven percent, R.S. 11:542 provides that a permanent benefit increase shall not exceed the lesser of three percent or the increase in the consumer price index, U.S. city average for all urban consumers, as prepared by the U.S. Department of Labor, Bureau of Labor Statistics, for the calendar year immediately preceding the increase.

(C) The system actuary has determined that the actuarial liability created by providing a permanent benefit increase of two and seven-tenths of one percent is approximately one hundred eighty-nine million dollars. The system actuary computed the balance in the experience account to be over one hundred ninety-five million dollars, an amount sufficient to fund a base benefit increase up to two and seven-tenths of one percent on an actuarial basis.

Section 5. The legislative auditor has confirmed that the legislative auditor’s actuary is in the process of determining whether he agrees with the determinations of the system actuary.

Section 6. The consumer price index, U.S. city average for all urban consumers, as prepared by the U.S. Department of Labor, Bureau of Labor Statistics, for the 2013 calendar year, released January 16, 2014, was determined to be one and one-half of one percent, which does not exceed three percent.

Section 7. Contingent upon satisfaction of all necessary conditions contained in R.S. 11:542, the first ninety-six thousand nine hundred thirty-one dollars of the current benefit of each retiree and beneficiary of the Louisiana State Employees’ Retirement System who meets the eligibility criteria contained in the statute and recited in this Act shall be increased by the applicable 2013 consumer price index of one and one-half of one percent effective July 1, 2014.

Section 8. If any of the instruments which originated as Senate Bill No. 18, Senate Bill No. 19, Senate Bill No. 21, or House Bill No. 1225 of the 2014 Regular Session of the Legislature does not become effective, this Act shall be null and void and of no effect.

Section 9. This Act shall become effective on June 30, 2014; if vetoed by the governor and subsequently approved by the legislature, this Act shall become effective on June 30, 2014, or on the day following such approval by the legislature, whichever is later. Approved by the Governor, May 16, 2014.

A true copy -

Secretary of State

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To grant a permanent benefit increase to retirees and beneficiaries of the Louisiana School Employees’ Retirement System in conformity with the statutory provisions governing the system’s experience account. Notice of intention to introduce this Act has been published. Be it enacted by the Legislature of Louisiana:

Section 1. The legislature finds that the experience account of the Louisiana School Employees’ Retirement System was created for the purpose of accumulating money sufficient to fund additional actuarial funding of permanent and post-retirement benefit increases for certain retirees and beneficiaries of the system. The legislature further finds that the experience account is credited with a portion of the system’s investment gain in excess of certain statutory-required conditions and specification of the satisfaction of each as follows:

(A) The Louisiana School Employees’ Retirement System earned an actuarial rate of return of twelve and four-one-hundredths percent which exceeded the board-approved actuarial valuation rate of seven and one-half percent on June 30, 2013.

(B) For any year in which the system’s rate of return is at least eight and one-half percent on June 30, the effective permanent benefit increase shall exceed the lesser of three percent or the increase in the consumer price index, U.S. city average for all urban consumers, as prepared by the U.S. Department of Labor, Bureau of Labor Statistics, for the calendar year immediately preceding the increase.

(C) The system actuary has determined that the actuarial liability created by the system actuary’s 2013 actuarial valuation report were by April 1, 2013, ten million six hundred forty thousand dollars. The system actuary computed the balance in the experience account to be over thirty-one million dollars, an amount sufficient to fund a benefit increase up to two and nine-tenths percent on an actuarial basis.

Section 2. The legislature finds that permanent benefit increases funded by the experience account monies are payable to regular retirees who have been retired for at least one year and who have attained the age of sixty years; to disability retirees who have been retired at least one year regardless of age; to beneficiaries of retirees who have been receiving a benefit for at least one year and whose benefits are derived from service of deceased members who have who would have attained age sixty. The legislature further finds that any increase payable in 2014 shall be calculated on the first ninety-three thousand seven hundred fifty-five dollars of a retirement benefit only.

Section 3. The legislature finds that, in accordance with the provisions of Section 3, the legislature finds that the recommendation presented to the joint committee on retirement in accordance with the provisions of Section 29(F) of the Constitution of Louisiana.

Section 4. The legislature finds that the recommendation presented to the joint committee on retirement in accordance with the provisions of Section 29(F) of the Constitution of Louisiana.

Section 5. The legislative auditor has confirmed that the legislative auditor’s actuary’s in the process of determining whether he agrees with the determinations of the system actuary.

Section 6. The consumer price index, U.S. city average for all urban consumers, as computed by the U.S. Department of Labor, Bureau of Labor Statistics, for the calendar year immediately preceding the increase.

(C) The system actuary has determined that the actuarial liability created by the system actuary’s 2013 actuarial valuation report were by April 1, 2013, ten million six hundred forty thousand dollars. The system actuary computed the balance in the experience account to be over thirty-one million dollars, an amount sufficient to fund a benefit increase up to two and nine-tenths percent on an actuarial basis.

