To enact R.S. 9:3261.2, relative to residential leases; to provide relative to sexual assault victims and parties to certain residential lease agreements; to provide certain definitions; terms, procedures, conditions, and requirements; to provide relative to certain actions by lessors and lessees; to provide for termination of leases under certain circumstances; to provide relative to certification of sexual assault victim status; to provide relative to certain civil proceedings; to provide for immunity from liability in certain circumstances; and to provide for related matters.

Be it enacted by the Legislature of Louisiana:

Section 1. R.S. 9:3261.2 is hereby enacted to read as follows:

§ 3261.2. Lease agreements for certain residential dwellings: sexual assault victims

A. Definitions

(1) “Sexual assault” means any nonconsensual sexual contact including but not limited to any act provided in R.S. 15:541(2). Sexual assault also means obscenity, as provided in R.S. 14:106, or voyeurism, as provided in R.S. 14:283, provided that the obscenity or voyeurism occurred on the leased premises.

(2) “Sexual assault victim” means a victim of sexual assault as defined in R.S. 9:3261.2.

B. In order for a lessee to receive an early termination as provided in this Section, the lessee shall fulfill the requirements of Subsection D of this Section.

C. If a lessee fulfills all the requirements of Subsection D of this Section, the lessee shall grant the lessee the requested early termination of the lease, as provided by this Subsection.

(1) If the lessee requests early termination of the lease agreement, the lessor shall terminate the lease agreement on the mutually agreed- upon date within thirty days of the written request for early termination. The lessee requesting the early termination shall vacate the residential dwelling by the date to avoid liability for future rent.

(2) In such cases, the lessee requesting the early termination is liable only for rent due from the date of the lease and any previous obligations to the lessor outstanding on that date. The amount due from the lessee shall be paid to the lessor or on before the date the lessee vacates the dwelling. The lessee may withhold the lessee's security deposit only for any reason permitted under R.S. 9:3261. If the lessee or an additional lessee is a sexual assault offender named on reasonable documentation presented to the lessor, the lessor shall be entitled to an immediate eviction of the sexual assault offender upon presenting the court with reasonable documentation of the sexual assault.

(3) When there are multiple lessees who are parties to a lease agreement for which the accommodation of early termination is requested by one or more lessees, and upon the lessee's timely providing to the lessor reasonable documentation of the sexual assault as required in this Section, the entire lease shall terminate on the mutually agreed-upon date, and the lessee shall be entitled to an immediate eviction of all lessees upon presenting the court with reasonable documentation of the sexual assault. If the lessee or an additional lessee is a sexual assault offender named on the reasonable documentation presented to the lessor, then the lessor shall be entitled to an immediate eviction of the sexual assault offender upon presenting the court with reasonable documentation of the sexual assault.

D. A certification of sexual assault form as provided by this Section shall read substantially the same as follows:

("Name of qualified third party and, if applicable, the name of their sexual assault center, office, or agency)"

I have suffered sexual assault as defined in La. R.S. 9:3261.2. Briefly describe the incident giving rise to the claim of sexual assault:

The incident(s) that I rely on in support of this declaration occurred on the following date(s) and time(s): and at the following location(s):

The incident(s) that I rely on in support of this declaration was/were committed by the following person(s) (if known):

I state under the penalties provided in La. R.S. 14:125 that the foregoing is true and correct. By submitting this statement, I do not waive any legally recognized privilege protecting any communications that I have with the advocate or representative whose name appears below or with any other person or entity. I understand that my obligation to pay rent does not end until the early termination date of my lease as decided by the lessor or until I vacate the premises upon receiving agreement by the lessor to terminate my obligation under the lease early.

Dated at ____________, Louisiana, this day of ___ , 20__ .

Signature of Lessee

I verify under the penalties provided in La. R.S. 14:125 that I have provided services to the person whose signature appears above and that based on my knowledge, the information discussed with the person whose signature appears above, the individual has suffered sexual assault as defined by La. R.S. 9:3261.2, and that the individual informed me of the name of the alleged perpetrator of the actions (if known); giving rise to the claim, if known. This verification does not waive any legally recognized privilege that I, my agency or any of its representatives have with the person whose signature appears above.

Dated this day of ___ , 20__ .

Signature of qualified third party

Printed name ____________

Organization name ____________

Printed address ____________

The provisions of this Section may not be waived or modified by the agreement of the parties under any circumstances.

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 1, 2021.

A true copy:

R. Kyle Ardoin
Secretary of State
D. (1)(a) In the parishes of Allen, Ascension, Assumption, Avoyelles, Beauregard, Bienville, Caddo, Calcasieu, Caldwell, Cameron, Catahoula, Claiborne, Concordia, DeSoto, East Baton Rouge, Evangeline, Franklin, Iberia, Iberville, Jackson, Jefferson, Lafourche, LaSalle, Lincoln, Livingston, Madison, Morehouse, Natchitoches, Orleans, Ouachita, Plaquemines, Pointe Coupee, Rapides, Red River, Sabine, St. Bernard, St. Charles, St. Helena, St. John the Baptist, St. Landry, St. Martin, Tangipahoa, Tensas, Terrebonne, Vernon, Washington, West Baton Rouge, West Carroll, and West Feliciana, 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 such premium shall be formulated and applied by the assessor of each parish listed in this Subparagraph.

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 1, 2021.

A true copy:

R. Kyle Ardoin
Secretary of State

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**ACT No. 3**

**HOUSE BILL NO. 12**

BY REPRESENTATIVES WHITE, AMEDEE, BRASS, BRYANT, CEPHERTER, GARY CARTER, WILFORD CARTER, CORMIER, COX, DUPLESSIS, FREEMAN, GAINES, GLOVER, GREEN, HILFERTY, HORTON, HUGHES, JAMES, JENKINS, TRAVIS JOHNSON, JORDAN, LANDRY, LARVADAIN, LYONS, MAGEE, MARCELLE, MARINO, DUSTIN MILLER, MOORE, SCHEMAYDERS, SELLERS, THOMPSON, AND WILLARD AND SENATORS BARROW, JACKSON, MIZELL, AND PETERSON

AN ACT

To enact Subpart BBB of Part I of Chapter 1 of Subtitle II of Title 47 of the Louisiana Revised Statutes of 1950, to be comprised of R.S. 47:120.351, relative to the income tax checkoff for certain donations; to provide for a method for individuals to donate all or a portion of any refund due to them to the Sexual Trauma Awareness and Response (STAR) organization; to provide for the administration and disbursement of donated monies; to provide for reporting; to provide for an effective date; and to provide for related matters.

Be it enacted by the Legislature of Louisiana:

Section 1. Subpart BBB of Part I of Chapter 1 of Subtitle II of Title 47 of the Louisiana Revised Statutes of 1950, comprised of R.S. 47:120.351, is hereby enacted to read as follows:

SUBPART BBB. SEXUAL TRAUMA AWARENESS AND RESPONSE (STAR) ORGANIZATION DONATION

§120.351. Income tax checkoff: donation for Sexual Trauma Awareness and Response (STAR) organization

A. Every individual who files an individual income tax return for the current tax year and who is entitled to a refund may designate on his current year return that all or any portion of the total amount of the refund to which he is entitled shall be donated to the Sexual Trauma Awareness and Response (STAR) organization in lieu of any amount being paid to him as a refund. In this case, the refund shall be reduced by the amount so designated. The designation shall be made at the time of filing the current year tax return and shall be made upon the income tax return form as prescribed by the secretary of the Department of Revenue. Donated monies shall be administered by the secretary and distributed to the Sexual Trauma Awareness and Response (STAR) organization in accordance with the provisions of R.S. 47:120.37. No donation made pursuant to the provisions of this Subpart shall be invalid for want of an authentic act.

B. The House Committee on Ways and Means may, at its discretion, request a report from the Sexual Trauma Awareness and Response (STAR) organization relative to its operations. The form and content of the report shall be prescribed by the chairman of the committee but shall at a minimum contain a detailed explanation of revenues and expenditures, as well as a description of the organization’s activities. The committee may summon any person employed by or associated with the Sexual Trauma Awareness and Response (STAR) organization to provide testimony with respect to the report.

Section 2. The provisions of this Act shall be applicable to taxable years beginning on or after January 1, 2021.

Approved by the Governor, June 1, 2021.

A true copy:

R. Kyle Ardoin
Secretary of State

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**ACT No. 5**

**HOUSE BILL NO. 32**

BY REPRESENTATIVES SELLERS, ADAMS, BRASS, BRYANT, CEPHERTER, GARY CARTER, ROBBY CARTER, WILFORD CARTER, CORMIER, DUPLESSIS, FREEMAN, FREIBERG, GREEN, HILFERTY, JAMES, JENKINS, TRAVIS JOHNSON, JONES, LACOMBE, LANDRY, LYONS, MARCELLE, MARINO, MOORE, NEWELL, PIERRE, ROMERO, STAGNI, AND WILLARD AND SENATORS ABRAHAM, BARROW, CARTER, AND FOIL

AN ACT

To enact R.S. 15:828(E) and (F), relative to diminution of sentence; to provide for related matters; to amend and reenact R.S. 49:992(D)(5) and to repeal R.S. 37:21.1 and 23.2 and R.S. 49:992.2, relative to licensing boards and commissions; to remove from the statutes certain expired provisions and references thereto relative to adjudications applicable to certain licensing boards and commissions; to remove the reporting and notice requirements regarding complaints about actions and procedures applicable to certain licensing boards and commissions; and to provide for related matters.

Be it enacted by the Legislature of Louisiana:

Section 1. R.S. 49:992(D)(5) is hereby amended and reenacted to read as follows:

§992. Applicability; exemptions; attorney fees; court costs

* * *

D.  * * *

(5) Except as provided in R.S. 49:992(D)(1) and (2), state professional and occupational licensing boards shall be exempt from the provisions of this Chapter.

* * *

Section 2. R.S. 37:23.2 is hereby repealed in its entirety.


Section 4(A). The provisions of this Section and of Section 2 of this Act shall become effective upon signature of this Act 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 this Act is vetoed by the governor and subsequently approved by the legislature, the provisions of this Section and Section 2 of this Act shall become effective on the day following such approval.

(B) The provisions of Sections 1 and 3 of this Act shall become effective on January 1, 2022.

Approved by the Governor, June 1, 2021.

A true copy:

R. Kyle Ardoin
Secretary of State

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**ACT No. 6**

**HOUSE BILL NO. 37**

BY REPRESENTATIVES BACALA, ADAMS, AMEDEE, BAGLEY, BOURRIQAGE, BRYANT, CORMIER, COX, CREWS, DAVIS, DEVILLIER, DUPLESSIS, ECHOLS, EDMONDS, EDMONSTON, EMERSON, PIMENTEL, PONTOT, FREIBERG, GAHAN, GREEN, HILFERTY, HodGES, HORTON, HUGHES, ILLG, JAMES, MIKE JOHNSON, TRAVIS JOHNSON, MARCELLE, MCCORMICK, MCKNIGHT, GREGORY MILLER, MOORE, CHARLES OWEN, PRESSLY, ROMERO, SCHAMERHORN, STAGNI, THOMAS, THOMPSON, VILLIO, WHITE, AND WRIGHT AND SENATORS

AN ACT

To amend and reenact R.S. 49:992(D)(5) and to repeal R.S. 37:21.1 and 23.2 and R.S. 49:992.2, relative to licensing boards and commissions; to remove from the statutes certain expired provisions and references thereto relative to adjudications applicable to certain licensing boards and commissions; to remove the reporting and notice requirements regarding complaints about actions and procedures applicable to certain licensing boards and commissions; and to provide for related matters.

Be it enacted by the Legislature of Louisiana:

Section 1. R.S. 49:992(D)(5) is hereby amended and reenacted to read as follows:

§992. Applicability; exemptions; attorney fees; court costs

* * *

D.  * * *

(5) Except as provided in R.S. 49:992(D)(1) and (2), state professional and occupational licensing boards shall be exempt from the provisions of this Chapter.

* * *

Section 2. R.S. 37:23.2 is hereby repealed in its entirety.


Approved by the Governor, June 1, 2021.

A true copy:

R. Kyle Ardoin
Secretary of State

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**THE ADVOCATE**

* As it appears in the enrolled bill

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**ACT No. 4**

**HOUSE BILL NO. 27**

BY REPRESENTATIVE GREGORY MILLER

AN ACT

To amend and reenact R.S. 49:992(D)(5) and to repeal R.S. 37:21.1 and 23.2 and R.S. 49:992.2, relative to licensing boards and commissions; to remove from the statutes certain expired provisions and references thereto relative to adjudications applicable to certain licensing boards and commissions; to remove the reporting and notice requirements regarding complaints about actions and procedures applicable to certain licensing boards and commissions; and to provide for related matters.

Be it enacted by the Legislature of Louisiana:

Section 1. R.S. 49:992(D)(5) is hereby amended and reenacted to read as follows:

§992. Applicability; exemptions; attorney fees; court costs

* * *

D.  * * *

(5) Except as provided in R.S. 49:992(D)(1) and (2), state professional and occupational licensing boards shall be exempt from the provisions of this Chapter.

* * *

Section 2. R.S. 37:23.2 is hereby repealed in its entirety.


Section 4(A). The provisions of this Section and of Section 2 of this Act shall become effective upon signature of this Act 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 this Act is vetoed by the governor and subsequently approved by the legislature, the provisions of this Section and Section 2 of this Act shall become effective on the day following such approval.

(B) The provisions of Sections 1 and 3 of this Act shall become effective on January 1, 2022.

Approved by the Governor, June 1, 2021.

A true copy:

R. Kyle Ardoin
Secretary of State
A. For each adopted child, the court shall ensure that the department receives all of the following information:

1. Whether either of the adoptive parents are related to the child.
2. The age of the child at placement.
3. The age of the child at the time of finalization.
4. The gender of the child.
5. The race of the child.
6. The location of the child.
7. Other non-identifying information the department requests in order to maintain statistical records of adoption finalizations.

B. The department shall release yearly statistics on adoptions and placements of children in Louisiana. These statistics shall be made available to the public.

Art. 1235. Continuing duties of the department; home study report

A. After an interlocutory decree has been entered, the department shall, if ordered by the court, the attorney arranging the private adoption shall ensure that a licensed professional tasked with ensuring the safety and health of the child in the adoptive placement shall maintain contact with the proposed adoptive home directly or through another agency in accordance with Paragraph D of this Article. The number of visits to the home and the time for them shall be within the discretion of the department. However, no less than two visits shall be made to the home, one of which shall occur within thirty days before the final decree of agency adoption.

B. The department may delegate the performance of this investigation to a licensed private adoption agency, but the department remains responsible for ensuring the accuracy and thoroughness of the resulting report and for licensing private adoption agencies. The department shall maintain contact with the proposed adoptive home directly or through another agency in accordance with Paragraph D of this Article. The number of visits to the home and the time for them shall be within the discretion of the department. However, no less than two visits shall be made to the home, one of which shall occur within thirty days before the final decree of agency adoption.

C. Any report or record of visits to the proposed adoptive home shall contain all of the following:

1. The date and time of the visit.
2. The length of the visit.
3. The location of the visit.
4. The identification of all persons present.
5. An assessment of the attachment and bonding between the adopted child and the adoptive parent.
7. A description of changes since last contact.

D. Prior to the final decree of the adoption, the licensed private adoption agency, or the department, if the child is in custody of the department, shall ensure that all of the prerequisites for adoption are listed in this Paragraph are completed. The licensed private adoption agency or the department shall document the list of prerequisites by utilizing a social worker in the employ of a licensed adoption agency, licensed social worker, licensed professional counselor, licensed psychologist, medical psychologist, licensed psychiatrist, or licensed marriage and family therapist, or if the child is in the custody of the department, by a department employee or designee. The prerequisites that must be completed are all of the following:

1. Conduct an initial in-home, in-person visit with the child and one adoptive parent within seven calendar days of the child's placement. The next in-home, in-person visit shall occur within thirty days of the initial in-home, in-person visit.
2. Conduct a private visit without the presence of the adoptive parents with each child age one year and above every other month with at least a segment of the visit occurring in the adoptive home.
3. Conduct an in-home visit with both adoptive parents and child within thirty days prior to the final decree.
4. Prepare a report that documents information obtained from the visits conducted pursuant to Subparagraphs (1) through (4) of this Paragraph which shall contain all of the following:
   a. The date and time of the visit.
   b. The individuals present at the time of the visit.
   c. The location of the visit.
   d. The duration of the visit.
   e. An assessment of attachment of both the child and the adoptive parent.
   f. An assessment of the attachment and bonding between the child and the adoptive parent.
   g. An assessment of the child's health.
   h. A description of changes since last contact.

E. The department shall, if ordered by the court, the attorney arranging the private adoption shall ensure that a licensed professional tasked with ensuring the safety and health of the child in the adoptive placement shall maintain contact with the proposed adoptive home directly or through another agency in accordance with Paragraph D of this Article. The number of visits to the home and the time for them shall be within the discretion of the department. However, no less than two visits shall be made to the home, one of which shall occur within thirty days before the final decree of agency adoption.

F. The department shall release yearly statistics on adoptions and placements of children in Louisiana. These statistics shall be made available to the public.
encountered in permanent placement through finalization.

(9) Ensure that the adoptive family shall be provided with access to twenty-
hour crisis intervention services through open-ended

(10) Prepare a confidential report concerning the requirements set forth in
Subparagraphs (1) through (9) of this Paragraph and present the report to the
department upon completion and to the court prior to the hearing on the final
decree of agency adoption.

* * *

Art. 1239.1. Reporting requirement, statistical availability
A. For each adopted child, the court shall ensure that the department
receives all of the following information:

(1) Whether either of the adoptive parents are related to the child.
(2) The age of the child at placement.
(3) The age of the child at the time of finalization.
(4) The gender of the child.
(5) The race of the child.
(6) The location of placement.
(7) Other non-identifying information the department requests in order to
maintain statistical records of adoption finalizations.
B. The department shall release yearly statistics on the adoptions of
children in Louisiana and placement of those children. These statistics shall
be made available to the public.

Approved by the Governor, June 1, 2021.

