To appropriate funds and to make certain reductions in appropriations from certain sources to be allocated to designated agencies and purposes in specific amounts for the making of supplemental appropriations and reductions for said agencies and purposes; to provide for effective dates; and to provide for related matters.

Be it enacted by the Legislature of Louisiana:

Section 1. The following sums are hereby appropriated from the sources specified for the purpose of making supplemental appropriations for Fiscal Year 2013-2014.

EXPENDITURES:
Payments to the state treasurer to be used solely and exclusively for the purpose of retiring or for the defeasance of state general obligation bonds, with principal maturing July 1, 2014 through and including June 30, 2015 and the interest and other requirements associated therewith, in advance or in addition to the existing amortization requirements of the state, through redemption, purchase or repayment, pursuant to a plan adopted by the State Bond Commission and to be effected no later than June 30, 2014 $ 210,000,000

TOTAL EXPENDITURES $ 210,000,000

MEANS OF FINANCE:
State General Fund from the FY 2012-2013 surplus certified by the commissioner of administration at the January 24, 2014, meeting of the Joint Legislative Committee on the Budget and recognized by the Revenue Estimating Conference $ 152,843,566

State General Fund from surpluses from prior fiscal years
State General Fund (Direct) $ 20,154,310
$ 7,438,153
State General Fund by:
Fees & Self-generated Revenues from the Office of the Attorney General comprised of revenues from the National Mortgage Settlement Agreement $ 4,563,971
Statutory Dedications:
Overcollections Fund from nonrecurring sources $ 25,000,000

TOTAL MEANS OF FINANCING $ 210,000,000

18-586 TEACHERS' RETIREMENT SYSTEM-CONTRIBUTIONS

EXPENDITURES:
To the Teachers' Retirement System of Louisiana $ 5,578,791

TOTAL EXPENDITURES $ 5,578,791

MEANS OF FINANCE:
State General Fund (Direct) from the FY 2012-2013 surplus certified by the commissioner of administration at the January 24, 2014, meeting of the Joint Legislative Committee on the Budget and recognized by the Revenue Estimating Conference $ 5,578,791

TOTAL MEANS OF FINANCING $ 5,578,791

Section 2. The following sums are hereby appropriated from the sources specified for the purpose of making supplemental appropriations for Fiscal Year 2013-2014.

EXECUTIVE DEPARTMENT

01-111 GOVERNOR'S OFFICE OF HOMELAND SECURITY AND EMERGENCY PREPAREDNESS

Payable out of Federal Funds to the Administrative Program to provide reimbursement to state and local governments and certain non-profits for expenses eligible under the Stafford Act Public Assistance and Hazard Mitigation programs incurred as a result of Hurricanes Katrina, Rita, Gustav, Ike, and Isaac $ 68,500,000

Payable out of the State General Fund by Fees and Self-generated Revenues to the Administrative Program for the reimbursement of costs associated with services provided to other states under the Emergency Management Assistance Compact program $ 863,508

01-124 LOUISIANA STADIUM AND EXPOSITION DISTRICT

EXPENDITURES:
Administrative Program $ 3,499,611

TOTAL EXPENDITURES $ 3,499,611

MEANS OF FINANCE:
State General Fund by:
Statutory Dedications:
Louisiana Stadium and Exposition District $ 440,000
New Orleans Sports Franchise Fund $ 1,800,000
New Orleans Sports Franchise Assistance Fund $ 440,000
Sports Facility Assistance Fund $ 819,611

TOTAL MEANS OF FINANCING $ 3,499,611

01-126 BOARD OF TAX APPEALS

Payable out of the State General Fund by Fees and Self-Generated Revenues to the Administrative Program for expenses associated with new board member travel, supplies, and operating expenses $ 19,632

ELECTED OFFICIALS

04-165 DEPARTMENT OF INSURANCE

Payable out of the State General Fund by Statutory Dedication out of the Insurance Fraud Investigation Fund to the Market Compliance Program $ 36,067
### DEPARTMENT OF PUBLIC SAFETY AND CORRECTIONS

#### CORRECTIONS SERVICES

**08-400 CORRECTIONS ADMINISTRATION**

Payable out of the State General Fund (Direct) to the Office of the Secretary Program for Personal Services expenses $ 139,391

**EXPENDITURES:**

- Office of Management and Finance for Personal Services expenses $ 3,488,694

**TOTAL EXPENDITURES** $ 3,488,694

**MEANS OF FINANCE:**

- State General Fund (Direct) $ 1,488,694
- Fees and Self-generated Revenues $ 2,000,000

**TOTAL MEANS OF FINANCING** $ 3,488,694

Payable out of the State General Fund (Direct) to the Office of Management and Finance Program for Winn Correctional Center and Allen Correctional Center $ 239,425

Payable out of the State General Fund (Direct) to the Adult Services Program for Personal Services expenses $ 665,151

Payable out of the State General Fund (Direct) to the Board of Pardons and Parole Program for Personal Services expenses $ 40,289

The commissioner of administration is hereby authorized and directed to adjust the means of finance for the Adult Services Program, as contained in Act No. 14 of the 2013 Regular Session of the Legislature, by reducing the appropriation out of the State General Fund (Direct) by $18,330,929.

The commissioner of administration is hereby authorized and directed to adjust the means of finance for the Adult Services Program, as contained in Act No. 14 of the 2013 Regular Session of the Legislature, by reducing the appropriation out of the State General Fund (Direct) by $266,000.

**08-402 LOUISIANA STATE PENITENTIARY**

Payable out of the State General Fund (Direct) to the Administration Program for a projected Personal Services shortfall $ 436,744

Payable out of the State General Fund (Direct) to the Incarceration Program for a projected Personal Services shortfall $ 5,435,631

**EXPENDITURES:**

- Field Services Program - Personal Services $ 1,847,878

**TOTAL EXPENDITURES** $ 1,847,878

**MEANS OF FINANCE:**

- State General Fund (Direct) $ 496,023
- Fees and Self-generated Revenues $ 1,351,855

**TOTAL MEANS OF FINANCING** $ 1,847,878

Payable out of the State General Fund (Direct) to the Administration Program for a projected Personal Services shortfall $ 110,757

Payable out of the State General Fund (Direct) to the Incarceration Program for a projected Personal Services shortfall $ 15,011

**08-405 AVOYELLES CORRECTIONAL CENTER**

Payable out of the State General Fund (Direct) to the Administration Program for a projected Personal Services shortfall $ 69,714

Payable out of the State General Fund (Direct) to the Incarceration Program for a projected Personal Services shortfall $ 1,778,142

**EXPENDITURES:**

- Fees and Self-generated Revenues to the Auxiliary Account to allow for the purchase of additional items to be sold at the offender canteen $ 75,000

**TOTAL EXPENDITURES** $ 1,847,878

**MEANS OF FINANCE:**

- State General Fund (Direct) $ 38,330,929
- Fees and Self-generated Revenues $ 496,023
- Personal Services shortfall $ 1,931,139

**TOTAL MEANS OF FINANCING** $ 38,330,929

**08-413 ELAYN HUNT CORRECTIONAL CENTER**

Payable out of the State General Fund (Direct) to the Incarceration Program for a projected Personal Services shortfall $ 150,000.

**08-414 DAVID WADE CORRECTIONAL CENTER**

Payable out of the State General Fund (Direct) to the Administration Program for a projected Personal Services shortfall $ 116,205

Payable out of the State General Fund (Direct) to the Incarceration Program for a projected Personal Services shortfall $ 643,649

**08-415 ADULT PROBATION AND PAROLE**

Payable out of the State General Fund by Fees and Self-generated Revenues to the Field Services Program for the purchase of additional automobile supplies needed due to increased maintenance and repair costs associated with the agency’s aging vehicle fleet $ 160,000

**08-409 DIXON CORRECTIONAL INSTITUTE**

Payable out of the State General Fund (Direct) to the Incarceration Program for a projected Personal Services shortfall $ 1,931,139

Payable out of the State General Fund (Direct) to the Incarceration Program for the payment of the Risk Management premium for C. Paul Phelps Correctional Center $ 513,042

Payable out of the State General Fund by Fees and Self-generated Revenues to the Auxiliary Account to allow for the purchase of additional items to be sold at the offender canteen $ 75,000

**08A-416 B.B. “SIXTY” RAYBURN CORRECTIONAL CENTER**

Payable out of the State General Fund (Direct) to the Administration Program for a projected Personal Services shortfall $ 110,757

Payable out of the State General Fund (Direct) to the Incarceration Program for a projected Personal Services shortfall $ 1,044,761

* As it appears in the enrolled bill

**CODING:** Words in *italics* type are deletions from existing law; words *underscored* (House Bills) and *boldfaced* (Senate Bills) are additions.
08-419 OFFICE OF STATE POLICE
Payable out of the State General Fund by Statutory Deductions out of the Transportation Trust Fund to the Traffic Enforcement Program for a state police training academy class $ 4,400,000

The commissioner of administration is hereby authorized and directed to adjust the means of finance for the Traffic Enforcement Program, as contained in Act No. 14 of the 2013 Regular Session of the Legislature, by reducing the appropriation from Statutory Deductions out of the Riverboat Gaming Enforcement Fund by $18,600,000 and by increasing the appropriation from Statutory Deductions out of the Transportation Trust Fund by $18,600,000.

08-421 OFFICE OF LEGAL AFFAIRS
Payable out of the State General Fund (Direct) to the Legal Program for increased expenditures related to Administrative Law Judges $ 396,639

08-403 OFFICE OF JUVENILE JUSTICE
Payable out of the State General Fund (Direct) to the Contract Services Program for an increase in the on-site health services contract $ 266,000

09-306 MEDICAL VENDOR PAYMENTS
Payable out of the State General Fund by Statutory Deductions out of the 2013 Amnesty Collections Fund to the Private Providers Program $ 61,285,414

The commissioner of administration is hereby authorized and directed to adjust the means of finance for the Private Providers Program as contained in Act No. 14 of the 2013 Regular Session of the Legislature by reducing the appropriation out of the State General Fund (Direct) by $61,285,414.

EXPENDITURES:
Uncompensated Care Costs for health care services for the uninsured $ 114,733,983

MEANS OF FINANCE:
State General Fund (Direct) $ 44,769,200
Federal Funds $ 69,964,783

TOTAL MEANS OF FINANCING $ 114,733,983

The commissioner of administration is hereby authorized and directed to adjust the means of finance for the Environmental Compliance Program, as contained in Act No. 14 of the 2013 Regular Session of the Legislature, by reducing the appropriation out of the State General Fund (Direct) by $44,769,200 and out of Federal Funds by $69,964,783.

EXPENDITURES:
Uncompensated Care Costs for health care services for the uninsured $ 62,000,000

MEANS OF FINANCE:
State General Fund by:
Fees and Self-generated Revenues $ 24,192,400
Federal Funds $ 37,807,600

TOTAL MEANS OF FINANCING $ 62,000,000

09-307 OFFICE OF THE SECRETARY
The commissioner of administration is hereby authorized and directed to adjust the means of finance for the Management and Finance Program, as contained in Act No. 14 of the 2013 Regular Session of the Legislature, by reducing the appropriation out of the State General Fund (Direct) by $470,565.

09-326 OFFICE OF PUBLIC HEALTH
Payable out of the State General Fund (Direct) to the Public Health Services Program for expenses associated with the Division of Administrative Law $ 27,843

DEPARTMENT OF CHILDREN AND FAMILY SERVICES
10-360 OFFICE OF CHILDREN AND FAMILY SERVICES
EXPENDITURES:
Administrative and Executive Support Program for expenses associated with the Division of Administrative Law $ 135,539

MEANS OF FINANCE:
State General Fund (Direct) $ 46,083
Federal Funds $ 89,456

TOTAL MEANS OF FINANCING $ 135,539

DEPARTMENT OF ENVIRONMENTAL QUALITY
13-850 OFFICE OF THE SECRETARY
Payable out of the State General Fund by Statutory Dedication out of the Environmental Trust Fund to the Administrative Program for the purchase of vehicles $ 63,865

EXPENDITURES:
Administrative Program $ 246,000

MEANS OF FINANCE:
State General Fund by: Environmental Trust Fund $ 238,900
Oil Spill Contingency Fund $ 7,100

TOTAL MEANS OF FINANCING $ 246,000

The commissioner of administration is hereby authorized and directed to adjust the means of finance for the Administrative Program, as contained in Act No. 14 of the 2013 Regular Session of the Legislature, by reducing the appropriation out of the State General Fund by Statutory Dedications out of the Hazardous Waste Site Cleanup Fund by $246,000.

13-851 OFFICE OF ENVIRONMENTAL COMPLIANCE
Payable out of the State General Fund by Statutory Dedication out of the Environmental Trust Fund to the Environmental Compliance Program for the purchase of vehicles $ 246,543

Payable out of the State General Fund by Statutory Dedications out of the Clean Water State Revolving Loan Fund to the Environmental Compliance Program $ 56,000

Payable out of the State General Fund by Statutory Dedications out of the Waste Tire Management Fund to the Environmental Compliance Program $ 80,000

The commissioner of administration is hereby authorized and directed to adjust the means of finance for the Environmental Compliance Program, as contained in Act No. 14 of the 2013 Regular Session of the Legislature, by reducing the appropriation out of the State General Fund by Statutory Dedications out of the Environmental Trust Fund by $128,900 and out of the State General Fund by Statutory Dedications out of the Oil Spill Contingency Fund by $7,100.

13-852 OFFICE OF ENVIRONMENTAL SERVICES
Payable out of the State General Fund by Statutory Dedications out of the Clean Water State Revolving Loan Fund to the Environmental Services Program $ 250,000

The commissioner of administration is hereby authorized and directed to adjust the means of finance for the Environmental Services Program,
as contained in Act No. 14 of the 2013 Regular Session of the Legislature, by reducing the appropriation out of the State General Fund by Statutory Dedications out of the Environmental Trust Fund by $250,000.

13-855 OFFICE OF THE MANAGEMENT AND FINANCE

Payable out of the State General Fund by Statutory Dedications out of the Environmental Trust Fund to the Support Services Program $750,000

The commissioner of administration is hereby authorized and directed to adjust the means of finance for the Environmental Services Program, as contained in Act No. 14 of the 2013 Regular Session of the Legislature, by reducing the appropriation out of the State General Fund by Statutory Dedications out of the Motor Fuels Trust Fund by $750,000.

DEPARTMENT OF WILDLIFE AND FISHERIES

16-512 OFFICE OF THE SECRETARY

Payable out of the State General Fund by Interagency Transfers to the Enforcement Program for operation of a pedestrian water shuttle on Bayou Grosse Tete $130,000

Payable out of the State General Fund by Interagency Transfers to the Enforcement Program for expenditures related to Hurricane Isaac $310,000

16-514 OFFICE OF FISHERIES

Payable out of the State General Fund by Statutory Dedications out of the Conservation Fund to the Fisheries Program for tissue sampling in response to the Deepwater Horizon oil spill $2,000,000

Payable out of the State General Fund by Statutory Dedications out of the Artificial Reef Development Fund to the Fisheries Program for the La Creel Program $2,000,000

DEPARTMENT OF CIVIL SERVICE

17-562 ETHICS ADMINISTRATION

Payable out of the State General Fund by Fees and Self-generated Revenues to the Administration Program for Ethics Adjudicatory Board cases overseen by the Division of Administrative Law $26,356

17-564 DIVISION OF ADMINISTRATIVE LAW

The commissioner of administration is hereby authorized and directed to adjust the means of finance for the Administration Program, as contained in Act No. 14 of the 2013 Regular Session of the Legislature, by reducing the appropriation out of the State General Fund by $1,212,579.

HIGHER EDUCATION

19-661 OFFICE OF STUDENT FINANCIAL ASSISTANCE

Payable out of the State General Fund (Direct) to the TOPS Program for TOPS awards $10,626,252

The commissioner of administration is hereby authorized and directed to adjust the means of finance for the TOPS Program as contained in Act No. 14 of the 2013 Regular Session of the Legislature by reducing the appropriation out of the State General Fund by $3,531,925.

19-600 LOUISIANA STATE UNIVERSITY BOARD OF SUPERVISORS

Payable out of the State General Fund by Interagency Transfers for Huey P. Long Medical Center $15,692,636

19-615 SOUTHERN UNIVERSITY BOARD OF SUPERVISORS

Payable out of the State General Fund by Fees and Self-generated Revenues for Southern University Law Center $150,576

Payable out of the State General Fund by Fees and Self-generated Revenues for Southern University - New Orleans $681,059

The commissioner of administration is hereby authorized and directed to adjust the means of finance for Southern University - Shreveport, as contained in Act No. 14 of the 2013 Regular Session of the Legislature, by reducing the appropriation out of the State General Fund by $831,635.

Vetoed—June 13, 2014 /s/Bobby Jindal

Veto Message No. 1 - This amendment is in error; therefore, I am vetoing this item.

The commissioner of administration is hereby authorized and directed to adjust the means of finance for Southern University Agricultural Research and Extension Center, as contained in Act No. 14 of the 2013 Regular Session of the Legislature, by reducing the appropriation out of Federal Funds by $251,411.

19-649 LOUISIANA COMMUNITY AND TECHNICAL COLLEGES BOARD OF SUPERVISORS

Payable out of the State General Fund by Fees and Self-generated Revenues to the Louisiana Community and Technical Colleges Board of Supervisors for Baton Rouge Community College due to the LaGRAD Act and increases in enrollment $1,500,000

Payable out of the State General Fund by Fees and Self-generated Revenues to the Louisiana Community and Technical Colleges Board of Supervisors for Nunez Community College due to the LaGRAD Act and increases in enrollment $250,000

Payable out of the State General Fund by Fees and Self-generated Revenues to the Louisiana Community and Technical College Board of Supervisors for Bossier Parish Community College due to the LaGRAD Act and increases in enrollment $750,000

Payable out of the State General Fund by Fees and Self-generated Revenues to the Louisiana Community and Technical Colleges Board of Supervisors for South Louisiana Community College due to the LaGRAD Act and increases in enrollment $1,336,000

Payable out of the State General Fund by Fees and Self-generated Revenues to the Louisiana Community and Technical Colleges Board of Supervisors for SOWELA Technical Community College due to the LaGRAD Act and increases in enrollment $300,000

SPECIAL SCHOOLS AND COMMISSIONS

19-655 LOUISIANA SPECIAL EDUCATION CENTER

Payable out of the State General Fund by Interagency transfers to the LSEC Education Program $400,000

DEPARTMENT OF EDUCATION

19-681 SUBGRANTEE ASSISTANCE

The commissioner of administration is hereby authorized and directed to adjust the means of finance for the Student Centered Goals Program as contained in Act No. 14 of the 2013 Regular Session of the Legislature by reducing the appropriation out of the State General Fund (Direct) by $7,629,307.

19-695 MINIMUM FOUNDATION PROGRAM

Payable out of the State General Fund (Direct) to the Minimum Foundation Program $55,683,741

* As it appears in the enrolled bill

(Coding: Words in strikethrough type are deletions from existing law; words underscored (House Bills) and underscored and boldfaced (Senate Bills) are additions.)
LOUISIANA STATE UNIVERSITY HEALTH SCIENCES CENTER
HEALTH CARE SERVICES DIVISION

19-610 LOUISIANA STATE UNIVERSITY HEALTH SCIENCES CENTER
HEALTH CARE SERVICES DIVISION

EXPENDITURES:
Washington-St. Tammany Regional Medical Center $ 5,889,213

TOTAL EXPENDITURES $ 5,889,213

MEANS OF FINANCE:
State General Fund by:
   Interagency Transfers $ 4,074,381
   Fees and Self-generated Revenues $ 1,814,832

TOTAL MEANS OF FINANCING $ 5,889,213

The commissioner of administration is hereby authorized and directed to adjust the means of finance for the Local Housing of State Adult Offenders Program as contained in Act No. 14 of the 2013 Regular Session of the Legislature, by reducing the appropriation out of the State General Fund by Interagency Transfers by $4,074,381 and out of the State General Fund by Fees and Self-generated Revenues by $1,814,832.

OTHER REQUIREMENTS

20-451 LOCAL HOUSING OF STATE ADULT OFFENDERS
Payable out of the State General Fund (Direct) to the Local Housing of State Adult Offenders Program $ 8,626,873
Payable out of the State General Fund (Direct) to the Transitional Work Program $ 127,214

20-452 LOCAL HOUSING OF STATE JUVENILE OFFENDERS
The commissioner of administration is hereby authorized and directed to adjust the means of finance for the Local Housing of Juvenile Offenders Program as contained in Act No. 14 of the 2013 Regular Session of the Legislature by reducing the appropriation out of the State General Fund (Direct) by $1,000,000.

20-950 JUDGMENTS
Payable out of the State General Fund (Direct) for additional funding for the satisfaction and payment of consent judgments, stipulated judgments, and other judgments against the state as provided in 20-950 JUDGMENTS in Act No. 14 of the 2013 Regular Session of the Legislature $ 83,686

20-966 SUPPLEMENTAL PAYMENTS TO LAW ENFORCEMENT PERSONNEL
The commissioner of administration is hereby authorized and directed to adjust the means of finance for the Municipal Police Supplemental Payments as contained in Act No. 14 of the 2013 Regular Session of the Legislature by reducing the appropriation out of the State General Fund (Direct) by $2,000,000.

The commissioner of administration is hereby authorized and directed to adjust the means of finance for the Firefighters’ Supplemental Payments as contained in Act No. 14 of the 2013 Regular Session of the Legislature by reducing the appropriation out of the State General Fund (Direct) by $450,000.

The commissioner of administration is hereby authorized and directed to adjust the means of finance for the Constables and Justices of the Peace Supplemental Payments as contained in Act No. 14 of the 2013 Regular Session of the Legislature by reducing the appropriation out of the State General Fund (Direct) by $30,000.

The commissioner of administration is hereby authorized and directed to adjust the means of finance for the Deputy Sheriffs’ Supplemental Payments as contained in Act No. 14 of the 2013 Regular Session of the Legislature by reducing the appropriation out of the State General Fund (Direct) by $2,200,000.

ANCILLARY APPROPRIATIONS

21-790 DONALD J. THIBODAUX TRAINING ACADEMY
Payable out of the State General Fund by Interagency Transfers to the Administrative Program for expenditures relating to the state police cadet class $ 600,000

Program for expenditures relating to the state police cadet class $ 600,000

The commissioner of administration is hereby authorized and directed to adjust the means of finance for the Administrative Program, as contained in Act No. 44 of the 2013 Regular Session of the Legislature, by reducing the appropriation out of the State General Fund by Fees and Self-generated Revenues by $600,000.

21-804 OFFICE OF RISK MANAGEMENT
Payable out of the State General Fund by Interagency Transfers to the Claims Losses and Related Payments Program for claims payments $ 1,962,134

The commissioner of administration is hereby authorized and directed to adjust the means of finance for the Administrative Program as contained in Act No. 44 of the 2013 Regular Session of the Legislature by reducing the appropriation out of the State General Fund by Interagency Transfers by $(1,280,001).

Payable out of the State General Fund by Fees and Self-generated Revenues to the Claims Loss and Related Payments Program for Hurricane Katrina claims payments $ 1,694,590

The commissioner of administration is hereby authorized and directed to adjust the means of finance for the Contract Litigation Program as contained in Act No. 44 of the 2013 Regular Session of the Legislature by reducing the appropriation out of the State General Fund by Interagency Transfers by $(682,133).

Section 3. The commissioner of administration is hereby authorized and directed to adjust the appointments to the agencies contained in Act No. 14 of the 2014 Regular Session of the Legislature as a result of the expenditure freezes contained in Executive Order No. BJ 14-4 Executive Branch-Expenditure Freeze issued on April 1, 2014 and as a result of the hiring freeze contained in Executive Order No. BJ 14-1 Executive Department - Limited Hiring Freeze issued on January 15, 2014, to achieve a savings of State General Fund (Direct) of $(3,985,118).

Section 4. Notwithstanding any provision of law to the contrary, any appropriation contained in Other Requirements, Schedule 20-901 Sales Tax Dedication or Schedule 20-945 State Aid to Local Governmental Entities, in Act No. 14 of the 2013 Regular Session of the Legislature and Act No. 54 of the 2013 Regular Session of the Legislature which appropriation has a valid cooperative endeavor agreement on June 30, 2014, shall be deemed a bona fide obligation through December 31, 2014, and all other provisions of the cooperative endeavor agreements, including but not limited to the reporting requirements shall be performed as agreed.

Section 5(1) Notwithstanding any provision of law to the contrary, any appropriations contained in Schedule 20-945 Other Requirements, State Aid to Local Governmental Entities in Act No. 41 of the 2010 Regular Session of the Legislature payable to the town of Farmerville, in the amount of $40,000 shall be deemed a bona fide obligation through June 30, 2015 and all provisions of the cooperative endeavor agreement executed between the town of Farmerville and the Department of the Treasury, including but not limited to the reporting requirements, shall be performed as agreed.

(2) Notwithstanding any provision of law to the contrary, any appropriations contained in Schedule 20-901 Other Requirements, State Aid to Local Governmental Entities in Act No. 122 of the 2009 Regular Session of the Legislature payable to the town of Port Vincent in the amount of $9,225 shall be deemed a bona fide obligation through June 30, 2015 and all provisions of the cooperative endeavor agreement executed between the town of Port Vincent and the Department of the Treasury, including but not limited to the reporting requirements, shall be performed as agreed.

(3) Notwithstanding any provision of law to the contrary, any appropriations contained in Schedule 20-901 Sales Tax Dedactions - Local Entities in Act No. 13 of the 2012 Regular Session of the Legislature payable to the city of Franklin in the amount of $17,444 shall be deemed a bona fide obligation through June 30, 2015 and all provisions of the cooperative endeavor agreement executed between the city of Franklin and the Department of the Treasury, including but not limited to the reporting requirements, shall be performed as agreed.

Section 6A. The appropriation contained in Schedule 08-400 Department of Public Safety and Corrections - Corrections Services, Corrections Administration in Section 18 of Act No. 14 of the 2013 Regular Session of the Legislature is hereby amended and reenacted to read as follows:
On page 68, delete line 29 and insert the following:

“Interagency Transfers from prior and current year collections $1,926,617”

Section 6B. The appropriation contained in Schedule 08-402 Department of Public Safety and Corrections - Corrections Services, Louisiana State Penitentiary in Section 18 of Act No. 14 of the 2013 Regular Session of the Legislature is hereby amended and reenacted to read as follows:

On page 69, delete line 17 and insert the following:

“Interagency Transfers from prior and current year collections $172,500”

Section 6C. The appropriation contained in Schedule 08-405 Department of Public Safety and Corrections - Corrections Services, Avoettes Correctional Center in Section 18 of Act No. 14 of the 2013 Regular Session of the Legislature is hereby amended and reenacted to read as follows:

On page 70, delete line 10 and insert the following:

“Interagency Transfers from prior and current year collections $428,857”

Section 7A. The following revisions are hereby made to the referenced legislation for the purpose of making supplemental capital outlay appropriations for Fiscal Year 2013-2014. Provided, however, that the provisions of Sections 2 through 18 inclusive, of Act 24 of the 2013 Regular Session of the Legislature are adopted and incorporated by reference for the appropriations contained in this Section.