Section 5. The legislative auditor has confirmed that the legislative auditor’s actuary’s in the process of determining whether he agrees with the determinations of the system actuary.

Section 6. The consumer price index, U.S. city average for all urban consumers, as computed by the U.S. Department of Labor, Bureau of Labor Statistics, for the calendar year immediately preceding the increase.

(C) The system actuary has determined that the actuarial liability created by the system actuary’s 2013 actuarial valuation report were by April 1, 2013, ten million six hundred forty thousand dollars. The system actuary computed the balance in the experience account to be over thirty-one million dollars, an amount sufficient to fund a benefit increase up to two and nine-tenths percent on an actuarial basis.

Section 5. The legislative auditor has confirmed that the legislative auditor’s actuary’s in the process of determining whether he agrees with the determinations of the system actuary.

Section 6. The consumer price index, U.S. city average for all urban consumers, as computed by the U.S. Department of Labor, Bureau of Labor Statistics, for the calendar year immediately preceding the increase.

(C) The system actuary has determined that the actuarial liability created by the system actuary’s 2013 actuarial valuation report were by April 1, 2013, ten million six hundred forty thousand dollars. The system actuary computed the balance in the experience account to be over thirty-one million dollars, an amount sufficient to fund a benefit increase up to two and nine-tenths percent on an actuarial basis.
percent is approximately two hundred sixteen million six hundred thousand dollars. The system actuary computed the balance in the experience account to be over two hundred nineteen million dollars, an amount sufficient to fund a benefit increase up to one and six-tenths of one percent on an actuarial basis.

Section 5. The legislative auditor has confirmed that the legislative auditor’s actuary is in the process of determining whether he agrees with the determinations of the system actuary.

Section 6. The consumer price index, U.S. city average for all urban consumers, as prepared by the U.S. Department of Labor, Bureau of Labor Statistics, for the 2013 calendar year, released January 16, 2014, was determined to be one and one-half of one percent, which does not exceed one and six-tenths of one percent.

Section 7. Contingent upon satisfaction of all necessary conditions contained in R.S. 11:883.1, the first ninety-three thousand seven hundred fifty-five dollars of the current benefit of each retiree and beneficiary of the Teachers’ Retirement System of Louisiana who meets the eligibility criteria contained in the statute and recited herein shall be increased by the applicable 2013 consumer price index of one and one-half of one percent effective July 1, 2014.

Section 8. If any of the instruments which originated as Senate Bill No. 16, Senate Bill No. 18, Senate Bill No. 19, or House Bill No. 1225 of the 2014 Regular Session of the Legislature does not become effective, this Act shall be null and void and of no effect.

Section 9. This Act shall become effective on June 30, 2014; if vetoed by the governor and subsequently approved by the legislature, this Act shall become effective on June 30, 2014, or on the day following such approval by the legislature, whichever is later.

Approved by the Governor, May 16, 2014.

A true copy: Tom Schedler Secretary of State

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ACT No. 105

SENATE BILL NO. 32
BY SENATOR MORRISH
AN ACT

To amend and reenact R.S. 14:231, relative to offenses against property; to provide relative to air bag fraud; to provide penalties for knowingly manufacturing, importing, selling, offering for sale, or reinstalling in any motor vehicle a counterfeit or nonfunctional air bag; to provide relative to related matters.

Be it enacted by the Legislature of Louisiana:

Section 1. R.S. 14:231 is hereby amended and reenacted to read as follows:

§231. (a) Counterfeit and nonfunctional air bags prohibited; air bag fraud prohibited.

A. No person shall knowingly install or reinstall either of the following in a motor vehicle:

(1) An air bag, whether previously deployed or not, that was not designed to meet all applicable federal safety regulations for a vehicle of that make, model, and year.

(2) Any object in lieu of an air bag that was not designed to meet all applicable federal safety regulations for a vehicle of that make, model, and year.

B. For purposes of this Section, an “air bag” means an inflatable occupant restraint system designed to activate in a motor vehicle in the event of a traffic crash to mitigate injury or ejection.

C. Whoever violates the provisions of this Section shall be fined not more than two thousand dollars, imprisoned not more than six months, or both.

No person shall knowingly install or reinstall in any motor vehicle a counterfeit or nonfunctional air bag or any other object intended to fulfill the function of an air bag that does not meet the definition of “air bag” set forth in Subsection D of this Section.

B. No person shall knowingly manufacture, import, sell, or offer for sale a counterfeit or nonfunctional air bag or any other object intended to fulfill the function of an air bag that does not meet the definition of “air bag” set forth in Subsection D of this Section.

C. No person shall knowingly sell, install, or reinstall a device in a motor vehicle that causes the diagnostic system of the vehicle to indicate inaccurately that the vehicle is equipped with a functional air bag.