A true copy:
R. Kyle Ardoin
Secretary of State

ACT No. 7

- - - - - - - - - - -
HOUSE BILL NO. 50

BY REPRESENTATIVE STEFANSKI AND SENATORS ABRAHAM AND
HENSÉNS

AN ACT

To enact R.S. 47:301(7)(m), 302(BB)(114), 321(P)(115), 321.1(I)(115), and 331(V)
(m)(i) relative to state sales and use tax; to provide for audit requirements; to provide for a state sales and use
excitement for certain leases or rentals of items of tangible personal
property; 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. 47:301(7)(m), 302(BB)(114), 321(P)(115), 321.1(I)(115), and 331(V)
(i) are hereby enacted to read as follows:

§301. Definitions

As used in this Chapter the following words, terms, and phrases have the meanings ascribed to them in this Section, unless the context clearly indicates a different meaning:

(7)

(m)(i) For purposes of any sales, use, lease, or rental tax, the term “lease or rental” shall not mean or include the lease or rental of any item of tangible personal property by a short-term equipment rental dealer for the purpose of re-lease or re-rental.

(ii) For purposes of this Subparagraph, “short-term equipment rental dealer” shall mean a person or entity whose principal business is the short-term rental of tangible personal property classified under the code numbers 532412 and 532310 of the North American Industry Classification System published by the United States Bureau of the Census.

(iii) For purposes of this Subparagraph, “short-term rental” shall mean the rental of an item of tangible personal property for a period of less than three hundred sixty-five days, for an undefined period, or under an open-ended agreement.

§302. Imposition of tax

BB. Notwithstanding any other provision of law to the contrary, including but not limited to any contrary provisions of this Chapter, beginning July 1, 2018, through June 30, 2025, there shall be no exemptions and no exclusions to the tax levied pursuant to the provisions of this Section, except for the retail sale, use, consumption, distribution, or storage for use or consumption of the following:

(114) Leases or rentals by a short-term equipment rental dealer for the purpose of re-lease or re-rental as provided in R.S. 47:301(7)(m).

§321. Imposition of tax

P. Notwithstanding any other provision of law to the contrary, including but not limited to any contrary provisions of this Chapter, beginning July 1, 2018, through June 30, 2025, there shall be no exemptions and no exclusions to the tax levied pursuant to the provisions of this Section, except for the retail sale, use, consumption, distribution, or storage for use or consumption of the following:

(115) Leases or rentals by a short-term equipment rental dealer for the purpose of re-lease or re-rental as provided in R.S. 47:301(7)(m).

$321.1. Imposition of tax

I. Notwithstanding any other provision of law to the contrary, including but not limited to any contrary provisions of this Chapter, beginning July 1, 2018, through June 30, 2025, there shall be no exemptions and no exclusions to the tax levied pursuant to the provisions of this Section, except for the retail sale, use, consumption, distribution, or storage for use or consumption of the following:

(115) Leases or rentals by a short-term equipment rental dealer for the purpose of re-lease or re-rental as provided in R.S. 47:301(7)(m).

§331. Imposition of tax

V. Notwithstanding any other provision of law to the contrary, including but not limited to any contrary provisions of this Chapter, beginning July 1, 2018, through June 30, 2025, there shall be no exemptions and no exclusions to the tax levied pursuant to the provisions of this Section, except for the retail sale, use, consumption, distribution, or storage for use or consumption of the following:

(115) Leases or rentals by a short-term equipment rental dealer for the purpose of re-lease or re-rental as provided in R.S. 47:301(7)(m).

Section 2. This Act shall become effective October 1, 2021.

Approved by the Governor, June 1, 2021.

A true copy:
R. Kyle Ardoin
Secretary of State

ACT No. 8

- - - - - - - - - - -
HOUSE BILL NO. 65

BY REPRESENTATIVE ECHOLS AND SENATORS CATHEY, JACKSON,
AND MORRIS

AN ACT

To amend and reenact R.S. 22:526, relative to mandatory audits of title
insurance producers by title insurers; to provide for periodic audits; to
provide for audit requirements; to make technical changes; and to provide for related matters.

Be it enacted by the Legislature of Louisiana:

Section 1. R.S. 22:526 is hereby amended and reenacted to read as follows:

§526. Title insurer; audit

A. The title insurer shall, at least once every three years, conduct an on-site audit of the escrow and settlement practices, escrow accounts, security arrangements, files, underwriting and claims practices, and policy inventory of the producer. If the title insurance producer fails to maintain separate escrow or trust accounts for each title insurer it represents, the title insurer shall verify that the funds related to closings in which the title insurer's policies are issued are reasonably ascertainable from the books of account and records of the title insurance producer.

B. The department commissioner may promulgate regulations setting forth the standards of audit and the form of audit required. The department commissioner may also require the title insurer to provide a copy of its audit reports to the department.

Approved by the Governor, June 1, 2021.

A true copy:
R. Kyle Ardoin
Secretary of State

ACT No. 9

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HOUSE BILL NO. 69

BY REPRESENTATIVE MCKNIGHT AND SENATORS FIELDS AND FOIL

AN ACT

To amend and reenact R.S. 40:1749.13(B)(4) and (D) and to enact R.S. 40:1749.14(C)(4), relative to underground utilities; to provide for excavation and demolition; to provide for notice; to provide for electronic drawings; to provide for physical markings; and to provide for related matters.

Be it enacted by the Legislature of Louisiana:

Section 1. R.S. 40:1749.13(B)(4) and (D) hereby amended and reenacted and R.S. 40:1749.14(C)(4) is hereby enacted to read as follows:

§1749.13. Excavation and demolition; prohibitions

A. * * *

B. * * *

(4) Notice shall be given and shall include a specific location request for excavation or demolition work to be performed at least forty-eight hours, but not more than one hundred twenty hours, excluding weekends and holidays, in advance of actual work commencement. Holidays shall consist...
of the following: New Year’s Day; Good Friday; Memorial Day; Independence Day; Labor Day; Thanksgiving Day; Christmas Eve; and Christmas Day, or the days on which those holidays are observed by the state. The marking of an operator’s facility or utility shall be provided for excavation or demolition purposes only. The excavator or demolisher shall provide the specific location for excavation or demolition with notice or physically mark the route or area of excavation or demolition using white paint, flags, stakes, or similar means under American Public Works Association guidelines prior to submitting notice.

D. Excavators may use white paint as marking under American Public Works Association guidelines. For purposes of this Section, any physical markings or electronic drawings identifying a specific location as provided for in Subsection B of this Section shall not exceed the actual area of excavation or demolition.

§1749.14 Regional notification center

C.

(4) Should an underground utility or facility operator determine that its underground facilities are not in conflict with the location of the request or determine that its underground facilities are not fully marked for locating purposes, a notification shall be sent to the excavator prior to the mark-by-time. A notification to the regional notification center that generated the location request shall suffice for compliance with this Section as it pertains to positive response.

Section 2. This Act shall become effective on January 2, 2022.

Approved by the Governor, June 1, 2021.

A true copy:

R. Kyle Ardoin
Secretary of State

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ACT No. 10

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BY REPRESENTATIVE THOMPSON AND SENATORS BARROW, BERNARD, CATHEY, CORTEZ, FOIL, JACKSON, MCMATH, REESE, TARVER, AND WOMACK

AN ACT

To designate a portion of United States Highway 425 in Mangham, Louisiana, as the “Marshall Waters, Jr. Memorial Highway”; and to provide for related matters.

Be it enacted by the Legislature of Louisiana:

Section 1. The portion of United States Highway 425 that passes through Mangham, Louisiana, shall be known and hereby designated as the “Marshall Waters, Jr. Memorial Highway”.

Section 2. The Department of Transportation and Development or its contractors are hereby directed to erect and maintain appropriate signage reflecting this designation provided local or private monies are received by the department equal to the department’s actual costs for material, fabrication, mounting posts, and installation of each sign, not to exceed the sum of five hundred fifty dollars per sign.

Approved by the Governor, June 1, 2021.

A true copy:

R. Kyle Ardoin
Secretary of State

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ACT No. 11

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BY REPRESENTATIVE MIKE JOHNSON

AN ACT

To amend and reenact R.S. 46:236.19(C), relative to indispensable parties when the Department of Children and Family Services is providing support enforcement services; to require the department to be served as an indispensable party in paternity and support proceedings; to require certification of the receipt of support enforcement services in certain actions; to provide for the failure to provide notice; to provide an effective date; and to provide for related matters.

Be it enacted by the Legislature of Louisiana:

Section 1. R.S. 46:236.19(C) is hereby amended and reenacted to read as follows:

§236.19. Family and child support programs; duties; courts; agencies; party status

C.(1) The department shall be an indispensable party to any proceeding involving: In any proceeding concerning paternity, a support obligation, or arrearages owed under this Subtitle, the department shall be an indispensable party when providing support enforcement services on behalf of a child involved in the proceeding.

(2) A party shall not commence an action, file a pleading, or submit a written stipulation to the court without complying with Paragraph (3) of this Subsection, if the purpose or effect of the action, pleading, or stipulation is to accomplish any of the following:

(a) Establish, disavow, or contest paternity.
(b) Establish, modify, or terminate a support obligation.
(c) Change the court-ordered manner of payment of support.
(d) Enforce support or arrears due or owing.

(3)(a)(i) When taking an action described in Paragraph (2) of this Subsection, a party shall certify in the initial pleading whether support enforcement services are being provided on behalf of a child who is a subject of the action, pleading, or stipulation.

(ii) If support enforcement services are being provided, the party shall have a copy of the pleading or stipulation served on the department.

(c) If notice is not given in accordance with this Subsection, the department shall not be bound by any decision, judgment, or stipulation rendered in an action described in Paragraph (2) of this Subsection.

(4) “Support enforcement services” shall have the same meaning as provided in R.S. 46:236.11.

Section 2. This Act shall become effective on January 1, 2022.

Approved by the Governor, June 1, 2021.

A true copy:

R. Kyle Ardoin
Secretary of State

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ACT No. 12

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BY REPRESENTATIVE GADBERRY AND SENATORS CATHEY, MORRIS, AND WOMACK

AN ACT

To amend and reenact R.S. 18:423(B), relative to parish boards of election supervisors; to provide for training of members of parish boards of election supervisors; to provide for an effective date; and to provide for related matters.

Be it enacted by the Legislature of Louisiana:

Section 1. R.S. 18:423(B) is hereby amended and reenacted to read as follows:

§423. Parish boards of election supervisors

B. Powers and duties. (1) The parish board of election supervisors shall supervise the preparation for and the conduct of all elections held in the parish. All papers filed with the parish board of election supervisors shall be filed with the president or the secretary of the board. The list of watchers shall be filed as provided in R.S. 18:435(B). The parish board of election supervisors shall maintain a permanent street address, which shall be filed with the secretary of state and the clerk of court.

(2) The members of the parish board of election supervisors, except the registrar of voters or the clerk of court, shall complete annual training that is related to the preparation for and the conduct of elections and that is prepared by the secretary of state and approved by the attorney general.

Section 2. This Act shall become effective on January 1, 2022.

Approved by the Governor, June 1, 2021.

A true copy:

R. Kyle Ardoin
Secretary of State

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ACT No. 13

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BY REPRESENTATIVE STAGNI AND SENATORS SMITH AND TALBOT

AN ACT

To amend and reenact R.S. 18:1462.1, relative to electioneering around polling places; to provide for related to registration of persons conducting exit polling in or near polling places; to provide for criminal penalties; to provide for an effective date; and to provide for related matters.

Be it enacted by the Legislature of Louisiana:

Section 1. R.S. 18:1462.1 is hereby enacted to read as follows:

§1462.1. Registration of persons conducting exit polling during early voting or on election day; penalties

A. The Legislature of Louisiana recognizes that the right to vote is a right that is essential to the effective operation of a democratic government and that voters should be free from intimidation, harassment, coercion, obstruction, and undue influence in the campaign-free zone provided in R.S. 18:1462(A) by individuals conducting exit polling who have not registered with the secretary of state.

B. No person shall conduct an exit poll between the hours of 6:00 a.m. and 9:00 p.m. within any polling place being used in an election on election day or during early voting, or within a radius of six hundred feet of the entrance to any polling place being used in an election on election day or during early voting, unless the person conducting the polling has filed a registration statement with the secretary of state prior to the start of early voting or election day, as
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ACT No. 14

HOUSE BILL NO. 179
BY REPRESENTATIVE FIRMENT
AN ACT

To enact R.S. 22:41.3, relative to officers and directors of domestic regulated entities; to provide definitions for certain terms; to provide for the requirements for officers and directors; and to provide for related matters.

Be it enacted by the Legislature of Louisiana:

Section 1. R.S. 22:41.3 is hereby enacted to read as follows:

A. For purposes of this Section, the following definitions apply:

(1) "Director" means a person designated in the articles of incorporation, by-laws, or other organizational documents as a director or person designated, elected, or appointed by any other name or title to act as director.

(2) "Domestic regulated entity" means any legal entity domiciled in this state that is required to obtain a license or certificate of authority from or register with the commissioner. "Domestic regulated entity" does not mean a motor vehicle rental insurer, insurance agency, broker, managing general agent, producer, reinsurance intermediary broker, claims adjuster, public adjuster, or insurance producer acting as a viatical settlement broker pursuant to R.S. 22:1792(A)(1).

(3) "Officer" means a president, vice president, treasurer, actuary, secretary, controller, or any other person who performs for the company functions corresponding to those performed by the foregoing officers. "Officer" also means the administrator of a plan of self-insurance providing health and accident or workers' compensation coverage to employees of two or more employers or a risk indemnification trust.

(4) "Person" means the trustee of a trust that provides health and accident or workers' compensation coverage to employees of two or more employers or of a risk indemnification trust.

B. (1) No person shall serve as an officer, director, or trustee of a domestic regulated entity to whom either of the following applies:

(a) The person fails to submit to the commissioner the information required by this Section.

(b) The commissioner refuses to issue or rescinds a letter of no objection pursuant to Subsection D of this Section.

(2) A domestic regulated entity shall not retain as an officer, director, or trustee any person to whom Paragraph (1) of this Subsection applies.

C. (1) An officer, director, or trustee of a domestic regulated entity shall, within thirty days of election, appointment, or otherwise being chosen, submit to the commissioner a request for a letter of no objection to serving in that capacity.

(2) Each request for a letter of no objection shall include all of the following:

(a) Such biographical and other information as the commissioner may require to ensure that the competence, experience, and integrity of the person are sufficient to protect the interests of the policyholders or members of the domestic regulated entity or the public including but not limited to biographical affidavits, third-party background verifications, and fingerprint submissions pursuant to R.S. 22:1922.

(b) A statement from the domestic regulated entity indicating the position for which the person has been elected, appointed, or otherwise chosen.

(c) A sworn statement from the person confirming either of the following:

(i) The absence of any conflicts of interest upon assuming the position.

(ii) The disclosure in writing of any conflicts of interest to the domestic regulated entity.

(d) A true copy of the acceptance of trust, oath of office, or other such document signed by the person, which includes a sworn statement that the person agrees to abide by and direct the activities of the domestic regulated entity in compliance with applicable laws and regulations.

(e) The request shall be in a manner and form approved by the commissioner.

(3) The commissioner may refuse to issue or rescind a letter of no objection if the following occurs:

(a) The person is not sufficiently in the interest of policyholders or members of the domestic regulated entity or of the public to allow the person to serve in the proposed position.

(b) The person has been the subject of any of the following involving any felony or misdemeanor involving moral turpitude or public corruption or a felony involving dishonesty or breach of trust:

(i) Conviction.

(ii) Entry of a plea of guilty or nolo contendere.

B. (1) The person is currently serving as a state officer, director, or trustee of a domestic regulated entity and has served in that capacity for a period of five consecutive years.

(2) The person has received a letter of no objection from the commissioner within one year of being elected, appointed, or otherwise chosen as an officer, director, or trustee and attested that no material change has occurred in the biographical and other information submitted in support of that request.

C. If a policyholder is entitled to vote on matters coming before corporate meetings of the policyholders, subject to such reasonable minimum requirements as to duration of his policy and amount of insurance held as may be made in the insurer's charter or by-laws.

D. The right to vote by any policyholder may be conferred upon any other person who has been elected, appointed, or otherwise chosen to serve in the capacity of an officer, director, or trustee of a domestic regulated entity.

E. The commissioner may refuse to issue or rescind a letter of no objection if the following occurs:

(1) The person fails to provide information that the commissioner requires to evaluate the person's competence, experience, and integrity.

(2) The person knowingly makes a materially false statement or omits material information in the request for a letter of no objection.

(3) The person fails to provide evidence of the person's competence, experience, and integrity.

(4) The person fails to provide information that the commissioner requires to evaluate the person's competence, experience, and integrity.

F. The commissioner may refuse to issue or rescind a letter of no objection if the following occurs:

(1) The person is currently serving as a state officer, director, or trustee of a domestic regulated entity and has served in that capacity for a period of five consecutive years.

(2) The person has received a letter of no objection from the commissioner within one year of being elected, appointed, or otherwise chosen as an officer, director, or trustee and attested that no material change has occurred in the biographical and other information submitted in support of that request.

Approved by the Governor, June 1, 2021.

A true copy:

R. Kyle Ardoin
Secretary of State

ACT No. 15

HOUSE BILL NO. 182
BY REPRESENTATIVE VILLIO
AN ACT

To amend and reenact R.S. 22:191 and 119, relative to annual meetings of domestic insurance companies; to provide for annual meetings by remote means; to provide for minimum requirements for policyholder voting rights; to provide for reasonable classification of policyholders; to provide for additional votes based on a reasonable classification of policyholders; and to provide for related matters.

Be it enacted by the Legislature of Louisiana:

Section 1. R.S. 22:191 and 119 are hereby amended and reenacted to read as follows:

§91. Stockholders' meetings

Domestic stock insurers shall hold at least one stockholders' meeting annually at a time and place, including by remote means, specified in the articles of incorporation or by-laws of the insurer. Each stockholder shall be entitled to vote each share of stock which he holds in his own name at any and all stockholders' meetings. The right to vote any share of stock may be conferred upon another stockholder by a written proxy. Any proxy may be revoked at any time by the owner of the shares upon written notice to the secretary of the insurer or the presiding officer at any meeting.