Section 7B. Notwithstanding any provisions of law to the contrary, including the provisions of the Capital Outlay Act, the following appropriations are hereby made out of the interest earnings from the investment of general obligation bond or note proceeds in the Comprehensive Capital Outlay Escrow Account:

01/07 DIVISION OF ADMINISTRATION

Major Repairs for State Buildings Based on Statewide Condition Assessments and Infrastructure, Planning and Construction (Statewide)
Project No. 01-107-06B-11
Payable from Interest Earnings $ 3,700,000

19/673 NEW ORLEANS CENTER FOR THE CREATIVE ARTS
Press Street Studios, Furniture/Fixtures/Equipment, Planning and Construction (Orleans)
Project No. 19-673-12-02
Payable from Interest Earnings $ 900,000

The appropriation of monies in this Section shall be deemed to be and shall constitute approval by the Joint Legislative Committee on the Budget.

Section 8. Notwithstanding any other provision of law to the contrary, including the provisions of any Capital Outlay Act, the following appropriation is hereby made out of the Overcollections Fund. Such appropriation shall be deemed to be and shall constitute approval by the Joint Legislative Committee on the Budget for such project:

McNeese State University
Health/Human Performance Education Complex, Planning and Construction (Supplemental Funding) (Calcasieu)
Project No. 19-627-12-02
Payable from the Overcollections Fund $ 1,333,706

Section 9. The State General Fund by Statutory Dedications from the Overcollections Fund for Fiscal Year 2013-2014 appropriation contained in Act No. 14 of the 2013 Regular Session of the Legislature and contained in Section 1.4 of JUDGMENTS, Schedule 20-950 for McNeese State University and the Board of Supervisors for the University of Louisiana System in the amount of $1,333,706.47, plus interest from February 24, 2011, to pay the judgment awarding attorney's fees, expenses and costs to plaintiffs in the matter of "Collette Josey Covington and Jade Covington v. McNeese State University and the Board of Supervisors for the University of Louisiana System" bearing No. 2001-2355 on the docket of the Fourteenth Judicial District Court, parish of Calcasieu, state of Louisiana, is hereby null and void.

Section 10. The appropriations and allocations contained in this Section shall be in addition to and supplemental to all of the appropriations made in the Act which originated as House Bill No. 1 of the 2014 Regular Session of the Legislature, and the appropriations and allocations made in this Section shall be deemed to be incorporated into, made a part of, and expended in accordance with and in all respects shall be subject to all of the conditions, stipulations, and provisions of Sections 1 through 18 of the Act which originated as House Bill No. 1 of the 2014 Regular Session of the Legislature. In accordance with the provisions of R.S. 39:571, the commissioner of administration shall notify each budget unit receiving an allocation or appropriation in this Section as to the nature and amount of allocation or appropriation contained herein no later than two weeks after the effective date of this Act.

EXECUTIVE DEPARTMENT

01-133 OFFICE OF ELDERLY AFFAIRS

EXPENDITURES:
To the Parish Councils on Aging Program for payments of $42,187.50 to each parish council on aging $ 2,700,000

TOTAL EXPENDITURES $ 2,700,000

MEANS OF FINANCE:
State General Fund (Direct) $ 1,000,000
State General Fund by:
Statutory Dedications:
Overcollections Fund $ 1,700,000

TOTAL MEANS OF FINANCING $ 2,700,000

RETIREMENT SYSTEMS

In accordance with Constitution Article VII, Section 10(D)(2)(b)(ii), funding to the Louisiana State Employees' Retirement System and the Teachers' Retirement System of Louisiana for application to the balance of the unfunded accrued liability of such systems existing as of June 30, 1988, in proportion to the balance of such unfunded accrued liability of each such system as of June 30, 2013.

18-585 LOUISIANA STATE EMPLOYEES' RETIREMENT SYSTEM - CONTRIBUTIONS

EXPENDITURES:
To the Louisiana State Employees' Retirement System $ 1,839,000

TOTAL EXPENDITURES $ 1,839,000

MEANS OF FINANCE:
State General Fund by:
Statutory Dedications:
Overcollections Fund from nonrecurring sources $ 1,839,000

TOTAL MEANS OF FINANCING $ 1,839,000

18-586 TEACHERS' RETIREMENT SYSTEM-CONTRIBUTIONS

EXPENDITURES:
To the Teachers' Retirement System of Louisiana $ 4,161,000

TOTAL EXPENDITURES $ 4,161,000

MEANS OF FINANCE:
State General Fund by:
Statutory Dedications:
Overcollections Fund from nonrecurring sources $ 4,161,000

TOTAL MEANS OF FINANCING $ 4,161,000

DEPARTMENT OF EDUCATION

19-681 SUBGRANTEE ASSISTANCE

EXPENDITURES:
Payments of $55,065 to each city, parish, and local public school system, the Recovery School District, Special School District, LSU Lab School, Southern Lab School, Louisiana School for Math, Science, and the Arts, New Orleans Center for the Creative Arts, Louisiana Schools for the Deaf and Visually Impaired, and Louisiana Special Education Center $ 2,700,005

TOTAL EXPENDITURES $ 2,700,005

MEANS OF FINANCE:
State General Fund (Direct) $ 1,000,000
State General Fund by:
Section 11. Sections 1, 2, 3, 4, 5, 6, 7, 8, 9, 11 and 12 of 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, Sections 1, 2, 3, 4, 5, 6, 7, 8, 9, 11 and 12 of this Act shall become effective on the day following such approval.

Section 12. Section 10 of this Act shall become effective on July 1, 2014; if vetoed by the governor and subsequently approved by the legislature, Section 10 of this Act shall become effective on July 1, 2014, or on the day following such approval by the legislature, whichever is later.

Approved by the Governor, June 12, 2014.

A true copy:
Tom Schedler
Secretary of State

ACT No. 608

BY REPRESENTATIVE ARNOLD

To amend and reenact R.S. 11:3385.1, relative to the Deferred Retirement Option Plan in the Firefighters’ Pension and Relief Fund in the city of New Orleans; to provide definitions; to provide relative to participation in the plan; to provide relative to benefits of the plan; to provide relative to distribution of benefits; to provide for appeals of determinations made under the plan provisions; to provide relative to the tax status of benefits; to provide relative to interest credits; 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. 11:3385.1 is hereby amended and reenacted to read as follows:

§3385.1. Deferred Retirement Option Plan

A. (1) As used in this Section the term “DROP account” shall mean the notional account maintained and reconciled for recordkeeping purposes under the Deferred Retirement Option Plan as an ancillary payment option.

(2) In lieu of terminating employment and accepting a service retirement allowance under R.S. 11:3381 and 3384, any member of this system who has not less than twelve years of creditable service in this system and who is eligible to receive a service retirement benefit may elect to participate in the Deferred Retirement Option Plan and defer the receipt of benefits as an ancillary form of payment in accordance with the provisions of this Section.

B. For purposes of this Section, creditable service shall include service credit reciprocally recognized under R.S. 11:142, but for eligibility purposes only.

C. The duration of participation in the Deferred Retirement Option Plan shall not exceed five years sixty months and shall automatically terminate at the expiration of sixty months. A member may terminate his participation in the Deferred Retirement Option Plan at any time by written notice to the board of trustees.

D. A member may participate in the Deferred Retirement Option Plan only once.

E. Upon the effective date of the commencement of participation Within a reasonable period of time after properly filing an application to participate in the Deferred Retirement Option Plan, membership in this system shall terminate and neither employee nor employer contributions shall be payable to or on behalf of the member’s individual account balance in the Deferred Retirement Option Plan member by the system during the participation period. For purposes of this Section compensation Compensation and creditable service shall be determined as they existed on the effective date of commencement of participation in the Deferred Retirement Option Plan—or as otherwise permitted under applicable law. During the participation period, a member is prohibited from accruing additional creditable service under the system.

F. A person who participates in the Deferred Retirement Option Plan shall not be eligible to receive a cost-of-living increase from the retirement system and participant shall not be eligible for membership in the system which makes him eligible to be a member of this system has been terminated for at least one full year.

G. During the participation period, the monthly retirement benefit that would have been payable from this system, had the member elected to cease employment and receive a service retirement allowance, shall be paid into the member’s individual account in the DROP account in the Deferred Retirement Option Plan. Upon termination of employment from the fire department, deferred benefits shall be payable as provided by Subsection H of this Section. The member’s DROP account shall at all times, until distributed in its entirety, be subject to the annual benefit limitations prescribed by Federal Retirement Code Section 415(b) and applicable Treasury Regulations as applied to governmental plans.

H. (1) The individual account balance in the Deferred Retirement Option Plan during the participation period, or until termination of employment, if earlier, the member’s DROP account shall not be subject to any fees, costs, or charges. During the participation period the member’s participation in the Deferred Retirement Option Plan as a member of the fire department, nor shall the individual DROP account balance accrue or earn any interest or earnings of any kind during such period of participation.

(2) Upon January 1, 2015, and each January 1 thereafter following each completion of a period of participation or upon expiration of the participation period or termination of employment, if earlier, and each year while the member’s DROP account is distributed in its entirety, interest shall be allocated annually to all member DROP accounts from the one-year composite rate of return of the pension fund as determined by the system actuary, less an administrative fee as determined by the board of trustees. Prior to January 1, 2015, interest shall be allocated each year upon completion of participation in the Deferred Retirement Option Plan, the individual account of any member who continues employment with the fire department shall not be made until employment is terminated, and the member’s individual account balance shall not be made until employment is terminated, nor shall the member’s DROP account balance accrue or earn any interest or earnings of any kind during such period of participation.

(3) If the member participates in the Deferred Retirement Option Plan, membership in this system shall be terminated and any credited service under the system.

(4) The deceased member’s estate.

J. Any payment to be made from a member’s individual account balance in the Deferred Retirement Option Plan shall be made as a lump sum payment. The payments made to an individual account under this Section shall be paid to the member or his named beneficiary, or if none, to his estate, upon written application to the fund office in any form of payment approved by the board of trustees in addition to any normal survivor benefits payable to survivors of retirees under this retirement system shall be payable. If there is no valid designation of a beneficiary, the member’s DROP account shall be distributed in any form of payment allowed, subject to the annual benefit limitations prescribed by Federal Retirement Code Section 415(b) and applicable Treasury Regulations as applied to governmental plans.

K. (1) Upon termination of employment from the fire department, a participant at any time after termination of employment and after filing an application on a form acceptable by the board of trustees, a member who participated in the Deferred Retirement Option Plan during the period of participation shall receive a lump sum payment equal to the payments made to his named beneficiary or, if none, to his estate, subject to the rules and regulations established by the board of trustees.

(2) Payment from the individual account balance in the Deferred Retirement Option Plan shall not be made until employment is terminated, nor shall the monthly benefits being paid into the Deferred Retirement Option Plan during the period of participation be payable to the individual until he terminates employment.

(3) If employment is not terminated at the end of the period of participation, the member shall resume active membership in the system and accrual of further benefits pursuant to the rules of this retirement system, and subject to the provisions of Paragraph (2) of this Subsection. As provided by Subsection G of this Section, the individual account of a member whose employment is not terminated at the end of the period of participation shall earn interest and administrative fees for each year the member remains active member in the system.

(4) Upon termination of employment following the period of participation in the Deferred Retirement Option Plan, a lump sum payment equal to the payments made to his individual account in the Deferred Retirement Option Plan during the period of participation shall be paid to the member or his named beneficiary, or if none, to his estate, upon written application to the fund office in any form of payment approved by the board of trustees.

(5) If the member’s individual account balance in the Deferred Retirement Option Plan shall not be made until employment is terminated, nor shall the monthly benefits being paid into the Deferred Retirement Option Plan during the period of participation be payable to the individual until he terminates employment.

(6) If the member’s DROP account balance shall not be made until employment is terminated, nor shall the monthly benefits being paid into the Deferred Retirement Option Plan during the period of participation be payable to the individual until he terminates employment.
the Deferred Retirement Option Plan except as provided in Subparagraph (7) of this Subsection designated pursuant to R.S. 11:3383 only as provided by the laws or rules of the system.

(2) The member may change the beneficiary designated to receive the balance of the member's DROP account at any time by filing a beneficiary designation in writing on a form acceptable to the board of trustees.

(3) If the member's employment terminates by reason of his death following the commencement of participation in the Deferred Retirement Option Plan, a lump sum payment equal to the balance in his individual account in the Deferred Retirement Option Plan shall be paid to his named beneficiary or, if none, to his estate, upon written application made to the fund office. In addition, no payment shall be made based on credits in the account until retirement benefits are paid to any beneficiary designated pursuant to R.S. 11:3385 when the member commenced participation in the Deferred Retirement Option Plan.

(4) Upon termination of employment, the retiree shall receive an L. Upon termination of participation in the plan but not employment, credits to the DROP account shall cease, and no retirement benefits shall be paid to the member until employment is terminated. No payment shall be made based on credits in the account until employment is terminated. During such period of continued employment, employer and employee contributions shall resume, and the member shall accrue additional creditable service and an additional retirement benefit based solely on any additional service rendered since termination of participation in the Deferred Retirement Option Plan, using the normal method of computation of the benefits, as determined under applicable law or the administrative code adopted by the board, subject to the following:

(a) If the member was first employed after December 31, 1967, and his period of additional service is less than 12 years of creditable service at the commencement of participation in the Deferred Retirement Option Plan, the average compensation figure used to calculate the additional benefit shall be that used to calculate his original benefit. If his period of additional service is equal to or longer than his average compensation period at the commencement of participation in the Deferred Retirement Option Plan, the average compensation figure used to calculate the additional benefit shall be based on his compensation during the period of additional service.

(b) If the member was first employed before December 31, 1967, and his period of additional service is equal to or longer than his average compensation period at the commencement of participation in the Deferred Retirement Option Plan, the average compensation figure used to calculate the additional benefit shall be that used to calculate his original benefit. If his period of additional service is twelve or more months, the average compensation figure used to calculate the additional benefit shall be based on his compensation during the period of additional service.

(5) Both the distribution option originally selected and the beneficiary designated pursuant to R.S. 11:3383 when the member commenced participation in the Deferred Retirement Option Plan shall also apply to any additional benefits accrued or additional creditable service earned. If the beneficiary designated pursuant to R.S. 11:3385 predeceases the member, the beneficiary designated pursuant to R.S. 11:3383 is the beneficiary for any additional benefits accrued.

(6) If the member was first employed before December 31, 1967, and Original benefit, unless that beneficiary has predeceased the member. In addition, no payment shall be made based on credits in the account until retirement benefits are paid to any beneficiary designated pursuant to R.S. 11:3385 when the member commenced participation in the Deferred Retirement Option Plan. The additional benefit shall not exceed an amount which, when combined with the original benefit, equals one hundred percent of the average of any four highest consecutive years of compensation earned by a member retiring under the new system with an average compensation period of four years, both during participation and after leaving the Deferred Retirement Option Plan. For any member whose average compensation period is longer than four years, in no event shall the additional benefit not exceed an amount which, when combined with the original benefit, equals one hundred percent of the average of the highest consecutive months of compensation for any period equal to the average compensation period applicable when the member entered the Deferred Retirement Option Plan, both during participation and after leaving the Deferred Retirement Option Plan.

(7) Notwithstanding any other provision of law to the contrary, a member may participate in the Deferred Retirement Option Plan by this Section and also make an election to receive an initial lump-sum benefit as set forth in R.S. 11:3383.2.

O. Any appeal of a determination made pursuant to the provisions of this Section shall be lodged and conducted pursuant to the laws and rules of the system.

Approved by the Governor, June 12, 2014.

A true copy:

Tom Schedler
Secretary of State

ACT No. 609

HOUSE BILL NO. 221

BY REPRESENTATIVE BARRAS AND SENATOR WARD

AN ACT

To enact R.S. 13:5554(G)(3), relative to the payment of group insurance premium costs; to provide for eligibility for payment of such costs for retired sheriffs and retired deputy sheriff; and to provide for related matters.

Be it enacted by the Legislature of Louisiana:

Section 1. R.S. 13:5554(G)(3) is hereby enacted to read as follows:

§5554. Group insurance; kinds; amounts; subrogation

G. * * *

(3) Notwithstanding the provisions of Subsection D of this Section, in the parish of West Baton Rouge, one percent of the premium costs of group hospital, surgical, medical expense and insurance and the first ten thousand dollars of life insurance contracted for under the provisions of this Section shall be paid in full from the sheriff's general fund for any sheriff and full-time deputy sheriff who has retired from the West Baton Rouge Parish Sheriff's Office and who is entitled to receive monthly benefits from the Sheriff's Pension and Relief Fund and who has either of the following:

(a) At least twelve years of full-time creditable service with the West Baton Rouge Parish Sheriff's Office and who was hired before June 30, 2008, and is at least fifty-five years of age.

(b) At least thirty years of full-time service with the West Baton Rouge Parish Sheriff's Office, regardless of age.

(c) The provisions of Paragraph (1) of this Subsection shall apply for any sheriff, deputy sheriff, and all persons retired by the West Baton Rouge Parish Sheriff's Office on or after July 1, 2008.

Approved by the Governor, June 12, 2014.

A true copy:

Tom Schedler
Secretary of State

ACT No. 610

HOUSE BILL NO. 243

BY REPRESENTATIVE BARRAS

To amend and reenact R.S. 35:191(C)(2) and to enact R.S. 35:191(C)(3), relative to notaries public; to provide for the administration of a pre-assessment test; to provide for the qualification to take the pre-assessment test; and to provide for related matters.

Be it enacted by the Legislature of Louisiana:

Section 1. R.S. 35:191(C)(2) is hereby amended and reenacted and R.S. 35:191(C)(3) is hereby enacted to read as follows:

§191. Appointment; qualifications; examination

C. Each applicant, otherwise qualified, may be appointed a notary public in and for a parish upon meeting all of the following conditions:

* * *
(2)(a) Taking a pre-assessment test, with no minimum score required, administered by the secretary of state to assess the probability of the applicant passing the examination as provided in R.S. 33:130.403(22).

(b) To qualify to take the pre-assessment test, the applicant shall have satisfied all requirements to be commissioned as a notary public in the parish, except for passing the examination as provided in R.S. 33:130.403.

(c) The pre-assessment test provided by this Paragraph shall be dispensed with if the applicant has been duly admitted to practice law in this state or holds a valid notarial commission in this state.

(3)(a) Taking and passing a written examination, as provided in R.S. 33:130.403, administered by the secretary of state.

(b)(i) The notary examination shall be given twice per year on the first Saturday of June and December. Should the scheduled Saturday be a state holiday, then the next non-holiday Saturday shall be the test date.

(ii) To qualify to be examined, the candidate shall have satisfied all requirements to be commissioned as a notary public in the parish, except for passing the examination.

(iii) The qualified candidate shall be permitted to register for any notary public examinations administered by the secretary of state within one year after the date the secretary of state notifies the candidate of his approval to take the examination. No further application fee shall be required during this period. The required examination fee, however, shall be paid for each examination.

(c) The examination provided for in this Paragraph shall be dispensed with if the applicant has been duly admitted to practice law in this state or holds a valid notarial commission in this state.

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, June 12, 2014.
A true copy:
Tom Schedler
Secretary of State

ACT No. 611
HOUSE BILL NO. 252
BY REPRESENTATIVE TIM BURNS
AN ACT
To amend and reenact R.S. 33:130.402(D) and 130.409(A) and to enact R.S. 33:130.402(H), relative to the St. Tammany Parish Development District and its board of commissioners; to provide relative to the service of certain members of the board of commissioners; to provide an exception to certain provisions of the Code of Governmental Ethics for certain members of the board of commissioners; 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. 33:130.402(D) and 130.409(A) are hereby amended to read as follows:

§130.402. Board of commissioners; members; officers; employees

D. Elected

Except as specifically provided by Subparagraph (A)(1)(d) of this Section, elected officials are prohibited from serving on the board of commissioners.

H. Notwithstanding the provisions of R.S. 42:1111, 1112, 1113, and 1120, a member of the board of commissioners who is appointed or who serves pursuant to Paragraph (A)(1) of this Section who is an officer, director, trustee, or employee of the St. Tammany Economic Development Foundation may serve on the board of commissioners and may participate and vote on matters involving the district and the foundation as authorized by R.S. 33:130.403(22).

§130.409. General compliances; enhancement

A. No provisions

Except as otherwise specifically provided by R.S. 33:130.402(H), no provision of this Subpart shall be construed so as to exempt the district from compliance with the provisions of Louisiana laws pertaining to open meetings, public records, fiscal agents, official journals, dual officeholding and employment, public bidding for the purchase of supplies and materials and construction of public works, the Code of Governmental Ethics, the Right to Property in Article I, Section 4 of the Constitution of Louisiana, and the Louisiana Election Code.

§130.409. General compliances; enhancement

I. 

(6) No candidate, political committee, or other person required to file reports pursuant to this Chapter, shall use a contribution, loan, or transfer of funds received by such candidate, committee, or person to purchase immovable property or a motor vehicle. For purposes of this Paragraph, "motor vehicle" shall have the same meaning as provided in R.S. 32:781.

Approved by the Governor, June 12, 2014.
A true copy:
Tom Schedler
Secretary of State

ACT No. 612
HOUSE BILL NO. 264
BY REPRESENTATIVE MILLER
AN ACT
To amend and reenact R.S. 42:1124(C)(7) and 1124.2(C)(6), relative to financial disclosure; to provide relative to the disclosure regarding parcels of immovable property; and to provide for related matters.

Be it enacted by the Legislature of Louisiana:

Section 1. R.S. 42:1124(C)(7) and 1124.2(C)(6) are hereby amended and reenacted to read as follows:

§1124. Financial disclosure; statewide elected officials; certain public servants

(7) A brief description, fair market value or use value as determined by the assessor for purposes of ad valorem taxes, and the address, if any, and if no address, the location by state and parish or county, of each parcel of immovable property in which the individual or spouse, either individually or collectively, has an interest, provided that the fair market value or use value as determined by the assessor for purposes of ad valorem taxes, for such value of the interest the individual or spouse, either individually or collectively, has in the parcel of immovable property exceeds two thousand dollars.

§1124.2. Financial disclosure; certain elected officials; members of certain boards and commissions; ethics administrator

C. The financial statement required by this Section shall be filed on a form prescribed by the Board of Ethics and shall include the following information:

(6) A brief description, fair market value or use value as determined by the assessor for purposes of ad valorem taxes, and the location by state and parish or county of each parcel of immovable property in which the individual or spouse, either individually or collectively, has an interest, provided that the fair market value or use value as determined by the assessor for purposes of ad valorem taxes, for such value of the interest the individual or spouse, either individually or collectively, has in the parcel of immovable property exceeds two thousand dollars.

Approved by the Governor, June 12, 2014.
A true copy:
Tom Schedler
Secretary of State

ACT No. 613
HOUSE BILL NO. 265
BY REPRESENTATIVE MILLER
AN ACT
To enact R.S. 18:1505.2(I)(6), relative to the use of campaign funds; to prohibit use of campaign funds for certain purposes; and to provide for related matters.

Be it enacted by the Legislature of Louisiana:

Section 1. R.S. 18:1505.2(I)(6) is hereby enacted to read as follows:

§1505.2. Contributions; expenditures; certain prohibitions and limitations

I.

(6) No candidate, political committee, or other person required to file reports pursuant to this Chapter, shall use a contribution, loan, or transfer of funds received by such candidate, committee, or person to purchase immovable property or a motor vehicle. For purposes of this Paragraph, "motor vehicle" shall have the same meaning as provided in R.S. 32:781.

Approved by the Governor, June 12, 2014.
A true copy:
Tom Schedler
Secretary of State
ACT No. 614

By Representative Ivey and Senator Thompson

To enact R.S. 40:1379.3(W), relative to concealed handgun permits; to provide for reduced fees for active duty members, reserve members, and veterans of the armed forces of the United States; to provide for definitions; to provide for an effective date; and to provide for related matters.

Be it enacted by the Legislature of Louisiana:

Section 1. R.S. 40:1379.3(W) is hereby enacted to read as follows:

§1379.3. Statewide permits for concealed handguns; application procedures; definitions

W.(1) Notwithstanding any provision of law to the contrary, an active duty member, reserve member, or veteran of the armed forces of the United States shall pay one half of the annual fee provided for in Paragraph (H)(2) of this Section for a five-year permit, or if applying for a lifetime concealed handgun permit, he shall pay that fee for a total of ten years at the time the application for the lifetime concealed handgun permit is made.

The candidate or the voter in the proposition election requesting the recount shall be responsible for all reasonable costs associated with such recount, which shall be payable to the clerk of court. The costs shall be paid at the time the written request for the recount is filed with the clerk of court and shall be paid in cash or by certified or cashier's check on a state or national bank or credit union, United States postal money order, or money order issued by a state or national bank or credit union.

If the recount changes the outcome of the election, the costs paid by the candidate or voter in the proposition election shall be refunded by the clerk of court, and the costs of the recount shall be a reimbursable election expense as provided in Chapter 8-A of this Title.

Approved by the Governor, June 12, 2014.

A true copy:

Tom Schedler
Secretary of State

ACT No. 616

By Representative Greene

To amend and reenact Civil Code Articles 112(B)(2) and 113, relative to spousal support; to provide for consideration of an interim allowance or final child support obligation in the determination of interim and final spousal support; and to provide for related matters.

Be it enacted by the Legislature of Louisiana:

Section 1. Civil Code Articles 112(B)(2) and 113 are hereby amended and reenacted to read as follows:

Art. 112. Determination of final periodic support

B. The court shall consider all relevant factors in determining the amount and duration of final support. Those factors may include:

(2) The financial obligations of the parties, including any interim allowance or final child support obligation.

Art. 113. Interim spousal support allowance pending final spousal support award

Upon motion of a party or when a demand for final spousal support is pending, the court may award a party an interim spousal support allowance based on the needs of that party, the ability of the other party to pay, any interim allowance or final child support obligation, and the standard of living of the parties during the marriage, which award of interim spousal support allowance shall terminate upon the rendition of a judgment of divorce. If a claim for final spousal support is pending at the time of the rendition of the judgment of divorce, the interim spousal support award shall thereafter terminate upon rendition of a judgment awarding or denying final spousal support or one hundred eighty days from the rendition of judgment of divorce, whichever occurs first. The obligation to pay interim spousal support may extend beyond one hundred eighty days from the rendition of judgment of divorce, but only for good cause shown.

Approved by the Governor, June 12, 2014.

A true copy:

Tom Schedler
Secretary of State

ACT No. 617


To enact R.S. 40:1299.35, relative to restriction of certain activities by employees and representatives of abortion providers and of affiliates of abortion providers; to prohibit such persons from providing materials or media for instruction in elementary and secondary schools; and to provide for related matters.

SECTION 1. R.S. 40:1299.35 is hereby enacted to read as follows:

§1299.35. Instruction in elementary and secondary schools by abortion providers; prohibition

A. No employee of or representative acting on behalf of an organization, individual, or any other entity that performs elective abortion as defined in

* 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.
R.S. 40:1299.35.1, or of an affiliate as defined in Subsection B of this Section, shall engage in any of the following activities:

(1) Presenting or otherwise delivering any instruction or program on any health topic, including but not limited to human sexuality or family planning, to students at a public elementary or secondary school, or at a charter school that receives state funding.

(2) Knowingly providing any materials or media regarding human sexuality or family planning, or approving or viewing at a public elementary or secondary school, or at a charter school that receives state funding, regardless of the topic or viewpoint of such materials or media, if the materials or media are created by or bear the identifying mark of an organization, individual, or any other entity, or of an affiliate of any such organization, individual, or entity, that performs elective abortion as defined in R.S. 40:1299.35.1.