D. For purposes of this Section:

(1) “Air bag” means an inflatable occupant restraint system, including all component parts, such as the cover, sensors, controllers, inflators, and wiring, designed to activate in a motor vehicle in the event of a crash to mitigate injury or ejection and that meets the federal motor vehicle safety standards set forth in 49 C.F.R. 571.208 for the make, model, and model year of the motor vehicle.

(2) “Counterfeit air bag” means an air bag displaying a mark identically or substantially similar to the genuine mark of a motor vehicle manufacturer, without the authorization of the motor vehicle manufacturer.

(a) A replacement air bag that has been previously deployed or damaged.

(b) A replacement air bag that has an electrical fault that is detected by the air bag diagnostic system after the air bag is installed.

(c) A counterfeit air bag, air bag cover, or some other object that is installed in a motor vehicle in order to mislead or deceive an owner or operator of the motor vehicle into believing that a functional air bag has been installed.

(4) “Serious bodily injury” means bodily injury that involves unconsciousness, extreme physical pain, protracted and obvious disfigurement, protracted loss or impairment of the function of a bodily member, organ, or mental faculty, or a substantial risk of death.

E. Whoever violates the provisions of Subsection A or C of this Section shall:

(1) Upon first conviction, be fined not more than one thousand dollars, or imprisoned for not more than six months, or both, except as provided in Paragraph (2) of this Subsection.

(2) Upon conviction, or if the violation results in the serious bodily injury or death of any person, be fined not more than two thousand five hundred dollars, or imprisoned, with or without hard labor, for not more than one year, or both.

F. Whoever violates the provisions of Subsection B of this Section shall:

(1) Upon conviction, be fined not more than two thousand five hundred dollars, or imprisoned, with or without hard labor, for not more than one year, or both.

(2) Upon conviction, if the cumulative sales price of the air bags or objects involved in the violation is at least five thousand dollars but less than one hundred thousand dollars, or if the number of air bags or objects involved in the violation is at least one hundred but less than one thousand, be fined not more than five thousand dollars, or imprisoned, with or without hard labor, for not less than six months nor more than two years, or both.

(3) Upon conviction, if the cumulative sales price of the air bags or objects involved in the violation is one thousand dollars or more, or if the number of air bags or objects involved in the violation is one thousand or more, be fined not more than ten thousand dollars, or imprisoned, with or without hard labor, for not less than one year nor more than five years, or both.

G. Each manufacturer, importer, installation, reinstallation, sale, or offer for sale in violation of this Section shall constitute a separate and distinct violation.

Section 2. This Act shall become effective upon signature by the governor or, if vetoed by the governor, upon expiration of the time for the governor 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.

Approved by the Governor, May 16, 2014.

A true copy: Tom Schedler Secretary of State

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ACT No. 106

SENATE BILL NO. 51
BY SENATOR MARTINY
AN ACT

To amend and reenact R.S. 51:1304(C)(4), 1305(A), the introductory paragraph of 1305(B), 1305(C), and 1309(B), and to repeal R.S. 51:1302(7), relative to air bag fraud; to provide penalties for knowingly manufacturing, importing, selling, offering for sale, or installing or reinstallation in any motor vehicle a counterfeit or nonfunctional air bag; to provide relative to related matters.

Be it enacted by the Legislature of Louisiana:

Section 1. R.S. 51:1304(C)(4), 1305(A), the introductory paragraph of 1305(B), 1305(C), and 1309(B) are hereby amended and reenacted to read as follows:

§231. Air bag fraud

A. Retailers who elect to participate in the tax free shopping program shall register with the refund agency as to the location and the method of operating the refund desk for each store, the retailer shall receive or be entitled to participate in the program. He shall receive or be entitled to a refund. The fee may be reviewed periodically by the commission and may be increased.

B. Retailers who elect to participate in the tax free shopping program shall provide definitions; and to provide for related matters.

C. The commission shall have all powers, duties, and authority necessary to implement or take any action under this Chapter, including the following:

1. The commission shall make rules and regulations necessary to carry into effect the provisions of this Subsection.

2. The membership fee shall be set by the commission and may be reviewed periodically by the commission and may then be reasonably adjusted.

3. $1305. Retailer’s participation

A. Retailers who elect to participate in the tax free shopping program shall register with the refund agency and agree in writing with the refund agency as to the location and the method of operating an international traveler’s refund desk for each of their participating stores, including a system of record keeping for refund forms issued from the desk.

B. Upon payment of the fee and upon reaching agreement with the agency with regards to the operation of the refund desk for each store, the retailer shall be entitled to participate in the program. He shall receive or be entitled to:

1. The membership fee shall be set by the commission and may be reviewed periodically by the commission and may then be reasonably adjusted.

2. $1305. Retailer’s participation

A. Retailers who elect to participate in the tax free shopping program shall register with the refund agency and agree in writing with the refund agency as to the location and the method of operating an international traveler’s refund desk for each of their participating stores, including a system of record keeping for refund forms issued from the desk.