§119. Policyholders' meetings; voting rights; proxies

A. Domestic mutual insurers shall hold at least one policyholders' meeting annually at a time and place, including by remote means, specified in the articles of incorporation or by-laws of the insurer. Each policyholder shall be entitled to one vote on matters coming before corporate meetings of the policyholders, subject to such reasonable minimum requirements as to duration of his policy and amount of insurance held as may be made in the insurer's charter or by-laws.

B. Each policyholder shall be entitled to vote on matters coming before corporate meetings of the policyholders, unless the insurer's charter or by-laws provides otherwise, based on a classification of policyholders as to duration of the policy or the amount of insurance held, amount of premiums paid, amount of insurance held, or any combination thereof.

C. If a policyholder is entitled to vote on matters coming before corporate meetings of the policyholders pursuant to Subsection B of this Section, the policyholder shall be entitled to one vote, unless the insurer's charter or by-laws provides otherwise, based on a classification of policyholders as to duration of the policy or the amount of insurance held, amount of premiums paid, amount of insurance held, or any combination thereof.

D. The right to vote by any policyholder may be conferred upon any other policyholder by a written proxy. Any proxy may be revoked at any time by the policyholder, upon written notice to the secretary of the insurer or the presiding officer at any meeting.

Approved by the Governor, June 1, 2021.

A true copy:

R. Kyle Ardoin
Secretary of State

ACT No. 16

HOUSE BILL NO. 214
BY REPRESENTATIVE CORMIER AND SENATORS CARTER AND CONNICK
AN ACT

To amend and reenact R.S. 18:54, relative to registrars of voters; to provide for training of new registrars of voters; to provide for an effective date; and to provide for related matters.

Be it enacted by the Legislature of Louisiana:

Section 1. R.S. 18:54 is hereby amended and reenacted to read as follows:

THE ADVOCATE

* As it appears in the enrolled bill
§54. Qualification; date; duplicate oath; bond; approval of bond; orientation and training
A. Within thirty days after the date of his commission, each registrar shall qualify for office by subscribing to the oath of office prescribed by the constitution. The oath shall be filed with the clerk of court, and a duplicate or a certified copy thereof shall be filed with the secretary of state. In a parish containing a municipality with a population of three hundred thousand or more, the oath shall be filed with the clerk of the civil district court. Each registrar shall file with the secretary of state a bond, in favor of the governor and with security, for the faithful performance of his duties. The sureties on the bond shall be a company authorized to do business in Louisiana, and in each parish the bond shall be in the amount of five thousand dollars.

B. Each registrar appointed on or after January 1, 2022, shall complete orientation and training prepared by the secretary of state in conjunction with the Registrar of Voters Association. Such orientation and training shall be conducted by the secretary of state.

Section 2. This Act shall become effective on January 1, 2022.

Approved by the Governor, June 1, 2021.

A true copy:

R. Kyle Ardoin
Secretary of State

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ACT No. 17

BY HOUSE BILL NO. 217

AN ACT

To amend and reenact R.S. 6:5, 501(A), 535(C), and 536(C), relative to interstate banking; to provide provisions relative to public policy; to remove capital requirements; to expand geographical limitations; to remove provisions relative to out-of-state holding companies; to remove provisions relative to de novo banks; to remove provisions relative to out-of-state banks entering the state; to provide for state banks held as subsidiaries; to make technical changes; and to provide for related matters.

Be it enacted by the Legislature of Louisiana:

Section 1. R.S. 6:5, 501(A), 535(C), and 536(C) are hereby amended and reenacted to read as follows:

§5. Public policy
A. It is the declared public policy of the state of Louisiana to encourage and to foster the development of financial institutions under a dual charting system of the state and federal governments. In order to carry out this policy, the office of financial institutions is authorized and requested to use its resources in the promotion and development of the dual charting system under the laws of Louisiana.

B. It is further declared that in the event that the Congress of the United States enacts legislation authorizing de novo interstate branch banking which is optional for the states, it shall be the declared public policy of the state of Louisiana to choose not to be subject to provisions of such Act.

§501. Branch offices within the state; capital required, authority
A. All banks domiciled in this state having a capital of one hundred thousand dollars or more may open one or more branch offices within or outside the state or may acquire one or more banks or any or all branches thereof, or both.

§535. Interstate acquisitions; filings with commissioner
A. An out-of-state bank holding company may enter Louisiana only through the purchase of all, or substantially all, of an established Louisiana bank or a bank holding company having at least one established Louisiana bank subsidiary. It shall be unlawful for any out-of-state bank holding company to enter this state by the creation of a de novo bank or through the creation of a Louisiana bank holding company through which to create a de novo bank. It shall also be unlawful for any out-of-state bank holding company to enter this state, either directly or indirectly, by the acquisition of a Louisiana bank that does not have at least one established Louisiana bank subsidiary that owns a Louisiana bank, as a subsidiary, that is not an established Louisiana bank.

§536. Interstate bank acquisitions; filings with commissioner
A. An out-of-state bank may enter Louisiana only through the purchase of all, or substantially all, of an established Louisiana bank, or a bank holding company having at least one established Louisiana bank subsidiary, or all of the Louisiana branches of an out-of-state bank. It shall be unlawful for any out-of-state bank holding company to enter this state by the creation of a de novo bank or through the creation of a Louisiana bank holding company through which to create a de novo bank. It shall also be unlawful for any out-of-state bank to enter this state, either directly or indirectly, by the acquisition of a Louisiana bank that does not have at least one established Louisiana bank subsidiary that owns a Louisiana bank, as a subsidiary, that is not an established Louisiana bank subsidiary.

C. However, if an out-of-state bank is operating in this state through branches, then another out-of-state bank company may enter Louisiana by acquisition of those branches only through the acquisition of all of those branches.

Approved by the Governor, June 1, 2021.

A true copy:

R. Kyle Ardoin
Secretary of State

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ACT No. 18

BY HOUSE BILL NO. 227

Prefiled Pursuant to Article III, Section 2(A)(4)(b)(i) of the Constitution of Louisiana.

Provides relative to subpoena duces tecum when investigating sex offenses involving human trafficking.

AN ACT

To enact Code of Criminal Procedure Article 732.2, relative to subpoenas; to authorize the use of administrative subpoenas for the production of information in investigations of human trafficking offenses; to provide for the types of information which may be disclosed pursuant to an administrative subpoena; to provide for information which may not be disclosed pursuant to an administrative subpoena; and to provide for related matters.

Be it enacted by the Legislature of Louisiana:

Section 1. Code of Criminal Procedure Article 732.2 is hereby enacted to read as follows:

Art. 732.2. Subpoena duces tecum regarding human trafficking offenses
A. The Department of Public Safety and Corrections, office of state police, the office of the attorney general, the police department, or the sheriff's office investigating any offense or attempt to commit any offense described in Subparagraphs (1) and (2) of this Paragraph shall have the administrative authority to issue in writing and cause to be served a subpoena requiring the production and testimony described in Paragraph B of this Article upon reasonable cause to believe that an internet service account, or online identifier as defined in R.S. 15:541, has been used in the commission or attempted commission of the following:

1. A person is a victim of human trafficking pursuant to R.S. 14:46.2, or the offender reasonably believes that the person is a victim of human trafficking.

2. A person is a victim of trafficking of children for sexual purposes pursuant to R.S. 14:46.3, or the offender reasonably believes that the person is a minor.

B. As provided in Paragraph C of this Article, a subpoena issued under this Article may require the production of the following records or other documentation relevant to the investigation:

1. Electronic mail address.
2. Internet username.
3. Request protocol.
4. Name of account holder.
5. Billing and service address.
6. Telephone number.
8. Method of access to the internet.
9. Automatic number identification records if access is by modem.
10. The following information shall not be subject to disclosure pursuant to an administrative subpoena issued pursuant to the provisions of this Article but shall be subject to disclosure pursuant to other lawful process:
   1. In-transit electronic communications.
   2. Account memberships related to internet groups, newsgroups, mailing lists, or specific areas of interest.
   3. Account passwords.
   4. Account content, including electronic mail in any form, address books, contacts, financial records, web surfing history, internet proxy content, or files or other digital documents stored with the account or pursuant to use of the account.
   5. Account holder.
   6. Account owner.
   7. Person(s) identified in any manner in an internet communication.
   8. Internet service account or online identifier.
   9. Account identification as described in Paragraph B of this Article upon reasonable cause to believe that an internet service account, or online identifier as defined in R.S. 15:541, has been used in the commission or attempted commission of the following:
      1. A person is a victim of human trafficking pursuant to R.S. 14:46.2, or the offender reasonably believes that the person is a victim of human trafficking.
      2. A person is a victim of trafficking of children for sexual purposes pursuant to R.S. 14:46.3, or the offender reasonably believes that the person is a minor.

C. The information described in Paragraph B of this Article shall be provided to the office investigating any offense or attempt to commit any offense described in Subparagraphs (1) and (2) of this Paragraph shall have the administrative authority to issue in writing and cause to be served a subpoena requiring the production and testimony described in Paragraph B of this Article upon reasonable cause to believe that an internet service account, or online identifier as defined in R.S. 15:541, has been used in the commission or attempted commission of the following:

1. A person is a victim of human trafficking pursuant to R.S. 14:46.2, or the offender reasonably believes that the person is a victim of human trafficking.

2. A person is a victim of trafficking of children for sexual purposes pursuant to R.S. 14:46.3, or the offender reasonably believes that the person is a minor.

D. A subpoena issued pursuant to this Article shall describe the objects required to be produced and shall prescribe a return date with a reasonable period of time within which the objects can be assembled and made available.

E. If no case or proceeding arises from the production of records or other documentation required to be produced and shall prescribe a return date with a reasonable period of time within which the objects can be assembled and made available.

F. Except as provided in this Article, any information, records, or data reported or obtained pursuant to a subpoena authorized by the provisions of this Article shall remain confidential and shall not be disclosed unless in connection with a criminal case related to the subpoenaed materials.

G. Any administrative subpoena issued pursuant to this Article shall contain written notice and a copy of the provisions of 18 U.S.C. § 2703(c).

Approved by the Governor, June 1, 2021.

A true copy:

R. Kyle Ardoin
Secretary of State

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THE ADVOCATE
HOUSE BILL NO. 236
BY REPRESENTATIVE EMERSON
Prefiled Pursuant to Article III, Section 2/A.(4)(b)(i)
of the Constitution of Louisiana.
Provides relative to Louisiana Life and
Health Insurance Guaranty Association Law
AN ACT
To amend and reenact R.S. 22:2084(A) and (7) and 2099, relative to the
Louisiana Life and Health Insurance Guaranty Association; to remove past
date references; to modify relative to prospective application; to provide for
an effective date; and to provide for related matters.
Be it enacted by the Legislature of Louisiana:
Section 1. R.S. 22:2084(A) and (7) and 2099 are hereby amended and reenacted
to read as follows:
$2084. Definitions
As used in this Part:
(6) “Impaired insurer” means a member insurer which, after August 1, 2018,
is not an insolvent insurer and is placed under an order of rehabilitation or
conservation by a court of competent jurisdiction.
(7) “Insolvent insurer” means a member insurer which, after August 1, 2018,
is placed under an order by a court of competent jurisdiction with a finding of
insolvency.
$2099. Prospective application
A. This Part shall not apply to any member insurer meeting either of the
following criteria:
(1) Any insurer, other than a health maintenance organization described
in Paragraph (2) of this Subsection, or its subsidiary, or an insurance holding
company system or its indirectly related agent, affiliate, or other entity that is insolvent, impaired, or unable to fulfill its contractual
obligations before August 1, 2018.,
(2) Any health maintenance organization that is insolvent, impaired, or
unable to fulfill its contractual obligations before August 1, 2018.
B. The provisions of this Part effective on September 30, 1991, and
subsequent amendments thereto apply prospectively from their effective
dates and govern liability for assessments, offsets, refunds, and any other
matters relating to all member insurers not identified in Subsection A of this
Section.
Section 2. This Act shall become effective upon signature by the governor
or, if not signed by the governor, upon expiration of the time for bills to
become law without signature by the governor, as provided by Article III,
Section 19 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 1, 2021.
A true copy:
R. Kyle Ardoin
Secretary of State

ACT No. 20
HOUSE BILL NO. 260
BY REPRESENTATIVE GREGORY MILLER
AN ACT
To amend and reenact R.S. 3:732(A) and 2054(A), R.S. 17:2048.61(B), R.S.
(6), 380.31(A), 380.53(B)(6), 380.61(A), 380.63(B)(4), 380.91(A), 380.93(B)(6),
380.121(A), 380.153(B)(6), R.S. 36:4.1(C), (D), and (E), 109, 209, 309, 509, 629, 651,
696, 744, 801(introductory paragraph), 801.1(A), 802(introductory paragraph),
803(A)(1), 851(A), 901(A), and 921(A), R.S. 42:3080(A)(6), R.S. 51:1253(3), and
Section 3 of Act No. 180 of the 2020 Regular Session of the Legislature, to
enact R.S. 36:4.1(B), and to repeal R.S. 36:4.1(F) and (G), 801.2, 801.5, 801.6,
801.7, 801.9, 801.12, 801.14, 801.15, 801.16, 801.22, 801.2, 802.2, 802.3, 802.6,
802.7, 802.10, 802.12, 802.16, 802.19, 802.21, 851.1, 908, 909, 910, 911, 912, 913,
919.1, 919.6, and 919.9, relative to providing corrections for Title 36 of the Louisiana Revised
Statutes of 1950; to provide for technical corrections; to provide for re-
organization of the structure of Title 36; and to provide for related matters.
Be it enacted by the Legislature of Louisiana:
Section 1. R.S. 3:732(A) and 2054(A) are hereby amended and reenacted
to read as follows:
§379. Duties and powers of the board
A. The Louisiana State Cotton Museum is established as a facility in the
parish of East Carroll under the overall jurisdiction of the Department of
State, as more specifically provided in this Chapter and in R.S. 36:744(F).
§380. Establishment and location; purpose and use
A. The Louisiana State Cotton Museum is established as a facility in the
parish of East Carroll under the overall jurisdiction of the Department of
State, as more specifically provided in this Chapter and in R.S. 36:744(F).
§380.23. Duties and powers of the board
A. The board shall:
B. The board shall:
(6) Perform such other functions as are otherwise provided in this Chapter
and R.S. 36:744(F).
§380.53. Duties and powers of the board
A. The board shall:
B. The board shall:
(6) Perform such other functions as are otherwise provided by this Chapter
and R.S. 36:744(F).
§380.83. Duties and powers of the board
A. The board shall:
B. The board shall:
$380.91. Establishment and location; purpose and use
A. The Mansfield Female College Museum is established as a facility in the town of Mansfield, parish of DeSoto, under the overall jurisdiction of the Department of Culture, Recreation and Tourism, as provided in Part III of Chapter 22 of this Title; R.S. 36:901, except that the Board of Commerce and Industry shall continue to exercise those powers, duties, and functions with respect to the granting of tax exemptions for new manufacturing establishments or extensions thereof which it is authorized by the Constitution of Louisiana or by law to exercise. The governing board of the Museum shall be the Board of Commerce and Industry shall perform and exercise their powers, duties, functions, and responsibilities as provided by law: (1) The office of entertainment industry development (R.S. 51:938.1). (2) The office of international commerce and the Louisiana Board of International Commerce (R.S. 51:3131 et seq.).

$380.93. Duties and powers of the board
B. The board shall:

(6) Perform such other functions as are otherwise provided by this Chapter and R.S. 36:801-14 R.S. 36:744(F).

Section 5. R.S.36:4.1(C), (D), and (E), 109, 209, 309, 509, 629, 651, 686, 744, 801(introductory paragraph), 801.1(A), 802(introductory paragraph), 803(A) (1), 851(A), 901(A), and 921(A) are hereby amended and reenacted and R.S. 36:4.1(B) is hereby enacted to read as follows:
§41. Agencies transferred from the Department of Economic Development to the office of the governor; agencies placed within the office of the governor

(1) The following agencies are hereby placed within the office of the governor and shall perform and exercise their powers, duties, functions, and responsibilities as provided in R.S. 36:803:
(1) The Louisiana Cemetery Board (R.S. 8:61 through 78).
(2) State Board of Certified Public Accountants of Louisiana (R.S. 37:71 et seq.).
(3) State Board of Architectural Examiners (R.S. 37:141 et seq.).
(4) Louisiana Real Estate Commission (R.S. 37:1430 et seq.).
(5) Louisiana State Board of Home Inspectors (R.S. 37:1471 et seq.).
(6) Louisiana Board for Control of Professional Examiners (R.S. 37:2150 et seq.).
(7) Board of Examiners of Certified Shorthand Reporters (R.S. 37:2551 et seq.).
(8) Louisiana Auctioneers Licensing Board (R.S. 37:3101 et seq.).
(9) State Board of Examiners for Interior Designers (R.S. 37:3171 et seq.).
(10) Louisiana Real Estate Appraisers Board (R.S. 37:3391 et seq.).
(11) The State Boxing and Wrestling Commission (R.S. 4:61 et seq.).
(12) Louisiana Motor Vehicle Commission (R.S. 32:1251 et seq.).
(13) Louisiana Used Motor Vehicle Commission (R.S. 32:781 et seq.).
(14) Louisiana State Polygraph Board (R.S. 37:2381 et seq.), notwithstanding the provisions of Chapter 36-A of Title 37 to the contrary.
(15) Louisiana Board of Cosmetology (R.S. 37:561 et seq.).
(16) The Department of Occupational Standards (R.S. 37:1-15) is hereby abolished, all of its powers, duties, functions, and responsibilities are transferred to the governor, through the commissioner of administration, in the office of the governor and hereafter shall be exercised and performed as provided in Part IV of Chapter 22 of this Title R.S. 36:921 et seq.
(17) Not later than the first day of January in each year, each entity transferred or placed in the office of the governor pursuant to this Section shall submit a copy of its proposed budget for the ensuing fiscal year to each chairman of the House Committee on Commerce and the Senate Committee on Commerce, Consumer Protection, and International Affairs, pursuant to R.S. 36:1355.
(18) Transfer of boards, commissions, departments, and agencies to Department of Economic Development
F. The following agencies are transferred to the Department of Economic Development and shall exercise their powers, duties, functions, and responsibilities in the manner provided in R.S. 36:801:
F. A. The Board of Commerce and Industry (Article XIV, Section 14(b.2) of the 1921 Louisiana Constitution made statutory by Article XIV, Section 16(A)
(10) of the 1974 Louisiana Constitution; R.S. 51:921-946; R.S. 47:3201-3206) is transferred to and hereafter shall be within the Department of Economic Development and shall exercise in accordance with the provisions of R.S. 36:901, except that the Board of Commerce and Industry shall continue to exercise those powers, duties, and functions with respect to the granting of tax exemptions for new manufacturing establishments or extensions thereof which it is authorized by the Constitution of Louisiana or by law to exercise. The governing board of the Board of Commerce and Industry shall perform and exercise their powers, duties, functions, and responsibilities as provided by law:
(1) The office of entertainment industry development (R.S. 51:938.1).
(2) The office of international commerce and the Louisiana Board of International Commerce (R.S. 51:3131 et seq.).