B. For purposes of this Section, “affiliate” means an organization, or any other entity that has a legal relationship with another organization, or individual, or any other entity, and such relationship is created or governed by at least one written instrument that demonstrates one or more of the following:

(1) Common ownership, management, or control.

(2) The existence of a franchise.

(3) The granting or extension of a license or other agreement that authorizes common use of a brand name, trademark, service mark, or other registered identification mark.

C. The provisions of this Section shall not apply to any hospital licensed in accordance with the Hospital Licensing Law, R.S. 40:2100 et seq.

D. Any abortion provider or affiliate of an abortion provider whose employee or representative acts in violation of this Section shall be subject to imposition of a monetary penalty established by rule of the Department of Health and Hospitals, and the department shall consider such violation in any action regarding license issuance taken in accordance with R.S. 40:2175.6.

Section 2. If any provision or item of this Act, or the application thereof, is declared to be unconstitutional, such invalidity shall not affect other provisions, items, or applications of the Act which can be given effect without the invalid provision, item, or application. To this end, and in accordance with R.S. 24:175, the provisions of this Act are hereby declared severable.

Approved by the Governor, June 12, 2014.

A true copy:
Tom Schedler
Secretary of State

ACT No. 618

BY REPRESENTATIVE ALFRED WILLIAMS
AN ACT
To amend and reenact Code of Civil Procedure Article 3604(C) and 3606, relative to temporary restraining orders; to provide relative to the effectiveness of temporary restraining orders; to extend the effective period of temporary restraining orders when a hearing is continued due to declared states of emergency; and to provide for related matters.

Be it enacted by the Legislature of Louisiana:

Section 1. Code of Civil Procedure Articles 3604(C) and 3606 are hereby amended and reenacted to read as follows:

Art. 3604. Form, contents, and duration of restraining order

(1) A temporary restraining order issued in conjunction with a rule to show cause for a protective order issued pursuant to the Protection from Family Violence Act, R.S. 46:2121 et seq., and pursuant to the Protection From Dating Violence Act, R.S. 46:2151, shall remain in force until a hearing is held on the rule for the protective order or for thirty days, whichever occurs first. If the initial rule to show cause is heard by a hearing officer and the temporary restraining order shall remain in force for fifteen days after the hearing or until the judge signs the protective order, whichever occurs last. At any time before the expiration of a temporary restraining order issued pursuant to this Paragraph, it may be extended by the court for a period not exceeding thirty days.

(2) In the event that the hearing on the rule for the protective order is continued by the court because of a declared state of emergency made in accordance with R.S. 29:724, any temporary restraining order issued in the matter shall remain in force for five days after the date of conclusion of the state of emergency. When a temporary restraining order remains in force under this Paragraph, the court shall reassign the rule for a protective order for hearing at the earliest possible time, but no later than five days after the date of conclusion of the state of emergency. The reassignment of the rule shall take precedence over all matters except older matters of the same character.

Art. 3606. Temporary restraining order; hearing on preliminary injunction

A. If a temporary restraining order is granted, the application for a preliminary injunction when it comes on for hearing. Upon its failure to do so, the court shall dissolve the temporary restraining order.

B. In the event that the hearing on the issuance of a preliminary injunction is continued by the court because of a declared state of emergency made in accordance with R.S. 29:724, any temporary restraining order issued in the matter shall remain in force for five days after the conclusion of the state of emergency. When a temporary restraining order remains in force under this Paragraph, the court shall reassign the application for a preliminary injunction for hearing at the earliest possible time, but no later than five days after the conclusion of the state of emergency. The reassignment of the application shall take precedence over all matters except older matters of the same character.

Approved by the Governor, June 12, 2014.

A true copy:
Tom Schedler
Secretary of State

ACT No. 629

BY REPRESENTATIVES KATRINA JACKSON, ADAMS, ARMES, BARRAS, BARROW, STUART BISHOP, BROADWATER, BURFORD, HENRY BURNS, TIM BURNS, BURRELL,.. CARMODY, CHAMPAGNE, CHANEY, CONNICK, COX, DANAHAY, GEYMANN, GISCAT, GREENE, GUINN, HARRIS, HARRISON, HAVARD, HAZEL, HENRY, HENSGENS, HILL, HODGES, HOFFMANN, HOLLIS, HOWARD, IVEY, JOHNSON, KLECKLEY, LEBAS, LORUSO, JAY MORRIS, ORTEGO, PEARSON, PONTI, POPE, PYLANT, RICK NOLDS, ROBIDEAUX, SCHRODER, SEABEAUGH, SIMON, STOKES, THOMPSON, WHITNEY, PATRICK WILLIAMS, AND WILLMOTT AND SENATORS CROWE, JOHNS, LONG, NEVERS, AND THOMPSON

AN ACT
To amend and reenact R.S. 40:1299.35.2(A), 1299.35.2.1, and 2175.3(2) and (5), relative to abortion; to provide for requirements of physicians who perform abortions; to require delivery of certain information concerning health care facilities and services to a pregnant woman prior to abortion; to provide relative to penalties; to provide for the practice of inducing an abortion through use of drugs or chemicals; to provide for definitions of terms in the Outpatient Abortion Facility Licensing Law; to provide for penalties; to provide for application of laws; to provide for legislative intent; and to provide for related matters.

Be it enacted by the Legislature of Louisiana:

Section 1. R.S. 40:1299.35.2(A), 1299.35.2.1, and 2175.3(2) and (5) are hereby amended and reenacted to read as follows:

§1299.35.2. Abortion by physician; determination of viability; ultrasound test required; exceptions; penalties

(a)(1) Physician requirement. No person shall perform or induce an abortion unless that person is a physician licensed to practice medicine in the state of Louisiana and is currently enrolled in or has completed a residency in obstetrics and gynecology or family medicine. Any outpatient abortion facility that knowingly or negligently employs, contracts with, or provides any valuable consideration for the performance of an abortion in an outpatient abortion facility by any person who does not meet the requirements of this Section is subject to having its license denied, non-renewed, or revoked by the Department of Health and Hospitals in accord with R.S. 40:2175.6.

(2) On the date the abortion is performed or induced, a physician performing or inducing an abortion shall:

...
(a) Have active admitting privileges at a hospital that is located not further than thirty miles from the location at which the abortion is performed or induced and that provides obstetrical or gynecological health care services. For purposes of this Section, “active admitting privileges” means that the physician is a member in good standing of the medical staff of a hospital that is currently licensed by the department, with the ability to admit a patient and to provide diagnostic and surgical services to such patient consistent with the requirements of Paragraph (A)(1) of this Subsection.

(b) Provide the pregnant woman with all of the following before the abortion is performed or induced:

(i) A telephone number by which the pregnant woman may reach the physician or other health care personnel employed by the physician or facility at which the abortion was performed or induced, who has twenty-four hours per day access to the woman’s relevant medical records so that the woman may request assistance related to any complication that arises from the performance or induction of the abortion, or to ask health-related questions regarding the abortion.

(ii) The name and telephone number of the hospital nearest to the home of the pregnant woman at which an emergency arising from the abortion would be treated.

(c) Whoever violates the provisions of Subparagraph (2)(a) of this Paragraph shall be fined not more than four thousand dollars per violation.

§1299.35.2.1. Drugs or chemicals used; penalties

A. When any drug or chemical is used for the purpose of inducing an abortion as defined in R.S. 40:1299.35.1, the physician who prescribes the drug or chemical shall be in the same room and in the physical presence of the pregnant woman when the drug or chemical is initially administered, dispensed, or otherwise provided to the pregnant woman.

B. However, if the physician knows that the woman experienced a serious adverse event as defined by the MedWatch Reporting System, during or after the administration or use of the drug, the physician shall also report the event to the United States Food and Drug Administration through the MedWatch Reporting System not later than the third day after the date the physician learned that the event occurred.

C. The Louisiana State Board of Medical Examiners may take disciplinary action as authorized in R.S. 37:1261 et seq. or any other applicable provision of law against a physician who violates any provision of this Section.

D. Any person not under the direct and immediate supervision of a physician who performs an abortion without complying with the requirements of using chemicals or drugs in violation of this Subsection shall be subject to penalties pursuant to R.S. 40:1299.35.19. No penalty may be assessed against the woman upon whom the abortion was performed or attempted to be performed.

$2175.3. Definitions

For purposes of this Part, the following definitions apply:

(2) “First trimester” means the time period from six up to fourteen weeks after the first day of the last menstrual period.

(5) “Outpatient abortion facility” means any outpatient facility, other than a hospital as defined in R.S. 40:2102 or an ambulatory surgical center as defined in R.S. 40:2133, in which any second trimester or five or more first trimester abortions per month calendar year are performed.

Section 2.(A) This Act shall be known as the “Unsafe Abortion Protection Act”.

(B) It is the intent of the legislature that each physician who performs an abortion as defined in R.S. 40:1299.35.1, whether the abortion is surgical or drug-induced, shall follow the long-established procedure of reporting anonymous, aggregate abortion statistics and health complications to the Department of Health and Hospitals, subject to all state and federal privacy protections, for the purpose of providing anonymous and accurate public health and safety data regarding abortion and its impact on women’s health.

(C) Nothing in this Act shall be construed or interpreted as prohibiting or erroneous contraceptive or any other drugs or chemicals that do not cause abortion as defined in R.S. 40:1299.35.1.

Section 3. The legislature intends that every application of this statute shall be severable from each other. In the unexpected event that the application of this statute is found to impose an impermissible undue burden on any pregnant woman or group of pregnant women, the application of the statute to those women shall be severed from the remaining applications of the statute that do not impose an undue burden, and those remaining applications shall remain in force and unaffected.

Section 4. This Act shall become effective on September 1, 2014.

Approved by the Governor, June 12, 2014.

A true copy:

Tom Schedler
Secretary of State

ACT No. 621

HOUSE BILL NO. 404
BY REPRESENTATIVE HENRY BURNS
AN ACT

To enact R.S. 49:191(7)(a) and to repeal R.S. 49:191(5)(j), relative to the Department of Veterans Affairs, including provisions to provide for the re-creation of the Department of Veterans Affairs 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 Veterans Affairs 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 Veterans Affairs 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 Veterans Affairs 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.

R.S. 49:191(7)(a) 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, 2018:

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

Section 5. R.S. 49:191(5)(j) 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, June 12, 2014.

A true copy:

Tom Schedler
Secretary of State

ACT No. 622

HOUSE BILL NO. 464
BY REPRESENTATIVES BROADWATER AND PUGH
AND SENATOR NEVERS
AN ACT

To enact R.S. 46:311 through 318, relative to the Supplemental Nutrition Assistance Program; to create and provide for a pilot initiative for training and education to serve certain nutrition assistance recipients; to provide for duties of participants in the pilot initiative and of the Department of Children and Family Services; to provide for redesignation of laws; and to provide for related matters.

Be it enacted by the Legislature of Louisiana:

Section 1. R.S. 46:311 through 318 are hereby enacted to read as follows:

§311. Findings

The legislature hereby finds and declares the following:

(1) It is the policy of the state to encourage self-sufficiency so that Louisianians may reduce dependence on public benefits to meet basic needs and become economically self-reliant.

(2) Nothing in this Supplemental Nutrition Assistance Program, formerly known as “food stamps” and referred to hereafter as “SNAP”, provides crucial support to needy households and to persons making the transition from welfare to work.

(3) The federal Food Security Act of 1985, states are required to provide employment and job training services to SNAP recipients who are not exempt from the mandatory work registration requirements of the program.

THE ADVOCATE

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* As it appears in the enrolled bill
Federal regulations (7 CFR 273.24) limit the duration of receipt of SNAP benefits by nonworking able-bodied adults without dependents who do not qualify for certain exemptions to a total of three months in any three-year period. However, states may apply for federal approval of extensions, commonly known as “waivers”, to have this three-month limit waived. If approved, such waivers allow able-bodied, nonworking, nonexempt adults to receive SNAP benefits for an unlimited duration provided that those persons meet other Federal and state eligibility requirements and individually, waivers of this type have become the standard in SNAP rather than the exception, as forty states and territories, including Louisiana, had a statewide or territory-wide waiver in effect and six other states and territories had a partial-state or partial-territory waiver in effect as of January 1, 2014.

As coordinated and delivered in an effective manner, workforce training services for public assistance recipients can be of great value to persons who desire to become self-sufficient and to businesses that strive for greater competitiveness through employing an improved workforce. 

D. Definitions

As used in this Subpart, the following terms have the meaning ascribed to them in this Section:

(1) “ABAWD” means an able-bodied adult without a dependent who receives SNAP benefits

(2) “Department” means the Department of Children and Family Services.

(3) “FNS” means the Food and Nutrition Service of the United States Department of Agriculture, the office of the federal government that administers SNAP.

(4) “Participant” means a recipient of SNAP benefits who participates in the pilot initiative provided for in this Subpart.

(5) “Pilot initiative” means the workforce training and education pilot initiative provided for in this Subpart.

(6) “SNAP” means the Supplemental Nutrition Assistance Program administered at the federal level by the Food and Nutrition Service of the United States Department of Agriculture and at the state level by the Louisiana Department of Children and Family Services.

III. Goals

The goals of the pilot initiative shall include, without limitation, the following:

(1) To provide incentives that are demonstrably effective in helping SNAP beneficiaries achieve financial self-sufficiency.

(2) To connect employers to job candidates who possess requisite skills such that workforce needs, especially in demand occupations, are readily met.

(3) To provide support to SNAP recipients who choose to further their education.

(4) To yield a model for incentivizing training and education for public assistance recipients that can be replicated throughout the state.

§314. Workforce training and education pilot initiative; creation; functions

A. The workforce training and education pilot initiative is hereby created within SNAP for the purpose of improving employment opportunities for nonworking SNAP recipients and enhancing workforce readiness. The department shall administer the pilot initiative in accordance with the provisions of this Subpart.

B. The department shall establish the pilot initiative in a parish with a population of more than one hundred thousand and less than one hundred fifty thousand according to the latest federal decennial census and which is located in the main campus of a public four-year college or university.

C. The department shall be exempt from the requirement, except as noted, to include exclusively, all ABAWDs residing in the parish who are not exempted by any federal or state policy, other than through a waiver of such a policy, from the limitation on SNAP benefits established pursuant to 7 CFR 273.24.

D. As a necessary precondition for implementing the pilot initiative, the department shall ensure that the limitation on duration of SNAP benefits receipt by nonexempt ABAWDs provided in 7 CFR 273.24 is effective in the parish in which the pilot initiative is established.

E. If nonexempt ABAWDs in the parish in which the pilot initiative is established are not subject to any limitation on duration of eligibility for receipt of SNAP benefits as a result of a waiver granted to the state by FNS, then the department shall cause such waiver to be rescinded, cancelled, or otherwise rendered null and without effect for that parish.

§315. Implementation of the pilot initiative

A. During the implementation of the pilot initiative, the department shall be responsible for requiring or prohibiting the continuation or cancellation of any waiver granted to the state by FNS in any parish other than the parish in which the pilot initiative is established.

B. Its essential function, the pilot initiative shall provide to each participant, at the time of benefits eligibility redetermination, a six-month extension of SNAP benefits conditioned upon submission of sufficient documentation, as determined by the department, of one or more of the following:

(1) The participant meets one or more of the following criteria relative to job training advancement:

(a) In the previous six months, the participant satisfied requirements established by the department in rule relative to enrollment in an accredited postsecondary educational institution that grants associate or bachelor’s degrees.

(b) In the previous six months, the participant satisfied requirements established by the department in rule relative to enrollment in a program designed to lead to a high school diploma.

(c) In the previous six months, the participant satisfied requirements established by the department in rule relative to enrollment in a general education development test preparation course.

D. Each participant in the pilot initiative shall do all of the following:

(1) Reinstatement in the parish in which the pilot initiative is established of the limit on receipt of SNAP benefits of three months in a three-year period for ABAWDs.

(2) Establishment of benefit extensions in six-month increments for participants who meet workforce training or education requirements of the pilot initiative.

(3) Any other functions as may be necessary for the department to establish and operate the pilot initiative in a manner which conforms with applicable federal and state laws and regulations.

E. The department shall enter into any cooperative endeavor agreements, contracts, and other arrangements with the Louisiana Workforce Commission Office, other government agency, and any community partner as may be necessary to ensure adequate availability of workforce training to participants in the parish in which the pilot initiative is established.

F. The department shall institute all departmental policies and procedures necessary to ensure that the process for SNAP benefits eligibility redetermination in the parish in which the pilot initiative is established meets all of the following requirements:

(1) Eligibility redetermination for each participant occurs no less frequently than once every six months.

(2) Eligibility redetermination for each participant includes a procedure for collecting and verifying documentation from the participant of his or her engagement in a workforce training or education activity as provided in R.S. 46:314.

G. Prior to commencement of the pilot initiative, the department shall transmit notice in writing to all ABAWDs in the parish in which the pilot initiative is established indicating that continuation of benefits eligibility beyond the three-month limit that is to be reinstated will be conditioned upon engagement by participants in acceptable workforce training or education activities.

H. On separate days prior to commencement of the pilot initiative, the department may transmit to ABAWDs in the parish in which the pilot initiative is established duplicates of the notice provided for in Subparagraph (a) of this Paragraph, and may take any other actions it deems necessary to provide ABAWDs with adequate notification of the changes in SNAP rules that have been made to be instituted through the pilot initiative.

I. Within two weeks of commencement of the pilot initiative, the department shall transmit to each participant a form that provides a clear description of requirements for continuation of benefits eligibility to be instituted through the pilot initiative, and a space in which the participant may affirmatively acknowledge that he understands these requirements.

J. During the operation of the pilot initiative, the department shall promptly notify each participant of any decision concerning his eligibility for SNAP benefits made pursuant to the redetermination process provided for herein.

K. The department shall promulgate all rules and regulations in accordance with the Administrative Procedure Act as may be necessary to implement the provisions of this Subpart.

THE ADVOCATE

CODING: Words in square type are deletions from existing law; words underscored (House Bill) and boldface (Senate Bill) are additions. 

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A true copy:

To enact R.S. 13:5401(C)(5), relative to reentry courts; to authorize the creation of a reentry division of the Twenty-Fourth Judicial District Court; and to provide for related matters.

Approved by the Governor, June 12, 2014.

A true copy:
Tom Schedler
Secretary of State

ACT No. 624

HOUSE BILL NO. 467
BY REPRESENTATIVE CONNICK
AN ACT

To enact R.S. 13:5401(C)(5), relative to reentry courts; to authorize the creation of a reentry division of the Twenty-Fourth 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; 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 Twenty-Fourth Judicial District Court.

§147. Contesting validity or extent of taking; waiver of defenses; judgment on validity or extent of taking

A. Any defendant desiring to contest the validity or extent of the taking on the ground that the property was not expropriated for a public use may file a motion to dismiss the suit within ten twenty days from the date the notice was served on him. He shall certify thereon that a copy thereof has been served personally or by mail on either the plaintiff or his attorney of record in the suit. This motion shall be tried contradictorily with the plaintiff.

B. Failure to file the motion within the time provided to dismiss or to serve a copy thereof on the plaintiff within twenty days from the date the notice was served on him constitutes a waiver of all defenses to the suit except claims for compensation.

C. In the event a defendant files a timely motion to dismiss challenging the validity or extent of the taking, the court shall set the matter for hearing within thirty days after the filing of the motion to dismiss and shall render a decision within five days after the case is submitted. A judgment rendered determining the validity or the extent of the taking pursuant to this Part shall be signed and designated as a final judgment by the court for the purpose of an immediate appeal.

§150. Determining value where entire tract expropriated; jury demand

A. Where an entire lot, block or tract of land is expropriated, any defendant may apply for a trial to determine the market value of the property expropriated, provided:

(1) He files an answer within thirty days from the date he is served with the notice required by R.S. 19:146;

(2) His answer sets forth the amount he claims as damages to the remainder of his property;

(3) His answer has a certificate thereon showing that a copy thereof has been served personally or by mail on all parties to the suit who have not joined in the answer.

B. If the defendant desires a trial by jury, he shall file his demand for a jury trial within thirty days from the date he is served with the notice required by R.S. 19:146. Failure to demand a jury within the time provided constitutes a waiver of the right to a jury trial.

C. Upon the filing of the answer, the court shall issue an order fixing the time of the trial of the suit. The clerk of court shall thereupon issue a notice to all parties who did not join in the answer of the time fixed for the trial. This notice shall be served at least twenty days before the time fixed for the trial and in the manner provided by law for the service of citations.

§151. Determining value and damages where part of a tract is expropriated; jury demand

A. Where a portion of a lot, block or tract of land is expropriated, any defendant may apply for a trial to determine the just and adequate compensation to which he is entitled, provided:

(1) He files an answer within one year from the date he is notified in writing, by certified mail, by the plaintiff that he has finally accepted the construction of the facility or facilities for which the property was expropriated;

(2) His answer sets forth the amount he claims as the value of each parcel expropriated and the amount he claims as damages to the remainder of his property.
(3) His damage claim is reasonably itemized.
(4) His answer has a certificate thereon showing that a copy thereof has been served personally or by mail on all parties to the suit who have not joined in the answer or separate pleading.

B. If the defendant desires a certificate thereon showing that a copy thereof has been served personally or by mail on all parties to the suit who have not joined in the answer or separate pleading, the clerk of court shall serve the notice of the time fixed for the trial of the suit on compensation. The clerk of court shall thereupon issue a notice to all parties who did not join in the answer of the time fixed for the trial. This notice shall be served at least twenty days before the time fixed for trial and in the same manner provided for the service of the 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. 47:1923(D)(3) is hereby enacted to read as follows:

§1923. Authority for assessors separately or jointly to contract for insurance; payment of premiums

D.

(3)(a) In Livingston Parish, the assessor shall pay the premium cost of group life, dental, group health, hospital, surgical, or other medical insurance for any assessor or assessor's employee who meets the requirements of Subparagraph (b) of this Paragraph. A uniform policy with respect to the payment of the cost of such premium shall be formulated and applied by the Livingston Parish assessor.

(b) Either of the following requirements shall be met for eligibility for the assessor's payment of premium cost as provided in Subparagraph (a) of this Paragraph:

(i) The assessor or assessor's employee was elected, appointed, or hired before August 1, 2014, and retires in accordance with the provisions of R.S. 11:1421 with at least twenty years of service.

(ii) The assessor or assessor's employee was elected, appointed, or hired on or after August 1, 2014, and retires in accordance with the provisions of R.S. 11:1421 with at least twenty years of service. At least twelve years of service shall have been earned at the Livingston Parish assessor's office. For purposes of this item, the twelve years of service required for eligibility for receipt of benefits provided for in this Paragraph shall not include any service that was earned elsewhere and transferred for credit with the Livingston Parish assessor's office.

Approved by the Governor, June 12, 2014.

A true copy:

Tom Schedler
Secretary of State

ACT No. 628

HOUSE BILL NO. 614

BY REPRESENTATIVE ABRAMSON

AN ACT

To amend and reenact R.S. 42:17(A)(1), 19A(A)(b)(i) and (ii)(aa) and 20(a), and 20(B), relative to the Open Meetings Law; to clarify that certain time periods are exclusive of legal holidays; to require the posting of minutes on the website of a public body under specified circumstances; and to provide for related matters.

Be it enacted by the Legislature of Louisiana:

Section 1. R.S. 42:17(A)(1), 19A(A)(b)(i) and (ii)(aa) and 20(a), and 20(B) are hereby amended and reenacted to read as follows:

§17. Exceptions to open meetings

A. A public body may hold an executive session pursuant to R.S. 42:16 for one or more of the following reasons:

(1) Discussion of the character, professional competence, or physical or mental health of a person, provided that such person is notified in writing at least twenty-four hours exclusive of Saturdays, Sundays, and legal holidays, before the scheduled time contained in the notice of the meeting at which such executive session is to take place and that such person may require that such discussion be held at an open meeting. However, nothing in this Paragraph shall preclude any executive session for discussion of the appointment of a person to a public body or, except as provided in R.S. 39:1593(C)(2)(c), for discussing the award of a public contract. In cases of extraordinary emergency, written notice to such person shall not be required; however, the public body shall give such notice as it deems appropriate and circumstances permit.

§19. Notice of meetings

A.(1)

(b)(i) All public bodies, except the legislature and its committees and subcommittees, shall give written public notice of any regular, special, or rescheduled meeting no later than twenty-four hours exclusive of Saturdays, Sundays, and legal holidays, before the meeting.
To amend and reenact Code of Evidence Article 702, relative to expert testimony; to provide certain criteria for expert testimony; and to provide for related matters.

Be it enacted by the Legislature of Louisiana:

Section 1. Code of Evidence Article 702 is hereby amended and reenacted to read as follows:

Art. 702. Testimony by experts

F. When the court places the defendant on supervised probation, it shall order as a condition of probation the payment of a monthly fee of eleven dollars. The monthly fee established in this Paragraph shall be in addition to the fee established in Paragraph C of this Article and shall be collected by the Department of Public Safety and Corrections and shall be used for related matters.

Be it enacted by the Legislature of Louisiana:

Section 1. Code of Criminal Procedure Article 895.1(F)(3)(c) and (d) are hereby amended and reenacted and Code of Criminal Procedure Article 895.1(F)(3)(e) is hereby enacted to read as follows:

Art. 895.1. Probation; restitution; judgment for restitution; fees

(a) For Fiscal Year 2010-2011, and thereafter through Fiscal Year 2013-2014, residual monies available for appropriation after satisfying the requirements of Subparagraphs (a) and (b) of this Subparagraph shall be appropriated to the Department of Public Safety and Corrections and shall be used for related matters.

(b) For Fiscal Year 2014-2015, and thereafter, residual monies available for appropriation after satisfying the requirements of Subparagraphs (a) and (b) of this Subparagraph shall be appropriated to the Department of Justice, Office of the attorney general.

(c) For Fiscal Year 2010-2011, and thereafter through Fiscal Year 2013-2014, residual monies available for appropriation after satisfying the requirements of Subparagraphs (a) and (b) of this Subparagraph shall be appropriated to the Department of Justice, Office of the attorney general.

(d) For Fiscal Year 2014-2015, and thereafter, residual monies available for appropriation after satisfying the requirements of Subparagraphs (a) and (b) of this Subparagraph shall be appropriated to the Department of Justice, Office of the attorney general.

(e) For Fiscal Year 2010-2011, and thereafter through Fiscal Year 2013-2014, residual monies available for appropriation after satisfying the requirements of Subparagraphs (a) and (b) of this Subparagraph shall be appropriated to the Department of Justice, Office of the attorney general.

(f) For Fiscal Year 2014-2015, and thereafter, residual monies available for appropriation after satisfying the requirements of Subparagraphs (a) and (b) of this Subparagraph shall be appropriated to the Department of Justice, Office of the attorney general.

(g) For Fiscal Year 2010-2011, and thereafter through Fiscal Year 2013-2014, residual monies available for appropriation after satisfying the requirements of Subparagraphs (a) and (b) of this Subparagraph shall be appropriated to the Department of Justice, Office of the attorney general.

(h) For Fiscal Year 2014-2015, and thereafter, residual monies available for appropriation after satisfying the requirements of Subparagraphs (a) and (b) of this Subparagraph shall be appropriated to the Department of Justice, Office of the attorney general.

(i) For Fiscal Year 2010-2011, and thereafter through Fiscal Year 2013-2014, residual monies available for appropriation after satisfying the requirements of Subparagraphs (a) and (b) of this Subparagraph shall be appropriated to the Department of Justice, Office of the attorney general.