B. Upon payment of the fee and upon reaching agreement with the agency with regards to the operation of the refund desk for each store, the retailer shall be entitled to participate in the program. He shall receive or be entitled to:

C. No retailer who participates in unfair methods of competition and unfair or deceptive acts or trade practices in the conduct of his business, or who is otherwise found to have violated R.S. 51:1405 or any rule or regulation adopted pursuant thereto shall participate in the Tax Free Shopping Program. The refund agency shall take immediate action to exclude such
retailer from the program and recover any signs, decals, refund forms, or other indicia of program participation from the retailer. Such retailer shall not be entitled to a refund of any of these costs previously paid.

§1309. Reimbursement of refund agency

B. The refund agency shall establish a budget for the program, taking into account anticipated required appropriations for the program based on handling fees, and taking into account membership fees, other state or local appropriations, any donations, and the expenses of its own compensation.

Section 2. R.S. 51:1302(7) is hereby repealed.

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.

Approved by the Governor, May 16, 2014.

A true copy:
Tom Schedler
Secretary of State

ACT No. 108

BY SENATOR THOMPSON AND REPRESENTATIVE ANDERS

To enact R.S. 49:191(7) and to repeal R.S. 49:191(5)(c), relative to the Department of Agriculture and Forestry, including provisions to provide for the re-creation of the Department of Agriculture and Forestry 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.

Be it enacted by the Legislature of Louisiana:

Section 1. Pursuant to R.S. 49:193, the Department of Agriculture and Forestry and the statutory entities made a part of the department by law shall be re-created effective June 30, 2014, and all statutory authority therefore is continued in accordance with the provisions of Part XII of Chapter 1 of Title 49 of the Louisiana Revised Statutes of 1950.

Section 2. All statutory authority for the existence of the Department of Agriculture and Forestry and the statutory entities made a part of the department as re-created by Section 1 of this Act shall cease as of July 1, 2019, pursuant to R.S. 49:191. However, the Department of Agriculture and Forestry may be re-created prior to such date in accordance with the provisions of Part XII of Chapter 1 of Title 49 of the Louisiana Revised Statutes of 1950.

Section 3. The provisions of R.S. 49:193 are hereby superseded to the extent that those provisions are in conflict with the provisions of this Act.

Section 4. R.S. 49:191(7) is hereby enacted to read as follows:

§191. Termination of legislative authority for existence of statutory entities; phase-out period for statutory entities; table of dates

Notwithstanding any termination dates set by any previous Act of the legislature, the statutory entities set forth in this Section shall begin to terminate their operations on July first of each of the following years, and all legislative authority for the existence of any statutory entity, as defined in R.S. 49:190, shall cease as of July first of the following year, which shall be the termination date:

(7) July 1, 2019:
(a) The Department of Agriculture and Forestry and all statutory entities made a part of the department by law shall cease as of July 1, 2019.

Section 5. R.S. 49:191(5)(c) is hereby repealed in its entirety.

Section 6. This Act shall become effective on June 30, 2014; if vetoed by the governor and subsequently approved by the legislature, this Act shall become effective on June 30, 2014, or on the day following such approval by the legislature, whichever is later.

Approved by the Governor, May 16, 2014.

A true copy:
Tom Schedler
Secretary of State

ACT No. 109

SENATE BILL NO. 93

BY SENATOR THOMPSON

To amend and reenact R.S. 3:4303 to provide for the sale of certain forest tree seedlings; to provide relative to retention of sale receipts; to provide relative to department nurseries; and to provide for related matters.

Be it enacted by the Legislature of Louisiana:

Section 1. R.S. 3:4303 is hereby amended and reenacted to read as follows:

§4303. Forest tree seedlings; change of price; sale to those engaged in forestry activities

The commission from time to time may fix by appropriate rules and regulations the prices at which forest tree seedlings grown at the department nurseries shall be sold to landowners engaged in forestry activities, which

THE ADVOCATE

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* As it appears in the enrolled bill

CODING: Words in struck through type are deletions from existing law; words underscored (House Bills) and underlined and boldfaced (Senate Bills) are additions.
price shall, insofar as possible, be conducive to the promotion and development of sound reforestation practices in this state and all receipts from the sale of seedlings shall be retained by the commission department and expended in the development and operation of the commission department’s nurseries for scientific forestry research and experimentation for land acquisition and general operations of the commission department nurseries.

Section 2. 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.

Approved by the Governor, May 16, 2014.

A true copy:

        Tom Schleder
        Secretary of State

ACT No. 110

SENATE BILL NO. 119
BY SENATOR THOMPSON
AN ACT

To amend and reenact R.S. 3:3103(A) and (B), 3105, and 3108(B), relative to the licensure and regulation of farm-raised exotic animals; to provide relative to licensees; to authorize the commissioner to adopt rules regarding fencing requirements; to provide for an increase in civil penalties; and to provide for related matters.