The Advocate As it appears in the enrolled bill PAGE 9 CODING: Words in struck through type are deletions from existing law; words underlined (House Bills) and underscored (Senate Bills) are additions.
National Endowment for the Arts and such other funds as are made available to the council. The council shall further have the authority necessary to administer the Louisiana Native Crafts Program, including the authority to appoint a crafts panel and to approve the use, and disallow the continued use, of the logo assuring the quality of a Louisiana craftsperson's craft, as further provided in R.S. 25:389 through 900.

(6) The Louisiana Native Register Book Review Committee (R.S. 25:901 et seq.).

(7) The Louisiana Folklife Commission (R.S. 25:921 et seq. and R.S. 48:271). The commission shall continue to exercise those powers, duties, and functions with respect to financial assistance to eligible tourist projects as provided in R.S. 25:897 et seq. It shall hereafter be within the Department of Culture, Recreation and Tourism and shall exercise and perform its powers, duties, functions, and responsibilities in accordance with the provisions of R.S. 25:841 et seq.

(8) The Louisiana Tourism Development Commission (R.S. 51:1251 et seq. and R.S. 36:802). The commission shall exercise and perform its powers, duties, functions, and responsibilities as provided for agencies transferred in accordance with R.S. 36:802. The Louisiana Tourism Development Commission (R.S. 51:1251 et seq.) is placed within the Department of Culture, Recreation and Tourism and shall exercise and perform its powers, duties, functions, and responsibilities in accordance with the provisions of R.S. 36:802.

(9) The Louisiana Native Register Book Review Committee (R.S. 25:901 et seq.).

(10) The Louisiana Tourism Development Commission (R.S. 51:1251 et seq. and R.S. 48:271). The commission shall continue to exercise those powers, duties, and functions with respect to financial assistance to eligible tourist projects as provided in R.S. 25:897 et seq. It shall hereafter be within the Department of Culture, Recreation and Tourism and shall exercise and perform its powers, duties, functions, and responsibilities in accordance with the provisions of R.S. 25:841 et seq.

(11) The Louisiana Native Register Book Review Committee (R.S. 25:901 et seq.).

(12) The Louisiana Tourism Development Commission (R.S. 51:1251 et seq. and R.S. 48:271). The commission shall continue to exercise those powers, duties, and functions with respect to financial assistance to eligible tourist projects as provided in R.S. 25:897 et seq. It shall hereafter be within the Department of Culture, Recreation and Tourism and shall exercise and perform its powers, duties, functions, and responsibilities in accordance with the provisions of R.S. 25:841 et seq.

(13) The Atchafalaya Trace Commission, as more specifically provided for in R.S. 25:1221 et seq., except that the commission shall continue to appoint its own director and assistant director or personnel to fill comparable positions as authorized by law.

Z. The Louisiana Civil Rights Museum Advisory Board (R.S. 25:401 et seq.) is placed within the office of the state museum of the Department of Culture, Recreation and Tourism as provided in R.S. 36:901 and R.S. 25:921 et seq.

E. The State Board of Library Examiners (R.S. 25:222 et seq.) is hereby transferred to and hereafter shall be within the Department of Culture, Recreation and Tourism, as provided in R.S. 36:803.

§309. Transfer of agencies to Louisiana Workforce Commission

A. The following agencies as defined in R.S. 23:901 et seq. are transferred to and hereafter shall be within the Louisiana Workforce Commission, as provided in R.S. 36:802:


(2) Louisiana Workforce Commission Second Injury Board (R.S. 23:1371 et seq.).

(3) The Louisiana Workforce Investment Council (R.S. 23:2041 et seq. and R.S. 36:921 et seq.).

B. The following agencies, as defined in R.S. 36:3, are transferred to and hereafter shall be within the Louisiana Workforce Commission, as provided in Part III of Chapter 22 of this Title R.S. 36:901 et seq.:

(1) Apprenticeship Council (R.S. 23:381 et seq.).

(2) Workforce Commission Complaints Advisory Council (R.S. 23:1294).

C. The following agencies, as defined in R.S. 36:3, are transferred to and hereafter shall be within the Louisiana Workforce Commission as provided in R.S. 36:803:

(1) Board of Barber Examiners (R.S. 37:341 et seq.).

(2) State Plumbing Board (R.S. 37:1361 et seq.).

D. The powers, duties, functions, and responsibilities relating to Louisiana Rehabilitation Services (R.S. 23:3001 et seq.) are hereby transferred to the Louisiana Workforce Commission to be exercised and performed by the commission in accordance with the provisions of Part IV of Chapter 22 of this Title R.S. 36:921 to seq. E. The following agencies are transferred to and hereafter shall be within the Louisiana Workforce Commission and shall perform and exercise its powers, duties, functions, and responsibilities as provided by law:

(1) The worker’s compensation medical advisory council (R.S. 23:1263.1) is placed within the Louisiana Workforce Commission and shall perform and exercise its powers, duties, functions, and responsibilities as provided by law.

(2) The Blind Vendors Trust Fund Advisory Board (R.S. 23:3044 et seq.) is placed within the Louisiana Workforce Commission and shall perform and exercise its powers, duties, functions, and responsibilities as provided by law.

§509. Transfer of agencies to Department of Transportation and Development

A. The following agencies are hereby transferred to the Department of Transportation and Development and shall exercise and perform their powers, duties, functions, and responsibilities as provided by law:

(1) The Department of Highways (Article VI, Sections 19, 19.2, 19.3, 19.4, 22, 22.1, and 23 of 1921 Louisiana Constitution, made statutory by Article
XIV, Section 16(A)(3) of 1974 Louisiana Constitution and such provisions of
Title 48 of the Louisiana Revised Statutes of 1950 as apply to the abolished
department.
(2) Department of Public Works (R.S. 38:1 and such provisions of Title 38 of
the Louisiana Revised Statutes of 1950 as apply to the abolished department)
(3) The Board of Public Works (R.S. 38:7; 38:16)
(4) The State Board of Highways (Article VI, Sections 19, 19.2, 19.3, 19.4,
22.1), and 23 of the 1921 Louisiana Constitution, made statutory by Article
XIV, Section 16(A)(3) of the 1974 Louisiana Constitution, and such provision
of Title 48 of the Louisiana Revised Statutes of 1950 as directly relate to said
board
(5) Louisiana Expressway Authority (R.S. 48:1251 et seq.)
(6) Larose-LaFitte Toll Road Authority (Act No. 335 of 1964 Regular Session)
(7) South Central Louisiana Toll Road Authority (Act No. 35 of 1969
Regular Session)
(8) The Mississippi River Bridge Authority
(9) The Mississippi River Parkway Commission of Louisiana (R.S. 48:101 et
seq.) is placed within the Department of Transportation and Development and shall exercise and perform its powers, duties, functions, and responsibilities as provided for agencies transferred in accordance with the provisions of Part III of Chapter 22 of this Title R.S. 36:901 et seq.
(10) The Louisiana Transportation Authority (R.S. 48:2071 et seq.) is placed
within the Department of Transportation and Development and shall perform and exercise its powers, duties, functions, and responsibilities in the manner provided for agencies transferred in accordance with the provisions of R.S. 36:801.
(11) The Offshore Terminal Authority (R.S. 24:3101 et seq.) is transferred to
and hereafter shall be within the Department of Transportation and Development
and shall exercise and perform its powers, duties, functions, and responsibilities as provided by law.
(12) Louisiana Board of Animal Health (R.S. 3:2091 et seq. and other provisions
of Title 3 of the Louisiana Revised Statutes of 1950 that apply to the board).
Notwithstanding the provisions of R.S. 36:802, except that the commissioner of agriculture shall return all funds that he collects for the agency, including proceeds from assessments and license fees, to the agency less the actual cost of collecting the assessment or license fee. The Louisiana Sweet Potato Advertising and Development Commission shall, subject to the agency's budgetary review of the commissioner of agriculture and the commissioner of the Department of Agriculture and Forestry, continue to exercise its powers, duties, functions, and responsibilities as provided by law.
(13) The Dairy Stabilization Board (R.S. 3:4101 et seq.) is hereby transferred to
and hereafter shall be within the Department of Agriculture and Forestry as provided in R.S. 36:6002B.
(14) The Dairy Irrigation Board (R.S. 36:6002 et seq.), the Louisiana Animal
Health Commission (R.S. 36:401 et seq.), the Dairy Stabilization Board hereafter shall be within the Department of Agriculture and Forestry as provided in R.S. 36:6002 et seq.
(15) The Madison Parish Beefboard (R.S. 36:6002 et seq.)
(16) The Louisiana Sweet Potato Advertising and Development Commission hereafter shall be within the Department of Agriculture and Forestry as provided in R.S. 36:6002 et seq.

§629. Transfer of boards, commissions, departments, and agencies to the Department of Agriculture and Forestry

A. For purposes of this Chapter, references in Chapters 22 and 24 of this Title to "secretary" shall refer to the commissioner of agriculture and forestry, references to the "undersecretary" shall refer to the assistant commissioner for management and finance, references to an "assistant secretary" shall refer to the assistant commissioner for management and finance, references to an "assistant secretary" shall refer to an assistant commissioner, except the assistant commissioner for management and finance.

B. The following agencies, as defined by R.S. 36:3, are transferred to and after hereafter shall be within the Department of Agriculture and Forestry as provided in R.S. 36:802.7. R.S. 36:802, except that they shall continue to appoint their own director and assistant director or personnel to fill comparable positions as authorized by law:

(1) Structural Pest Control Commission (R.S. 3:3361 et seq.)
(2) Louisiana Board of Animal Health (R.S. 3:2091 et seq. and other provisions of Title 3 of the Louisiana Revised Statutes of 1950 that apply to the board). Notwithstanding the provisions of R.S. 36:802, except that the commissioner of agriculture shall return all funds that he collects for the agency, including proceeds from assessments and license fees, to the agency less the actual cost of collecting the assessment or license fee. Each such agency shall continue to control its own funds subject to the budgetary review of the commissioner of agriculture and the deputy commissioner for management and finance. In addition, each of the agencies provided for in this Paragraph shall appoint its own director and assistant director or personnel to fill comparable positions as authorized by law:

(1) Louisiana Egg Commission (R.S. 3:335 et seq.)
(2) Louisiana Rice Research Commission (R.S. 3:3541 et seq.)
(3) Louisiana Soybean and Grain Research and Promotion Board (R.S. 3:3551 et seq.)
(4) Louisiana Strawberry Marketing Board (R.S. 3:730.1 et seq.)
(5) Louisiana Beef Industry Council (R.S. 3:2061 et seq.)
(6) Louisiana Crawfish Promotion and Research Board (R.S. 3:556.1 et seq.)
(7) Louisiana Sweet Potato Advertising and Development Commission (R.S. 3:1741 et seq.)

C. The Louisiana Agricultural Commodities Commission (R.S. 3:3401 et seq.) hereafter shall be within the Department of Agriculture and Forestry and shall perform and exercise its powers, duties, functions, and responsibilities as provided for agencies transferred in accordance with the provisions of R.S. 36:801.

D. The following agencies, as defined by R.S. 36:3, are transferred to andafter hereafter shall be within the Department of Agriculture and Forestry and shall perform and exercise its powers, duties, functions, and responsibilities as provided for agencies transferred in accordance with the provisions of R.S. 36:801.

(1) The Sabine River Authority, state of Louisiana (Article XIV, Section 45 of 1921 Louisiana Constitution, made statutory by Article XIV, Section 16(A)10 of 1974 Louisiana Constitution; R.S. 38:2321 et seq.) is placed within the Department of Transportation and Development and shall perform and exercise its powers, duties, functions, and responsibilities in the manner provided for agencies transferred in accordance with the provisions of R.S. 36:901 et seq.

(2) The Poverty Point Reservoir District (R.S. 38:3907.1 et seq.) is placed within the Department of Transportation and Development and shall perform and exercise its powers, duties, functions, and responsibilities in the manner provided for agencies transferred in accordance with the provisions of R.S. 36:801.

E. The Coastal Port Advisory Authority (R.S. 34:3551 et seq.) shall be placed within the office of multimodal planning, Department of Transportation and Development, and shall perform its duties, functions, and responsibilities in the manner provided by law.

F. The following agencies, as defined by R.S. 36:3, are transferred to and afterhereafter shall be within the Department of Agriculture and Forestry as provided in R.S. 36:802.7.

G. The following are placed within the Department of Agriculture and Forestry as provided in R.S. 36:802, except as otherwise provided in this Subsection:

(1) The Louisiana Agricultural Commodities Commission (R.S. 3:3401 et seq.) hereafter shall be within the Department of Agriculture and Forestry as provided in R.S. 36:801.

H. The Department of Agriculture and Forestry as provided in R.S. 36:802, except that the agencies, subject to the approval of the commissioner of agriculture and forestry, shall appoint their own directors and assistant directors, except the assistant commissioner for management and finance.

I. The following agencies, as defined by R.S. 36:3, are transferred to and after hereafter shall be within the Department of Agriculture and Forestry as provided in R.S. 36:802, except that the commissioner of agriculture shall return all funds that he collects for the agency, including proceeds from assessments and license fees, to the agency less the actual cost of collecting the assessment or license fee. Each such agency shall continue to control its own funds subject to the budgetary review of the commissioner of agriculture and the deputy commissioner for management and finance. In addition, each of the agencies provided for in this Paragraph shall appoint its own director and assistant director or personnel to fill comparable positions as authorized by law:

(1) Louisiana Egg Commission (R.S. 3:335 et seq.)
(2) Louisiana Rice Research Commission (R.S. 3:3541 et seq.)
(3) Louisiana Soybean and Grain Research and Promotion Board (R.S. 3:3551 et seq.)
(4) Louisiana Strawberry Marketing Board (R.S. 3:730.1 et seq.)
(5) Louisiana Beef Industry Council (R.S. 3:2061 et seq.)
(6) Louisiana Crawfish Promotion and Research Board (R.S. 3:556.1 et seq.)
(7) Louisiana Sweet Potato Advertising and Development Commission (R.S. 3:1741 et seq.)

J. The following agencies, as defined by R.S. 36:3, are transferred to and after hereafter shall be within the Department of Agriculture and Forestry and shall perform and exercise its powers, duties, functions, and responsibilities as provided for agencies transferred in accordance with the provisions of R.S. 36:801.

K. The following agencies shall be transferred as provided in Part III of Chapter 22 of this Title R.S. 36:901 et seq.

L. The following agencies shall be transferred as provided in Part III of Chapter 22 of this Title R.S. 36:901 et seq.

M. The following agencies shall be transferred as provided in Part III of Chapter 22 of this Title R.S. 36:901 et seq.

N. The following agencies shall be transferred as provided in Part III of Chapter 22 of this Title R.S. 36:901 et seq.

O. The following agencies shall be transferred as provided in Part III of Chapter 22 of this Title R.S. 36:901 et seq.

P. The following agencies shall be transferred as provided in Part III of Chapter 22 of this Title R.S. 36:901 et seq.

Q. The following agencies shall be transferred as provided in Part III of Chapter 22 of this Title R.S. 36:901 et seq.

R. The following agencies shall be transferred as provided in Part III of Chapter 22 of this Title R.S. 36:901 et seq.

S. The following agencies shall be transferred as provided in Part III of Chapter 22 of this Title R.S. 36:901 et seq.
Resources shall be deemed to be appropriated to those entities within the Department of Agriculture and Forestry.


(9) The board of directors of the New Orleans Center for Creative Arts and its director (R.S. 17:1970.21 et seq.).

(10) The Quality Science and Mathematics Council (R.S. 17:371 et seq.).

(11) The task force on student proficiency (R.S. 17:24.4(I)) is placed within the Department of Education as provided in Part III of Chapter 22 of this Title. R.S. 36:921 et seq.

(12) The Louisiana Hall of Fame for the Arts election board (R.S. 17:1815) is placed within the Department of Education as provided in Part III of Chapter 22 of this Title. R.S. 36:921 et seq.

(13) The Task Force on Student Proficiency (R.S. 17:24.4(I)) is placed within the Department of Education and shall exercise and perform its powers, duties, functions, and responsibilities as provided in accordance with the provisions of R.S. 36:922.

L. The public colleges and universities, the vocational-technical schools of the state and all special schools under the jurisdiction of any agency transferred to the department are hereby transferred into the Department of Education and shall be governed as provided by the constitution and laws of this state.

M. The advisory councils to postsecondary vocational-technical schools (R.S. 17:1998) are transferred to and hereafter shall be within the Department of Education but shall retain their function of advising the Board of Supervisors of Community and Technical Colleges.

N. The Advisory Commission on Proprietary Schools (R.S. 17:3140.1 et seq.) is transferred to and hereafter shall be within the Department of Education as provided in R.S. 36:801.

O. The Louisiana Board of Pardons (Article VIII, Section 6 of the Constitution of Louisiana of 1974; R.S. 17:1921 et seq. and 3201 et seq.) is transferred to the board in accordance with the policies, rules, and regulations established by the board in accordance with the provisions of the Constitution of Louisiana and applicable laws.