(j) For Fiscal Year 2014-2015, and thereafter, residual monies available for appropriation after satisfying the requirements of Subparagraphs (a) and (b) of this Subparagraph shall be appropriated to the Department of Justice, Office of the attorney general.

(k) For Fiscal Year 2010-2011, and thereafter through Fiscal Year 2013-2014, residual monies available for appropriation after satisfying the requirements of Subparagraphs (a) and (b) of this Subparagraph shall be appropriated to the Department of Justice, Office of the attorney general.

(l) For Fiscal Year 2014-2015, and thereafter, residual monies available for appropriation after satisfying the requirements of Subparagraphs (a) and (b) of this Subparagraph shall be appropriated to the Department of Justice, Office of the attorney general.

(m) For Fiscal Year 2010-2011, and thereafter through Fiscal Year 2013-2014, residual monies available for appropriation after satisfying the requirements of Subparagraphs (a) and (b) of this Subparagraph shall be appropriated to the Department of Justice, Office of the attorney general.

(n) For Fiscal Year 2014-2015, and thereafter, residual monies available for appropriation after satisfying the requirements of Subparagraphs (a) and (b) of this Subparagraph shall be appropriated to the Department of Justice, Office of the attorney general.

(o) For Fiscal Year 2010-2011, and thereafter through Fiscal Year 2013-2014, residual monies available for appropriation after satisfying the requirements of Subparagraphs (a) and (b) of this Subparagraph shall be appropriated to the Department of Justice, Office of the attorney general.
Sex Offender Registry Technology Fund shall, pursuant to an appropriation to the office of the attorney general, be distributed to the sheriffs of each parish, based on the population of convicted sex offenders, sexually violent predators, and child predators who are residing in the parish and who are active sex offender registrants or active child predator registrants in the respective parishes according to the State Sex Offender and Child Predator Registry. These funds shall be used to cover the costs associated with sex offender registration and compliance. Population data necessary to implement the provisions of this Subparagraph shall be as compiled and certified by the undersigned secretary of the Department of Public Safety and Corrections on the first day of June of each year. No later than June fifteenth of each year, the office of the attorney general shall make these distributions, which are based on the data certified by the undersigned secretary of the Department of Public Safety and Corrections, to the recipient sheriffs who are actively registering offenders pursuant to this Paragraph.

Approved by the Governor, June 12, 2014.

A true copy:
Tom Schedler
Secretary of State

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ACT No. 632

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HOUSE BILL NO. 656
BY REPRESENTATIVE MILLER
AN ACT

To amend and reenact R.S. 19:3 and 104, relative to expropriation; to provide for an exception to certain expropriations; to prohibit the expropriation of certain property; and to provide for related matters.

Be it enacted by the Legislature of Louisiana:

Section 1. R.S. 19:3 and 104 are hereby amended and reenacted to read as follows:

§3. Property not subject to expropriation
A. No graveyard or cemetery shall be expropriated unless the court finds that the route of expropriation cannot be diverted from that proposed by the plaintiff without great public loss or inconvenience. This Subsection shall not apply to a graveyard or cemetery in which no interred remains are located at the time the plaintiff makes its first offer to acquire the rights sought to be acquired.
B. No mortgage shall be expropriated. The provisions of this Subsection shall not apply to any expropriating authority authorized by R.S. 19:2, which seeks to expropriate needed property that is subject to a mortgage. The provisions of R.S. 19:11 shall apply in such cases.

§104. Property not subject to expropriation
A. No graveyard or cemetery shall be expropriated unless the court finds that the route of the proposed improvement cannot be diverted from that proposed by the plaintiff without great public loss or inconvenience.
B. No mortgage shall be expropriated.

Approved by the Governor, June 12, 2014.

A true copy:
Tom Schedler
Secretary of State

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ACT No. 633

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HOUSE BILL NO. 661
BY REPRESENTATIVES THIERRY AND KATRINA JACKSON
AN ACT

To amend and reenact Code of Criminal Procedure Articles 899.1(D) and 900(A)(6)(c)(i)(bb), relative to violations of probation conditions; to amend the definition of “technical violations” for the purposes of administrative sanctions and violations of probation conditions; to amend the definition of “technical violations” to include misdemeanor possession of marijuana or tetrahydrocannabinol, or chemical derivatives thereof; and to provide for related matters.

Be it enacted by the Legislature of Louisiana:

Section 1. Code of Criminal Procedure Articles 899.1(D) and 900(A)(6)(c)(i)(bb) are hereby amended and reenacted to read as follows:

Art. 899.1. Administrative sanctions for technical violations
D. For purposes of this Article, “technical violation” means any violation of a condition of probation, except for an allegation of a subsequent criminal act. Notwithstanding any provision of law to the contrary, if the subsequent alleged criminal act is misdemeanor possession of marijuana or tetrahydrocannabinol, or chemical derivatives thereof, as provided in R.S. 40:966(E)(1), it shall be considered a “technical violation”.

Art. 900. Violation hearing; sanctions
A. After an arrest pursuant to Article 899, the court shall cause a defendant who continues to be held in custody to be brought before it within thirty days for a hearing. If a summons is issued pursuant to Article 899, or if the defendant has been admitted to bail, the court shall set the matter for a violation hearing within a reasonable time. The hearing may be informal or summary. If the court decides that the defendant has violated, or was about to violate, a condition of his probation it may:

* As it appears in the enrolled bill

THE ADVOCATE
PAGE 373 CODING: Words in square brackets are deletions from existing law; words underlined and boldfaced (House Bills) and underscored and boldfaced (Senate Bills) are additions.
similar services; to authorize the commissioner to assess fees and impose penalties; to provide for an exemption from the Public Records Law; and to provide for related matters.

Be it enacted by the Legislature of Louisiana:

Section 1. R.S. 22:1566 is hereby enacted to read as follows:

§1566. Health insurance navigators; definitions
A. As used in this Section:
(1) "Commissioner" means the commissioner of insurance.
(2) "Exchange" means any health benefit exchange established or operating in this state, including any exchange established or operated by the United States Department of Health and Human Services or any other federal office or agency of the federal government, or any exchange established or operated by a state, or the federal government to perform any of the activities and duties authorized for non-navigator personnel under 45 CFR Part 155 and shall:
(a) Provide fair and impartial information and services in connection with a health benefit plan or health insurance issuer, including but not limited to, information about the costs of coverage, advanced payment of premium tax credits, and cost sharing reductions.
(b) Facilitate the selection of a health benefit plan offered for sale on an exchange.
(c) Initiate the enrollment process for a health benefit plan offered for sale on an exchange.
(d) Provide referrals to the Department of Insurance or other local, state, or federal offices or agencies for any grievance, complaint, or inquiry in connection with a health benefit plan or health insurance issuer, including a health maintenance organization.
(e) Carry out any activities required or authorized pursuant to 42 U.S.C. 1603(t).

(2) Non-navigator personnel may carry out the functions and duties authorized for non-navigator personnel under 45 CFR Part 155 and shall:
(a) Not receive any form of compensation, whether direct or indirect, from an employer who directly or indirectly benefits from enrollment in a health benefit plan or health insurance issuer, or an issuer of health stop loss insurance if the employer, or a mandatary with the authority to contract on behalf of the employer, is better or worse for a particular individual or employer.
(b) Not disclose any information obtained in the course of non-navigator activities, except to comply with federal law and privileged, and shall not be subject to discovery or admissible in evidence in any private civil action.

B. "Navigator" means any individual or entity who meets at least one of the following requirements:
(1) Receives any funding, directly or indirectly, from an exchange, the state, or the federal government to perform any of the activities and duties identified in R.S. 22:1566(2).
(2) Is described or designated by an exchange, the state, or any federal office or agency for any grievance, complaint, or inquiry in connection with the costs of coverage, advanced payment of premium tax credits, and cost sharing reductions.
(3) The following individuals or entities are exempt from the provisions of this Section and shall not be considered navigators or non-navigator personnel:
(a) Individuals who facilitate enrollment in a health benefit plan without receiving any form of direct or indirect compensation or who are employed by an employer who directly or indirectly benefits from enrollment in a health benefit plan.
(b) Individuals or entities conducting activities as non-navigator personnel, including but not limited to,
(c) Initiate the enrollment process for a health benefit plan offered for sale on an exchange.
(d) Provide referrals to the Department of Insurance or other local, state, or federal offices or agencies for any grievance, complaint, or inquiry in connection with a health benefit plan or health insurance issuer, including a health maintenance organization.
(e) Carry out any activities required or authorized pursuant to 42 U.S.C. 1603(t).
(4) A navigator license shall be valid for a period of two years from the date the license is issued. The commissioner shall prescribe the form for an application for a producer license, the format of which shall include:
(5) An individual applying for a navigator license shall submit any documents that the commissioner deems necessary to verify the information contained in a license application, shall submit a full set of fingerprints to the commissioner, and shall successfully complete a criminal history and background check, except that at least two or more of which are deproportionate to the needs of the people of this state.
(6) For any individual applying for licensure as or licensed as a navigator, the commissioner may prescribe any education, training, or examinations regarding the costs of coverage, advanced payment of premium tax credits, and cost sharing reductions.
(7) The commissioner may grant exemptions in a manner and form determined by the commissioner pursuant to this Section.
(8) The commissioner may provide for related matters.
(5) Provide any plan specific or product specific information or services related to any health benefit plan issued or delivered for delivery in this state if such health benefit plan is issued for sale on an exchange established or operated under the Patient Protection and Affordable Care Act, as shall constitute transacting the business of insurance.  Any agent or employee of such a navigator may be required to perform any act, including the preparation or submission of records or other information, as may be necessary or proper to carry out the provisions of this Section. Such rules and regulations shall be promulgated and adopted in accordance with the Administrative Procedure Act, R.S. 49:950 et seq.

(6) The commissioner may, in addition to his enforcement discretion, establish an enforcement moratorium for the provisions of this Section relating to the license requirement for navigators, the registration process for non-navigator personnel, and any prescribed training, education, or examinations for the purposes of properly effectuating the provisions of this Section.

Section 2. R.S. 44:4.1(B)(11) is hereby amended and reenacted to read as follows:


Section 3. R.S. 22:753(H)(5) is hereby repealed in its entirety.

Section 4. If any provision or provisions of this Act or its application to a particular circumstance is held to be invalid, the invalidity does not affect the other provisions or applications of this Act. A court of competent jurisdiction shall properly sever provisions that are held to be invalid, and the valid portions, provisions, or applications shall retain full force and effect.

Section 5. This Act shall become effective upon signature by the governor or, if not signed by the governor, upon expiration of the two-week period described in Article II, 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, June 12, 2014.

A true copy

Tom Shedler
Secretary of State

ACT No. 636

HOUSE BILL NO. 766

BY REPRESENTATIVE PONTI

To amend and reenact R.S. 9:3557(B), 3560(A)(8), 3561(A), 3561.1(G)(1), 3578.4(A)(2) and 3578.7, to enact R.S. 9:3518.4, 3561.2, and 3578.4, and to repeal R.S. 9:3560(A)(9), relative to record maintenance for and licenses of consumer credit transactions; to nullify certain consumer transactions; to provide for the issuance of consumer credit licenses; and to provide for the licensing and enforcement of consumer credit and deferred presentment transactions; to provide relative to the location of offices of makers of consumer loans; to provide relative to records retention of makers of consumer loans; to provide relative to makers of consumer loans registration with the secretary of state; to permit certain licensees to offer extended payment plans prior to default of certain consumer credit or deferred presentment transactions; to provide for an effective date; and to provide for enforcement. Be it enacted by the Legislature of Louisiana:

Section 1. R.S. 9:3557(B), 3560(A)(8), 3561(A), 3561.1(G)(1), and 3578.4(A)(2) and 3578.7 are hereby amended and reenacted as follows:

3518.4. Contract validity; consumer credit transactions; deferred presentment transactions

A.(1) A consumer credit transaction as defined by R.S. 9:3516(13) or deferred presentment transaction as defined by R.S. 9:3578.3(2) shall be null, void, unenforceable, and uncollectible as being contrary to the policy of this state if the creditor has not provided, at the time of the transaction, an agreement to the consumer, and the agreement shall indicate that the consumer has the right to rescind the transaction and be entitled to a full refund of the transaction price within five business days.

B. Any person who attempts to enforce or collect pursuant to the agreements negotiated by this Section shall be subject to fines, penalties, assessments, and applicable administrative and legal actions at the discretion of the commissioner within the powers granted to him under this Chapter.

C. The provisions of this Section shall not apply to a sale or any other agreement to the consumer allowing a consumer to rescind and be entitled to a refund of the transaction price within five business days.

§3557. Authority to make consumer loans

B. Provided that the creditor has one or more offices in this state, a A creditor may not take assignments of and undertake direct collection of payments from or enforce rights against consumers arising from consumer loans, without first obtaining a license from the commissioner as provided under this Part. A creditor may, however, collect and enforce consumer loan obligations of which he has taken assignment for three months without a license if he notifies the commissioner in writing of his assignment of such consumer loan obligations to an assignor, and the creditor shall reimburse the assignor an amount equal to the current value of the collateral as determined by any recognized market or, if there is no recognized market, the fair market value of any such property as determined by commercially reasonable standards.

§3560. Licenses not required

A. Notwithstanding R.S. 9:3557, the following persons shall be exempt from the consumer loan licensing requirements under this Part:

(1) A creditor having no office within this state offering credit to Louisiana consumers through the mail or other means of interstate commerce.

(2) Certain consumer loan licensees to offer extended payment plans prior to default of consumer loans, if the commissioner has engaged or is engaging in any violation of the provisions of this Section.

(3) The commissioner may place on probation, suspend, revoke, or refuse to renew, renew, or reissue a navigator license, levy a fine not to exceed five hundred dollars for each violation, or take any combination of actions for any one or more violations of this Section or R.S. 22:1554 or for any other good cause.

(4) In the event that the commissioner suspends or revokes a navigator license, refuses the renewal or reinstatement of a license, or levies a fine, with or without suspension, revocation, or renewal, the person may be required to provide the following information to the commissioner, in accordance and compliance with R.S. 49:961, shall notify the licensee in writing of the determination: An aggrieved party affected by the commissioner’s decision, act, or order may demand a hearing in accordance with Chapter 12 of this Title. R.S. 22:2191 et seq.

(A) An individual navigator shall report to the commissioner any and all material information concerning the navigator’s activities and duties with the individual navigate within thirty calendar days of the termination or activity of the individual navigate. This report shall include a copy of the order or any other relevant legal documents.

(B) Within thirty days of the initial pretrial hearing date, an individual navigator shall report to the commissioner any criminal prosecution of the navigator instituted in any jurisdiction. The report shall include a copy of the initial complaint filed, the order resulting from the hearing, and any other relevant legal documents. The provisions of R.S. 22:1964 and any related rules or regulations shall apply to navigators. The activities and duties of navigators shall be deemed to constitute transacting the business of insurance.

(C) The legislature further recognizes that there exist exceptions, exemptions, or limitations to the activities and duties of navigators as defined by R.S. 22:1964. It is the intent of the legislature that navigators shall be permitted to perform any act, including the preparation or submission of records or other information, as may be necessary or proper to carry out the provisions of this Section. Such rules and regulations shall be promulgated and adopted in accordance with the Administrative Procedure Act, R.S. 49:950 et seq.

The commissioner may, in addition to his enforcement discretion, establish an enforcement moratorium for the provisions of this Section relating to the license requirement for navigators, the registration process for non-navigator personnel, and any prescribed training, education, or examinations for the purposes of properly effectuating the provisions of this Section.

(2) Within thirty days of the initial pretrial hearing date, an individual navigator shall report to the commissioner any criminal prosecution of the navigator instituted in any jurisdiction. The report shall include a copy of the initial complaint filed, the order resulting from the hearing, and any other relevant legal documents.

(3) Upon request of the borrower, the creditor shall return any property taken as collateral within thirty days of the request. If the collateral property has been disposed of at the time of the request, the creditor shall reimburse the borrower an amount equal to the current value of the collateral as determined by any recognized market or, if there is no recognized market, the fair market value of any such property as determined by commercially reasonable standards.

(4) A creditor having no office within this state offering credit to Louisiana consumers through the mail or other means of interstate commerce.

(5) The commissioner may place on probation, suspend, revoke, or refuse to renew, renew, or reissue a navigator license, levy a fine not to exceed five hundred dollars for each violation, or take any combination of actions for any one or more violations of this Section or R.S. 22:1554 or for any other good cause.

(6) If any provision of this Act or its application to any particular circumstance is held to be invalid, the invalidity does not affect the other provisions or applications of this Act. A court of competent jurisdiction shall properly sever provisions that are held to be invalid, and the valid portions, provisions, or applications shall retain full force and effect.

(7) Violate any of the provisions of 45 CFR 155.260 or other state or federal laws or regulations.

(8) A creditor having no office within this state offering credit to Louisiana consumers through the mail or other means of interstate commerce.
§3561. Single place of business; additional licenses
A. Each licensee shall maintain a place of business in the state and, unless otherwise provided by rule, making consumer loans to Louisiana residents shall maintain records of its consumer loans at that location stated on its license. No more than one business shall be maintained under the same license, but the commissioner shall issue additional licenses to the same licensed lender upon his compliance with all the provisions of this Part governing issuance of a license.

§3561.1. License; examination; renewal fees; records

G.(1) If the lender's records are located outside this state, the lender, at the commissioner's option, shall make them available in a format deemed by the commissioner to be acceptable to include physical reproductions and digital electronically imaged records. The lender shall make these available to the commissioner at a location within this state convenient to the commissioner, or via electronic transmission or delivery of optical imaging disc containing electronic copies of the records, or pay the reasonable and necessary expenses for the commissioner or his representatives to examine them at the place where they are maintained. The method of examination and delivery of records will be at the sole discretion of the commissioner.

The commissioner may designate representatives, including comparable officials of the state in which the records are located, to inspect them on his behalf.

§3562. Registration of licensees with the secretary of state
A. A person required to be licensed pursuant to this chapter shall, prior to application for licensure, be duly registered with the Louisiana secretary of state and be in possession of a certificate of authority to transact business and its license. Not more than one place of business shall be maintained under its license. The commissioner may designate representatives, including comparable officials of the state in which the records are located, to inspect them on his behalf.

§3578.4. Finance charge and fees
A. (1) A consumer who is unable to repay either a deferred presentment transaction or small loan when due to a licensee, may elect once in any twelve-month period to repay the amount due under the deferred presentment transaction or small loan by means of installments, referred to as an extended payment plan in this Section.

(2) A consumer is ineligible for an extended payment plan if the consumer previously obtained an extended payment plan from the licensee within the preceding twelve months. The twelve-month period shall be measured from the date that the extended payment plan is executed between the licensee and the consumer.

B. (1) To be eligible for an extended payment plan, the consumer shall request to enter into the plan before the due date of the outstanding deferred presentment transaction or small loan.

(2) If a consumer is unable to request to enter into the plan prior to the due date of the outstanding deferred presentment transaction or small loan he or she may request to enter into the plan after the due date of the deferred presentment transaction or small loan by means of installment payments, referred to as an extended payment plan in this Section.

C. (1) The terms of the extended payment plan shall provide for the following:

(a) Allow the consumer to repay the outstanding deferred presentment transaction or small loan, including any fees due prior to entering into the plan, in four substantially equal installments.

(b) Allow the consumer to prepay sums due pursuant to an extended payment plan in full at any time without penalty.

(c) Prohibit the licensee from charging the consumer any interest, or additional charges or fees during the term of the plan.

(d) Require that the first plan installment shall be due no sooner than thirty days following the execution of the plan, unless a shorter period of time is agreed to by the consumer and licensee based on when the consumer receives income. The dollar amount of each installment shall be substantially the same and the installment due dates shall be spread out over the terms of the extended payment plan.

(2) The terms of the extended payment plan may permit the licensee to do either of the following:

(a) With each payment under the plan by a consumer, provide for the return of the consumer's previously held check and require a new check for the remaining balance under the plan.

(b) Require the consumer to provide multiple checks, one for each of the installments in the amounts of each installment at the time the plan is executed.

D. A licensee shall immediately provide consumer receipts, signed and dated by the licensee, for any payments made in connection with the extended payment plan. The receipts shall also state the balance due under the extended payment plan after each payment.

E. If a consumer enters into an extended payment plan installment when due, the consumer shall be in default of the extended payment plan, and the licensee may immediately accelerate payment on only the remaining balance of the extended payment plan.

F. Upon default, the licensee may take action to collect only the amount outstanding on the extended payment plan. A licensee is prohibited from collecting any amount on an extended payment plan other than what the consumer owes pursuant to the plan on the date of default.

G. (1) At each licensed location or on the homepage of a licensee's website, the commissioner shall prominently post a notice visible to the public and all those visiting the website stating that if a consumer is unable to repay either a deferred presentment transaction or small loan when due, the consumer may enter into one extended payment plan for either a deferred presentment transaction or small loan if he notifies the licensee as required by Paragraph (B)(1) of this Section before the payment is due of his inability to make payment.

(2) A licensee shall also notify a person of his right to enter into an extended payment plan by including the following statement, in at least six point bold type, on the first page of each deferred presentment or small loan agreement: "IF YOU CANNOT MAKE PAYMENT WHEN DUE, YOU MAY NOT MAKE PAYMENT WHEN DUE, YOU MAY NOT MAKE PAYMENT WHEN DUE, YOU CAN ASK TO ENTER INTO AN EXTENDED PAYMENT PLAN ONCE IN TWELVE MEG MONTH PERIOD. THE REQUEST MUST BE MADE BEFORE THE DUE DATE OR YOUR LENDER (LICENSEE) MUST REFUSE TO ENTER INTO AN EXTENDED PAYMENT PLAN UPON YOUR REQUEST BEFORE THE DUE DATE. CONTACT THE OFFICE OF FINANCIAL INSTITUTIONS AT 1-888-525-9414."

§3578.7. Posting of notice; toll-free number
The commissioner may provide a notice, which includes a toll-free number to the commissioner's office, which shall be posted, along with the fees as allowed under this Chapter, in a conspicuous and manner by the licensee at the lending location or on the homepage of the website of the licensee, or both if the licensee has a physical location in the state and a website.

Section 2. R.S. 9:3560(A)(9) is hereby repealed in its entirety.

Section 3. This Act shall become effective on January 1, 2015.

Approved by the Governor, June 12, 2014.

A true copy:

Tom Schedler
Secretary of State

THE ADVOCATE

CODING: Words in struck through type are deletions from existing law; words underscored (House Bills) and underlined and boldfaced (Senate Bills) are additions.
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. 33:1375 is hereby enacted to read as follows:

§1375. Maximum penalties; city of New Orleans

Notwithstanding any other provision of law to the contrary, in the city of New Orleans, the maximum penalty which may be imposed for a first offense violation of any ordinance enacted by the governing authority of the city shall be a fine of five hundred dollars. For the second or any subsequent offense, the maximum penalty which may be imposed shall be one thousand dollars. The maximum penalties established by the provisions of this Section shall not apply to any penalty imposed for a non-moving or parking violation or any other traffic violation, including any violation captured by an automated traffic enforcement system.

Approved by the Governor, June 12, 2014.

A true copy:

Tom Schedler
Secretary of State

ACT No. 638

BY REPRESENTATIVE HAVARD

To amend and reenact R.S. 33:2345(B), relative to municipal chiefs of police; to provide for training requirements for each municipal chief of police; to change the training hours required relative to continuing education; and to provide for related matters.

Be it enacted by the Legislature of Louisiana:

Section 1. R.S. 33:2345(B) is hereby amended and reenacted to read as follows:

§2345. Training

* * *

B. Beginning January 1, 2004, each municipal chief of police shall be required to complete twenty-four twelve hours of continuing education as approved by the board within every twenty-four month period calendar year.

* * *

Approved by the Governor, June 12, 2014.

A true copy:

Tom Schedler
Secretary of State

ACT No. 639

BY REPRESENTATIVE TALBOT

To amend and reenact R.S. 32:862(9)(A), 863(A)(1), (3)(a), and (B)(2)(b), 863.1(1)(3), 864, and 865A and (B)(1), relative to the penalties for operating a motor vehicle without the required motor vehicle liability security; to increase penalties for failing to provide required proof of compliance; to require suspension, revocation, and cancellation of driver’s license and registration for violations; to remove limits on the maximum amount of penalties and reinstatement fees that are assessed; to increase the administrative reinstatement fee; and to provide for related matters.

Be it enacted by the Legislature of Louisiana:

Section 1. R.S. 32:862(9)(A), 863(A)(1), (3)(a), and (B)(2)(b), 863.1(1)(3), 864, and 865A and (B)(1) are hereby amended and reenacted to read as follows:

§862. Proof of compliance

* * *

G. The prohibited actions and penalties for violations thereof are as follows:

* * *

(4) Whoever violates the provisions of this Subsection shall be fined not less than five hundred dollars nor more than one thousand dollars and shall be required to perform not less than forty hours nor more than two hundred hours of community service, provided that in lieu of imposing a monetary fine, the court may order the violator to purchase motor vehicle liability insurance and to submit proof of such insurance to the court.

§863. Sanctions for false declaration; reinstatement fees; revocation of registration; review

A. Except as provided herein below in this Section, when the secretary determines that a vehicle is not covered by security as required by this Chapter or that the owner or lessee has allowed the required security to lapse, he shall revoke the registration of the vehicle, and impound or cancel the vehicle’s license plate.

* * *

(3)(a) Sanctions for a violation of Paragraph (1) of this Subsection shall be imposed until proof of required liability security is provided to the secretary and all reinstatement fees are paid. Sanctions for a violation of Paragraph (2) of this Subsection shall be imposed for a period of not less than twelve months nor more than eighteen months. However, in no event shall these sanctions be removed until such time as proof of the required security is provided to the secretary along with all appropriate fees required by law, including a reinstatement fee of twenty-five fifty dollars per violation of Paragraph (1) of this Subsection if the vehicle was not covered by the required security for a period of one to thirty days, one hundred fifty dollars if the vehicle was not covered by required security for a period of thirty-one to ninety days, and two hundred dollars if the vehicle was not covered by required security for a period in excess of ninety days. No reinstatement fee shall be imposed by the secretary if the vehicle was not covered by required security for a period of ten days or less and the insured surrenders the vehicle’s license plate to the secretary within ten days.

The reinstatement fee of Paragraph (2) of this Subsection shall be as follows: twenty-five hundred twenty-five dollars for a first violation, one hundred twenty dollars for a second violation, and two hundred forty dollars for a third or subsequent violation.

The prohibited actions and penalties for violations occurred within a five-year period. The reinstatement fee shall not be owed for an alleged violation of Paragraph (2) of this Subsection when proof of the required security is provided to the secretary. If at the time of reinstatement a person has multiple violations, the total amount of fees to be paid shall not exceed five hundred dollars, including any administrative fees for proof of required security is provided to the secretary along with all appropriate fees, including any administrative fees.

B. The sanctions of Paragraph (A)(1) of this Section shall not be imposed, and any fine, fee, or other monetary sanction which has been remitted to the secretary pursuant to the sanctions of this Section, specifically including any reinstatement fee paid pursuant to Paragraph A(3) of this Section and any fee paid pursuant to Paragraph D(5) of this Section, shall be promptly refunded by the secretary to the person who paid it, if the owner or lessee furnishes any of the following:

* * *

(2) If such evidence is not furnished by the owner or lessee, any other evidence satisfactory to the secretary, that each of the following conditions are met:

* * *

(b) The vehicle is currently covered by security as required by R.S. 32:861 and that the required security has been continuous without lapse.