Be it enacted by the Legislature of Louisiana:

Section 1. R.S. 3:3103(A) and (B), 3105, and 3108(B) are hereby amended and reenacted to read as follows:

§3103. Imported exotic deer and antelope, elk, farm-raised white tail deer and other exotic cervidae; licensing

A. Whoever desires to engage any person who engages in owning, raising, selling, or raising and selling or harvesting imported exotic deer and antelope, elk, farm-raised white tail deer and other exotic cervidae, for commercial purposes any purpose, on breeding farms or preserving of which he is the owner or lessee shall apply to the commissioner for a license to do so.

B. The license shall permit the licensee to own, breed and propagate such animals and sell them alive, or sell their parts, and to kill and transport them and sell their carcasses for food. This Subsection shall not apply to the sale of white tail deer meat.

§3105. Fencing requirements

Any farm or preserve used for the farming or breeding of imported exotic deer, elk, and antelope pursuant to this Part shall be surrounded by a fence of a height of not less than seven feet of wire or other material of a pattern to be approved by the commissioner. The fencing requirements for farm-raised white tail deer and other exotic cervidae shall be specified pursuant to rule and regulation by the commissioner.

§3108. Violations; revocation of license

B. The commissioner may impose a civil penalty of up to one hundred thousand dollars for each violation of this Part or of the rules and regulations adopted under this Part. Each day on which a violation occurs shall be a separate offense.

Section 2. 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.

Approved by the Governor, May 16, 2014.

A true copy:

        Tom Schleder
        Secretary of State

ACT No. 111

SENATE BILL NO. 139
BY SENATOR MARTINY
AN ACT

To amend and reenact R.S. 32:1252(71) and 1270.1(1)(k) and to enact R.S. 32:1252(72) and 1270(G), relative to marine products; to provide for definitions; to provide relative to unauthorized acts; to provide for exemptions; to provide for certain terms and conditions; and to provide for related matters.

Be it enacted by the Legislature of Louisiana:

Section 1. R.S. 32:1252(71) and 1270.1(1)(k) are hereby amended and reenacted and R.S. 32:1252(72) and 1270(G) are hereby enacted to read as follows:

§1252. Definitions

The following words, terms, and phrases, when used in this Chapter, shall have the meanings respectively ascribed to them in this Section, except where the context clearly indicates a different meaning:

(1) “Marine product” means any animal or fish used for human consumption, breeding, raising, or transporting for human consumption, or, for non-commercial purposes, including but not limited to, shrimp, oysters, clams, mussels, scallops, or crabs.

(2) “Wrecker” means any motor vehicle equipped with a boom or booms, winches, slings, tilt beds, or similar equipment designed for towing or recovery of vehicles and other objects which cannot operate under their own power or for some reason must be transported by means of towing.

§1270. Establishment of new marine dealerships or relocations; protests; procedure

G. The provisions of this Section shall not apply when the marine products consist of a trolling motor, boat trailer or watercraft trailer.

§1270.1. Unauthorized acts; marine products

It shall be a violation of this Part:

(1) For a manufacturer, a distributor, a wholesaler, distributor branch, or factory branch of marine products or any officer, agent, or other representative thereof:

(k) To fail to designate and provide to the community in writing the community or territory assigned to a licensee. The provisions of this Subparagraph shall not apply when the marine products consist of a trolling motor, boat trailer or watercraft trailer.

Approved by the Governor, May 16, 2014.

A true copy:

        Tom Schleder
        Secretary of State

ACT No. 112

SENATE BILL NO. 147
BY SENATOR DORSEY-COLOMB
AN ACT

To amend and reenact R.S. 15:570(E)(1), relative to executions of death sentences; to provide relative to the notice of an execution required to be given to a victim’s family; to require a victim’s family to register with the Crime Victims Services Bureau in order to obtain notice of the date and time of the offender’s execution; and to provide for related matters.

Be it enacted by the Legislature of Louisiana:

Section 1. R.S. 15:570(E)(1) is hereby amended and reenacted to read as follows:

§570. Execution; officials and witnesses; minors excluded; time of execution; and to provide for related matters.

E.(1) The secretary of the Department of Public Safety and Corrections shall, at least ten days prior to the execution, either give written notice or verbal notice, followed by written notice placed in the United States mail within five days thereafter, of the date and time of execution to the victim’s parents, or guardian, spouse, and any adult children who have indicated to the secretary that they desire such notice by registering with the Crime Victims Services Bureau of the Department of Public Safety and Corrections. The secretary, in such notice, shall give the named parties the option of attending the execution.

Approved by the Governor, May 16, 2014.

A true copy:

        Tom Schleder
        Secretary of State

ACT No. 113

SENATE BILL NO. 168
BY SENATORS WALSWORTH AND THOMPSON
AN ACT

To enact R.S. 15:146(A)(5), relative to the Louisiana Public Defender Board; to provide requirements for the membership of the board; to provide for transition; and to provide for related matters.