§651. Transfer of boards, commissions, departments, and agencies to Department of Education: boards, commissions, departmen and agencies within Department of Education

A. For purposes of this Chapter, references in Chapters 22 and 24 of this Title to the “secretary” shall refer to the state superintendent of education, references to the “undersecretary” shall refer to the deputy superintendent for personnel management, financial management, and grants, and references to the “assistant secretary” shall refer to a deputy superintendent.

B. The following agencies are hereby transferred to the Department of Education and shall exercise and perform their powers, duties, functions, and responsibilities, as provided for in Part III of Chapter 22 of this Title. R.S. 36:921 et seq.

(1) The Louisiana Educational Television Authority (R.S. 17:2501 et seq.) is transferred to and hereafter shall be within the Department of Education as provided in R.S. 36:804.

(2) The office of instructional technology (R.S. 17:3921 et seq.) is transferred to and hereafter shall be within the Department of Education as provided in R.S. 36:801.1.

(1) The Board of Supervisors for the University of Louisiana System (Article VIII, Section 6 of the Constitution of Louisiana of 1974; R.S. 17:1832 et seq. and 3201 et seq. and other provisions of Title 17 of the Louisiana Revised Statutes of 1950 that apply to the board).

(2) Board of Regents (Article VIII, Section 5 of the Constitution of Louisiana of 1974; R.S. 17:1831 et seq. and other provisions of Title 17 of the Louisiana Revised Statutes that apply to the board).

(3) Board of Supervisors of Louisiana State University and Agricultural and Mechanical College (Article VIII, Section 7 of the Constitution of Louisiana of 1974; R.S. 17:1453 et seq. and 3201 et seq. and other provisions of the Louisiana Revised Statutes of 1950 that apply to the board).

(4) Board of Supervisors of Southern University and Agricultural and Mechanical College (Article VIII, Section 7 of the Constitution of Louisiana of 1974; R.S. 17:1581 et seq. and 3201 et seq. and other provisions of Title 17 of the Louisiana Revised Statutes of 1950 that apply to the board).

(5) The Board of Supervisors of Community and Technical Colleges (Article VIII, Section 7.1 of the Constitution of Louisiana of 1974; R.S. 17:1871 et seq. and 3201 et seq. and other provisions of Title 17 of the Louisiana Revised Statutes of 1950 that apply to the board).
and responsibilities as provided by law:

(1) Statewide Articulation and Transfer Council (R.S. 17:3162).
(2) The Louisiana Technology Development Commission (R.S. 17:3163).
(3) Louisiana Tuition Trust Authority (R.S. 17:3099 et seq.).
(4) Governing board of the Louisiana Cancer Research Center of LSU Health Sciences Center in New Orleans/Tulane Health Sciences Center (R.S. 17:1972 et seq.).
(5) Louisiana State University Health Sciences Center Health Maintenance Organization (R.S. 22:2181 et seq.).

(8) The Louisiana Hall of Fame for the Arts election board (R.S. 17:1815).
(10) The Louisiana State Board of Education and the Department of Education and shall exercise and perform its powers, duties, functions, and responsibilities in accordance with the provisions of R.S. 36:3201.

(11) The Quality Science and Mathematics Council (R.S. 17:2971 et seq.) is placed within the Department of Education and shall exercise and perform its powers, duties, functions, and responsibilities in the manner provided for agencies transferred under the provisions of R.S. 36:901.4.

(12) The Governor’s Program for Gifted Children (R.S. 17:1800.1 et seq.) is placed within the Department of Education and shall exercise and perform its powers, duties, functions, and responsibilities in accordance with the provisions of R.S. 36:801.4.

A. L(1) The following agencies are placed within the Department of Education as provided by Paragraph (2) of this Subsection and shall exercise and perform all such powers, duties, functions, and responsibilities in the manner provided for such agencies by the Constitution of Louisiana and laws and shall exercise all such powers, duties, functions, and responsibilities in the manner and to the extent so provided or authorized:

- The Louisiana Student Financial Services Commission (R.S. 17:2048.51) is placed within the Department of Education and shall exercise and perform its powers, duties, functions, and responsibilities in the manner provided for agencies transferred in accordance with the provisions of R.S. 36:901.3.
- The Louisiana Simulation Medical Training and Education Council for Louisiana (R.S. 17:2308) is placed within the Department of Education and shall exercise and perform its powers, duties, functions, and responsibilities in the manner provided for agencies transferred in accordance with the provisions of R.S. 36:901.3.
- The Louisiana Health Works Commission and shall exercise and perform its powers, duties, functions, and responsibilities in the manner provided for agencies transferred in accordance with the provisions of R.S. 36:901.3.

B. The agencies transferred by this Subsection shall be under the jurisdiction of the Board of Regents, and the Board of Regents shall have such powers, duties, functions, and responsibilities relative to the agencies as otherwise provided by law. All personnel employed or assigned to administer and implement the powers, duties, functions, and responsibilities of the agencies shall be employees of the Board of Regents. Except as otherwise provided by law, the Board of Regents shall perform and administer all functions of the agencies which are in the nature of accounting and budget control, procurement and contract management, management and program and performance management, and grants management.

C. The Louisiana Student Financial Assistance Commission (R.S. 17:3021 et seq.) is hereby abolished and its powers, duties, functions, and responsibilities are hereby transferred to the Board of Regents. All reference in law to the Louisiana Student Financial Assistance Commission shall refer to the Board of Regents.

D. The Louisiana Environmental Education Commission is placed within the Department of Education and shall exercise and perform its powers, duties, functions, and responsibilities in accordance with the provisions of R.S. 36:902.

§686. Transfer of agencies to the Department of Insurance

A. The following agencies are transferred to the Department of Insurance and shall exercise all such powers, duties, functions, and responsibilities in the manner provided in R.S. 36:902:

(1) The Board of Directors of the Property Insurance Association of Louisiana (R.S. 22:1460).
(5) The Board of Directors of the Louisiana Citizens Property Insurance Corporation (R.S. 22:2291 et seq.).

B. The following agencies are transferred to the Department of Insurance and shall exercise all such powers, duties, functions, and responsibilities in the manner provided in R.S. 36:901:

(1) The Board of Directors of the Louisiana Consortium of Insurance and Financial Services (R.S. 22:2141 et seq.).
(2) The Advisory Committee of the Louisiana Consortium of Insurance and Financial Services (R.S. 22:2141 et seq.).
(3) The following agencies are transferred to the Department of Insurance and shall exercise all such powers, duties, functions, and responsibilities in the manner provided in R.S. 36:902:

(3) The Louisiana Health Care Commission (R.S. 22:2161) is transferred to the Department of Insurance and shall exercise all such powers, duties, functions, and responsibilities in the manner provided in R.S. 36:902.16.
(4) The Board of Directors of the Louisiana Automobile Theft and Insurance Fraud Prevention Authority (R.S. 22:2131 et seq.) is transferred to the Department of Insurance and shall exercise all such powers, duties, functions, and responsibilities in the manner provided in R.S. 36:902, except that the commission shall continue to appoint its own director and an assistant director subject to the advisory committee and the commissioner who shall serve at the pleasure of the commissioner of insurance.
(5) The Louisiana Mandated Health Benefits Commission (R.S. 22:2156) is hereby abolished and its powers, duties, functions, and responsibilities are hereby transferred to the Department of Insurance and shall exercise all such powers, duties, functions, and responsibilities in the manner provided in R.S. 36:902.
(6) The board of review for public fire protection grading (R.S. 22:1461) is hereby abolished and placed within the Department of Insurance and shall exercise all such powers, duties, functions, and responsibilities in the manner provided by law.

§744. Transfer of boards, commissions, and agencies to the Department of State

B. For purposes of this Chapter, references in Chapters 22 and 24 of this Title to the “secretary”, the “undersecretary” or an “assistant secretary” shall refer to the secretary of state.

C. The State Board of Election Supervisors (R.S. 18:23-27) shall be within the Department of State, as provided in R.S. 36:902.

D. The Louisiana Business Corporation (R.S. 22:2291 et seq.) is placed within the Department of State in accordance with the provisions of R.S. 36:901.4.

E. The Advisory Board of the Old State Capitol (R.S. 25:1241 et seq.) is placed within the Department of State in accordance with the provisions of R.S. 36:901 et seq., except as otherwise provided by law.

F. The Advisory Board of the Louisiana State Capitol (R.S. 25:1241 et seq.) is placed within the Department of State in accordance with the provisions of R.S. 36:901 et seq., except as otherwise provided by this Subsection:

(1) The Louisiana Historical Records Advisory Board (R.S. 44:503-509) is hereby abolished and its powers, duties, functions, and responsibilities are hereby transferred to the department as provided in Part III of Chapter 22 of this Title.

(2) The Advisory Board of the Old State Capitol (R.S. 25:371 et seq.) may solicit and accept gifts and donations for the purposes of the Old State Capitol. Any funds accepted as a gift or donation may be expended by the department in the manner and to the extent provided by law.

(3) The Eddie G. Robinson Museum Commission (R.S. 25:1241 et seq.) is placed within the Department of State in accordance with the provisions of R.S. 36:901 et seq., except as otherwise provided by law.

(4) The Advisory Board of the Louisiana State Archives (R.S. 44:427).

E. The following agencies are abolished and their powers, duties, functions, and responsibilities are hereby transferred to the secretary of state:

(1) The State Archives and Records Commission and the State Archives and Records Service (R.S. 25:127 and R.S. 44:404 et seq.) are hereby abolished and their powers, duties, functions, and responsibilities are transferred to the secretary of state and hereafter shall be exercised and performed as provided in Part IV of Chapter 22 of this Title.

(2) The Old State Capitol Memorial Commission (Act 250 of 1948; Act 233 of 1954; Act 154 of 1965) is hereby abolished and its powers, duties, functions, and responsibilities are transferred to the secretary of state and hereafter shall be exercised and performed as provided in Part IV of Chapter 22 of this Title.

F. The Old State Capitol and the Advisory Board of the Old State Capitol are transferred to and placed within the Department of State as provided in R.S. 36:901 et seq., except as otherwise provided by law.

G. The Board of Supervisors of the Louisiana State Exhibit Museum (R.S. 25:371 et seq.) is placed within the Department of State in accordance with the provisions of R.S. 36:901.7.

H. The Louisiana State Cotton Museum (R.S. 25:380 et seq.) is placed within the Department of State in accordance with the provisions of R.S. 36:901.7.

I. The Regional Museum Governing Board of the Louisiana State Exhibit Museum (R.S. 25:379 et seq.) is placed within the Department of State and shall exercise all such powers, duties, functions, and responsibilities in the manner provided for agencies transferred in accordance with the provisions of R.S. 36:901.7.

J. The Louisiana State Exhibit Museum (R.S. 25:379 et seq.) is hereby abolished and its powers, duties, functions, and responsibilities are hereby transferred to the Department of State and hereafter shall be exercised and performed as provided in Part IV of Chapter 22 of this Title.

K. The Louisiana Mandated Health Benefits Commission (R.S. 22:2156) is hereby abolished and its powers, duties, functions, and responsibilities are hereby transferred to the secretary of state and hereafter shall be exercised and performed as provided in Part IV of Chapter 22 of this Title.
of commissioner of elections with the office of secretary of state, the office of commissioner of elections shall be abolished, including those abolished by the provisions of R.S. 36:4.1(E), 209(D), 259(B), 725(A) and 744(D), shall continue to be comprised and selected as provided by law; the executive head of each such agency shall employ, appoint, remove, assign, and promote such personnel as is necessary for the efficient administration of such powers, duties, functions, and responsibilities and for the implementation and administration of such programs provided or authorized for each by the constitution or laws which are in the nature of policymaking, rulemaking, licensing, regulation, enforcement, or adjudication and also shall continue to exercise all of the powers, duties, functions, and responsibilities provided or authorized for each by the constitution or laws which are in the nature of policymaking, rulemaking, licensing, regulation, enforcement, or adjudication and also shall continue to exercise all advisory powers, duties, functions, and responsibilities provided by law. Such powers, duties, functions, and responsibilities shall be exercised independently of the secretary and any assistant secretary, except that:

§801. Transfer; retention of functions

The agencies transferred by the provisions of R.S. 36:4.1(A), 409(D), 409(B), 478(K), 509(K), and 610(K) and 610(D) shall continue to be composed and selected as provided by law; each agency shall continue to exercise all powers, duties, functions, and responsibilities provided or authorized for each by the constitution or laws which are in the nature of policymaking, rulemaking, licensing, regulation, enforcement, or adjudication and also shall continue to exercise all of the powers, duties, functions, and responsibilities provided or authorized for each by the constitution or laws which are in the nature of policymaking, rulemaking, licensing, regulation, enforcement, or adjudication and also shall continue to exercise all advisory powers, duties, functions, and responsibilities provided by law. The boards shall administer and implement all programs provided or authorized by law. The boards shall be responsible for the performance and administration of their day-to-day operations, except that the secretary of the department shall be responsible for those matters which are in the nature of accounting, payroll, budget control, procurement, data processing, and personnel management, and shall have the authority to transfer or implement any or all of said functions through the secretary and the department.

§802. Transfer; retention of policymaking and rulemaking functions

The agencies transferred by the provisions of this Section, including those transferred by the provisions of R.S. 36:209(C), R.S. 36:209(D), and 409(D), and 509(K), shall continue to be comprised and selected as provided by law, and each shall continue to exercise all of the powers, duties, functions, and responsibilities provided or authorized for each by the constitution or laws which are in the nature of policymaking, rulemaking, licensing, regulation, enforcement, or adjudication and also shall continue to exercise all advisory powers, duties, functions, and responsibilities provided by law.

§851. Transfer; merger and consolidation of functions

A. The powers, duties, functions, responsibilities, programs, and operations as vested by the constitution and laws of this state, of each of the agencies transferred in accordance with this Part, including those transferred by the provisions of R.S. 36:4.1(B), 209(A), 209(B), 209(D), and 509(K), all of which are charged by law with the responsibility for the regulation, examination, certification, and licensing of persons in this state, and the enforcement of the laws relating thereto, shall continue to be comprised and selected as provided by law, and each shall continue to exercise all of the powers, duties, functions, and responsibilities provided or authorized for each by the constitution or laws which are in the nature of regulation, enforcement, or adjudication and also shall continue to exercise all advisory powers, duties, functions, and responsibilities provided by law.

§901. Transfer; merger and consolidation of functions; advisory agency

A. The functions, powers, duties, responsibilities, programs, and operations of each of the agencies transferred in accordance with this Part, including those transferred by the provisions of R.S. 36:209(C), R.S. 36:209(D), and 409(D), and R.S. 259(B), 725(A), and 744(E), and 744(D) on the date of each such transfer shall vest in and thereafter be the responsibility of the secretary of the department to which each is transferred, except for those functions of each which are required to be performed and administered by the undersecretary of each department, as heretofore provided for each by this Title.

§921. Transfer, merger, and consolidation of functions

A. The powers, duties, functions, responsibilities, programs, and operations as vested by the constitution and laws of this state of each of the agencies abolished, including those abolished by the provisions of R.S. 36:4.1(E), 100(C), 209(D), R.S. 36:259(B), 409(F), 459(C), 509(K), and 610(K), 651(D) and (K), 744(E), and 768(E), upon and after the date of each such abolition shall be transferred to the office of the governor of the state of Louisiana, and he shall cause such programs to be administered by the governor, or by the department or agencies to which such programs shall be transferred.

§901. Transfer; retention of all functions

The agencies transferred in accordance with this Section, including those transferred by the provisions of R.S. 36:4.1(D), 209(D), R.S. 36:259(B), 409(D), and 509(K), all of which are charged by law with the responsibility for the regulation, examination, certification, and licensing of persons in this state, and the enforcement of the laws relating thereto, shall continue to be comprised and selected as provided by law, and each shall continue to exercise all of the powers, duties, functions, and responsibilities provided or authorized for each by the constitution or laws which are in the nature of policymaking, rulemaking, licensing, regulation, enforcement, or adjudication and also shall continue to exercise all advisory powers, duties, functions, and responsibilities provided by law.

§803. Transfer; licensing agencies

A. The powers, duties, functions, responsibilities, programs, and operations as vested by the constitution and laws of this state, of each of the agencies transferred in accordance with this Part, including those transferred by the provisions of R.S. 36:4.1(B), 409(B), R.S. 36:259(A), 409(D), and 509(K), all of which are charged by law with the responsibility for the regulation, examination, certification, and licensing of persons in this state, and the enforcement of the laws relating thereto, shall continue to be comprised and selected as provided by law, and each shall continue to exercise all of the powers, duties, functions, and responsibilities provided or authorized for each by the constitution or laws which are in the nature of regulation, enforcement, or adjudication and also shall continue to exercise all advisory powers, duties, functions, and responsibilities provided by law.

§804. Transfer; education agencies

The agencies transferred by the provisions of this Section, including those transferred by the provisions of R.S. 36:4.1(G), 409(B), R.S. 36:259(B), 409(D), and 509(K), all of which are charged by law with the responsibility for the regulation, examination, certification, and licensing of persons in this state, and the enforcement of the laws relating thereto, shall continue to be comprised and selected as provided by law, and each shall continue to exercise all of the powers, duties, functions, and responsibilities provided or authorized for each by the constitution or laws which are in the nature of regulation, enforcement, or adjudication and also shall continue to exercise all advisory powers, duties, functions, and responsibilities provided by law.

§805. Transfer; health and safety agencies

The agencies transferred by the provisions of R.S. 36:209(B), R.S. 36:209(C), R.S. 36:4.1(B), 209(D), 259(B), 409(C), 459(K), 509(K), 610(K), 610(D), 651(D), 744(E), and 768(E), upon and after the date of each such abolition shall be transferred to the office of the governor of the state of Louisiana, and he shall cause such programs to be administered by the governor, or by the department or agencies to which such programs shall be transferred.