§863.1. Evidence of compulsory motor vehicle liability security contained in vehicle; enforcement; penalty; fees

I.

* * *

(3) If the owner fails to provide the proof required in Paragraph (2) of this Subsection, there shall be a fine of fifty one hundred dollars for a first offense, a fine of one hundred fifty dollars for a second offense, and a fine of five hundred dollars for any subsequent offense.

* * *

§864. Criminal sanctions for false declaration

Any person, firm, or corporation which violates R.S. 32:863(A)(2) shall be guilty of a misdemeanor and upon conviction shall be fined not more than one hundred twenty-five fifty dollars nor more than five hundred dollars or imprisoned for a period of not more than thirty days.

§865. Criminal sanctions for operating motor vehicle not covered by security

Any person knowingly operating a motor vehicle and any owner allowing a motor vehicle to be operated, when such motor vehicle is not covered by the required motor vehicle liability security, shall be guilty of a misdemeanor and upon conviction shall be fined not more than five hundred dollars nor more than one thousand dollars.

Approved by the Governor, June 12, 2014.

A true copy:

Tom Schedler
Secretary of State

ACT No. 640

BY REPRESENTATIVES DANAHAY, JOHNSON, RITCHIE, ROBIDEAUX, WHITNEY, AND WILLMOTT

To amend and reenact R.S. 36:801.1(A) and R.S. 47:302(K)(6) and (7), 337.2(D), 337.45(A)(1) and (B), 337.48(A), 337.51(A), (B), and (C)(2), 337.53(C), 337.54, 337.63(A)(2), (B), and (D), 337.67(B)(3), (C)(3), and (D)(2), 337.77(F), 337.81(A)(2) and (C), 337.86(E)(2)(a), 337.101(A)(2)(a), 1401, 1402, 1403(A), (B), (D), 1406, 1410, 1413, 1431, 1432, 1436, 1437, and 1431, and R.S. 49:968(B)(9), to enact R.S. 36:53(J) and R.S. 47:337.2(A)(1)(c), 337.77(G), 337.81, 337.86(E)(1)
§337.2.  Intent; application and interpretation of Chapter

(a) The intent of the legislature in enacting the provisions of this Chapter is as follows:

(1) To provide, in addition to existing judicial remedies, for an impartial, economical, and expeditious forum where a taxpayer may choose to review, or contest, any claimed overpayment; to authorize the transfer of certain cases to and from the board and certain courts; to provide for definitions; to provide for effectiveness; and to provide for audits.

(2) To provide a uniform remedy for taxpayers appealing assessments or denials or inaction on a refund claim; for the purpose of promoting uniformity and consistency in the interpretation and application of law governing such taxes.

(3) To provide a uniform and consistent method of collecting taxes due on sales to any political subdivision of the state.

(4) To provide a uniform method of collecting taxes due on sales to any political subdivision of the state that are subject to the provisions of this Chapter.

§337.45.  Alternative remedies for the collection of taxes

(a) In addition to following any of the special remedies provided in this Chapter, the collector may, in his discretion, proceed to enforce the collection of any taxes due under the local ordinance by means of any of the following alternative remedies or procedures:

(1) Assessment and distraint, as provided in R.S. 47:337.48 through 337.60; provided that a taxpayer may utilize the mandatory arbitration procedure provided for in R.S. 47:337.51.

(b) The collector may choose which of these procedures he will pursue in each case, and the counter-remedies and delays to which the taxpayer will be entitled will be only those which are not inconsistent with the proceeding initiated by the collector, provided that in every case the taxpayer shall be entitled to proceed under R.S. 47:337.63, except (a) after he has filed a petition with the Board of Tax Appeals for a redetermination of the assessment, (b) in any assessment under any tax in which the amount of the assessment becomes final, or (c) when a suit involving the same tax obligation is pending against him; and provided further, that the fact that the collector has initiated proceedings under the assessment and distraint procedure will not preclude him from thereafter proceeding by summary or ordinary court proceedings for the enforcement of the same tax obligation.

§337.48.  Determination and notice of tax due

(a) If a taxpayer fails to make and file any return or report required by the provisions of this Chapter and this Chapter, the collector shall determine the tax, penalty, and interest due by estimate or otherwise. Having determined the amount of tax, penalty, and interest due, the collector shall send by mail a notice to the taxpayer at the address given in the last report filed by him pursuant to the provisions of this Chapter, or to any address that may be obtainable from any private entity which will provide such address free of charge or from any federal, state, or local government entity, including but not limited to the U.S. Postal Service or from U.S. Postal Service certified software, setting out his determination and informing the person of his purpose to assess the tax so determined against him after fifteen calendar days from the date of the notice.

(b) Notwithstanding any other provision of the law to the contrary, a notice issued pursuant to Paragraph (1) of this Subsection to a taxpayer or dealer of the amount of the taxes due under the provisions of this Chapter shall be appealable to the Board of Tax Appeals for redetermination of the notice of tax due issued pursuant to this Section when the notice is solely for the periods and is in the amount stated on the notice transmitted to such taxpayer or dealer. In any such appeal, the provisions of this Chapter shall prohibit any taxpayer or dealer from proceeding to file suit pursuant to R.S. 47:337.63 or 337.64, or any other applicable law.

§337.51.  Notice of assessment and right to appeal or arbitration

(a) Having assessed the amount determined to be due, the collector shall send a notice by certified mail to the taxpayer against whom the assessment is made at the address given in the last report filed by him pursuant to the provisions of this Chapter, or to any address that may be obtainable from any private entity which will provide such address free of charge or from any federal, state, or local government entity, including but not limited to the United States Postal Service or from the United States Postal Service certified software. This notice shall inform the taxpayer of the assessment and that he has thirty calendar days from the date of the notice in which to take any of the following actions:

(1) Pay the amount of the assessment.

(2) Appeal to the Board of Tax Appeals for redetermination of the assessment.

(3) Pay under protest in accordance with R.S. 47:337.60, and then either file a petition with the Board of Tax Appeals as provided for in that Section.

(b) If no petition has been timely filed, the collector shall send a notice by certified mail to the taxpayer against whom the assessment is made at the address given in the last report filed by him pursuant to the provisions of this Chapter, or to any address that may be obtainable from any private entity which will provide such address free of charge or from any federal, state, or local government entity, including but not limited to the United States Postal Service or from the United States Postal Service certified software. This notice shall inform the taxpayer of the assessment and that he has thirty calendar days from the date of the notice in which to take any of the following actions:

(1) Pay the amount of the assessment.

(2) Appeal to the Board of Tax Appeals for redetermination of the assessment.

(3) Pay under protest in accordance with R.S. 47:337.60, and then either file a petition with the Board of Tax Appeals as provided for in that Section.

(c) Pay under protest in accordance with R.S. 47:337.60, and then either file a petition with the Board of Tax Appeals as provided for in that Section.
the date of the notice to (a) pay the amount of the assessment, (b) request mandatory arbitration pursuant to R.S. 47:337.51.1 or (c) pay do either of the following:

(a) Pay the amount of the assessment.

(b) Pay under protest in accordance with R.S. 47:337.63 and then either file suit or file a petition with the Board of Tax Appeals, all as provided for in that Section or request mandatory arbitration pursuant to R.S. 47:337.51.1.

(2) The determination of an error of fact or of law under this Subsection shall be solely that of the collector, and no action against the collector with respect to the determination shall be brought in any court, including the Board of Tax Appeals, and no court shall have jurisdiction of any such action, it being the intent of this Subsection only to permit the collector to correct manifest errors of fact or in the application of the law made by the collector in making the assessment; however, all reductions of assessments based on such errors, except estimated assessments made due to the failure of the taxpayer to file a proper tax return, must be approved and signed by another qualified officer of the Board of Tax Appeals, and no court shall have jurisdiction of any such proceeding, or the appointment of a receiver for any taxpayer in a receivership proceeding, or the appointment of a receiver for any taxpayer in a receivership proceeding, before any court of this state or of the United States, the collector may immediately make a determination from any available information or by estimate or otherwise, of the amount of tax, penalty and interest the taxpayer is liable to pay and immediately assess said this amount, and by a writing to be retained as a part of his official records indicate that such assessment has been made. Such assessment may be made whenever a tax becomes due under the provisions of this Chapter, regardless of whether it is then payable or not. Claims for such assessments, and additional interest and attorney fees thereon, shall be presented for adjudication in accordance with law to the court before which the bankruptcy or receivership proceedings is pending despite the pendency of delays before assessment provided in R.S. 47:337.48 through 337.51, or the pendency of an appeal to the collector, the Board of Tax Appeals, or the courts for a determination. However, no petition for the determination of an assessment shall be filed with the collector, the Board of Tax Appeals, or the courts for a determination unless the taxpayer has given notice of intention to file suit for recovery of such tax or remit the amount due, and the filing of the petition for recovery of the tax or the petition for recovery of the tax or the arbitration pursuant to R.S. 47:337.51.1 shall be further held pending the outcome of the suit or the arbitration proceeding.

§337.63. Remittance of tax under protest; suits to recover.

A. (1)(a) Any taxpayer protesting the payment of any amount found due by the collector or the enforcement of any provision of law in relation thereto shall remit to the collector the amount due and at that time shall file a written request for mandatory arbitration pursuant to R.S. 47:337.51.1 at that time give notice of intention to file a petition with the Board of Tax Appeals, as provided in this Section.

(b) In the event of sales or use taxes that are required to be collected by a seller and remitted by a selling dealer as provided for in R.S. 47:337.17, the purchaser, in order to avoid himself of the alternative remedy provided by this Section, shall remit protested sales or use tax to the selling dealer, and shall retain copies of documentation evidencing the amount of the sales or use tax paid to the dealer on the transactions. On or before the twentieth day of the month following the month of the transactions on which the selling dealer charged the tax, the purchaser shall inform the collector by certified mail or other reasonable means of the dates and amounts of the protested taxes that were paid at the time the tax was paid by the selling dealer, giving notice of intention to file suit for recovery of the tax or to make a written request for mandatory arbitration pursuant to R.S. 47:337.51.1 file a petition for recovery of the tax with the Board of Tax Appeals, as provided by law. The filing of any pleading, either by the collector or the taxpayer, with the Board of Tax Appeals, or the courts after the appointment of an arbitration panel, the Board of Tax Appeals, or the courts after the appointment of an arbitration panel, the Board of Tax Appeals, may remit the additional assessment under protest, but need not file an additional suit or make another mandatory arbitration request.

C. The filing of any pleading, either by the collector or the taxpayer, with the Board of Tax Appeals or with any state or federal court shall be sufficient service, and he shall be the sole necessary and proper party defendant in any such suit.

D. Upon request of a taxpayer and upon proper showing by such taxpayer that the principle of law involved in an additional assessment is already pending before the courts for judicial determination or before any agency, the Board of Tax Appeals, or the courts after the appointment of an arbitration panel, the Board of Tax Appeals, upon agreement to abide by the decision of the courts, an arbitration panel, the Board of Tax Appeals, or by a final judgment of a court upon a timely appeal of a decision of an arbitration panel, the Board of Tax Appeals, may remit the additional assessment under protest, but need not file an additional suit or make another mandatory arbitration request.

In such cases, the tax so paid under protest shall be placed in an escrow account and held by the collector or his duly authorized representative for a period of thirty days. If suit is filed for recovery of the tax or a written request for mandatory arbitration is made as provided in this Section in R.S. 47:337.51.1 petition is filed with the Board of Tax Appeals for recovery of the tax, within the thirty-day period, the funds in the escrow account shall be further held pending the outcome of the suit or the arbitration proceeding.

§337.53. Assessment and notice when tax is in jeopardy

C. The taxpayer against whom the assessment lies can stay distraint of his property or proceed with any proceeding, or the appointment of a receiver for any taxpayer in a receivership proceeding, or the appointment of a receiver for any taxpayer in a receivership proceeding, before any court of this state or of the United States, the collector may immediately make a determination from any available information or by estimate or otherwise, of the amount of tax, penalty and interest the taxpayer is liable to pay and immediately assess said this amount, and by a writing to be retained as a part of his official records indicate that such assessment has been made. Such assessment may be made whenever a tax becomes due under the provisions of this Chapter, regardless of whether it is then payable or not. Claims for such
appeals shall have jurisdiction to determine the correct amount of tax for a demand for any tax and additions thereto that he may deem is due from the end of the year in which the collector failed to act. Such appeal relates, nor after the expiration of one hundred eighty days from the date of mailing by certified or registered mail by the collector to a decision thereon within that time, nor after the expiration of ninety days of one year from the date of filing such claim unless the collector renders overpayment, and to order that the amount of overpayment be refunded or credit had been filed with the collector within that period. or that a claim for the refund or credit was requested was filed by the taxpayer and received by the collector on the date postmarked under protest and suit to recover or petition to the Board of Tax Appeals, as provided by law.

G. A claim for a refund or credit in a properly addressed envelope with sufficient postage delivery by the United States Postal Service is deemed filed by the taxpayer and received by the collector on the date postmarked by the United States Postal Service. Additionally, a claim for refund or credit is deemed filed by the taxpayer and received by the collector through any means provided for by any regulation promulgated pursuant to R.S. 47:337.07 through 337.100.

§337.81. Appeals from the collector's disallowance of refund claim
A. * * *
(2) The taxpayer may appeal a denial of a claim for refund to a court of competent jurisdiction or mail a written request for mandatory arbitration pursuant to R.S. 47:337.511 the Board of Tax Appeals, as provided by law. No appeal may be filed or request for arbitration made before the expiration of ninety days from the date of filing the claim unless the collector renders a decision thereon within that time, nor after the expiration of ninety days from the date of mailing by certified or registered mail by the collector to the taxpayer of a notice of the disallowance of the part of the claim to which such appeal relates, nor after the expiration of one hundred eighty days from the end of the year in which the collector failed to act.

C. In answering any such appeal, the collector is authorized to assert a demand for any tax and additions thereto that he may deem is due from the end of the year in which the collector failed to act. The Board of Tax Appeals jurisdiction to determine the correct amount of tax for the period in controversy, and to render judgment ordering the refund or credit of any overpayment or ordering the payment of any additional tax, interest, penalty, attorney fees, and other amounts found to be due. If the Board of Tax Appeals, pursuant to a hearing of an appeal from an assessment of the collector in accordance with the provisions of R.S. 47:337.51, 337.53, or 375.54 finds that there is no tax due and further finds that the taxpayer has made a refundable overpayment of the tax for the period for which the collector asserted the claim for additional tax, the Board of Tax Appeals shall have jurisdiction to determine the amount of the overpayment, and to order that the amount of overpayment be refunded or credited to the taxpayer; however, the Board of Tax Appeals shall not order a refund or credit unless, as part of its decision, it determines that either the petition of appeal in which the refund or credit was requested was filed within the period set out in R.S. 47:337.51 or that a claim for the refund or credit had been filed with the collector within that period.

§337.86. Credit for taxes paid
E. (1) Notwithstanding any other law to the contrary, no person shall be taxed with respect to a particular event more than once, provided that the person collecting and remitting taxes can produce to the collector documentary evidence to show a good faith effort to recover taxes paid to the particular taxing authority. Such documentary evidence shall consist of the following:

(d) Notwithstanding any provision of law to the contrary, any taxpayer who receives an assessment and who has complied with any applicable provisions of Subparagraphs (a) through (c) of this Paragraph, may within thirty calendar days of the date of notice, take any action specified in R.S. 47:337.51(A)(1).

(2) The taxpayer shall not impose penalties or interest on taxes erroneously paid to another taxing authority unless the erroneous payment was the result of intentional conduct or gross negligence on the part of the persons collecting and remitting taxes. In instances where a legitimate disagreement exists as to which taxing authority is owed, the involved taxing authorities shall resolve the dispute among themselves through any legal means, including the filing of a rule or petition in the manner provided for in R.S. 47:337.101.
A. The board shall, in each case heard by it, or in any matter referred to it by the collector or in each case submitted to it upon stipulations of agreement and fact, promulgate an issue written findings of fact and conclusions of law and file a written decision or judgment thereon.

B. The board may, in its discretion, issue an opinion in writing with respect to any opinion, order, decision, or judgment of the board.

§1413. Rules and regulations
A. In all other matters regarding the conduct of its hearings, the board may prescribe and promulgate rules and regulations not inconsistent with law or the provisions of this Chapter, which rules and regulations shall bind upon parties litigant in any cause over which the jurisdiction of the board shall extend. The rules and regulations of the board shall be binding upon parties litigant in any cause which the board determines to be subject to such rules and regulations.

B. Rules related to the establishment of fees chargeable for filings and for services rendered by the board shall be subject to review, suspension, or veto pursuant to R.S. 49:671 through 970.

C. The rules and regulations of the board shall be annually reviewed, and may be amended as necessary to provide relative to a prompt adjudication of cases filed against local collectors.

§1414. Persons authorized to appear before the board
A. Any person or party in interest may appear before the board of tax appeals.

B. A local collector may be represented by any designated employee of the local collector.

§1417. Recusal: board members
A. In accordance with the provisions of the Code of Civil Procedure, a board member may voluntarily recuse himself and withdraw from any proceeding in which he cannot accord a fair and impartial hearing or consideration.

B. Rules related to the establishment of fees chargeable for filings and for services rendered by the board shall be subject to review, suspension, or veto pursuant to R.S. 49:671 through 970.

C. The rules and regulations of the board shall be binding upon parties litigant in any cause over which the jurisdiction of the board shall extend. The rules and regulations shall be binding upon parties litigant in any cause which the board determines to be subject to such rules and regulations.

D. In all other matters regarding the conduct of its hearings, the board may prescribe and promulgate rules and regulations not inconsistent with law or the provisions of this Chapter, which rules and regulations shall bind upon parties litigant in any cause over which the jurisdiction of the board shall extend. The rules and regulations of the board shall be binding upon parties litigant in any cause which the board determines to be subject to such rules and regulations.

E. A local collector may be represented by any designated employee of the local collector.

§1418. Definitions
A. “Board” means the Board of Tax Appeals.

B. “Collector” means the state collector or a local collector, unless specified otherwise.

C. “Local collector” means any of the following:
   (a) The individual or entity designated as the state collector of the sales and use taxes of any parish, or the individual or entity designated as the state collector of the sales and use taxes of any local political subdivision within the jurisdiction of the Board of Tax Appeals.
   (b) The agent or successor to any of the above, including any joint commission, authority, or other duly constituted single collection entity, when administering or collecting the taxes of any local political subdivision within the jurisdiction of the Board of Tax Appeals.

D. “Petition” means a separate and distinct pleading filed against the relevant state collector or local collector. A petition filed against a state collector or a local collector shall be accompanied by a statement of facts and a demand of the petitioner.

§1406. Expenditures
A. The board is authorized to make such expenditures (including expenditures for personal services and for law books, books of reference and periodicals), as may be necessary to efficiently execute the functions vested in the board. All expenditures of the board shall be allowed and paid, out of any moneys appropriated for the purposes of the board.

B. The board's self-generated revenue from local cases filed with the board pursuant to the provisions of the Uniform Local Sales Tax Code shall be expended exclusively for the purposes of its Local Tax Division, and may be retained by the board and carried forward for such purposes.

§1407. Jurisdiction of the board
A. The jurisdiction of the board shall extend to the following:
   (1) Collections of taxes on sales and use taxes of any parish or the sales and use taxes of any local political subdivision within the jurisdiction of the Board of Tax Appeals.

B. A. local collector may be represented by any designated employee of the local collector.

C. Any person or party in interest may appear before the board of tax appeals.

D. The rules and regulations of the board shall be binding upon parties litigant in any cause over which the jurisdiction of the board shall extend.

E. The rules and regulations of the board shall be binding upon parties litigant in any cause which the board determines to be subject to such rules and regulations.

F. For purposes of this Chapter, except when the context requires otherwise, the words and expressions defined in this Section shall have the following meaning:

(1) “Board” means the Board of Tax Appeals.

(2) “Collector” means the state collector or a local collector, unless specified otherwise.

(3) “Local collector” means:
   (a) The individual or entity designated as the state collector of the sales and use taxes of any parish, or the individual or entity designated as the state collector of the sales and use taxes of any local political subdivision within the jurisdiction of the Board of Tax Appeals.
   (b) The agent or successor to any of the above, including any joint commission, authority, or other duly constituted single collection entity, when administering or collecting the taxes of any local political subdivision within the jurisdiction of the Board of Tax Appeals.

G. “Petition” means a separate and distinct pleading filed against the relevant state collector or local collector. A petition filed against a state collector or a local collector shall be accompanied by a statement of facts and a demand of the petitioner.
A decision or judgment of the board in cases that have been consolidated by a joint motion of all parties, including a state collector, may be reviewed as provided for in Subsection A of this Section.

A judgment of the board in a case against a local collector may be reviewed as provided for in Subsection B of this Section, with the parish of venue designated in the joint motion.

A. The taxpayer and the collector shall be afforded notice and opportunity to be heard in each proceeding for the determination of an assessment, the consideration of a payment under protest petition, or for a refund or credit of an overpayment, the taxpayer must file a protest petition with the board within the respective periods set forth in R.S. 47:337.51, 337.53, or 337.81.

B. The board shall render a separate judgment for any case transferred to it pursuant to this Subsection, but upon the joint motion of all parties if the board finds that the case cannot be resolved without reaching a determination of an overpayment, the collector shall promptly enter the credit or make the refund, as the case may be.

§1451. Waiver of penalties

Whenever Except as otherwise provided by law, whenever the state collector determines that the receipt or remittance of the whole or any part of the penalty provided for failure to file any return at the time it became due, the collector's determination thereof, together with the taxpayer's affidavit stating the cause of his delay in filing, shall be submitted to the board for review. If the board finds that the penalty may properly be waived or remitted pursuant to a law made applicable by a statute, it shall approve the action of the collector. Otherwise the board shall reject the proposal to waive or remit, and it shall then be mandatory upon the collector to assess and collect the penalty. Nothing in this Section shall be construed to expand the jurisdiction of the board to reconsider or review a waiver of penalties or any other discretionary functions of a local collector.

Section 3. 49:968(B)(9) is hereby amended and reenacted to read as follows: §968. Review of agency rules; fees

B. Prior to the adoption, amendment, or repeal of any rule or the adoption, increasing, or decreasing of any fee, the agency shall submit a report relative to such proposed rule change or fee adoption, increase, or decrease to the appropriate standing committees of the legislature and the committee on rules and procedures of the house of representatives. If the report shall be submitted on the same day notice of the intended action is submitted to the Louisiana Register for publication in accordance with R.S. 49:953(A)(1). The report shall be submitted to each standing committee having jurisdiction over the rule or fee, or if electronic means are available, the report shall be submitted at the committee's office in the state capitol by certified mail with return receipt requested or by messenger who shall provide a receipt for signature. The electronic receipt by the committee, return receipt or the messenger's receipt shall be proof of receipt of the report by the committee.

§1436. Determination of which district appellate court has jurisdiction

A. A decision or judgment of the board in a case against a state collector may be reviewed as follows:

1. In the case of an appeal to the district court of appeal for the parish of East Baton Rouge, or another parish with a population of more than 250,000, by filing a petition with the board within the respective periods set forth in R.S. 47:337.51, 337.53, or 337.81.

2. In the case of a juridical person other than an individual, except as provided in paragraphs (1), (3), and (4) of this Section, by the district court of appeal for the parish of East Baton Rouge.

3. In the case of a corporation, association, or other juridical person which has a principal office or agency located in Louisiana, by filing a petition with the board within the respective periods set forth in R.S. 47:337.51, 337.53, or 337.81.

4. In the case of a corporation which has no principal office or agency located in Louisiana, by filing a petition with the board within the respective periods set forth in R.S. 47:337.51, 337.53, or 337.81.

5. A determination of which district appellate court has jurisdiction shall be made by the board and the decision of the board shall be final and binding on all the parties.

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

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* As it appears in the enrolled bill
The reinstatement fee shall not be owed for an
for violations of Paragraph (1) of this

A true copy:

this Act shall become effective on July 1, 2014, or on the day following such

Sections 1 through 9 of this Act shall become operative on July 1, 2014, if the

Section 10. The nomination or nominations made pursuant to R.S. 47:1402(D)
may be transmitted to the governor, and any appointments pursuant to that

Section 9. Any case filed with the Board of Tax Appeals against a local

said appeal from a judgment or decision of the board shall be
deemed to be governed by the provisions of Chapter 17 of Title 47 of the

The one hundred eighty day deadline to appeal a local

collector's inaction on a refund claim to the Board of Tax Appeals pursuant to

R.S. 47:337.51.1(C) as it existed prior to this Act. The suspension of any collection
action by the collector and the suspension of the running of prescription

return of any reinstatement fee paid pursuant to Paragraph (A)(3) of this Section and

secretary pursuant to the sanctions of this Section, specifically including

and any fine, fee, or other monetary sanction which has been remitted to the

The prohibited actions and penalties for violations thereof are as follows:

(4) Whoever violates the provisions of this Subsection shall be fined

be required to perform not less than forty hours nor more than two hundred

hours of community service.

§863. Sanctions for false declaration; reinstatement fees; revocation of
registration; review

A. (1) Except as provided herein below, in this Section, when the secretary
determines that a vehicle is not covered by security as required by this
Chapter or that the owner or lessee has allowed the required security to

lapse, he shall revoke the registration of the vehicle, impound the vehicle, or
cancel the vehicle's license plate.

(3)(a) Sanctions for a violation of Paragraph (1) of this Subsection shall be
imposed until proof of required liability security is provided to the secretary
and all reinstatement fees are paid. Sanctions for a violation of Paragraph
of this Subsection shall be imposed for a period of not less than one twelve
months nor more than eighteen months. However, in no event shall these
sanctions be removed until such time proof of the required security is

provided to the secretary along with all appropriate fees required by
law, including a reinstatement fee of fifty two hundred one hundred dollars per

violation of Paragraph (1) of this Subsection if the vehicle was not covered
by the required security for a period of thirty days. one two hundred fifty
dollars if the vehicle was not covered by required security for a period of

thirty-one to ninety days, and two five hundred dollars if the vehicle was not
covered by required security for a period in excess of ninety days. No

reinstatement fee shall be imposed by the secretary if the vehicle was not
covered by required security for a period of ten days or less and the insured

surrenders the vehicle's license plate to the secretary within ten days. The

reinstatement fees for violations of Paragraph (2) of this Subsection shall be
as follows: one two hundred fifty dollars for a first violation, one two

hundred fifty dollars for a second violation, and two hundred one thousand
dollars for a third or subsequent violation, provided the offenses occurred

within a five year period. The reinstatement fee shall not be owed for an
alleged violation of Paragraph (2) of this Subsection when proof of the
required security is provided by the owner or lessee. If at the time of reinstatement
a person has multiple violations, the total amount of fees to be paid shall not

exceed five eight hundred fifty dollars, including any administrative fees
for persons under sixty-five years old or for violations of Paragraph(1) of this
Subsection. one thousand seventy-five dollars for violations of Paragraph (1)
of this Subsection. At no time shall the total amount of fees, including
administrative fees, exceed two hundred fifty dollars for persons sixty-five
years or older.