Be it enacted by the Legislature of Louisiana:

Section 1. R.S. 15:146(A)(5) is hereby enacted to read as follows:

§146. Louisiana Public Defender Board

A.  *   *   *

(5) When a vacancy occurs, whether by expiration of a term, resignation, or other event, the board shall submit to the appointing entity a list identifying the presidency of the current board members by congressional district, and request that, to the extent possible, the entity make their appointment from the residents of under-represented districts. *   *   *
To amend and reenact R.S. 22:1923(2)(k), relative to the Louisiana Citizens Property Insurance Corporation policy take-out program; to provide with respect to ownership of a policy by a take-out company; and to provide for related matters.

Be it enacted by the Legislature of Louisiana:

Section 1. R.S. 22:1923(2)(k) is hereby amended and reenacted to read as follows:

§1923.  Definitions

Section 1. R.S. 22:1923(2)(k),(l), and (m) are hereby enacted to read as follows:

§1923.  Definitions

C. Each insurer admitted to write homeowners insurance or insurance insuring one- or two-family owner occupied premises for fire and allied lines or insurance which covers commercial structures in the state of Louisiana may apply to the Louisiana Citizens Property Insurance Corporation to become a take-out company. Insurers will be approved to participate in the depopulation of the Louisiana Citizens Property Insurance Corporation based on the following criteria:

(3) The rates which are charged by the company submitting a take-out plan must comply with R.S. 22:2303 in the first year that the company charges premiums to the customer. During the second and subsequent third years of coverage, the take-out company shall apply to the Department of Insurance for rates which are actuarially justified, but in no case may the rates be greater than those authorized in R.S. 22:2303.

Approved by the Governor, May 16, 2014.

A true copy:
Tom Schedler
Secretary of State

ACT No. 115
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SENATE BILL NO. 243
BY SENATOR MORRIS

To amend and reenact R.S. 40:1429, relative to the insurance fraud investigation unit within the Department of Public Safety and Corrections; to extend the enforcement provisions of the unit to July 1, 2016; and to provide for related matters.

Be it enacted by the Legislature of Louisiana:

Section 1. R.S. 40:1429 is hereby amended and reenacted to read as follows:

§1429.  Effectiveness of Subpart

This Subpart shall be null, void, and unenforceable on July 1, 2014.

Section 2. This Act shall become effective on July 1, 2014.

A true copy:
Tom Schedler
Secretary of State

ACT No. 116
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SENATE BILL NO. 247
BY SENATOR MORRIS

AN ACT

To enact R.S. 22:1923(2)(k),(l), and (m), relative to insurance fraud; to provide with respect to definitions of fraudulent acts; and to provide for related matters.

Be it enacted by the Legislature of Louisiana:

Section 1. R.S. 22:1923(2)(k),(l), and (m) are hereby enacted to read as follows:

§1923.  Definitions

As used in this Part, the following terms shall have the meanings indicated in this Section:

(2) “Fraudulent insurance act” shall include but not be limited to acts or omissions committed by any person who, knowingly and with intent to defraud:

(k) Impersonates an insurance company, or a representative of an insurance company, without the authorization or consent of the insurance company for the purpose of executing a scheme or artifice to defraud a person.

(l) Impersonates another person or entity, whether real or fictitious, and purports himself to have the authority to direct healthcare treatment for the purpose of executing a scheme or artifice to defraud a person.

§1872.1.  Definitions

As used in this Part, the following terms shall have the following meanings:

(1) “Limited lines travel insurance producer” means any of the following:

(a) Licensed managing general underwriter.

(b) Licensed managing general agent or third party administrator.

(c) Licensed insurance producer, including a limited lines producer, designated by an insurer as the travel insurance supervising entity as set forth in R.S. 22:1782.1.

(2) “Offer and disseminate” means to provide general information, including a description of the coverage and price, as well as process the application, collect premiums, and perform other nonlicensable activities permitted by the state

(3) “Travel insurance” except as provided in Subparagraph (b) of this Paragraph, means insurance coverage for personal risks incident to planned travel, including but not limited to the following:

(i) Interruption or cancellation of a trip or event.

(ii) Loss of baggage or personal effects.

(iii) Damages to accommodations or rental vehicles.

(iv) Sickness, accident, disability, or death occurring during travel.

THE ADVOCATE
* As it appears in the enrolled bill

CODING: Words in strikethrough type are deletions from existing law; words underscored (House Bills) and italicized (Senate Bills) are additions.
(b) “Travel insurance” shall not mean major medical plans, which provide comprehensive medical protection for travelers with trips lasting six months or longer, including those working overseas as expatriates, or military personnel being deployed.

(4) “Travel retailer” means a business entity that makes, arranges, or offers travel services and may offer and disseminate travel insurance as a service to its customers on behalf of and under the direction of a limited lines travel insurance producer.