§806. Transfer; water conservation agencies

The agencies transferred by the provisions of R.S. 36:4.1(G), 409(B), R.S. 36:259(B), 409(D), and 509(K), all of which are charged by law with the responsibility for the regulation, examination, certification, and licensing of persons in this state, and the enforcement of the laws relating thereto, shall continue to be comprised and selected as provided by law, and each shall continue to exercise all of the powers, duties, functions, and responsibilities provided or authorized for each by the constitution or laws which are in the nature of regulation, enforcement, or adjudication and also shall continue to exercise all advisory powers, duties, functions, and responsibilities provided by law.

§807. Transfer; economic development agencies

The agencies transferred by the provisions of this Section, including those transferred by the provisions of R.S. 36:4.1(B), 409(B), R.S. 36:259(B), 409(D), and 509(K), all of which are charged by law with the responsibility for the regulation, examination, certification, and licensing of persons in this state, and the enforcement of the laws relating thereto, shall continue to be comprised and selected as provided by law, and each shall continue to exercise all of the powers, duties, functions, and responsibilities provided or authorized for each by the constitution or laws which are in the nature of regulation, enforcement, or adjudication and also shall continue to exercise all advisory powers, duties, functions, and responsibilities provided by law.
A true copy:

Section 18 of the Constitution of Louisiana. If vetoed by the governor and become law without signature by the governor, as provided by Article III, 1559, 1566(D), 1644, 1656, 1657.1, 1723, 1796, 1801, 1808.3, 1927, 1929, 1983, 1984, 36:744(O) and (P) as enacted by that Act as R.S. 36:744(G) and (H).

The Louisiana State Law Institute is hereby authorized to redesignate R.S. of House Bill No. 230 of the 2021 Regular Session that repeal R.S. 36:629(Q).

by this Act.

851.1, 908, 909, 910, 911, 912, 913, 919.1, 919.6, and 919.9 are hereby repealed in their entirety.

Louisiana Revised Statutes of 1950, comprised of R.S. 17:407.23(D)(3), Part X-F of Chapter 1 of Title 17 of the Louisiana Revised Statutes of 1950, comprised of R.S. 17:407.101, and R.S. 36:651(F)(5) are hereby repealed in their entirety.

Section 7. R.S. 51:1253(3) is hereby amended and reenacted by that Act as R.S. 36:629(LX)(3).

To amend and reenact R.S. 6:272(A)(1), (B)(2), and (D)(1), 273(B)(1), 274(C)(1), 709(E) and (F), 1182(B), 1183(A), 1185(A), and 1187(A) and R.S. 12:1-709(D), relative to the use of remote communication in certain meetings; to provide for related matters.

To amend and reenact R.S. 18:563(C)(1) and 1309(E)(4)(a), relative to voting; to provide for the meeting of savings banks; to provide for annual meetings; to provide for special meetings; to provide for voting; to provide for proxies; to provide for an effective date; and to provide for related matters.

Be it enacted by the Legislature of Louisiana:

Section 1. R.S. 18:563(C)(1) and 1309(E)(4)(a) are hereby amended and reenacted to read as follows:

§363. Procedure for voting

C(1)(a) A voter shall not remain in a voting machine longer than three six hours. If a voter fails to leave a voting machine promptly after a commissioner has notified him that three six hours have elapsed, the commissioners shall order the voter to complete voting and leave the voting machine.

(b) Notwithstanding Subparagraph (a) of this Paragraph, if the ballot is lengthy or if it contains complex propositions or constitutional amendments, the commissioners may allocate additional time in an equitable manner.

§1309. Early voting; verification

E.

(4)(a)(i) A voter shall not remain in a voting machine longer than three six hours. If a voter fails to leave a voting machine promptly after the registrar or deputy registrar has notified him that three six hours have elapsed, the registrar or deputy registrar shall have the voter removed from the voting machine.

(ii) Notwithstanding Item (i) of this Subparagraph, if the ballot is lengthy or if it contains complex propositions or constitutional amendments, the registrar or deputy registrar may allocate additional time in an equitable manner.

Section 2. This Act shall become effective on January 1, 2022.

Approved by the Governor, June 1, 2021.

A true copy:

R. Kyle Ardoin
Secretary of State

ACT No. 23

HOUSE BILL NO. 298

BY REPRESENTATIVE THOMAS AND SENATOR HENRY
Prefiled Pursuant to Article III, Section 2A(4)(b)(x)
of the Constitution of Louisiana.

Provides relative to stockholders' meetings and use of remote communication

AN ACT

To amend and reenact R.S. 6:272(A)(x), (B)(x), and (D)(1), 273(B)(1), 274(C)(1), 709(E) and (F), 1182(B), 1183(A), 1185(A), and 1187(A) and R.S. 12:1-709(D), relative to the use of remote communication in certain meetings; to provide for related communication; to provide for notice; to provide for meetings of savings banks; to provide for annual meetings; to provide for special meetings; to provide for voting; to provide for proxies; to provide for an effective date; and to provide for related matters.

Be it enacted by the Legislature of Louisiana:

Section 1. R.S. 6:272(A)(1), (B)(2), and (D)(1), 273(B)(1), 274(C)(1), 709(E) and (F), 1182(B), 1183(A), 1185(A), and 1187(A) are hereby amended and reenacted: §272. Stockholders' meetings

A.(1) Unless otherwise provided in the articles or bylaws, stockholders' meetings may be held anywhere in this state or by remote communication as provided in R.S. 12:1-709.

B.

(2) At any time upon written request of any stockholder or stockholders holding in the aggregate one-fifth, or such lesser or greater proportion as may be fixed in the articles or in a bylaw adopted by the stockholders, of the total voting power, the secretary shall call a special meeting of stockholders to be held at the registered office, or by remote communication as provided in R.S. 12:1-709 at such time as the secretary may fix, not less than fifteen nor more than sixty days after the receipt of said request, and if the secretary shall neglect or refuse to fix such a time or to give notice of the meeting, the stockholder or stockholders making such request may do so.

D.(1) Unless otherwise provided in the articles or bylaws and except as otherwise provided in this Chapter, the authorized person or persons calling a stockholders' meeting shall cause written notice of the time, place, and purpose of the meeting to be given to all stockholders entitled to vote at such meeting at least ten days and not more than sixty days prior to the day fixed for the meeting. Notice of the annual meeting need not state the purpose thereof, except as otherwise provided in this Chapter, if a specified action is

THE ADVOCATE

* As it appears in the enrolled bill

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to be taken at the meeting. If the state bank has authorized participation at a stockholders’ meeting by means of remote communication, as provided in R.S. 12:1-709, notice of the place shall include the means of remote communication to be used and any required access instructions.

Section 2. R.S. 12:1-709(D) is hereby amended and reenacted to read as follows:

§709. Members or stockholders meeting

E. Unless otherwise provided in the articles of incorporation or bylaws, voting at any meeting of the members or stockholders may be in person, by means of remote communication as provided in R.S. 12:1-709, or by written proxy signed by the member or stockholder or his duly authorized agent. However, no proxy may be voted at any meeting unless the proxy was filed with the secretary of the association for verification at least five days prior to the date of the meeting at which the proxy is to be voted. When shares of stock, or accounts are registered in the name of two or more persons, a proxy signed by any one or more of them shall be deemed valid unless the association receives written notice to the contrary from a nonsigning registered member or stockholder before the proxy is voted.

F. Unless otherwise provided in the articles of incorporation or bylaws, at an annual meeting or at any special meeting of members or stockholders, any number of persons present in person, attending by means of remote communication as provided in R.S. 12:1-709, or by eligible proxy shall constitute a quorum and a majority of all votes cast at any meeting shall determine any question unless this Chapter specifically provides otherwise.

§1182. Annual and special meetings

B. Special meetings may be called with not less than twelve hours’ written or oral notice, by the board of directors, the holders of not less than twenty-five percent of the outstanding capital stock shares, by such other person as the bylaws may designate or by the commissioner. Every annual or special meeting shall be held at the business office of the savings bank, by remote communication as provided in R.S. 12:1-709, or if the space is inadequate, in such other place within the same parish as shall be specifically designated in the notice of such meeting.

Notice of an annual meeting shall be published once not less than ten days nor more than forty days before the date of the meeting. The notice shall also be displayed in a conspicuous place at the place of business of the savings bank in a manner which will assure that members of the general public will be provided an opportunity to read said notice. The notice shall state the time, place, and purpose of the meeting. If the state savings bank has authorized participation at a stockholders’ meeting by means of remote communication as provided in R.S. 12:1-709, notice of the place shall include the means of remote communication to be used and any required access instructions.

§1185. Voting

A. Voting at a meeting may be either in person, by means of remote communication in accordance with R.S. 12:1-709, or by proxy executed in writing by the member or stockholder or by his duly authorized attorney-in-fact.

§1187. Proxies

A. Voting at a meeting may be either in person, by means of remote communication in accordance with R.S. 12:1-709, or by proxy executed in writing by the member or shareholder or by his duly authorized attorney-in-fact.
Be it enacted by the Legislature of Louisiana:

Section 1. R.S. 9:3259.3 is hereby enacted to read as follows:

§3259.3. Privilege for unpaid lease payments: abandoned manufactured homes and abandoned movable property; enforcement of privilege by owner of immovable property; definitions

A. As used in this Section, the following terms shall have the following meanings:

(1) "Abandoned manufactured home" means a manufactured home that has a current fair market value not exceeding five thousand dollars that is not encumbered by a mortgage, lien, privilege, or security interest, that is placed upon immovable property of another subject to a lease agreement, with which the owner of the immovable property has not been served with a notice as required under the lease agreement, and on which the lessee no longer intends to remain in the manufactured home and intends to abandon the remaining movable property, or when a reasonable person would conclude from all appearances that the lessee no longer intends to occupy the manufactured home or claim ownership to any of the remaining movable property.

(2) "Manufactured home" means a mobile home or residential mobile home as defined by R.S. 9:1149.2.

(3) "Abandoned movable property" means contents, personal items, or other movable property as defined by Civil Code Article 476 as placed upon immovable property of another subject to a lease agreement, and on which the lessee no longer intends to remain in the manufactured home and intends to abandon the movable property, or when a reasonable person would conclude from all appearances that the lessee no longer intends to occupy the movable property or claim ownership to any of the remaining movable property.

(4) "The notice shall include:

(a) A copy of any written lease agreement between the owner and defaulting lessee, or, if the lease agreement is verbal, a summary of its terms and conditions.

(b) An itemized statement of the owner's claim, showing the sum due at the time of the notice and the date when the sum became due.

(c) The name of the owner of the abandoned manufactured home, if known, and a brief and general description of the abandoned manufactured home and abandoned movable property, including the serial number and vehicle identification number of the manufactured home, if available, upon which a privilege is claimed and shall be entitled to place his own lock on the abandoned manufactured home located on the immovable property in order to compile a brief and general description of the abandoned movable property

(d) Notification that the lessee has been or shall be denied access to the abandoned manufactured home and abandoned movable property.

(e) A demand for payment within a specified time not less than fifteen days after actual receipt of the notice made pursuant to this Section shall not be valid unless the notice was served with process as required under the lease agreement, and to enforce his privilege for the debt due him, as follows:

(f) A statement that the abandoned manufactured home, its contents, and abandoned movable property shall conform to the requirements of this Section, the court shall authorize the sale of the abandoned manufactured home and abandoned movable property by the lessee or its assignee, and shall issue a warrant of sale and, on obtaining approval from the court, the owner of the immovable property may proceed to sell the abandoned manufactured home and abandoned movable property. Any sale or other disposition of the abandoned manufactured home and abandoned movable property shall conform to the terms of the notification as provided by this Section.

B. In the event of default by the lessee and abandonment of the manufactured home and after compliance with the provisions of R.S. 9:3259.1, if applicable, the owner of the immovable property shall have the privilege, or security interest, and on any abandoned movable property that is placed upon immovable property pursuant to a lease agreement.

(1) The owner of the immovable property shall be authorized to remove and place the abandoned manufactured home located on the immovable property in order to compile a brief and general description of the abandoned manufactured home and abandoned movable property, including the serial number and vehicle identification number of the manufactured home, if available, upon which a privilege is claimed and shall be entitled to place his own lock on the abandoned manufactured home located on the immovable property in order to compile a brief and general description of the abandoned movable property.

(2) The lessee shall be notified of the owner's intention to enforce his privilege.

(3) The notice shall be delivered in person to the lessee or sent by certified mail to the last known address of the lessee.

(4) The notice shall include:

(a) A copy of any written lease agreement between the owner and defaulting lessee, or, if the lease agreement is verbal, a summary of its terms and conditions.

(b) An itemized statement of the owner's claim, showing the sum due at the time of the notice and the date when the sum became due.

(c) The name of the owner of the abandoned manufactured home, if known, and a brief and general description of the abandoned manufactured home and abandoned movable property, including the serial number and vehicle identification number of the abandoned manufactured home, if known, upon which a privilege is claimed. The description shall be reasonably adequate to permit the owner to identify it, except that any container, including but not limited to any lock on the abandoned manufactured home located on the immovable property, or any abandoned movable property, including the serial and vehicle identification numbers of the abandoned manufactured home, if known, reasonably adequate to permit its identification as provided by Subparagraph (4)(c) of this Subsection.

(d) The time, place, and manner of the sale or other disposition.

(e) The sale or other disposition of the abandoned manufactured home and abandoned movable property shall take place not sooner than thirty days from the date of the notice, unless required by the court.

D. Upon completion of the procedures required by Subsection C of this Section, the owner of the immovable property may file suit for possession or ownership of the abandoned manufactured home and abandoned movable property. Any sale or other disposition of the abandoned manufactured home and abandoned movable property shall provide certification of a physical inspection of the abandoned manufactured home for the purpose of vehicle identification number verification by a law enforcement officer trained and certified by the Department of Public Safety and Corrections to inspect motor vehicles, as provided in Chapter 4 of Title 32 of the Louisiana Revised Statutes of 1950. The certification shall certify that the serial or vehicle identification numbers are not known. The owner of the immovable property shall certify in his petition, or attach an affidavit of the owner of the immovable property attesting, that there is no mortgage, lien, privilege, or security interest encumbering the abandoned manufactured home based on a search of the parish mortgage records and records of the Department of Public Safety and Corrections office of motor vehicles.

In the event of default by the lessee and abandonment of the immovable property has satisfied the requirements of this Section, the court shall authorize the sale of the abandoned manufactured home and abandoned movable property by the owner of the immovable property in the notice required by this Section. The lessee may pay the amount necessary to satisfy the privilege, including all reasonable expenses incurred under this Section, and thereby redeem the movable property. Upon receipt of such payment, the owner shall have no liability to any person with respect to such movable property.

4. A purchaser in good faith of the abandoned manufactured home or abandoned movable property sold by an owner to enforce the privilege retained under the lease agreement and to enforce his privilege for the debt due him, if there are no bidders, the owner may purchase the movable property for a price at least sufficient to satisfy his claim for lease payments due and all other charges, or he may donate the abandoned manufactured home and abandoned movable property to charity.

5. Prior to any sale or other disposition of the abandoned manufactured home or abandoned movable property to enforce the privilege granted by this Section, the lessee may pay the amount necessary to satisfy the privilege, including all reasonable expenses incurred under this Section, and thereby redeem the movable property. Upon receipt of such payment, the owner shall have no liability to any person with respect to such movable property.

6. A purchaser in good faith of the abandoned manufactured home or abandoned movable property sold by an owner to enforce the privilege retained under the lease agreement and to enforce his privilege for the debt due him, if there are no bidders, the owner may purchase the movable property for a price at least sufficient to satisfy his claim for lease payments due and all other charges, or he may donate the abandoned manufactured home and abandoned movable property to charity.

D. (1) The sale or other disposition of the abandoned manufactured home and abandoned movable property shall be held at the address of the immovable property where the abandoned manufactured home is located, as indicated in the notice required by this Section. The owner shall sell the abandoned manufactured home and abandoned movable property to the highest bidder, and, if there are no bidders, the owner shall purchase the movable property for a price at least sufficient to satisfy his claim for lease payments due and all other charges, or he may donate the abandoned manufactured home and abandoned movable property to charity.

D. (2) The owner of the immovable property shall file the petition to collect the balance owed.

A. Prior to any sale or other disposition of the abandoned manufactured home or abandoned movable property to enforce the privilege granted by this Section, the lessee may pay the amount necessary to satisfy the privilege, including all reasonable expenses incurred under this Section, and thereby redeem the movable property. Upon receipt of such payment, the owner shall have no liability to any person with respect to such movable property.

A. (5) A purchaser in good faith of the abandoned manufactured home or abandoned movable property sold by an owner to enforce the privilege retained under the lease agreement and to enforce his privilege for the debt due him, if there are no bidders, the owner may purchase the movable property for a price at least sufficient to satisfy his claim for lease payments due and all other charges, or he may donate the abandoned manufactured home and abandoned movable property to charity.

B. In the event of default by the lessee and abandonment of the immovable property has satisfied the requirements of this Section, the court shall authorize the sale of the abandoned manufactured home and abandoned movable property by the owner of the immovable property in the notice required by this Section. The lessee may pay the amount necessary to satisfy the privilege, including all reasonable expenses incurred under this Section, and thereby redeem the movable property. Upon receipt of such payment, the owner shall have no liability to any person with respect to such movable property.

B. (5) A purchaser in good faith of the abandoned manufactured home or abandoned movable property sold by an owner to enforce the privilege retained under the lease agreement and to enforce his privilege for the debt due him, if there are no bidders, the owner may purchase the movable property for a price at least sufficient to satisfy his claim for lease payments due and all other charges, or he may donate the abandoned manufactured home and abandoned movable property to charity.

C. The sale or other disposition of the abandoned manufactured home and abandoned movable property shall take place not sooner than thirty days from the date of the notice, unless required by the court.

A. In the event of default by the lessee and abandonment of the immovable property has satisfied the requirements of this Section, the court shall authorize the sale of the abandoned manufactured home and abandoned movable property by the owner of the immovable property in the notice required by this Section. The lessee may pay the amount necessary to satisfy the privilege, including all reasonable expenses incurred under this Section, and thereby redeem the movable property. Upon receipt of such payment, the owner shall have no liability to any person with respect to such movable property.