(b) * * *

(1) Notwithstanding any other provision of this Chapter to the contrary,
except for R.S. 32:868, and after satisfying the requirements of the Bond
Security and Redemption Fund, thirty-six percent of the revenues from the
reinstatement fees shall be used as provided by law for the construction,
maintenance, and operating expenses of new capital immovables and
related movables.

B. The sanctions of Paragraph (A)(1) of this Section shall not be imposed,
and any fine, fee, or other monetary sanction which has been remitted to the
secretary pursuant to the sanctions of this Section, specifically including
any reinstatement fee paid pursuant to Paragraph (A)(3) of this Section and
any fee paid pursuant to Paragraph (D)(5) of this Section, shall be promptly
refunded by the secretary to the person who paid it, if the owner or lessee
furnishes any of the following:

(2) If such evidence is not furnished by the owner or lessee, any other
evidence satisfactory to the secretary, that each of the following conditions
are met:

(b) The vehicle is currently covered by security as required by R.S. 32:861
and that the required security has been continuous without lapse.

§863.1. Evidence of compulsory motor vehicle liability security contained in
vehicle; enforcement; penalty; fees

§863.1. Evidence of compulsory motor vehicle liability security contained in
vehicle; enforcement; penalty; fees

C. (1) * * *

(c) For a first offense there shall be a reinstatement fee of fifty one hundred
dollars, for a second offense there shall be a reinstatement fee of one two
hundred fifty dollars, for a third offense there shall be a reinstatement fee of
five hundred dollars. The reinstatement fee contained herein shall be in addition to any other appropriate registration fees
allowed by law and reinstatement shall depend upon proof of compliance with
the compulsory liability law.

I. * * *

(3) If the owner fails to provide the proof required in Paragraph (2) of
this Subsection there shall be a fine of one hundred dollars for a first offense,
a fine of one two hundred fifty dollars for a second offense, and a fine of
five hundred dollars for any subsequent offense.

§864. Criminal sanctions for false declaration

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

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Any person, firm or corporation which violates R.S. 32:863(A)(2) shall be guilty of a misdemeanor and upon conviction shall be fined not more than one hundred fifty dollars, or imprisoned for a period of not more than thirty days.

§865. Criminal sanctions for operating motor vehicle not covered by security

A. Any person knowingly operating a motor vehicle and any owner allowing a motor vehicle to be operated, when such motor vehicle is not covered by the security required under R.S. 32:861, shall, upon conviction, be fined not more than five hundred dollars, or more than one thousand dollars, shall have the registration of the vehicle revoked for a period of sixty one hundred eighty days, and shall have his driving privileges suspended for a period of sixty one hundred eighty days.

§868. Funding of real-time system to verify motor vehicle insurance

A. Of the reinstatement fees assessed in R.S. 32:863(A)(3)(a), an amount of seventy-five dollars from each reinstatement fee levied for lack of required security up to thirty days, one hundred fifty dollars from each reinstatement fee levied for lack of required security between thirty-one days and ninety days, and three hundred dollars from each reinstatement fee levied for lack of security for in excess of ninety days, and of the reinstatement fees assessed in R.S. 32:863(C)(1)(e) and (f)(3) an amount of fifty dollars from each first offense and one hundred dollars from each second offense, shall be, after first having been credited to the Bond Security and Redemption Fund as required by Article VII, Section 9(B) of the Louisiana Constitution, deposited into the Insurance Verification System Fund.

B. There is hereby created in the state treasury the Insurance Verification System Fund, hereinafter referred to as the “Fund”. Monies in the fund shall be invested in the same manner as monies in the state general fund. Interest earned on investment of monies in the Fund shall be deposited in and credited to the fund. The monies in this fund shall be used solely as provided for in this Section and only in the amounts appropriated by the legislature. Unexpended and unencumbered monies in the fund shall remain in the fund. Monies in the fund shall be used in amounts appropriated by the legislature as follows:

1. For Fiscal Year 2014-2015, monies in the fund shall be used as follows:
   (a) First, to fully fund the creation and maintenance of the real-time system to verify motor vehicle insurance authorized by R.S. 32:863.2(F).
   (b) The next forty-two million dollars per year shall be used for public safety and corrections, office of state police.
   (c) The remainder of deposits shall be used for public safety and law enforcement purposes.

2. For Fiscal Year 2015-2016 and each fiscal year thereafter, monies in the fund shall be used as follows:
   (a) First, to fully fund the annual maintenance of the real-time system to verify motor vehicle insurance authorized by R.S. 32:863.2(F).
   (b) The next forty-two million dollars per year shall be dedicated to the Department of Public Safety and Corrections, office of state police.
   (c) In the event House Bill No. 502 of the 2014 Regular Session of the Legislature is enacted into law, the next seven million dollars per year shall be used to fund the housing of parolees who are detained in sheriffs’ jails pending their revocation hearing as provided in R.S. 15:824(B)(1)(e)(ii).
   (d) The next one million dollars per year shall be used to provide additional funding to district attorneys and assistant district attorneys, specifically to fund additional district attorney positions beginning in 2015.

3. Funds from the Insurance Verification System Fund shall not be used to pay any costs associated with the implementation of a system for the issuance of REAL ID compliant drivers’ licenses and special identification cards.

Section 2. The Act that originated as House Bill No. 851 of the 2014 Regular Session of the Louisiana Legislature is hereby repealed in its entirety.

Section 3. This Act shall become effective July 1, 2014. Approved by the Governor, June 12, 2014.

A true copy:
Tom Schleder
Secretary of State

ACT No. 642

HOUSE BILL NO. 916
BY REPRESENTATIVE LEGER

AN ACT

To amend and reenact R.S. 17:183.1(A) and (C)(2), 183.2, 183.3(A)(2), (B), (C), and (D), and 2925 and to enact R.S. 17:183.3(D), relative to the high school career option program; to provide relative to requirements for a career major and related course work; to provide that a career diploma be considered a regular standard diploma and shall be recognized by all public postsecondary education institutions and given the same status as a regular diploma for purposes of the school and district accountability system; to provide relative to conditions to be met by a student pursuing a career major curriculum; to delete the requirement for parental consent for a student to pursue such curriculum; to delete certain record requirements relative to pupil progression plans; to provide relative to requirements for Individual Graduation Plans for students; and to provide for related matters.

Be it enacted by the Legislature of Louisiana:

Section 1. R.S. 17:183.1(A) and (C)(2), 183.2, 183.3(A)(2), (B), (C), and (D), and 2925 are hereby amended and reenacted and R.S. 17:183.3(D) is hereby enacted to read as follows:

§183.1. Purpose

A. The purpose of this Subpart is to create a career option in Louisiana’s high schools which shall consist of an academic major comprised of college preparatory courses and a career major comprised of challenging academic courses and modern vocational career and technical studies.

B. The purpose of this Subpart is to create a career option in Louisiana’s high schools which shall consist of an academic major comprised of college preparatory courses and a career major comprised of challenging academic courses and modern vocational career and technical studies.

C. *   *   *

2. A career diploma earned through a career major program and issued by the State Board of Elementary and Secondary Education shall be considered a regular standard diploma and shall be recognized by all Louisiana public postsecondary education institutions under the management and supervision of the Board of Supervisors of Community and Technical Colleges. Except as provided in R.S. 17:183.3(B)(3), a career diploma issued to a student pursuant to this Subpart shall be given the same status and recognition for purposes of calculations made pursuant to the school and district accountability system required by R.S. 17:10.1, as is given a regular standard diploma issued by the State Board of Elementary and Secondary Education. A school or school system shall not be penalized in any manner for students who are issued a career diploma.

§183.2. Career option description

A. To prepare students for choosing a career option at the high school level, in grades six through eight, teachers shall [1] (3) introduce students to occupations in demand in Louisiana. At least six career activities may include field trips, guest speakers, community services, and other activities such as word processing, desktop production, computer assembly, graphics, and the uses of technology. Designed to introduce students to occupations in demand in Louisiana, these career activities shall be conducted at each grade level during each school year. Each teacher of grades six through eight shall maintain records of such activities.

B. By the end of the eighth grade, each student shall develop, with the input of his family, a Five Year Individual Graduation Plan. Such a plan shall include a sequence of courses which is consistent with the student’s stated goals for one year after graduation. Each student’s Five Year...
Individual Graduation Plan shall be reviewed annually thereafter by the student, parents, and school advisor and revised as needed.

(1) Individual Graduation plans shall be based on and prepared by the school principal, or both, shall be responsible for the completion of the Five-Year Individual Graduation Plan of each eighth grade student. The guidance counselors and others shall counsel each student with regard to high school graduation requirements; and shall assist the student in developing his plans for meeting these requirements. The counseling plans shall be constructed in a manner that reflects course design and content and the method of instruction employed for the course.

B. Throughout high school, each student shall pursue the rigorous curriculum required for his chosen major by his school as and approved by the State Board of Elementary and Secondary Education. Students shall be able to change from one major to the other at the end of any school year semester.

§385.3 Career major; description; curriculum and graduation requirements
A. * * *
(2)(a) Each city, parish, and other local public school system shall develop and offer one or more career major programs aligned to state and regional workforce demands, pursuant to policies adopted subject to approval by the State Board of Elementary and Secondary Education. However, any such school system may be granted a waiver from this requirement by the State Board of Elementary and Secondary Education for good cause.

(b) Schools, in partnership with local business and industry leaders, local economic development agencies, and postsecondary education leaders, shall review majors offered each year and expand offerings as appropriate, including courses offered through articulation, dual enrollment, correspondence, industry training programs, and technological methods such as through the Internet and compressed video digital learning opportunities.

B.1. Students in a career major program shall complete an academic core of courses and a career and technical sequence of courses or approved training programs that lead to an approved industry-based credential.

(2) The course requirements for the career major shall consist of the following:
(a) At least four English credits, including English I, English II, and two additional courses from among the following: English III, English IV, AP or IB English Literature, AP or IB English Composition, English I, AP or IB English Language, Writing, or comparable Louisiana Technical College course or identified English courses offered by the Louisiana Technical College.

(b) At least four mathematics credits, including Algebra I, Algebra I Part Two, or GED Algebra, Part One or Algebra II, Part One, three additional applied or hybrid mathematics courses from among the following: Geometry, Math Essentials, Financial Literacy, Business Math, Algebra II, Algebra I, Advanced Math - Functions and Statistics, Advanced Math, Pre-Calculus, Pre-Calculus, or comparable Louisiana Technical College comparable or identified courses offered by the Louisiana Technical College as needed to fulfill the mathematics course requirements Jump Start regional teams as approved by the State Board of Elementary and Secondary Education. Integrated Mathematics I, II, and III may be substituted for Algebra I, Geometry, and Algebra II, and shall equal three mathematics credits.

(c) At least three Honors science credits, including one unit credit of Biology and two additional courses one additional course selected from a list of science electives as approved by the State Board of Elementary and Secondary Education among the following: Chemistry I, Earth Science, Environmental Science, Physical Science, Agriscience I and Agriscience II (one credit combined), or AP or IB Science.

(d) At least three social studies credits, including one credit from among the following: U.S. History, AP U.S. History, or IB U.S. History; one-half credit from among the following: Government, AP U.S. Government and Politics: Comparative, or AP U.S. Government and Politics: United States; and one-half credit from among the following: Economics, AP Microeconomics, or AP Microeconomics. One credit of Civics may be substituted for any two of the one-half credit courses specified in this Subparagraph. The State Board of Elementary and Secondary Education shall determine that participation in a career major curriculum and pursuit of a career diploma issued by the State Board of Elementary and Secondary Education is appropriate and in the best interest of the student.

(e) Each student must participate, during his first year in high school, in a dropout prevention and mentoring program developed in consultation with the school guidance counselor or other school administrator and a dropout prevention and mentoring program developed in consultation with the school guidance counselor or other school administrator. Each student must participate in any component of the education and workforce development program. Each student must participate in the education and workforce development program as part of a career and technical education coursework.

§2925. Individual Graduation plans Graduation Plan
A.1. (1) In accordance with the provisions of R.S. 17:274, by the end of the eighth grade, every student, with the assistance of his parent or other legal guardian custodian and school guidance personnel, counselor, shall begin to develop the student's Individual Graduation Plan to guide the next academic year's course work and to assist the student in exploring educational and career possibilities and in making appropriate secondary and postsecondary education decisions as part of an overall course of education plan. The Individual Graduation Plan shall be constructed in a manner that reflects course design and content and the method of instruction employed for the course.

(2) By the end of the eighth grade, each student's Individual Graduation Plan shall be based on a regional career and technical education coursework plan and workplace-based learning experiences leading to a regional or statewide Jump Start credential. This shall include courses and workplace experiences specific to the credential, courses related to foundational career skills requirements
in their Individual Graduation Plan. The plan shall be reviewed annually and updated as necessary to identify the courses to be taken each year until all required core courses are completed.

(4) Each student’s Individual Graduation Plan, based on the student’s academic record, talents and interests, shall outline high school graduation requirements relevant to the student’s chosen postsecondary goals. Each student, with the assistance of his parent or other legal guardian and school counselor shall be allowed to choose the high school curriculum framework and related graduation requirements that best meets his postsecondary goals. Each student’s Individual Graduation Plan Individual Graduation Plan shall include the recommended sequence of courses for successful completion of his chosen major; a standard diploma that aligns with postsecondary education, training, and the workforce and shall be reviewed annually and updated or revised as needed.

(5) Each student’s Individual Graduation Plan Individual Graduation Plan shall be signed by the student, his parent or other legal guardian, custodian, and the school counselor.

B. To provide a foundation for the development of individual graduation plans the Individual Graduation Plan, schools shall provide career awareness and exploration activities to all students in grades six through eight that create linkages between what a student does in school and what he wants to achieve in life. Such activities shall include career interest inventory to identify students’ talents and interests as well as career exploration activities that help students make career and educational decisions and plan a learning program that meets their needs and goals. The school shall also include in the student’s Individual Graduation Plan a list of the courses that the student will be required to take in grades nine through twelve.

C. Each Individual Graduation Plan Individual Graduation Plan shall be reviewed annually and updated as necessary to identify the courses to be taken each year until all required core courses are completed. The plan shall be reviewed annually and updated or revised as needed.

D. Each student’s Individual Graduation Plan Individual Graduation Plan shall be reviewed annually and updated as necessary to identify the courses to be taken each year until all required core courses are completed.

E. Each participating school system may work collaboratively with other participating school systems to develop and implement a plan that will ensure that students who remain in the public school system and who choose to continue their education will meet the high school graduation requirements for his chosen major and be qualified for admission to a postsecondary education institution or to enter the workforce.

House Bill No. 954

Select Bill Language

Approved by the Governor, June 12, 2014.

A True Copy

Tom Schedler
Secretary of State

ACT No. 644

HOUSE BILL NO. 954

BY REPRESENTATIVES LEGER AND CARTER AND SENATORS APPEL, LAPLIEUR, AND WALSWORTH

AN ACT

To enact R.S. 17:407.26 and to repeal R.S. 17:24:10, relative to early childhood education; to provide relative to the Cecil J. Picard LA 4 Early Childhood Program; to provide relative to funding; to provide relative to eligibility criteria; to provide relative to the cost of participation; to provide relative to rules and regulations; and to provide for related matters.

Be it enacted by the Legislature of Louisiana:

Section 1. R.S. 17:407.26 is hereby enacted to read as follows:


A. The state Department of Education, referred to in this Section as the “department”, shall allocate funding, out of monies appropriated for such purpose, to each public school system that applies for such funding and uses the funding solely for the purpose of providing a program for early childhood development and enrichment activities in compliance with the requirements of this Section, which shall be named “The Cecil J. Picard LA 4 Early Childhood Program” and shall be referred to in this Section as “the LA 4 program”. Such classes shall be referred to in this Section as “LA 4 classes”.

B. Subject to the availability of funds, the LA 4 program shall be available to every eligible child. To be eligible for the LA 4 program, a child shall meet all of the following criteria:

(1) He is four years old or eligible to enroll in kindergarten in the following school year pursuant to R.S. 17:1513.

(2) He meets the requirements of R.S. 17:170 relative to immunization documentation required for regular school enrollment.

(3) He applies to the LA 4 program.

C. The cost of the LA 4 program shall be as follows:

(1) For children who are “at risk”, as defined in the rules and regulations of the State Board of Elementary and Secondary Education, referred to in this Section as the “state board”, the LA 4 program shall be provided at no cost except for any applicable lunch cost and the cost of before and after care.

(2) For children who are not “at risk”, tuition may be charged on a sliding scale in an amount not to exceed that necessary for the public school system to provide the program.

(3) For all children, both “at risk” and not “at risk”, each public school system offering the LA 4 program may charge a fee for the cost of meals and the cost of before and after care, subject to state board rules and regulations.

D. Beginning with LA 4 program applications for the 2015-2016 school year:

(1) The department shall annually determine the demand for the LA 4 program.

(2) The state board shall consider such demand, the availability of public funds to support the program, and the eligibility of public school systems to receive funds for the program and annually determine the following:

(a) The number of LA 4 classes that will meet the high school graduation requirements for his chosen major and be qualified for admission to a postsecondary education institution or to enter the workforce.

(b) The method for equitably distributing available funds to eligible public school systems.

(c) The difference in dollar amount between the funding required to meet the measured funding demand and the funding available in the fiscal year.

E. Each participating school system may work collaboratively with other participating school systems to develop and implement a plan that will ensure that students who remain in the public school system and who choose to continue their education will meet the high school graduation requirements for his chosen major and be qualified for admission to a postsecondary education institution or to enter the workforce.

F.(1) Beginning with the 2014-2015 school year and continuing thereafter, each participating school system shall use a percentage of the total increase in funding for the LA 4 program received each year in excess of the amount received during the previous school year to provide LA 4 classes through collaborative agreements with nonschool system providers of early childhood education that serve children residing within the geographic boundaries of the school system that meet the definition of an early learning center as provided in Paragraph (b) of this Subsection, and that have attained the minimum quality rating as established by the state board required to be eligible to participate in the program, as follows:

(a) For a school year in which the per pupil allocation for the LA 4 program for children who are “at-risk” exceeds five dollars per child, each participating school system shall use at least five percent of the total increase in funding over the previous school year to provide LA 4 classes through collaborative agreements with nonschool system providers.

(b) For a school year in which the per pupil allocation for the LA 4 program is five thousand dollars per child or more, each participating school system shall use at least ten percent of the total increase in funding over the previous school year to provide LA 4 classes through collaborative agreements with nonschool system providers.

(2) For the purposes of this Section, “early learning center” means any child day care center, Early Head Start Center, Head Start Center, or stand-alone prekindergarten program not attached to a school.

(3) Such collaborative agreements may include but shall not be limited to the following:

(a) The participating school system may lease physical space from a nonschool system provider for an LA 4 class.

(b) The participating school system may provide a lead teacher with the nonschool system provider supplying the physical space and all other personnel, materials, or supplies needed to meet LA 4 program requirements.

(c) The nonschool system provider supplies the physical space and all of the teaching and ancillary personnel, materials, and supplies needed to meet LA 4 program requirements.

(4) Participating school systems shall explore all feasible supports to enable nonschool system providers of early childhood education to meet the requirements of the LA 4 program, including providing teachers employed by the school system to teach LA 4 classes in nonschool system programs or reimbursing teachers employed by nonschool system programs to serve as a lead teacher in accordance with Subparagraph (h)(3)(a) of this Section.

(5) A nonschool system provider of early childhood education that serves children residing within the jurisdiction of a participating public school system who wishes to participate in the LA 4 program shall apply to the board of the school system in accordance with the timelines and regulations established by the board. Such application shall, at a minimum, include documentation relative to:

(a) Verification that the applicant is a provider of early childhood education that meets the definition of an early learning center as provided in this Subsection and has attained the minimum quality rating required to be eligible to participate in the program as established by the state board.

(b) Documentation that the provider meets the requirements for participation in the program as provided by state law and state board regulation.

(c) Documentation relative to the provider’s organizational, governance, and operational structure.

(d) Documentation relative to the provider’s policies, programs, and practices in place to ensure parental involvement.

(e) Documentation relative to the provider’s personnel policies and employment practices.

(f) Documentation relative to the provider’s rules and regulations applicable to all children, including disciplinary policies and procedures.

(g) Documentation relative to the adequacy of the provider’s facilities and equipment.

(h) Documentation relative to the types and amounts of the provider’s insurance coverage.

(i) Documentation relative to applicable teacher certification requirements.

(6) The provisions of R.S. 17:15 shall be applicable to all employees of an early learning center that enters into a collaborative agreement with a school board to provide LA 4 classes in a nonschool system provider setting.
and each early learning center shall comply with all rules and regulations established by the participating school system pursuant to such law relative to criminal history review.

(7)(a) A waiver of the requirement specified in Paragraph (1) of this Subsection may be granted to a participating school system by the state board if the school system provides documentation acceptable to the state board that it meets at least one of the following conditions:

(i) The school system has one or more early learning centers located within the geographic boundaries of the participating school system that have attained the minimum quality rating required to be eligible to participate in the program as established by the state board.

(ii) The school system did not receive an application from an early learning center seeking to collaborate in the provision of LA 4 classes.

(b) The state board shall send written notification to a participating school system as to whether its application for a waiver has been granted. However, a waiver shall not be granted for more than one school year at a time.

(c) Notwithstanding any other provision of law, in any given school year the provisions of this Subsection shall not apply to a participating school system with excess capacity in its LA 4 program nor shall such a system be required to seek or be granted a waiver from the state board of such requirements.

G. In addition to determining the demand for and distribution of funds for the LA 4 program, the state board shall assess all other funding streams in order to facilitate diverse delivery and fulfill demand to the greatest extent possible.

H. Each public school system operating the LA 4 program shall include or provide for the following:

(1) A full-day program for the hours of the day and the number of days that a regular school program in the school system is in session.

(2) A program of developmentally appropriate early childhood education, the content of which shall meet the requirements for certification or accreditation of a high-quality early childhood education program as determined by the state board.

(3)(a) A teacher in each classroom, referred to in this Section as the ‘lead teacher’, who is in charge of the classroom, supervises other adults employed in the classroom, plans the activities for the children in the classroom, and is one of the following:

(i) Certified by the department in nursery school education, kindergarten, or early intervention.

(ii) If the superintendent of the employing school system certifies by sworn affidavit that no qualified applicant with a certificate as provided in Item (i) of this Subparagraph has applied for the position, then a teacher certified by the department pursuant to rules adopted by the state board.

(iii) If the superintendent of the employing school system certifies by sworn affidavit that no qualified applicant with a certificate as provided in Item (i) or (ii) of this Subparagraph has applied for the position, then the recipient of a degree in elementary education, kindergarten, early childhood education, or early intervention and employed pursuant to the interim emergency policy of the department, the state board, or the legislature with excess capacity in its LA 4 program.

(b) The employment, retaining, or reemployment of any person as a lead teacher who is qualified in any way other than as provided in Item (a)(i) of this Paragraph may occur only if such teacher can document consistently with the requirements established of such lead teachers in Item (a)(i) of this Paragraph in compliance with the requirements of state board rule or is otherwise deemed qualified in accordance with rules adopted by the state board.

(4) A student-to-lead teacher ratio of no more than twenty-to-one and a student-to-adult staff member ratio of no more than ten-to-one.

(5) Classroom and instructional supplies consistent with the standards required in Paragraph (2) of this Subsection and consistent with standards required by state board rule.

(6) Required professional development, in compliance with state board rule, for lead teachers and all other persons whose employment in the LA 4 program involves direct contact with children.

(7) Adequate and appropriate space and facilities.

1. The department shall do all of the following:

(a) Provide technical assistance to each participating school system for the LA 4 program and ensure that each participating school system complies with the requirements of this Section and all rules adopted pursuant to this Section.

2. The department shall develop and implement a system of evaluating the efficiency and effectiveness of the LA 4 program and conduct a study of the long-term effects of the program on the school success of the participating children.

3. Provide regular, scheduled, and appropriate professional development for lead teachers and all other persons whose employment in the LA 4 program involves direct contact with children pursuant to Paragraph (B)(6) of this Section.

Section 2. R.S. 17:24.10 is hereby repealed in its entirety.

Approved by the Governor, June 12, 2014.

A true copy:

Tom Shedel
Secretary of State

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ACT No. 645

HOUSE BILL NO. 992
BY REPRESENTATIVE ROBIDEAUX

AN ACT

To enact R.S. 41:1224.1, relative to leases and other property transactions involving specified property in Lafayette Parish; to exempt such leases or transactions from general requirements regarding leases of public property, including requirements for advertising and bidding; 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. 41:1224.1 is hereby enacted to read as follows:

§1224.1. Exceptions to advertisement and bidding requirements

The provisions of Section 27A of Chapter 22 of R.S. 9:223 shall not apply to leases, sales, exchanges, cooperative endeavor agreements, joint use agreements, and similar or related agreements by any governmental body involving any of the property authorized to be transferred to the city of Lafayette by Act No. 385 of the 2009 Regular Session of the Legislature. any parcels adjacent as a result of a transaction authorized by this Section. A property alienated pursuant to this Section shall not be subject to any deed restrictions required by Act No. 385 of the 2009 Regular Session of the Legislature.

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 first day following such approval.

Approved by the Governor, June 12, 2014.

A true copy:

Tom Shedel
Secretary of State

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ACT No. 646

HOUSE BILL NO. 1026
BY REPRESENTATIVE FANNIN

AN ACT

To amend and reenact R.S. 3:284(D)(3)(a) and (F), R.S. 39:94(A)(3) and (C)(4)(b), R.S. 46:2691(A) and the introductory paragraph of (B)(1) and 2731(B) and (E)(1), and R.S. 47:302.2(C)(1)(b), 332.6(B), and 1676(E) and to enact R.S. 17:3138.2 and 3138.3 and Subpart A of Part II-A of Chapter 1 of Title 39 of the Louisiana Revised Statutes of 1950, to be comprised of R.S. 39:91, relative to special treasury funds; to repeal R.S. 47:6007(C)(7) and R.S. 51:942(1)(2); to provide for the transfer, dedication, use, and appropriations as specified of certain treasury funds; to provide for the deposit of certain funds into the state treasury; to provide for the Louisiana Buy Local Purchase Incentive Program Fund; to provide for deposits into the Budget Stabilization Fund; to establish the Deepwater Horizon Economic Damages Collection Fund; to establish the Debt Recovery Fund; to provide for the disposition of certain collections in the city of Shreveport; to establish the Competitive Core Growth Fund; to establish the Science, Technology, Engineering, and Math (STEM) Upgrade Fund relative to the elimination of certain special treasury funds; to eliminate the Small Business Surety Bonding Fund and the Louisiana Filmmakers Grant Fund; to authorize the transfer of balances between funds; to provide for deposit of monies in the state general fund; to create a trust account in the Health Trust Fund for services provided by home and community based healthcare providers utilized by the developmentally disabled and provide for deposits to the Medicaid Trust Fund for the Elderly from the Shreveport; to exempt such leases or transactions from general requirements regarding leases of public property, including requirements for advertising and bidding; and to provide for related matters.

Be it enacted by the Legislature of Louisiana:

Section 1. R.S. 3:284(D)(3)(a) and (F) are hereby amended and reenacted to read as follows:

§284. Louisiana Buy Local Purchase Incentive Program

D. Fund

* * *

(3)(a) Subject to appropriation by the legislature, monies in the fund shall be used solely to grant incentive payments under the Louisiana Buy Local Purchase Incentive Program established in this Section. to provide grants to eligible restaurant establishments for purchases of Louisiana agricultural products all as defined in Subsection C of this Section and for all ordinary and necessary operating and administrative costs and expenses associated with implementation of this Section, provided that the ordinary and necessary operating and administrative costs and expenses do not exceed five percent of monies appropriated from the fund. The Louisiana Agricultural Finance Authority shall have the authority to determine the grant recipients and the amount of the grant awards as well as other eligible expenses to be paid with monies appropriated each fiscal year.