§1782.2. Requirements for sale of limited lines travel insurance
A. Notwithstanding any other provision of law to the contrary, the commissioner may issue to an individual or business entity that has filed with the commissioner an application for such limited license a form limited lines travel insurance producer license, which authorizes the limited lines travel insurance producer to sell, solicit, or negotiate travel insurance through a licensed insurer. The limited lines travel insurance producer shall pay all applicable insurance producer licensing fees as set forth in R.S. 22:831.

B. At the time of licensure, the limited lines travel insurance producer shall establish and maintain a register, on a form prescribed by the commissioner, of each travel retailer that offers travel insurance on the limited lines producer's behalf. The register shall be maintained and updated annually by the limited lines travel insurance producer and shall include the name, address, and contact information of the travel retailer and an officer or person who directs or controls the travel retailer's operations, and the travel retailer's Federal Tax Identification Number. The limited lines travel insurance producer shall submit such register to the commissioner upon reasonable request. The limited lines producer shall also certify that the registered travel retailer is not in violation of 18 U.S.C. 1033.

C. A travel retailer may offer and disseminate travel insurance under a limited lines travel insurance producer business entity (“licensed business entity”) license only if the limited lines travel insurance producer or travel retailer provides written material to purchasers of travel insurance including each of the following:
(1) A description of the material terms or the actual material terms of the insurance coverage.
(2) A description of the process for filing a claim.
(3) A description of the review or cancellation process for the travel insurance policy.
(4) The identity and contact information of the insurer and limited lines producer.
(5) An explanation that the purchase of travel insurance is not required in order to purchase any other product or service from the travel retailer.
(6) An explanation that an unlicensed employee or representative of a travel retailer is permitted to provide general information about the insurance offered by the travel retailer, including a description of the coverage and price, but is not qualified or authorized to answer technical questions about the terms and conditions of the insurance offered by the travel retailer or to evaluate the adequacy of the customer's existing insurance coverage.

D. The limited lines travel insurance producer shall designate one of its employees who is a licensed individual producer as the designated responsible producer for the limited lines travel insurance producer's compliance with the Louisiana travel insurance laws, rules, and regulations. The designated responsible producer, president, secretary, treasurer, and any other officer or person who directs or controls the limited lines travel insurance producer's insurance operations shall comply with the fingerprinting requirements applicable to insurance producers in the resident state of the limited lines travel insurance producer. As the insurer designee, the limited lines travel insurance producer is responsible for the acts of the travel retailer and shall use reasonable means to ensure compliance by the travel retailer with this Part. The limited lines travel insurance producer and any travel retailer offering and disseminating travel insurance under the limited lines travel insurance producer license shall be subject to the applicable unfair trade practice provisions pursuant to R.S. 22:1962 et seq.

E. The limited lines travel insurance producer shall require each employee and authorized representative of the travel retailer whose duties include offering and disseminating travel insurance to receive a program of instruction or training which may be subject to review by the commissioner. The training material shall, at a minimum, contain instructions on the types of insurance offered, ethical business practices, and continuing education requirements under R.S. 22:1573.

F. A travel retailer's employee or authorized representative who is not licensed as an insurance producer shall not do any of the following:
(1) Evaluate or interpret the technical terms, benefits, and conditions of the offered travel insurance coverage.
(2) Evaluate or provide advice concerning a prospective purchaser's existing insurance coverage.
(3) Hold himself or herself out as a licensed insurer, licensed producer, or insurance expert.

§1782.3. Compensation
Notwithstanding any other provision of law to the contrary, a travel retailer whose insurance-related activities, and those of its employees and authorized representatives, are limited to offering and disseminating travel insurance on behalf of and under the direction of a limited lines travel insurance producer meeting the conditions stated in this Part, is authorized to do so and receive related compensation for such services, upon registration by the limited lines travel insurance producer as set forth in R.S. 22:1782.3(B).

Section 2. R.S. 22:992 is hereby repealed. Approved by the Governor, May 16, 2014.
A true copy:
Tom Schedler
Secretary of State

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ACT No. 118
SENATE BILL NO. 260
BY SENATOR JOHNS
AN ACT
To amend and reenact R.S. 22:1547(D) and (G), relative to producer license; to provide for related matters.
Be it enacted by the Legislature of Louisiana:
Section 1. R.S. 22:1547(D) and (G) are hereby amended and reenacted to read as follows:

§1547. License

* * *
D. An insurance producer who allows his license to lapse may, within five two years from the expiration date of the license, reinstate the license upon proof of fulfilling all continuing education requirements through the date of reinstatement and upon payment of all fees due. If the license has been lapsed for more than five two years, the applicant shall fulfill the requirements for issuance of a new license.

G. Every licensee shall notify the commissioner, by any means acceptable to the commissioner, of any alteration in his residential, mailing, or business address within ten thirty days of the alteration. Failure to file an address change within the required time shall result in the imposition of a fifty-dollar penalty per violation. Any person against whom a penalty has been levied shall be given due notice of such action. Upon receipt of this notice, the licensee may apply for and shall be entitled to a hearing in accordance with Chapter 12 of this Title, R.S. 22:2191 et seq.