C. (1) The sale or other disposition of the abandoned manufactured home and abandoned movable property shall be held at the address of the immovable property where the abandoned manufactured home is located, as indicated in the notice required by this Section. The owner shall sell the abandoned manufactured home and abandoned movable property to the highest bidder, and, if there are no bidders, the owner may purchase the movable property for a price at least sufficient to satisfy his claim for lease payments due and all other charges, or he may donate the abandoned manufactured home and abandoned movable property to charity.

C. (2) The owner of the immovable property shall file the petition to collect the balance owed.

D. Prior to any sale or other disposition of the abandoned manufactured home or abandoned movable property to enforce the privilege granted by this Section, the lessee may pay the amount necessary to satisfy the privilege, including all reasonable expenses incurred under this Section, and thereby redeem the movable property. Upon receipt of such payment, the owner shall have no liability to any person with respect to such movable property.

D. (1) The sale or other disposition of the abandoned manufactured home and abandoned movable property shall be held at the address of the immovable property where the abandoned manufactured home is located, as indicated in the notice required by this Section. The owner shall sell the abandoned manufactured home and abandoned movable property to the highest bidder, and, if there are no bidders, the owner may purchase the movable property for a price at least sufficient to satisfy his claim for lease payments due and all other charges, or he may donate the abandoned manufactured home and abandoned movable property to charity.

D. (2) The owner of the immovable property shall file the petition to collect the balance owed.

Approved by the Governor, June 1, 2021.
A true copy:
R. Kyle Ardoin
Secretary of State

ACT No. 26
HOUSE BILL NO. 387
BY REPRESENTATIVE GREEN AND SENATORS BOUIE AND CONNICK
AN ACT
To enact Subpart H-1 of Part III of Chapter 4 of Title 22 of the Louisiana Revised Statutes of 1950, to be comprised of R.S. 22:1171 and 1172, relative to dental provider network administration; to provide for definitions; to prohibit certain contracts and waivers; to require notifications; to provide for applicability; to provide for penalties and enforcement; to authorize rulemaking; and to provide for matters.
Be it enacted by the Legislature of Louisiana:
Section 1. Subpart H-1 of Part III of Chapter 4 of Title 22 of the Louisiana Revised Statutes of 1950, comprised of R.S. 22:1171 and 1172, is hereby enacted to read as follows:

SUBPART H-1. NETWORK LEASING ACT
§1171. Short title: definitions
A. This Subpart may be cited as the “Network Leasing Act”.
B. As used in this Subpart, the following definitions apply:
(1) “Contracting entity” means any person or entity, including a third-party administrator and a dental carrier, that enters into a direct contract with a provider for the delivery of dental services in the ordinary course of business.
(2) “Dental benefit plan” means a benefit plan which pays or provides dental expense benefits for covered dental services and is delivered or issued for delivery by or through a dental carrier on a stand-alone basis.
(3) “Dental carrier” means a dental insurance company, dental service corporation, dental plan organization, authorized to provide dental benefits, or an insurance plan that includes coverage for dental services.
(4) “Dental services” means services for the diagnosis, treatment, or cure of a dental condition, illness, injury, or disease. “Dental services” does not include services delivered by a provider that are billed as medical expenses per the terms of a health insurance plan.
(5) “Dentist” means any person, licensed by the Louisiana State Board of Dentistry, to practice dentistry in this state.
(6) “Health insurance plan” means any hospital or medical insurance policy, certificate, or the like, issued under R.S. 22:1171 and 1172, that includes coverage for dental services.
(7) “Health insurance plan’s affiliate” means any person or organization that is either an affiliate of the health insurance plan or an entity operating in accordance with the same brand licensee program as the health insurance plan.
(8) “Provider” means an individual or entity which, acting within the scope of licensure or certification, provides dental services or supplies defined by the health insurance plan or dental benefit plan, “Provider” does not include a physician organization or physician hospital organization that leases or rents the physician organization’s or physician hospital organization’s network to a third party.
(9) “Provider network contract” means a contract between a contracting entity and a provider that specifies the rights and responsibilities of the contracting entity and provides for the delivery and payment of dental services to an enrollee.
(10) “Third party” means a person or entity that enters into a contract with a contracting entity or with another third party to gain access to the dental services or contractual discounts of a provider network contract that has been granted to a dental carrier. “Third party” does not include an employer or other group for whom the dental carrier or contracting entity provides administrative services.
§1172. Fair and transparent network contracting; responsible contracting requirements; applicability: penalties: enforcement: waiver of contractual requirements prohibited; rules and regulations
A. A contracting entity may grant a third party access to a provider network contract or a provider’s dental services or contractual discounts pursuant to a provider network contract if all of the following terms are met:
(1) the contract specifically states that the contracting entity may enter into an agreement with a third party allowing the third party to obtain the contracting entity’s rights and responsibilities as if the third party is the contracting entity;
(2) the contracting entity is a dental carrier, the provider chose to participate in third-party access at the time the provider network contract was entered into or renewed, and for contracts with dental carriers, the dentist has the right to choose not to participate in third-party access;
(3) if the contracting entity is an insurer, the third-party access provision of any written network contract specifically states that the contract grants third-party access to the provider network.
(2) The third party accessing the contract agrees to comply with all terms of the provider network contract.
(3) The contracting entity identifies, in writing or electronic form to the provider, all third parties in existence as of the date of the contract.
(4) The contracting entity identifies all third parties in existence at a list on its internet website that is posted at least once every ninety days.
(5) The contracting entity notifies network providers in writing or electronic form that a new third party is leasing or purchasing the network at least thirty days in advance of the relationship taking effect.
(6a) The contracting entity requires a third party to identify the source of the discount on all remittance advices or explanations of payment under which a discount is taken.
(b) The provisions of this Paragraph do not apply to electronic transactions mandated by the Health Insurance Portability and Accountability Act of 1996.
(7) The contracting entity notifies the third party of the termination of a provider network contract no later than thirty days from the termination date of the provider network contract.
(8) A third party’s right to a provider’s discounted rate ceases as of the termination of the provider network contract. 
(9) The contracting entity makes available a copy of the provider network contract relied on in the adjudication of a claim to a participating provider within thirty days of a request from the provider.
(10) At the time the provider network contract is entered into or renewed, or when there are material modifications to a contract relevant to granting access to a provider network contract to a third party, a dental carrier shall allow any provider which is part of the carrier’s provider network to choose not to participate in third-party access to the contract or to enter into a contract directly with the health insurer that acquired the provider network.
(11) If a provider opts out of a network lease arrangement, this does not permit the contracting entity to cancel or otherwise end a contractual relationship with the provider when initially contracting with a provider, a contracting entity shall accept a qualified provider even if a provider rejects a network lease provision.
(2) The provisions of this Subsection do not apply to a contracting entity that is not a health insurer or dental carrier.
B. As used in this Subpart, the following definitions apply:
(1) A provider is not bound by or required to perform treatment or services pursuant to a provider network contract that has been granted to a third party in violation of this Subpart.
D. Applicability. The provisions of this Section do not apply if either of the following is true:
(1) the New York State Department of Financial Services’ requirements for any dental plan or other group insurance plan do not apply to the covered service, even if the insurer is located out of state; or
(2) a resident of New York State is not a participant in the coverage provided by the insurance plan.
G. The commissioner of insurance may promulgate rules in accordance with the Administrative Procedure Act that are consistent with the provisions of this Subpart and the laws of this state.
Section 2. The provisions of this Act shall apply to any contract issued or renewed after August 1, 2021.
A true copy:
R. Kyle Ardoin
Secretary of State

ACT No. 27
HOUSE BILL NO. 400
BY REPRESENTATIVE COUSSAN
AN ACT
To amend and reenact Civil Code Article 811 and Code of Civil Procedure Articles 4607, 4622, 4624, and 4625, relative to property: to provide for partitions by private sale; to provide relative to absentee and non-consenting co-owners; to provide for petition requirements; to provide for sale requirements; to provide for an effective date; and to provide for related matters.
Be it enacted by the Legislature of Louisiana:
Section 1. Civil Code Article 811 is hereby amended and reenacted to read as follows:

Art. 811. Partition by litiation or by private sale
A. When the thing held in indivision is not susceptible to partition in kind, the court shall decree a partition by litiation or, as provided in Paragraph B of this Article, by private sale and the proceeds shall be distributed to the co-owners in proportion to their shares.
B. In the event that one or more of the co-owners are absentee or have not consented to a partition by private sale, the court may set the terms of the sale and shall order a partition by private sale and shall give first priority to the private sale between the existing co-owners, over the sale by partition by litigation or private sale to third parties. The court shall order the partition by private sale between the existing co-owners as identified in the conveyance records as of the date of filing for the petition for partition by private sale. The petition for partition by private sale shall be granted first priority, and the sale shall be executed under Title IX of Book VII of the Code of Civil
ARTICLE 5251, shall describe the property sought to be partitioned and allege an interest, under the articles of this Chapter, shall allege the facts showing nonjudicial partition. 

At any time prior to the sale, the parties may agree upon a nonjudicial partition.

Art. 4622. Petition

A. The petition for the partition of property in which an absentee owns an interest, under the articles of this Chapter, shall allege the facts showing that the absent and unrepresented defendant is an absentee, as defined in Article 5251, shall describe the property sought to be partitioned and allege the ownership interests thereof, and shall be supported by an affidavit of the petitioner or of his counsel that the facts alleged in the petition are true.

B. (1) If the partition is to be made by private sale, the petition for partition between the co-owners shall have first priority status by the court and shall describe all of the following:

(a) The primary terms of the proposed sale,
(b) The name of the proposed purchaser and whether the proposed purchaser is a co-owner or third party in accordance with Civil Code Article 811B, identify the proposed purchaser, if any, disclose whether the proposed purchaser is related to any co-owner,
(c) The source or location of funds to be used in the sale,
(d) If the proposed purchaser is a juridical entity, including but not limited to corporations, limited liability companies, partnerships, and sole proprietorships, and whether that entity has a relationship with any co-owner and disclose to the petitioning co-owners,
(e) Whether any costs associated with the sale will be paid to any person related to the petitioning co-owners within the fourth degree or a juridical entity in which the co-owner has a direct or indirect financial interest,
(f) Upon judgment of the court ordering the sale, payment shall be made within twenty-four hours using cash or certified funds.

Art. 4624. Publication of notice

Notice of the institution of the proceeding shall be published at least once in the parish where the property partitioning is instituted, in the manner provided by law. This notice shall set forth the title and docket number of the proceeding, the name and address of the court, a description of the property sought to be partitioned, and the primary terms of the private sale and shall notify the absent defendant that the plaintiff is seeking to have the property partitioned by litigation or by private sale under Civil Code Article 811A and Chapters 1 and 2 of this Title, and that the absent defendant has fifteen days from the date of the publication of notice, or of the initial publication of notice if there is more than one publication, to answer the plaintiff’s petition.

Art. 4625. Trial; judgment ordering sale

A. Except as otherwise provided in Article 4630, if the petitioner proves on the trial of the proceeding that he is a co-owner of the property and entitled to the partition thereof and that the defendant is an absentee who owns an interest therein, the court shall enter judgment ordering either the public sale of the property for cash by the sheriff to effect a partition, after the advertisement required by law for a sale under execution or the private sale of the property for cash by the court appointed representative to effect a partition, executed on behalf of the absentee or non-consenting co-owner by a court-appointed representative, who may be a co-owner, under Chapters 1 and 2 of this Title, and after the advertisement required by law for a sale under execution.

B. The judgment shall determine the absentee’s share in the proceeds of the sale and allow a reasonable fee to the attorney appointed to represent him to be paid from the absentee’s share of the proceeds of the sale.

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

Approved by the Governor, June 1, 2021.

A true copy:

R. Kyle Ardoin
Secretary of State
available to the commission all arrest and conviction information contained in the bureau's criminal history record and identification files which pertain to the applicant.

Change (3) The commission shall have the authority to charge and collect from an applicant for any license which the board is authorized to issue, in addition to all other applicable fees and costs, such amount as may be incurred by the commission in requesting and obtaining criminal history record information on the applicant.

J.(1) Prior to January 1, 2006, and each year thereafter, all retailers and developers shall annually take a commission-approved continuing education course. The individual required to attend the continuing education course is the individual license holder for corporations, an officer or manager, for partnerships, a partner or manager. The commission shall set the educational requirements and approve providers and the course materials for all continuing education classes. The commission shall have the authority to suspend these continuing education requirements, for one or more licensees, if, in its discretion, determines such action is warranted due to extraordinary circumstances.

§912.3. Definitions
For purposes of this Part, the following words, phrases, and terms are defined and construed as follows:

(1) “Builder” means a person or an entity that designs, manufactures, or constructs homes, including dealers, developers, manufacturers, and installers, whether or not the consumer purchased the underlying real estate with the home or the builder initially occupied the home as his residence. The individual who sold the home to a consumer shall be considered the builder of the home. The builder shall maintain the building with regard to the consumer for a period of one year after the purchase of the home. The consumer shall pay all costs associated with the maintenance of the home and may bring actions against the builder for any deficiencies in the construction or maintenance of the home. The consumer shall be responsible for the maintenance of the home and the builder shall not be liable for any defects in the home caused by the consumer.

§912.5. Required notice
A. Before undertaking any repair work on a home, the owner shall give the commission written notice of the repair work to be undertaken on each home that is defective. The notice shall be given by the owner to the builder of the home and shall be in writing and specify the nature and extent of the repairs to be undertaken. The notice shall be in the form prescribed by the commission and shall be signed by the owner. The owner shall provide the builder with a copy of the notice at the time of the repair work. The owner shall also provide the builder with a copy of the notice at the time of the repair work.

§912.21. Definitions
For the purposes of this Part, the following words have the following meanings:

(14) “Extraordinary circumstances” means a federally declared disaster, a gubernatorially declared disaster or emergency, a pandemic, or an illness or emergency medical condition.

§912.27. Licensure of installers and transporters; adoption of rules; compliance with installation instructions; disposition of fees
A.

(3) Installers shall be required to attend one continuing education course per year. The individual required to attend the continuing education course is the individual license holder. For corporations, an officer of the corporation shall attend the course. For partnerships, a partner shall attend the course. The commission shall set the educational requirements and approve educational course providers and the course manuscripts for all continuing education classes. The commission shall have the authority to suspend these continuing education requirements, for one or more licensees, if, in its discretion, determines such action is warranted due to extraordinary circumstances.

Approved by the Governor, June 1, 2021.

A true copy:
R. Kyle Ardoin
Secretary of State

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ACT No. 30

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HOUSE BILL NO. 451

BY REPRESENTATIVE DAVIS AND SENATORS BARROW, FOIL, AND WHITE

ACT 2012

To amend and reenact R.S. 22:1483(A) and (C) and to enact R.S. 22:1483(D), relative to insurance discounts and rate reductions for residential and commercial buildings; to provide the requirements for buildings to qualify for the discount or rate reduction; and to provide for related matters.

THE ADVOCATE

* As it appears in the enrolled bill

PAGE 30
HOUSE BILL NO. 461
BY REPRESENTATIVE HUGHES AND SENATORS BOUIE AND HARRIS

To amend and reenact R.S. 46:1430(A)(1), relative to certain facilities licensed by the Department of Children and Family Services to provide out-of-home care for children; to revise certain provisions of the Specialized Provider Licensing Act; to provide relative to entities that violate regulations adopted pursuant to such law; to provide for the assessment of penalties in respect to violations related to state central registry clearances; and to provide for related matters.

Be it enacted by the Legislature of Louisiana:

Section 1. R.S. 46:1430(A)(1) is hereby amended and reenacted to read as follows:

$440. Operating in violation of regulations; penalties and fines
A.(1) For violations related to supervision, criminal history record checks, the state central registry disclosure process, state central registry clearances, staff qualifications, ratios, motor vehicle records, or failure to report critical incidents, the Department of Children and Family Services may issue a written warning that includes a corrective action plan, in lieu of revocation, upon any person or specialized provider violating these requirements if such condition or occurrence does not pose an imminent threat to the health, safety, rights, or welfare of a child. Failure to implement a corrective action plan issued pursuant to this Section may result in either the assessment of a civil fine or license revocation or may result in both actions being taken by the department. Such civil fine shall not exceed two hundred fifty dollars per day for each assessment; however, the aggregate fines assessed for violations determined in any consecutive twelve-month period shall not exceed two thousand dollars.

* * *

Approved by the Governor, June 1, 2021.

A true copy:
R. Kyle Ardoin
Secretary of State

ACT No. 32

HOUSE BILL NO. 462
BY REPRESENTATIVE HUVAL
AN ACT

To amend and reenact R.S. 22:439(A)(1), (2)(introductory paragraph), and (3) and (B) and 440 and to enact R.S. 22:439(E), relative to the tax on surplus lines and unauthorized insurance; to provide for a tax on the direct placement of unauthorized insurance; to provide for direct placement tax reports; to provide for a penalty for the failure to pay the tax or to file the required report; to provide for the waiver of the penalty; for an effective date; and to provide for related matters.

Be it enacted by the Legislature of Louisiana:

Section 1. R.S. 22:439(A)(1), (2)(introductory paragraph), and (3) and (B) and 440 are hereby amended and reenacted and R.S. 22:439(E) is hereby enacted to read as follows:

§439. Tax on surplus lines and unauthorized insurance
A.(1) There shall be a tax of four and eighty-five one hundredths of one percent per annum on the gross premium with regard to the location of the covered property, risk, or exposure for all surplus lines of insurance placed through a Louisiana-licensed surplus lines broker with a surplus lines insurer or other unauthorized insurer and for which Louisiana is the home state of the policyholder as defined in R.S. 22:468.1. The commissioner shall collect the tax and deposit it with the state treasurer who shall credit it to the state general fund.

* * *

ACT No. 33

HOUSE BILL NO. 532
BY REPRESENTATIVES ST. BLANC, GREEN, JORDAN, KERNER, NEWELL, THOMPSON, AND TURNER AND SENATORS ALLAIN AND WARD
AN ACT

To repeal R.S. 45:164(E)(3), relative to common carrier’s certificates; to provide relative to intrastate movers of household goods; to remove the contract limit for certain common carrier certificate requirements for movers of household goods; and to provide for related matters.