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THE ADVOCATE

* As it appears in the enrolled bill
P. Termination of program and fund
The program and fund created pursuant to this Section shall terminate on December 31, 2014. Therefore, no rebate payments authorized according to the provisions of this Section shall be granted after December 31, 2014. Any unexpended and unencumbered monies in the fund at the end of the program and fund created pursuant to this Section as the ‘fund’, which shall consist of all money deposited into the fund in accordance with Article VII, Section 10.3 of the Constitution of Louisiana. Money shall be deposited in the fund as follows:

(3) Twenty-five percent of any monies designated in the official forecast as nonrecurring as provided in Article VII, Section 10(1)(D) of the Constitution of Louisiana, shall be deposited into the fund.

Section 4. R.S. 47:302.2(C)(1)(b), 322.6(B), and 1676(E) are hereby amended and reenacted to read as follows:

§302.2. Disposition of certain collections in the city of Shreveport

C. Subject to an annual appropriation by the legislature, monies in the fund shall be used as follows:

(1) For allocation from all monies in the fund in the following amounts:

- Three and one-half percent for Louisiana Arts and Cultural Development.
- One million dollars for STEM upgrades at Grambling State University.
- One million dollars for STEM upgrades at Southern University and A&M College.
- One million dollars for STEM upgrades at Southeastern Louisiana University.
- One million dollars for STEM upgrades at University of Louisiana Monroe, as amended, after deposit into the state general fund, the first five million dollars shall be applied to the purposes provided in R.S. 47:302.2(C) and (D). However, forty-four million dollars of the monies deposited in the fund shall be allocated annually to the Louisiana Sports and Tourism Fund, and fifteen thousand dollars of the monies deposited in the fund shall be allocated annually to the Shreveport Riverfront and Convention Center and Independence Stadium Fund.
- Three and one-half percent for the Louisiana-Mississippi Border Economic Development Fund.

§322.6. Disposition of certain collections in the city of Shreveport

E.(1) The office shall charge the debtor a fee not to exceed twenty-five percent of the total liability of debt which has become final after the initial effective date of this Section. The amount of the fee shall be established by rule promulgated by the department and shall be uniformly applied to all debts. Fees collected under this Subparagraph shall be retained by the office after the debt is collected and shall be divided in accordance with the provisions of this Subsection.

(2) The Debt Recovery Fund, hereinafter referred to as the “fund”, is hereby created in the state treasury. Monies, other than the fees charged to a debtor under Paragraph (1) of this Subparagraph, which are not deposited into the Debt Recovery Fund shall be credited to the state general fund. The monies in the fund shall be deposited into the Debt Recovery Fund from the amounts into the Overcollections Fund from the funds specified below:

(1) Seven Hundred Seventy-Seven Thousand Three Hundred Twelve Dollars from the Community Water Enrichment Fund.
(2) Ninety Thousand Three Hundred Seventy-Five Dollars from the Department of Justice Debt Collection Fund.
(3) One Hundred Ninety-One Thousand Five Hundred Fifty-Eight Dollars from the Department of Justice Legal Support Fund.
(4) Two Hundred Thirty-Eight Dollars from the Department of Health and Hospitals’ Facility Support Fund.
(5) One Hundred Seven Thousand Seventy-Three Dollars from the DNA Testing Post-Conviction Relief Indigents Fund.
(6) Three Million Eight Hundred Fifty Thousand One Hundred Eighty-Nine Dollars from the Employment Security Administration Account.
(7) Thirty-Five Thousand Three Hundred Seventy-Five Dollars from the Pensions and Retirement of State Employees Fund.
(8) Six Hundred Seventy-Nine Dollars from the Fish and Wildlife Violations Reward Fund.
(9) Two Million Six Hundred Eighty-One Thousand Seven Hundred Twenty-Nine Dollars from the Hazardous Waste Site Cleanup Fund.
(10) Two Million Six-Hundred Seventy Nine Hundred Dollars from the Health Care Facility Fund.
(11) Seventeen Thousand Three Hundred Twenty-Nine Dollars from the Louisiana Interoperability Communications Fund.
(12) Four Hundred Ninety-Six Dollars from the Louisiana Help Our Wildlife Fund.
(13) Twenty-Four Thousand Sixty-Four Dollars from the Marketing Fund.
(14) One Hundred Eighty-Seven Dollars from the Medical and Allied Health Professional Education Scholarship and Loan Fund.
(15) Four Hundred Nine Thousand One Hundred Forty-Four Dollars from the Small Business Surety Bonding Fund.
(16) One Million Five Hundred Forty-Four Thousand Forty-Six Dollars from the Two Percent Fire Insurance Fund.
(17) One Hundred Eleven Dollars from the UNO Slidell Technology Park Fund.
(18) Nineteen Thousand Eight Hundred Ninety-Two Dollars from the Variable Earnings Transaction Fund.
(19) Twenty-Four Thousand Sixty-Four Dollars from the Payments Towards the UAL Fund.
(20) Eighteen Million Six Hundred Thousand Dollars from the Riverboat Gaming Enforcement Fund.

Notwithstanding any provision of law to the contrary, the Louisiana Housing Finance Agency or its successor is hereby authorized and directed to deposit into the state treasury the unrestricted or unencumbered fund assets of Twenty-Five Million Dollars. The state treasurer is hereby authorized and directed to transfer the funds to the Overcollections Fund as provided in Section 6.

Notwithstanding any provision of law to the contrary, the state treasurer is hereby authorized and directed to transfer no less than Thirty-Four Million Dollars from the Self-Insurance Fund to the Overcollections Fund.

Notwithstanding any provision of law to the contrary, the Louisiana Housing Finance Agency is hereby authorized and directed to deposit into the state treasury the unrestricted or unencumbered balance of Twenty-Five Million Dollars. The state treasurer is hereby authorized and directed to transfer the funds to the Overcollections Fund as provided in Section 6.

Notwithstanding any provision of law to the contrary, the state treasurer is hereby authorized and directed to transfer to the state general fund all receipts of lease payments for the lease of state hospital buildings and equipment as recognized by the Revenue Estimating Conference.

Notwithstanding any provision of law to the contrary, the Louisiana Housing Finance Agency is hereby authorized and directed to deposit into the state treasury the unrestricted or unencumbered balance of Three Million Seven Hundred Thousand Dollars. The state treasurer is hereby authorized and directed to transfer the funds to the Overcollections Fund as provided in Section 6.

Notwithstanding any provision of law to the contrary, the state treasurer is hereby authorized and directed to transfer to the state general fund all LA1 toll receipts received in reimbursement of the LA1 loan payment as recognized by the Revenue Estimating Conference.

Notwithstanding any provision of law to the contrary, the state treasurer is hereby authorized and directed to transfer to the Overcollections Fund the amount of nonrecurring revenues from increased net state tax receipts realized from the implementation of additional fraud initiatives.

Notwithstanding any provision of law to the contrary, the state treasurer is hereby authorized and directed to transfer to the Overcollections Fund the amount of nonrecurring state funds identified by the Department of Revenue as collected from debt recovery efforts of the office of debt recovery established in Act No. 399 of the 2013 Regular Session of the Legislature.

Notwithstanding any provision of law to the contrary, the state treasurer is hereby authorized and directed to transfer any balances remaining in the Small Business Surety Bonding Fund repealed and abolished in this Act to the Overcollections Fund.

The state treasurer is authorized and directed to transfer any balances remaining in the Louisiana Retirement System Fund repealed and abolished in this Act to the Louisiana Economic Development Fund.

Notwithstanding any provision of law to the contrary, the state treasurer is hereby authorized and directed to transfer to the Overcollections Fund the amount of nonrecurring revenues for the supplemental payment of debt defeasance, not to exceed Thirty-Seven Million Two Hundred Forty-Four Dollars ($37,002,124).

Notwithstanding any provision of law to the contrary, the state treasurer shall transfer the amount appropriated out of the Overcollections Fund out of nonrecurring revenues for the supplemental payment of the unfunded accrued liability of the Louisiana State Employees’ Retirement System and the Teachers’ Retirement System of Louisiana, not to exceed Six Million Dollars ($6,000,000).

Notwithstanding any provision of law to the contrary, the state treasurer shall transfer the next Twenty-Five Million Dollars ($25,000,000) to the Budget Stabilization Fund.

The state treasurer shall transfer the next Eleven Million Dollars ($11,000,000) to the Workforce and Innovation for a Stronger Economy Fund.

Notwithstanding any provision of law to the contrary, the state treasurer shall transfer the next Million Dollars to the Overcollections Fund.

The state treasurer is hereby authorized and directed to transfer the funds to the Overcollections Fund as provided in Section 6.

Notwithstanding any provision of the law to the contrary, the state treasurer is hereby authorized and directed to transfer the next Twenty-Four Thousand Dollars to the Retirement System and the Teachers’ Retirement System of Louisiana.

Notwithstanding any provision of law to the contrary, the state treasurer is hereby authorized and directed to transfer to the Overcollections Fund any balances remaining in the Small Business Surety Bonding Fund.

Notwithstanding any provision of law to the contrary, the state treasurer is hereby authorized and directed to transfer to the Overcollections Fund the amount of nonrecurring revenues for the supplemental payment of debt defeasance, not to exceed Thirty-Seven Million Two Hundred Forty-Four Dollars ($37,002,124).

Notwithstanding any provision of law to the contrary, the state treasurer shall transfer the amount appropriated out of the Overcollections Fund out of nonrecurring revenues for the supplemental payment of the unfunded accrued liability of the Louisiana State Employees’ Retirement System and the Teachers’ Retirement System of Louisiana, not to exceed Six Million Dollars ($6,000,000).

Third, the treasurer shall transfer the next Twenty-Five Million Dollars ($25,000,000) to the Budget Stabilization Fund.

Fourth, the treasurer shall transfer the next Twelve Million Four Hundred Thirty-Four Dollars ($12,430,000) to the Budget Stabilization Fund.

Notwithstanding any provision of law to the contrary, the state treasurer shall not include unexpended and unencumbered monies in the Rapid Response Fund at the end of the 2013-2014 Fiscal Year in the determination of the unencumbered balance of the fund for purposes of determining the amount to be deposited into the fund at the beginning of the next fiscal year.

Notwithstanding any provision of law to the contrary, the state treasurer is hereby authorized and directed to transfer the funds to the Overcollections Fund as provided in Section 6.

The state treasurer is hereby authorized and directed to transfer any balances remaining in the Small Business Surety Bonding Fund to the Louisiana Economic Development Fund.

Notwithstanding any provision of law to the contrary, the state treasurer is hereby authorized and directed to transfer to the Overcollections Fund the amount of nonrecurring revenues for the supplemental payment of the unfunded accrued liability of the Louisiana State Employees’ Retirement System and the Teachers’ Retirement System of Louisiana, not to exceed Six Million Dollars ($6,000,000).

The state treasurer shall transfer the amount appropriated out of the Overcollections Fund out of nonrecurring revenues for the supplemental payment of the unfunded accrued liability of the Louisiana State Employees’ Retirement System and the Teachers’ Retirement System of Louisiana, not to exceed Six Million Dollars ($6,000,000).

The state treasurer shall transfer the next Twenty-Five Million Dollars ($25,000,000) to the Budget Stabilization Fund.

The state treasurer shall transfer the next Eleven Million Dollars ($11,000,000) to the Workforce and Innovation for a Stronger Economy Fund.

Notwithstanding any provision of law to the contrary, the state treasurer shall transfer the next Million Dollars to the Overcollections Fund.

The state treasurer is hereby authorized and directed to transfer the funds to the Overcollections Fund as provided in Section 6.

Notwithstanding any provision of the law to the contrary, the state treasurer is hereby authorized and directed to transfer the next Twenty-Four Thousand Dollars to the Retirement System and the Teachers’ Retirement System of Louisiana.

Notwithstanding any provision of law to the contrary, the state treasurer is hereby authorized and directed to transfer to the Overcollections Fund any balances remaining in the Small Business Surety Bonding Fund.

Notwithstanding any provision of law to the contrary, the state treasurer is hereby authorized and directed to transfer to the Overcollections Fund the amount of nonrecurring revenues for the supplemental payment of debt defeasance, not to exceed Thirty-Seven Million Two Hundred Forty-Four Dollars ($37,002,124).

Notwithstanding any provision of law to the contrary, the state treasurer shall transfer the amount appropriated out of the Overcollections Fund out of nonrecurring revenues for the supplemental payment of the unfunded accrued liability of the Louisiana State Employees’ Retirement System and the Teachers’ Retirement System of Louisiana, not to exceed Six Million Dollars ($6,000,000).

Third, the treasurer shall transfer the next Twenty-Five Million Dollars ($25,000,000) to the Budget Stabilization Fund.

Fourth, the treasurer shall transfer the next Twelve Million Four Hundred Thirty-Four Dollars ($12,430,000) to the Budget Stabilization Fund.

Notwithstanding any provision of law to the contrary, the state treasurer shall not include unexpended and unencumbered monies in the Rapid Response Fund at the end of the 2013-2014 Fiscal Year in the determination of the unencumbered balance of the fund for purposes of determining the amount to be deposited into the fund at the beginning of the next fiscal year.

Notwithstanding any provision of law to the contrary, the state treasurer is hereby authorized and directed to transfer the funds to the Overcollections Fund as provided in Section 6.

The state treasurer is hereby authorized and directed to transfer any balances remaining in the Small Business Surety Bonding Fund to the Louisiana Economic Development Fund.

Notwithstanding any provision of law to the contrary, the state treasurer is hereby authorized and directed to transfer to the Overcollections Fund the amount of nonrecurring revenues for the supplemental payment of the unfunded accrued liability of the Louisiana State Employees’ Retirement System and the Teachers’ Retirement System of Louisiana, not to exceed Six Million Dollars ($6,000,000).

The state treasurer shall transfer the amount appropriated out of the Overcollections Fund out of nonrecurring revenues for the supplemental payment of the unfunded accrued liability of the Louisiana State Employees’ Retirement System and the Teachers’ Retirement System of Louisiana, not to exceed Six Million Dollars ($6,000,000).

Third, the treasurer shall transfer the next Twenty-Five Million Dollars ($25,000,000) to the Budget Stabilization Fund.

Fourth, the treasurer shall transfer the next Eleven Million Dollars ($11,000,000) to the Workforce and Innovation for a Stronger Economy Fund.
(a) All money that is received from any source, including but not limited to an intergovernmental transfer program provided for in this Chapter and all income and investment of money in the fund.

(b) As provided in R.S. 39:91, a portion of the proceeds of the settlement, judgment, or final disposition of the state’s economic damages claims asserted in State of Louisiana v. BP Exploration & Production, et al., MDL No. 2179 (E.D. LA. pending) to recover economic damages sustained by the state from the Deepwater Horizon explosion and oil spill that occurred on or about April 20, 2010, at the MC 252 site in the Gulf of Mexico, not to exceed seven hundred million dollars, except when the terms and conditions stipulated in the settlement or judgment require otherwise. Deposits into the fund from such proceeds received by the state associated with the Deepwater Horizon oil spill shall cease when either of the following occurs:

1. An amount not to exceed seven hundred million dollars has been deposited into the fund.

2. The full amount of the monies available as provided for in this Section have been deposited into the fund.

(c) Monies in the fund shall be invested by the treasurer in the manner hereinafter provided. All unencumbered and unexpended monies in the fund at the end of the fiscal year shall remain in the fund.

(d) Monies in the fund may be used as the source of a state matching funds for Medicaid funds to make enhanced payments to local government-owned health care facilities.

B.(1) After July 1, 2014, the principal in the fund from proceeds received by the state associated with the Deepwater Horizon oil spill or any other source shall not be subject to appropriation, appropriation unless authorized by a joint resolution approved by two-thirds of the elected members of each house of the legislature and except to provide for:

§731. Health Trust Fund

B.(1) After allocation of monies to the Bond Security and Redemption Fund as provided in Article VII, Section 9(B) of the Constitution of Louisiana, the treasurer in each fiscal year shall pay into the fund an amount equal to that which is appropriated by the legislature from the sources specified in Subsection C of this Section and all interest income on investment of monies in the fund. Monies in the fund shall be invested by the treasurer in the same manner as monies in the state general fund. All unencumbered and unexpended monies in the fund at the end of the fiscal year shall remain in the fund.

(2) Any money transferred or deposited to the Health Trust Fund from the receipt of economic damages proceeds of the Deepwater Horizon Economic Damages Collection Fund shall be further deposited by the treasurer into a trust account hereby established in the Health Trust Fund and named the Medicaid Disabilities Account. Notwithstanding any other provision of this Section, the money in the Medicaid Disabilities Account shall be used solely to be appropriated for services provided by home and community based healthcare providers utilized by the developmentally disabled.

E.(1) Monies in the fund shall not be used to displace, replace, or supplant appropriations from the state general fund for the Medicaid program, or the Children’s Health Insurance Program (LaCHIP), or amounts appropriated for services provided by home and community based healthcare providers utilized by the developmentally disabled below the amounts of state general fund appropriations for those programs for the 2001-2002 Fiscal Year.

Section 13. Sections 1, 2, 5, 6, 7, 13, and 14 of this Act shall become effective upon signature of the governor, or if not signed by the governor, upon the 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.

Section 14. Sections 3, 4, and 8 through 12 of this Act shall become effective on July 1, 2014.

Approved by the Governor, June 12, 2014.

A true copy:

Tom Schedler
Secretary of State

ACT No. 648

HOUSE BILL NO. 1278

(Subtitle for House Bill No. 79 by Representative Pearson)

BY REPRESENTATIVES PEARSON, HOFFMAN, HOLLIS, IVYE, MILLER, AND TALBOT

AN ACT

To amend and reenact R.S. 11:102(C)(1)(i) and (4)(b), 612(introduction paragraph), 613(A), 615(B), the heading of Subpart G of Part II of Chapter 3 of Subtitle IV of Title 11 of the Louisiana Revised Statutes of 1950, 3681, 3682(1), (2), (4)(a), (7), (16), (18) through (20), and (26), 3683(introduction paragraph), (1), and (3)(b), 3684(A), (D), and (F), 3685(A)(1)(a) and (2) (introduction paragraph) and (d), (B)(1), (3) through (6), and (6), (C)(1), (2), and (3), 3686(A)(1), (2), 3686.29(B)(introduction paragraph), (6) and (7), 3686(B)(1), (D)(3), and (E), 3686(D), 3688(1), 3689(A) through (B), 3690.2, 3692(A), and 3695(C)(introduction paragraph), to enact R.S. 11:102(C)(1)(i), 416(A)(3)(d), 612, 620.1, Subpart E of Part VII of Chapter 1 of Subtitle II of Title 11 of the Louisiana Revised Statutes of 1950, comprised of R.S. 11:631i, 6362(20.1), and 6362(20.1), and to repeal R.S. 11:6362(29), 3685(D), 3683(A) through (C), and (E), 3689(B) through (E), 3690(C) and (D), 3690.1, 3691, 3693, and 3698, relative to retirement for employees of the Harbor Police Department of the Port of New Orleans; to provide relative to the merger of the Harbor Police Retirement System with the Louisiana State Employees’ Retirement System; to provide for enrollment of new hires of the Harbor Police Department in the Hazardous Duty Services Plan in the Louisiana State Employees’ Retirement System; to provide relative to a cooperative endeavor agreement with respect to the merger of the systems; to provide relative to the assets of the Harbor Police Retirement System; to provide relative to benefits for members of the Harbor Police Retirement System; to provide relative to retirement benefits for new hires of the Harbor Police Department of the Port of New Orleans; to provide relative to the boards of trustees of the Louisiana State Employees’ Retirement System and the Harbor Police Retirement System; 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(introduction paragraph), 613(A), 615(B), 3682(16) and 3683(1) are hereby amended and reenacted and R.S. 11:612(2.1) is hereby enacted to read as follows:

§612. Application; definitions

Terms not specifically defined in this Section but defined in R.S. 11:403 shall have the meanings provided in R.S. 11:403 unless a different meaning is clearly required by the context. For purposes of this Subpart:

A. (1) A court with original criminal jurisdiction or juvenile jurisdiction may, on its own motion or on motion of the district attorney, a parish welfare unit or agency, the Department of Children and Family Services, or a child advocacy center operating in the judicial district that authorizes the videotaping of any protected person without the necessity of the issuance of an order by the court in any individual case:

(a) Motion of the court or motion of the district attorney, a parish welfare unit or agency, the Department of Children and Family Services, or a child advocacy center operating in the judicial district that authorizes the videotaping of any protected person without the necessity of the issuance of an order by the court in any individual case:

(b) Adoption of a local court rule that authorizes the videotaping of any protected person without the necessity of the issuance of an order by the court in any individual case:

(c) Execution of a written protocol between the court and law enforcement agencies, a parish welfare unit or agency, the Department of Children and Family Services, or a child advocacy center operating in the judicial district that authorizes the videotaping of any protected person without the necessity of the issuance of an order by the court in any individual case:

Section 2. Children’s Code Article 324(A) is hereby amended and reenacted to read as follows:

Art. 324. Authorization

A. Court exercise juvenile jurisdiction may, on its own motion or on motion of the district attorney, a parish welfare unit or agency, or the department, require that a statement of a protected person who may have been a witness to or victim of a crime be recorded on videotape by any of the following:

(a) Motion of the court or motion of the district attorney, a parish welfare unit or agency, the Department of Children and Family Services, or a child advocacy center operating in the judicial district that authorizes the videotaping of any protected person without the necessity of the issuance of an order by the court in any individual case:

(b) Adoption of a local court rule that authorizes the videotaping of any protected person without the necessity of the issuance of an order by the court in any individual case:

(c) Execution of a written protocol between the court and law enforcement agencies, a parish welfare unit or agency, the Department of Children and Family Services, or a child advocacy center operating in the judicial district that authorizes the videotaping of any protected person without the necessity of the issuance of an order by the court in any individual case:

* As it appears in the enrolled bill

** A true copy

Secretary of State
$613. Eligibility for plan membership

A. Each person who becomes an employee in state service in one of the positions defined in R.S. 11:612(2) or (2.1) shall become a member of the Hazardous Duty Services Plan of the system as a condition of employment.

B. If the member's last ten years of creditable service were not accrued exclusively in one of the hazardous duty positions defined in R.S. 11:612(2) or (2.1), he shall receive a retirement benefit equal to two and one-half percent of his average compensation for the actual number of years of creditable service earned in a hazardous duty position.

§682. Definitions

The following words and phrases, as used in this Subpart, unless expressly indicated to the contrary or unless a different meaning is plainly required by context, shall have the following meanings:

(16) “Employee” means any commissioned member or employee of the Harbor Police Department of the Port of New Orleans prior to July 1, 2004, or any commissioned member of the Harbor Police Department of the Port of New Orleans on or after July 1, 2004 and hired on or before June 30, 2014.

§683. Membership

The membership of the retirement system shall be composed as follows:

(1) All persons who shall become employees as defined in R.S. 11:3682(16) after August 1, 1971, and on or before June 30, 2014, except those specifically excluded under Paragraph (3) of this Section, shall become members as a condition of their employment, provided they are under fifty years of age at the date of employment.

Section 2. R.S. 11:102/3(V)(1) and (4)(b), the heading of Subpart G of Part II of Chapter 3 of Title 11 of the Louisiana Revised Statutes of 1950, 3681, 3682(1), (2), (4)(a), (7), (18) through (20), and (26), 3683(introductory paragraph) and (3)(b), 3684(A), (D), and (F), 3685(A)(1) and (a) and (2)(b) introduction) paragraph) and (d); 3686(D), (2) through (6), (3) through (6), (C)(1), (2), and (13), and (E), 3685(1) introductory paragraph), (6) and (7), 3686(D), (1), (D)(3), and (E), 3688(C), 3688.1, 3690(A) and (B), 3690.2, 3692(A), and 3695(C)(introductory paragraph) are hereby amended and reenacted and R.S. 11:102/C(x)(1)(a), 416(A)(3)(b), 620.1, Subpart E of Part VII of Chapter 1 of Subtitle II of Title 11 of the Louisiana Revised Statutes of 1950, comprised of R.S. 11:631, and 3682(201) are hereby enacted to read as follows:

§102. Employer contributions; determination; state systems

C.(1) This Subsection shall be applicable to the Louisiana State Employees’ Retirement System effective for the June 30, 2010, system valuation and beginning Fiscal Year 2011-2012. For purposes of this Subsection, “plan” or “plans” shall mean a subgroup within the system characterized by the following employee classifications:

(i) Harbor Police Retirement Plan members as provided pursuant to R.S. 11:631.

(ii) Any other specialty retirement plan provided for a subgroup of system members. If the legislation enacting such a plan is silent as to the application of this Subsection, the Public Retirement Systems’ Actuarial Committee shall provide for the application to such plan.

(iii) For each plan referenced in Paragraph (1) of this Subsection, the legislature shall set the required employer contribution rate equal to the sum of the following:

(a) The shared unfunded accrued liability rate. (i) Except as provided in Item (ii) of this Subparagraph, a single rate shall be computed for each fiscal year, applicable to all plans for actuarial changes, gains, and losses existing on June 30, 2010, or occurring thereafter, including experience and investment gains and losses, which are independent of the existence of the plans listed in Paragraph (1) of this Subsection, the payment and rate therefor shall be calculated as provided in Paragraphs (B)(1) and (3) of this Section.

(ii) The shared unfunded accrued liability rate applicable to the Harbor Police Retirement System shall not include any unfunded accrued liability incurred on or before July 1, 2015, until the earlier of:

(aa) July 1, 2022.

(bb) The date that all sums payable by the Port of New Orleans to the board of trustees of the Louisiana State Employees’ Retirement System pursuant to the terms and conditions of a cooperative endeavor agreement between the board of trustees of the Louisiana State Employees’ Retirement System, the board of commissioners of the Port of New Orleans, and the board of trustees of the Harbor Police Retirement System regarding the merger of the Harbor Police Retirement System into the Louisiana State Employees’ Retirement System have been paid in full.

§416. Employment of retirees

A. Regardless of age, if a retiree of the system is engaged or hereafter engages in employment which otherwise would render him eligible for membership in the system, he shall choose one of the following irrevocable options:

(3)(a) Notwithstanding the provisions of this Section or any other provision of law to the contrary, any retiree of the Harbor Police Retirement System who has been retired for at least one year as of July 1, 2014, and is employed in a position making him eligible for membership in this system on July 1, 2015, shall be exempt from any increase, suspension, or reduction of benefits received from this system until the earlier of subsequent retirement.

§6201. Transfer of other service credit; Harbor Police Retirement Plan employees

A. Any member of the Harbor Police Retirement Plan who would otherwise be eligible for benefits under this plan except that his first employment making him eligible for membership in the Harbor Police Retirement Plan occurred on or before June 30, 2014, and who has not participated in the Deferred Retirement Option Plan in the Harbor Police Retirement Plan shall have the right to irrevocably elect to become a member of this plan by submitting an application to the board of trustees to become effective on or after July 1, 2015.