Approved by the Governor, May 16, 2014.
A true copy:
Tom Schedler
Secretary of State

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ACT No. 119
SENATE BILL NO. 265
BY SENATOR MARTINY
AN ACT
To amend and reenact R.S. 51:705(G), relative to securities; to provide for notice requirement for the issuance of a security; to make technical changes; to provide for terms and conditions; and to provide for related matters.
Be it enacted by the Legislature of Louisiana:
Section 1. R.S. 51:705(G) is hereby amended and reenacted to read as follows:

§705. Registration of securities; when and how required; delivery of prospectus

* * *
G. Notice filing for federal covered securities. (1) Prior to the initial offer of a federal covered security under Section 18(b)(2) of the federal Securities Act of 1933, as amended, and for purposes of renewal, the issuer shall make a notice filing with the commissioner, consisting of the following:
(a) A copy of the current registration statement filed by the issuer with the United States Securities and Exchange Commission.
(b) A consent to service of process.
(c) An initial filing fee and an annual renewal fee equal to the fees prescribed in R.S. 51:706(A).

Section 2. 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.
Approved by the Governor, May 16, 2014.
A true copy:
Tom Schedler
Secretary of State

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THE ADVOCATE
* As it appears in the enrolled bill

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CODING: Words in squarethrough type are deletions from existing law; words underscored (House Bills) and boldfaced (Senate Bills) are additions.
To amend and reenact R.S. 37:963, relative to the Louisiana State Board of Practical Nurse Examiners; to provide for the domicile of the board; and to provide for related matters.

Be it enacted by the Legislature of Louisiana:

Section 1. R.S. 37:963 is hereby amended and reenacted to read as follows:

§963. Domicile of board
The domicile of the board shall be New Orleans Jefferson Parish, Louisiana.

Section 2. 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.

Approved by the Governor, May 16, 2014.

A true copy:
Tom Schedler
Secretary of State

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To amend and reenact R.S. 22:572.1, relative to insurance anti-fraud plan; to provide with respect to an exemption for small companies from the requirement to prepare, implement, maintain, and file with the commissioner an insurance anti-fraud plan; and to provide for related matters.

Be it enacted by the Legislature of Louisiana:

Section 1. R.S. 22:572.1 is hereby amended and reenacted to read as follows:

§572.1. Insurance anti-fraud plan
A. Each authorized insurer, other than a “small company”, as defined in R.S. 22:46, and each health maintenance organization licensed to operate in this state shall prepare, implement, and maintain, and file with the commissioner an insurance anti-fraud plan for the insurer’s or health maintenance organization’s operations in this state.
B. The insurance anti-fraud plan utilized by each authorized insurer and each health maintenance organization in this state shall be filed with the commissioner of insurance and required by Subsection A of this Section shall outline specific procedures, actions, and safeguards that are applicable, relevant, and appropriate to the type of insurance the authorized insurer writes or the type of coverage offered by the health maintenance organization in this state and shall include how the authorized insurer or health maintenance organization will do each of the following:
(1) Detect, investigate, and prevent all forms of insurance fraud, including fraud involving the insurer’s or health maintenance organization’s employees or agents; fraud resulting from misrepresentations in the application, renewal, or rating of insurance policies; fraudulent claims; and breach of security of the insurer’s or health maintenance organization’s data processing systems.
(2) Educate appropriate employees on fraud detection and the insurer’s or health maintenance organization’s insurance anti-fraud plan.
(3) Provide for fraud investigations, whether through the use of internal fraud investigators or third-party contractors.
(4) Report a suspected fraudulent insurance act, as defined by R.S. 22:1923(1), to the Department of Insurance as well as appropriate law enforcement and other regulatory authorities engaged in the investigation and prosecution of insurance fraud.
(5) Pursue restitution for financial loss caused by insurance fraud, when applicable, relevant, and appropriate.
C. The commissioner shall review the insurance anti-fraud plan submitted by each authorized insurer and each health maintenance organization pursuant to Subsection A of this Section to determine compliance with the requirements of this Section.
D. The commissioner shall have the authority to may investigate and examine the records and operations of each authorized insurer and each health maintenance organization to determine if the insurer or health maintenance organization has they have implemented and maintained compliance complied with the insurance anti-fraud plan.
E. The commissioner is authorized to may direct an authorized insurer or health maintenance organization to make any modification to the insurer’s or health maintenance organization’s insurance anti-fraud plan necessary to obtain and maintain compliance comply with the requirements of this Section, and the commissioner may require any other reasonable remedial action to the insurer’s or health maintenance organization’s insurance anti-fraud plan if the investigation and examination reveals remedy substantial noncompliance by the insurer or health maintenance organization with the terms of the insurer’s or health maintenance organization’s insurance anti-fraud plan.