B. Any eligible member who elects to transfer to the Hazardous Duty Services Plan from the Harbor Police Retirement Plan shall have the option of:

(1) Maintaining prior service credit in the Harbor Police Retirement Plan pursuant to the provisions of that plan and accruing service credit and benefits in the Hazardous Duty Services Plan after the date he joins the plan. If such election results in an actuarial cost to this system, the member shall pay the system the amount of such actuarial cost prior to his retirement.

(2) An internal actuarial transfer from the Harbor Police Retirement Plan to this plan in accordance with the provisions of R.S. 11:143(C) and (D) in which the member transfers all of his service credit from the Harbor Police Retirement Plan and maintains prior service credit at the accrual rate at which it was earned in such plan prior to joining the Hazardous Duty Services Plan. If the amount of funds transferred is less than the actuarial cost of the service transferred, the member transferring, except as otherwise provided in this Section, shall pay the deficit or difference, including the interest thereon at the board-approved actuarial valuation rate of the system.

(b) In lieu of paying the deficit or difference plus interest, the member may, at his option but only at the time of transfer, be granted an amount of credit in this plan which is based on the amount of funds actually transferred plus any additional funds less than the deficit paid by the member.

C. A member who completes a transfer under the provisions of this Paragraph shall have his retirement benefit calculated using the accrual rate of the plan from which he transferred based on the number of years transferred.

A. A member whose first employment making him eligible for membership in the Harbor Police Retirement Plan occurred on or before June 30, 2013, who elects to join this plan shall thereafter for purposes of all state retirement systems be treated as an employee whose membership is governed by the provisions of Act No. 902 of the 2010 Regular Session of the Legislature.

SUBPART E. HARBOR POLICE RETIREMENT PLAN

§631. Administration of the Harbor Police Retirement Plan

A. With the exception of payment of permanent benefit increases, membership and benefits for the Harbor Police Retirement Plan shall be in accordance with the provisions of Subpart G of Part II of Chapter 3 of Subtitle IV of Title 11 of the Louisiana Revised Statutes of 1950; however, if provisions of this Chapter cover matters not specifically addressed by the provisions of this Chapter, the Harbor Police Retirement Plan shall apply to that plan. The provisions of Subpart G of Part II of Chapter 3 of Subtitle IV of Title 11 of the Louisiana Revised Statutes of 1950 are hereby made a part of this system. Eligibility for and payment of permanent benefit increases for members of the plan shall be governed by the laws and rules of this system.

B. Notwithstanding any provision of law to the contrary, upon the merger of the Harbor Police Retirement System with this system, the assets of the Harbor Police Retirement System shall become part of the Louisiana State Employees’ Retirement System and shall be managed in accordance with the laws governing this system.

SUBPART G. HARBOR POLICE RETIREMENT SYSTEM (PORT OF NEW ORLEANS) IN THE LOUISIANA STATE EMPLOYEES’ RETIREMENT SYSTEM

§3681. Name and date of establishment
A retirement system plan is hereby established and placed under the management of the Board of Trustees for the purpose of providing retirement allowances and other benefits under the provisions of this Subpart for Commissioned Members of the Harbor Police Department of the Port of New Orleans hired on or before June 30, 2014. The retirement system so created shall be established as of the first day of August nineteen hundred and seven. Any employee who shall have completed at least two years of service in any other retirement system, and who later is reemployed and becomes a member of the system, shall be entitled to receive a retirement allowance equal to three and one-third percent of his average final compensation multiplied by the number of years of service with the system plus one percent of his average final compensation for each year of service with other retirement systems, not to exceed four years, provided he is not granted credit for such service in any other retirement system, and provided he becomes a member of this system on the date of its establishment August 1, 1971.

F. Any member who has terminated membership in the system plan for any reason and has withdrawn his contributions and who later is reemployed and becomes a member of the system, shall have eighteen months of additional service and membership, be eligible to obtain credit for his prior service in the system, and be entitled to receive a retirement allowance equal to three and one-third percent of his average final compensation multiplied by the number of years of service with the system plus one percent of his average final compensation for each year of service with other retirement systems, not to exceed four years, provided he is not granted credit for such service in any other retirement system, and provided he becomes a member of this system on the date of its establishment August 1, 1971.

§3682. Definitions

The following words and phrases, as used in this Subpart, unless expressly indicated to the contrary or unless a different meaning is plainly required by context, shall have the following meanings:

(1) “Accrued benefit” means the sum of the amounts deducted from the compensation of a member and credited to his individual account in the Retirement System Account Employee Savings Account established in R.S. 11:532, together with regular interest thereon as provided in R.S. 11:3688.

(2) “Accrued benefit” means an amount of interest in the annuity savings fund established pursuant to the Louisiana State Employees’ Retirement System Actuarial equivalent means a benefit of equivalent value to the accumulated contributions, service, or benefits, as the case may be, computed upon the basis of such interest and mortality assumptions as are adopted in accordance with the provisions of R.S. 11:3688(b) by the board or provided in law.

(3) “Average compensation” for the limited purpose of applying Section 415(b) of the Internal Revenue Code, means the average compensation earned by a member for the period of three consecutive years during which the member was an active member of the retirement system plan and had the greatest aggregate compensation from the employer.

(4) “Board of trustees” or “board” means the board provided for in R.S. 11:3683 to administer the retirement system.

(5) “Board of trustees” or “board” means the board provided for in R.S. 11:3683 to administer the retirement system.

(6) “Board of trustees” or “board” means the board provided for in R.S. 11:3683 to administer the retirement system.

(7) “Board of trustees” or “board” means the board provided for in R.S. 11:3683 to administer the retirement system.

(8) “Board of trustees” or “board” means the board provided for in R.S. 11:3683 to administer the retirement system.

(9) “Board of trustees” or “board” means the board provided for in R.S. 11:3683 to administer the retirement system.

(10) “Board of trustees” or “board” means the board provided for in R.S. 11:3683 to administer the retirement system.

(11) “Board of trustees” or “board” means the board provided for in R.S. 11:3683 to administer the retirement system.

(12) “Board of trustees” or “board” means the board provided for in R.S. 11:3683 to administer the retirement system.

B. The provisions of this Subsection shall apply to those persons enrolled in the deferred retirement option plan prior to July 1, 1995.

(1) In lieu of terminating employment and accepting a service retirement under this Subpart, any member of this system plan who has less than twenty years of creditable service and who is eligible to receive a service retirement allowance, may elect to participate in the deferred retirement option plan as provided for below and defer the receipt of benefits in accordance with the provisions of this Section.

(2) Any member who has completed at least twenty years of creditable service and who is eligible to receive a service retirement allowance, may elect to participate in the deferred retirement option plan as provided for below and defer the receipt of benefits in accordance with the provisions of this Section.

(3) The duration of participation in the deferred retirement option plan shall be specified and shall not exceed five years.

(4) A member who has completed at least twenty years of creditable service and who is eligible to receive a service retirement allowance, may elect to participate in the deferred retirement option plan as provided for below and defer the receipt of benefits in accordance with the provisions of this Section.

(5) Upon the effective date of commencement of participation in the deferred retirement option plan, active membership in the system shall terminate. Employer contributions shall continue to be payable by the employer during the member’s participation in the such plan, but payment of employee contributions shall cease upon the effective date of the member’s commencement of participation in the such plan. For purposes of this Section, compensation and creditable service shall remain as they existed on the effective date of commencement of participation in the deferred retirement option plan. The monthly retirement benefits that would have been payable to the member during active membership shall not exceed two percent less than the realized rate of investment return earned by the fund for that year. Prior to July 1, 2015, a person who participates in this program shall have received his DROP account the same annual cost of living increase that he would have received had the member been a retiree in the system as provided in Subsection C of this Section.

(6) Upon termination of employment at the end of the specified period of participation, a participant in the program shall receive, at his option, a lump sum payment from the account equal to the payment to the account; or he may elect any other method of payment approved by the board of trustees; funds will be transferred from the DROP account into the
The Deferred Retirement Option Plan Account shall not earn interest during the period of participation. However, the board of trustees shall annually set a percentage rate, and its manner of compounding, to represent the rate of interest that would be earned, if the representative interest rate, as compounded, had been applicable to such account, shall be added to this account. Thereafter, the account, if maintained as otherwise authorized by this Subsection, shall earn interest at a rate compounded, as set annually by the board of trustees. Such actual rate of interest and manner of compounding shall be equal to the representative rate and compounding in effect for the same period of time. If the member does not abide by the terms of the contract and cease employment at the end of the period of participation as contractually agreed, payments into the Deferred Retirement Option Plan Account shall immediately cease and the member's individual account balance in the Deferred Retirement Option Plan Account equal to its balance, without the addition of any sum representing interest, and such member's account shall be terminated. Such member shall not be entitled to any part of the sum so credited to his account in the system, in an inactive status. Only upon actual cessation of employment shall the member be considered as a retiree and entitled to the receipt of retirement benefits. This account shall not be subject to any fees or charges of any kind for any purpose, except as otherwise provided herein.

E. The benefits provided in this Section shall not be retroactive to any period. Further adjustments in benefits may be made each January 1st first after at least a full year has elapsed after benefits began, subject to the limitations contained herein.

§3685.2. Computation of retirement benefits

B. The annual retirement benefit of any member of the retirement system plan who is not a qualified participant, as defined by Paragraph (2) of Subsection A(A)(2) of this Section, and which is not attributable to the member's after-tax employee contribution, cannot exceed the lesser of ninety thousand dollars or one hundred percent of such member's average compensation. The purpose of determining whether a member's benefit exceeds those limitations, the following shall apply:

(6) Adjustment for less than ten years of participation or service

(a) If retirement system benefits are payable under this retirement system plan to a member who has less than ten years of participation in the retirement system plan, the dollar limitation referred to in the Introductory Paragraph of this Subsection and the dollar limitation referred to in Paragraph (9) of this Subsection shall be multiplied by a fraction, the numerator of which is the number of years of service with the employer, not greater than ten, and the denominator of which is ten.

(b) If retirement benefits are payable under this retirement system plan to a member who has less than ten years of service with the employer, the percentage limitation referred to in the Introductory Paragraph of this Subsection and the dollar limitation referred to in Paragraph (9) of this Subsection shall be multiplied by a fraction, the numerator of which is the number of member's years of service with the employer, not greater than ten, and the denominator of which is ten.

C. The provisions of this Subsection shall apply to those persons enrolled in the Deferred Retirement Option Plan on or after July 1, 1995. As it appears in the enrolled bill
actuarial assumptions used for other purposes in this Subpart. Any change in such actuarial assumptions shall be considered a part of this retirement system plan and shall be considered amendments to the provisions of this Subpart. In order to be effective, such change must be formally adopted by the Board of Trustees and disclosed to members of the retirement system plan.

§3688.1. Amendments

A. An action of the board of trustees with respect to cost-of-living adjustments as provided in R.S. 11:3688(D), employee contributions as provided in R.S. 11:1154, and actuarial assumptions as provided in R.S. 11:3688(D), shall be considered amendments to the provisions of this Subpart.

B. No amendment to this retirement system or plan shall operate to deprive any member of a benefit to which he is already entitled. In the case of any merger or consolidation with, or transfer of assets or liabilities to, any other retirement system, each of the members employed in the retirement system shall, if the retirement system is then terminated, receive a benefit not less than or greater than the benefit he would have been entitled to receive immediately before the merger, consolidation, or transfer. If the retirement system had then terminated.

C. Upon the termination or partial termination of the retirement system or upon the discontinuance of contributions by the employer without formal termination of the retirement system, the board of trustees shall reevaluate and redetermine the benefit of each member in accordance with law, and the entire benefit of each member may be paid or commence to be paid to the member, the member’s beneficiary, heirs, or estate.

§3689. Method of financing

A. Employee contributions. (1) The port commission shall make deductions from the salary or wages paid to any member by the Port of New Orleans in an amount equal to nine percent of the compensation paid him in each and every payroll.

(2) The deductions provided for herein shall be made notwithstanding the minimum compensation provided for by law for any member shall be less than the full compensation, and every member shall be deemed to consent and agree to the deductions made and provided for herein and shall receive for his full salary or compensation, and payment of salary or compensation less said deductions shall be a full and complete discharge and acquittance of all claims and demands whatsoever for the services rendered by such person in all periods covered by such payroll, except as to those provided for herein. The employer shall certify to the board of trustees on each and every payroll or in such other manner as the board may prescribe, the amounts to be deducted; and each of said amounts shall be credited to the individual account of the member from whose compensation the deduction was made.

B. Employer contributions. (1) The port commission shall annually contribute an amount equal to the rate per centum determined herein in accordance with Paragraphs (2) and (3) of this Subsection calculated pursuant to R.S. 11:1102. Contributions shall be made monthly based on the same salary or wages used to calculate the members’ contributions.

(2) The normal contributions to the fund shall be the rate per centum determined herein. The normal contribution to the fund shall be the rate per centum determined herein. The normal rate of contributions shall be determined by the actuary after each valuation.

(3) The maximum contribution by the employer, Board of Commissioners of the Port of New Orleans, shall not exceed twenty percent of the earned salary of all members obtained by deducting from the total liabilities of the fund the amount of the funds in hand to the credit of the fund and dividing the remainder by one percent of the present value of the prospective future salaries of all members as computed on the June 30, 2014, service tables adopted by the board of trustees and interest as set forth in R.S. 11:3688(D)(3)(a)(i). The normal rate of contributions shall be determined by the actuary after each valuation.

(4) The maximum contribution by the employer, Board of Commissioners of the Port of New Orleans, shall not exceed twenty percent of the earned compensation of the members in any one year. There shall be no contribution by employer other than the percentage of earned compensation of the members as provided in this Subpart, and subject to the maximum stated above, even in the event that the payment made by employer is not sufficient, when combined with the amount in the fund, to provide the retirement allowances and other benefits payable out of the fund.

§3690. Unclaimed funds, checks, and property; retention by system

Any unclaimed employee contributions, other funds, checks, or any other property held by this system that could be claimed by a member or prior member, the member’s beneficiary, heirs, or estate shall never be presumed abandoned and shall be held continuously by the system for the benefit of such member, prior member, the member’s beneficiary, heirs, or estate.

A. Any person who knowingly makes any false statement or shall falsify or permit to be falsified any record or records of the retirement system, or any employee, or any person employed to perform any act related to the retirement system, or any actuary, employee, or any person employed to perform any act related to the retirement system, or any actuary, shall be guilty of a misdemeanor, and on conviction thereof by any court of competent jurisdiction shall be punished by a fine not exceeding five hundred dollars or imprisonment in the parish jail not exceeding twelve months, or both such fine and imprisonment at the discretion of the court.

§3695. Direct rollover

C. For the purposes of this Section, an “eligible retirement plan” shall mean any of the following:

Section 3. R.S. 11:3682(29), 3655(D), 3688(A) through (C) and (E), 3689(D) through (E), 3690(C) and (D), 3691, 3693, and 3698 are hereby repealed in their entirety.

Section 4. (A) The board of trustees of the Louisiana State Employees’ Retirement System, the board of commissioners of the Port of New Orleans, and the board of trustees of the Harbor Police Retirement System shall execute a cooperative endeavor agreement for the merger of the Harbor Police Retirement System into the Louisiana State Employees’ Retirement System.

(B) Any cooperative endeavor agreement executed pursuant to this Section shall include provisions regarding the following:

(1) Rights of current participants in the Harbor Police Retirement System:

(a) Current participants in the Harbor Police Retirement System, including retirees and active members, shall retain all accrued benefits and shall continue to accrue benefits under the terms of the Harbor Police Retirement System plan, as specified in R.S. 11:3681 through 3698, except with respect to cost-of-living adjustments which shall be governed by the laws and rules of the Louisiana State Employees’ Retirement System.

(b) Active members the Harbor Police Retirement System who have not participated in the Deferred Retirement Option Plan may join the Louisiana State Employees’ Retirement System Hazardous Duty Services Plan and exercise the option to transfer prior service credit using the procedures set out in R.S. 11:520.1.

(2) Liabilities of the Harbor Police Retirement System:

(a) The Port of New Orleans shall agree to pay to the board of trustees of the Louisiana State Employees’ Retirement System sums sufficient to fund all of the accrued liability of the Harbor Police Retirement System determined using the Louisiana State Employees’ Retirement System actuarial assumptions.

(b) The liabilities shall be paid under such terms and conditions as agreed to by the parties and shall include interest at the Louisiana State Employees’ Retirement System actuarially assumed rate of return as approved by the Public Retirement Systems’ Actuarial Committee.

(C) Any cooperative endeavor agreement executed pursuant to this Section shall be provided to the chairman and members of the Public Retirement Systems’ Actuarial Committee by October 1, 2014.

(D) The cost of this Act, if any, shall be funded with additional employer contributions in compliance with Article X, Section 29(F) of the Constitution of Louisiana.

Section 6. (A) The provisions of this Section and Sections 1, 4, and 5 of this Act shall become effective on June 30, 2014.

(B) The provisions of Sections 2 and 3 of this Act shall become effective July 1, 2015, only if the Public Retirement Systems’ Actuarial Committee approves the terms of the cooperative endeavor agreement provided for in Section 4 of this Act on or before December 31, 2014.

Approved by the Governor, June 12, 2014.

A true copy:

Tom Schedler
Secretary of State

ACT No. 649

HOUSE BILL NO. 126
BY REPRESENTATIVE HENRY BURNS

AN ACT

To amend and reenact R.S. 32:863.1(B), relative to evidence of compulsory motor vehicle liability security contained in a motor vehicle; to provide for document requests; to provide for compliance checks by law enforcement officers; and to provide for related matters.

Be it enacted by the Legislature of Louisiana:

Section 1. R.S. 32:863.1(B) is hereby amended and reenacted to read as follows:

§663.1. Evidence of compulsory motor vehicle liability security contained in vehicle; enforcement; penalty; fees

B. (1) When a law enforcement officer stops a vehicle at an administrative violations checkpoint, or in connection with an alleged violation of the law, or for any other reason, or when a law enforcement officer investigates an accident, the law enforcement officer shall determine if the owner or lessee of each vehicle is in compliance with the provisions of this Section which require evidence of liability insurance or other security to be contained in the vehicle.

(2) When a law enforcement officer makes a compliance determination as required by Paragraph (1) of this Subsection, the officer shall also determine if the owner or lessee of each vehicle is in compliance with the requirements of R.S. 32:861 by electronically verifying, as applicable by means within his capacity, that the documents evidencing compliance are current.
(3) If the owner or lessee is not in compliance with these provisions of this Part, the law enforcement officer shall take the actions specified in this Section.

Section 2. This Act shall become effective if, as, and when that Act which originated as House Bill No. 872 of the 2014 Regular Session of the Legislature is enacted and becomes effective.

Approved by the Governor, June 18, 2014.

A true copy:
Tom Schedler
Secretary of State

ACT No. 650

HOUSE BILL NO. 150
BY REPRESENTATIVE GISCLAIR
AN ACT

To amend and reenact R.S. 32:58 and to enact R.S. 32:414(W), relative to careless operation of a motor vehicle; to provide relative to the prohibition on careless operation of a motor vehicle when the operator fails to maintain control of the vehicle by falling asleep; to provide for penalties relative to violations of such prohibitions; to provide for the suspension of driving privileges; and to provide for related matters.

Be it enacted by the Legislature of Louisiana:

Section 1. R.S. 32:58 is hereby amended and reenacted and R.S. 32:414(W) is hereby enacted to read as follows:

§58. Careless operation

A. Any person operating a motor vehicle on the public roads of this state shall drive in a careful and prudent manner, so as not to endanger the life, limb, or property of any person. Failure to drive in such a manner shall constitute careless operation.

B. If the careless operation of the motor vehicle directly or proximately causes the death of a human being, when the operator fails to maintain control of the vehicle because of falling asleep, in addition to any penalties provided in this Title, the person shall also be ordered to serve court-approved community service for not more than two hundred fifty hours and the department may suspend the operator’s license for a period of two years.

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

W. The department may suspend the license of any person for a period of two years upon receiving satisfactory evidence of a conviction, plea of guilty, or plea of nolo contendere for a violation of R.S. 32:58 when the operator fails to maintain control of the vehicle because of falling asleep and when such operation directly or proximately causes the death of a human being.

Approved by the Governor, June 18, 2014.

A true copy:
Tom Schedler
Secretary of State

ACT No. 651

HOUSE BILL NO. 422
BY REPRESENTATIVE SHADION
AN ACT

To amend and reenact R.S. 9:202(1), relative to authority to perform a marriage ceremony; to require a licensed official to have attained the age of majority before being authorized to perform a marriage ceremony; and to provide for related matters.

Be it enacted by the Legislature of Louisiana:

Section 1. R.S. 9:202(1) is hereby amended and reenacted to read as follows:

§202. Authority to perform marriage ceremony

A marriage ceremony may be performed by:

1. A priest, minister, rabbi, clerk of the Religious Society of Friends, or any clergyman of any religious sect, who has attained the age of majority and is authorized by the religion to which he belongs to perform marriages, and who is registered to perform marriages;

Approved by the Governor, June 18, 2014.

A true copy:
Tom Schedler
Secretary of State

ACT No. 652

HOUSE BILL NO. 562
BY REPRESENTATIVE LOPINTO
AN ACT

To enact R.S. 15:824(B)(1)(e), relative to housing of inmates; to provide relative to the housing of persons committed to the custody of the Department of Public Safety and Corrections who are released on parole and are subsequently arrested; to require the department to reimburse sheriffs for the housing of these inmates in parish jails; to provide for effectiveness; and to provide for related matters.

Be it enacted by the Legislature of Louisiana:

Section 1. R.S. 15:824(B)(1)(e) is hereby enacted to read as follows:

§824. Commitment of persons to the Department of Public Safety and Corrections

B.1.

(o)(i) For Fiscal Year 2014-2015, subject to the appropriation of funds for this purpose by the legislature, for any person committed to the department who is released on parole and who is subsequently arrested and housed in a parish jail while awaiting a parole revocation hearing, after fourteen days of being housed in the parish jail, the department shall reimburse the sheriff, or the governing authority of those parishes in which the governing authority operates the parish jail, at the rate of fifty percent of an amount equal to the rate provided for in the provisions of Subparagraph (a) of this Paragraph less the sum of any monies received from the parish governing authority for the purpose of housing such persons pursuant to the provisions of R.S. 13:5951(1), for each day that the person is housed in the parish jail from fourteen days after the time of arrest until the person either pleads guilty to the subsequent charge or until the committee on parole makes its determination regarding parole revocation, whichever occurs first.

(ii) For Fiscal Year 2015-2016, and thereafter, subject to the appropriation of funds for this purpose by the legislature, for any person committed to the department who is released on parole and who is subsequently arrested and housed in a parish jail while awaiting a parole revocation hearing, after fourteen days of being housed in the parish jail, the department shall reimburse the sheriff, or the governing authority of those parishes in which the governing authority operates the parish jail, at the rate of fifty percent of an amount equal to the rate provided for in the provisions of Subparagraph (a) of this Paragraph less the sum of any monies received from the parish governing authority for the purpose of housing such persons pursuant to the provisions of R.S. 13:5951(1), for each day that the person is housed in the parish jail from fourteen days after the time of arrest until the person either pleads guilty to the subsequent charge or until the committee on parole makes its determination regarding parole revocation, whichever occurs first.

Section 2. This Act shall become effective on July 1, 2014; if vetoed by the governor and subsequently approved by the legislature, this Act shall become effective on July 1, 2014, or on the day following such approval by the legislature, whichever is later.

Approved by the Governor, June 18, 2014.

A true copy:
Tom Schedler
Secretary of State

ACT No. 653

HOUSE BILL NO. 575
BY REPRESENTATIVE ARNOLD
AN ACT

To amend and reenact R.S. 13:5951(I)(4), relative to the Orleans Parish Juvenile Services Financing District; to provide with respect to taxes levied for the district and the duration of such levy; 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 Louisiana Legislature:

Section 1. R.S. 13:5951(I)(4) is hereby amended and reenacted to read as follows:

§951. Orleans Parish Juvenile Services Financing District

I. * * *

(4) If approved, the tax shall expire on December thirty-first, first after the 2014 mayoral election for the city of New Orleans; term of the levy of the tax shall be as provided in the proposition authorizing the levy, not to exceed eight years from the date of levy, but the tax may be renewed if approved by a majority of the registered voters of the district voting on the proposition at an election as provided in Paragraph (2) of this Subsection. Any election to authorize renewal of the tax shall be held only on the same time as the mayoral primary election for the city of New Orleans. If the tax is renewed, the term of the imposition of the tax shall be as provided in the proposition authorizing such renewal, not to exceed eight years.

Approved by the Governor, June 18, 2014.

A true copy:
Tom Schedler
Secretary of State
ACT No. 654

HOUSE BILL NO. 600

BY REPRESENTATIVE ABRAMSON AND SENATOR MURRAY
AN ACT

To enact R.S. 17:158(J) and 3996(B)(34), relative to the loading and unloading of school buses; to provide limitations on the location of such loading and unloading; and to provide for related matters.

Be it enacted by the Legislature of Louisiana:

Section 1. R.S. 17:158(J) and 3996(B)(34) are hereby enacted to read as follows:

$3996. Charter schools; exemptions; requirements

B. Notwithstanding any state law, rule, or regulation to the contrary and except as may be otherwise specifically provided for in an approved charter, a charter school established and operated in accordance with the provisions of this Chapter and its approved charter and the school's officers and employees shall be exempt from all statutory mandates or other statutory requirements that are applicable to public schools and to public school officers and employees except for the following laws otherwise applicable to public schools with the same grades:

(34) School bus loading and unloading provisions, R.S. 17:158(J).

Approved by the Governor, June 18, 2014.

A true copy:
Tom Schedler
Secretary of State

ACT No. 655

BY HOUSE BILL NO. 607

BY REPRESENTATIVE ABRAMSON

(On Recommendation of the Louisiana State Law Institute)

To amend and reenact Code of Civil Procedure Articles 1035, 1425(C), and 1462(B)(1), relative to the continuous revision of the Code of Civil Procedure; to provide for the delay in filing an answer in incidental actions; to provide for the identification of testifying experts in discovery; to extend the delay for the state to respond to a request for the production of documents and things; and to provide for related matters.

Be it enacted by the Legislature of Louisiana:

Section 1. Code of Civil Procedure Articles 1035, 1425(C), and 1462(B)(1) are hereby amended and reenacted to read as follows:

Art. 1035. Answer

The answer in an incidental action shall be filed within the delay allowed by Article 1001, or at any time prior to a judgment by default against the defendant in the incidental action, and shall be subject to all of the rules set forth in Articles 1001 and 1003 through 1006.

Comment – 2014

The 2014 amendment to this Article conforms with the rules for answering incidental demands to those provided for the principal demand.

Art. 1425. Experts; pretrial disclosures; scope of discovery

C. The if the court orders the disclosures of Paragraph B of this Article, they shall be made at the times and in the sequence directed by the court. In the absence of other directions from the court or stipulation by the parties, the disclosures required pursuant to Paragraph B of this Article shall be made at least ninety days before the trial date or, if the evidence is intended solely to contradict or rebut evidence on the same subject matter identified by another party under Paragraph B of this Article, within thirty days after the disclosure made by the other party. The parties shall supplement these disclosures when required by Article 1428.

Approved by the Governor, June 18, 2014.

A true copy:
Tom Schedler
Secretary of State

* As it appears in the enrolled bill
CODING: Words in strike through type are deletions from existing law; words underscored (House Bills) and boldface (Senate Bills) are additions.