Be it enacted by the Legislature of Louisiana:

Section 1. R.S. 45:164(E)(3) is hereby repealed in its entirety.

Approved by the Governor, June 1, 2021.

A true copy:
R. Kyle Ardoin
Secretary of State

ACT No. 34

HOUSE BILL NO. 689
(Substitute for House Bill No. 466 by Representative Jordan)
BY REPRESENTATIVE JORDAN
AN ACT

To amend and reenact R.S. 6:649(A)(2) and (C), relative to credit unions; to allow for compensation; to provide for the payment of insurance premiums; to provide for effectiveness; and to provide for related matters.

Be it enacted by the Legislature of Louisiana:

Section 1. R.S. 6:649(A)(2) and (C) are hereby amended and reenacted to read as follows:

$649. Directors; officers; compensation
A. * * *

(2) At the first meeting after the annual meeting of the members, the directors shall elect from their number the board officers specified in the bylaws. Only one board officer shall be compensated as an officer of the board, and the bylaws shall specify such positions, as well as the specific duty of each of the board officers. The board shall elect from their number a financial officer who shall give bond with good and sufficient surety in an amount and character to be determined by the board of directors in compliance with the conditions of this Section.

* * *

C. No member of the board of directors or of the credit or supervisory committees shall receive any compensation for his services as a member of the board or of the committee. However, directors and committee members may receive a credit union may reasonably compensate an officer, director, or committee member for services to the credit union and for any travel away from work on credit union business, as and for per diem, when provided for in the bylaws. The compensation may therefore provide for bylaw provision when the credit union’s legal reserves are in excess of six percent of risk assets. The payment by the credit union of premiums for liability, travel, accident, hospitalization, health, or life insurance coverage on the director or committee member shall not be considered as compensation under this Section.

Section 2. This Act shall become effective upon signature by the governor or, if not signed by the governor, upon expiration of the time for bills to
become law without signature by the governor; as provided by Article III, Section 18 of the Constitution of Louisiana. If vetoed by the governor and subsequently approved by the legislature, this Act shall become effective on the day following such approval.

Approved by the Governor, June 1, 2021.

A true copy:

R. Kyle Ardoin
Secretary of State

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ACT No. 35

SENATE BILL NO. 13
BY SENATOR PRICE
Prefiled Pursuant to Article III, Section 2(A)(4)(b)(i) of the Constitution of Louisiana.

AN ACT

To enact R.S. 11:1305.1, relative to the State Police Retirement System; to provide relative to the transfer of service credit from another Louisiana public retirement system, fund, or plan; to provide with respect to an upgrade of the accrual rate applicable to service credit transferred; to provide for determination and funding of the cost of the upgrade; to provide for an effective date; and to provide for related matters.

Notice of intention to introduce this Act has been published.

Be it enacted by the Legislature of Louisiana:

Section 1. R.S. 11:1305.1 is hereby enacted to read as follows:

§1305.1. Transfer of service credit; purchase of accrual rate

A. Notwithstanding any provision of R.S. 11:145(D) to the contrary, any member of the State Police Retirement System who, pursuant to R.S. 11:145, has transferred service credit from another retirement system, fund, or plan at an accrual rate lower than the accrual rate applicable to the member’s service credit earned in this system may purchase the accrual rate of this system for application to all or a permissible portion of the member’s transferred service credit by paying an amount calculated on an actuarial basis in accordance with R.S. 11:158(C) that totally offsets the increase in accrued liability of this system resulting from the upgrade in the accrual rate applicable to the member’s transferred service credit.

Purchased service and salary credit pursuant to Subsection A of this Section shall be:

(1) An increment of one full year or more.

(2) One-time upgrade of the fractional portion of a year.

Section 2. The cost of this Act shall be funded with the employee payments required by Section 1 of this Act. Any additional cost of this Act shall be funded with additional employer contributions in compliance with Article X, Section 29(F) of the Louisiana Constitution.

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

Approved by the Governor, June 1, 2021.

A true copy:

R. Kyle Ardoin
Secretary of State

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ACT No. 36

SENATE BILL NO. 21
BY SENATOR ROBERT MILLS
Prefiled Pursuant to Article III, Section 2(A)(4)(b)(i) of the Constitution of Louisiana.

AN ACT

To enact R.S. 11:163.2, relative to the Municipal Employees' Retirement System; to provide for credit for involuntary furlough and leave without pay; to provide with respect to the purchase of service and salary credit lost as a result of COVID-related involuntary furlough or leave for certain employees; to provide with respect to payment for service purchased; to provide for limitations; to provide for implementation; to provide for an effective date; and to provide for related matters.

Notice of intention to introduce this Act has been published.

Be it enacted by the Legislature of Louisiana:

Section 1. R.S. 11:163.2 is hereby enacted to read as follows:

§163.2. Involuntary furlough: service and salary credit; credit for leave without pay

A. (1) Any member of the Municipal Employees’ Retirement System of Louisiana who, due to the COVID-19 pandemic, was involuntarily furloughed without pay due to a reduction-in-force of his employer or was involuntarily furloughed or placed on leave without pay may purchase service and salary credit for each day of service during the period beginning on April 1, 2020, and ending on November 30, 2020, that he was furloughed or on such leave if such service was not credited to his account, subject to the limitations contained in Subsection B of this Section.

(2) A member who purchases service and salary credit pursuant to this Section shall pay to the system or to his employer the employee and employer contributions which would have been remitted to the system by his employer if not for the involuntary furlough or leave without pay. Such contributions, if paid to the employer, shall be remitted by the employer to the system. The member shall remit the contributions no later than December 31, 2021.

B. Any service and salary credit purchased pursuant to this Section shall be subject to the following conditions and limitations:

(1) There shall be no duplication of service credit.

(2) The employer shall certify the loss of service credit was due to the COVID-19 pandemic.

(3) The purchased service and salary credit may not be used for the purpose of meeting the minimum service requirements for disability retirement.

(4) Compensation on which the required contributions for purchase of service and salary credit are based shall be at the rate of compensation in effect for the last full pay period ending on or before the date the member was furloughed or placed on leave without pay.

(5) The right to purchase service and salary credit pursuant to this Section shall not apply to routine personnel actions or separations which are not the direct result of the COVID-19 pandemic.

(6) Any dispute arising under the limitations of this Subsection shall be resolved in the sole and exclusive discretion of the board of trustees of the retirement system.

The board of trustees may adopt rules to implement the provisions of this Section.

Section 2. This Act shall become effective upon signature by the governor or, if not signed by the governor, upon expiration of the time for bills to become law without signature by the governor; as provided by Article III, Section 18 of the Constitution of Louisiana. If vetoed by the governor and subsequently approved by the legislature, this Act shall become effective on the day following such approval.

Approved by the Governor, June 1, 2021.

A true copy:

R. Kyle Ardoin
Secretary of State

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ACT No. 37

SENATE BILL NO. 24
BY SENATORS PRICE, ABRAHAM, BARROW, BERNARD, BOUDREAUX, BOUIE, CARTER, CLOUD, CORTEZ, FESI, FIELDS, HARRIS, HENRY, HENSGENS, JACKSON, JOHNS, McMATH, MILLIGAN, FRED MILLS, ROBERT MILLS, MIZELL, MORRIS, PEACOCK, POPE, REESE, SMITH, WARD, WHITMER, WILLIAMS AND WOMAN AND REPRESENTATIVES ADAMS, BACALA, FIRMENT, HARRIS, JEFFERSON AND TARVER
Prefiled Pursuant to Article III, Section 2(A)(4)(b)(i) of the Constitution of Louisiana.

AN ACT

To enact R.S. 11:542.1.2, 883.3.1, 1145.4, and 1331.3, relative to the Louisiana State Employees’ Retirement System, Teachers’ Retirement System of Louisiana, Louisiana School Employees’ Retirement System, and the State Police Retirement System; to provide relative to a permanent benefit increase, a cost-of-living adjustment or other supplemental payment for certain retirees; to provide with respect to a minimum benefit increase to certain retirees, their survivors, and their beneficiaries; to provide relative to the experience account; to provide with respect to calculation and for funding; to provide for qualifications; to provide an effective date; and to provide for related matters.

Notice of intention to introduce this Act has been published.

Be it enacted by the Legislature of Louisiana:

Section 1. R.S. 11:542.1.2, 883.3.1, 1145.4, and 1331.3 are hereby enacted to read as follows:

§542.1.2. 2021 Minimum benefit increase; payment from experience account

A. A monthly minimum benefit increase shall be payable to:

(1) Each retiree of the system who, on June 30, 2021, meets all of the following criteria:

(a) He has thirty or more years of service credit, exclusive of unused leave.

(b) He has been retired for fifteen years or more.

(c) He receives a monthly retirement benefit of less than one thousand four hundred fifty dollars.

(d) He is at least sixty years of age.

(e) He has neither participated in the Deferred Retirement Option Plan pursuant to R.S. 11:447 nor chosen an Initial Benefit Option pursuant to R.S. 11:446(A)(5).

B. Any nonretiree beneficiary receiving a benefit on June 30, 2021 who, as of June 30, 2021, meets all of the following criteria:

(a) The deceased member had thirty or more years of service credit exclusive of unused leave.

(b) The deceased member and nonretiree beneficiary, or both combined, have received a benefit for at least fifteen years.

(c) The nonretiree beneficiary receives a monthly retirement benefit of less than one thousand four hundred fifty dollars.

(d) The deceased member would be at least sixty years of age had he lived.

(e) He has neither participated in the Deferred Retirement Option Plan pursuant to R.S. 11:447 nor chosen an Initial Benefit Option pursuant to R.S. 11:446(A)(5).

C. Any unmaintained surviving spouse, any surviving minor child, or any surviving totally physically handicapped or mentally disabled child of a
deceased member which survivor is receiving a monthly retirement benefit pursuant to R.S. 11:1152 of less than one thousand four hundred fifty dollars if, on June 30, 2021, all of the following apply to the deceased member:  
(a) He had at least thirty years of service credit, exclusive of unused leave.
(b) He has been deceased for fifteen years or more.
(c) He would have been at least age sixty.
(d) He had not participated in the Deferred Retirement Option Plan pursuant to R.S. 11:1152 and had not chosen an Initial Benefit Option pursuant to R.S. 11:1152.1.

B. Each person to whom this Section applies, except as provided in Subsection C of this Section, shall have his current monthly retirement benefit amount increased by the lesser of:
(1) Three hundred dollars.
(2) The difference between one thousand four hundred fifty dollars and his current monthly benefit amount.

C. Notwithstanding Subsection B of this Section, if any nonretiree beneficiary to whom this Section applies is receiving a monthly benefit amount based upon an optional allowance pursuant to R.S. 11:446(A)(1) through (4), which amount is less than that received by the retiree while alive, the amount of the increase that would otherwise be payable pursuant to Subsection B of this Section shall be prorated based upon the option selected.

D. Notwithstanding Subsection B of this Section, if a survivor to whom Paragraph (A)(3) of this Section applies is the sole survivor receiving a benefit pursuant to R.S. 11:471, he shall have his current monthly retirement benefit increased by the lesser of three hundred dollars or the difference between one thousand four hundred fifty dollars and his current monthly benefit amount. If there are multiple survivors to whom Paragraph (A)(3) of this Section applies, such survivors shall share equally a monthly benefit increase of three hundred dollars.

E. The provisions of this Section shall apply to any retiree, nonretiree beneficiary, or survivor receiving a benefit pursuant to a reciprocal agreement recognized by the system.

F. The actuarial cost of implementing the provisions of this Section shall be paid from the employee experience account.

§883.3. 2021 Minimum benefit increase; payment from experience account

A. A monthly minimum benefit increase shall be payable to:
(1) Each retiree of the system who, on June 30, 2021, meets all of the following criteria:
   (a) He has thirty or more years of service credit, exclusive of unused leave.
   (b) He has been retired for fifteen years or more.
   (c) He has neither participated in the Deferred Retirement Option Plan pursuant to R.S. 11:786 nor chosen an Initial Lump Sum Benefit pursuant to R.S. 11:783(A)(3).

B. Each nonretiree beneficiary receiving a benefit on June 30, 2021, who, as of June 30, 2021, meets all of the following criteria:
   (a) The deceased member had thirty or more years of service credit exclusive of unused leave.
   (b) The retiree and nonretiree beneficiary, or both combined, have received a benefit for at least fifteen years.
   (c) The nonretiree beneficiary receives a monthly retirement benefit of less than one thousand four hundred fifty dollars.
   (d) He is at least sixty years of age.

C. Notwithstanding Subsection B of this Section, if a survivor to whom Paragraph (A)(3) of this Section applies is the sole survivor receiving a benefit pursuant to R.S. 11:471, he shall have his current monthly retirement benefit increased by the lesser of:
(1) Three hundred dollars.
(2) The difference between one thousand four hundred fifty dollars and his current monthly benefit amount.

C(1) Notwithstanding Subsection B of this Section, if any nonretiree beneficiary to whom this Section applies is receiving a monthly benefit amount based upon an optional allowance pursuant to R.S. 11:783(A)(2), which amount is less than that received by the retiree while alive, the amount of the monthly benefit increase that would otherwise be payable pursuant to Subsection B of this Section shall be prorated based upon the option selected.

C(2) Notwithstanding Subsection B of this Section, if a survivor to whom Paragraph (A)(3) of this Section applies is the sole survivor receiving a benefit pursuant to R.S. 11:786, he shall have his current monthly retirement benefit increased by the lesser of three hundred dollars or the difference between one thousand four hundred fifty dollars and his current monthly benefit amount. In the event there are multiple survivors to whom Paragraph (A)(3) of this Section applies, such survivors shall share equally a monthly benefit increase of three hundred dollars.

D. The provisions of this Section shall not apply to any retiree, nonretiree beneficiary, or survivor receiving a benefit pursuant to a reciprocal agreement recognized by the system.

E. The actuarial cost of implementing the provisions of this Section shall be paid from the employee experience account.

F. The increase provided pursuant to this Section shall begin on July 1, 2021.

§1145.4. 2021 Minimum benefit increase: payment from experience account

A. A monthly minimum benefit increase shall be payable to:
(1) Each retiree of the system who, on June 30, 2021, meets all of the following criteria:
   (a) He has thirty or more years of service credit, exclusive of unused leave.
   (b) He has been retired for fifteen years or more.
   (c) He has neither participated in the Deferred Retirement Option Plan pursuant to R.S. 11:1152 nor chosen an Initial Benefit Retirement Plan pursuant to R.S. 11:1152.1.

B. Each nonretiree beneficiary receiving a benefit on June 30, 2021, who, as of June 30, 2021, meets all of the following criteria:
   (a) The deceased member had thirty or more years of service credit exclusive of unused leave.
   (b) The retiree and nonretiree beneficiary, or both combined, have received a benefit for at least fifteen years.
   (c) The nonretiree beneficiary receives a monthly retirement benefit of less than one thousand four hundred fifty dollars.
   (d) He is at least sixty years of age.

C. Notwithstanding Subsection B of this Section, if a survivor to whom Paragraph (A)(3) of this Section applies is the sole survivor receiving a benefit pursuant to R.S. 11:471, he shall have his current monthly retirement benefit increased by the lesser of:
(1) Three hundred dollars.
(2) The difference between one thousand four hundred fifty dollars and his current monthly benefit amount.

C(1) Notwithstanding Subsection B of this Section, if any nonretiree beneficiary to whom this Section applies is receiving a monthly benefit amount based upon an optional allowance pursuant to R.S. 11:783(A)(2), which amount is less than that received by the retiree while alive, the amount of the increase that would otherwise be payable pursuant to Subsection B of this Section shall be prorated based upon the option selected.

C(2) Notwithstanding Subsection B of this Section, if a survivor to whom Paragraph (A)(3) of this Section applies is the sole survivor receiving a benefit pursuant to R.S. 11:471, he shall have his current monthly retirement benefit increased by the lesser of:
(1) Three hundred dollars.
(2) The difference between one thousand four hundred fifty dollars and his current monthly benefit amount.

D. The provisions of this Section shall not apply to any retiree, nonretiree beneficiary, or survivor receiving a benefit pursuant to a reciprocal agreement recognized by the system.

E. The actuarial cost of implementing the provisions of this Section shall be paid from the employee experience account.

F. The increase provided pursuant to this Section shall begin on July 1, 2021.
The retiree was hired prior to September 8, 1978, and retired with twenty or more creditable years of service pursuant to the provisions of R.S. 11:1307(A)(2)(a), or was hired on or after September 8, 1978, and retired with twenty-five or more creditable years of service pursuant to the provisions of R.S. 11:1307(A)(2)(b).

(2) Each nonretiree beneficiary receiving a benefit who meets all of the following criteria:

(a) The nonretiree beneficiary's benefit is not based upon the death of a disability retiree.

(b) The benefits had been paid to the retiree or the beneficiary, or both combined for at least one year as of June 30, 2021.

(c) The retiree would have attained sixty-five (65) years of age by June 30, 2021.

(d) The retiree for whose benefit the nonretiree is a beneficiary, otherwise meets the criteria set forth in Paragraph (A)(1) of this Section.

(3) Any person who receives a survivor benefit from the system based upon a member's death in the line of duty as of June 30, 2021.

(4) Any disability retiree, or a person who receives benefits from the system based on the death of a disability retiree, as of June 30, 2021.

B. Any benefit increase paid pursuant to the provisions of this Section shall be paid from the funds in the system experience account.

C. Each person to whom this Section applies shall receive a nonrecurring lump sum payment, payable August 31, 2021, that is the lesser of:

(1) Three dollars for each month of creditable service plus two dollars for each month of retirement up through June 30, 2021.

(2) The member's current monthly benefit.

Section 2. The actuarial cost of implementing the provisions of this Section shall be paid from the employee experience account.

Section 3. This Act shall become effective upon signature by the governor or on June 30, 2021, whichever is earlier.

Section 4. The Department of Transportation and Development is hereby directed to erect and maintain appropriate signs of this designation provided local or private monies are received by the department equal to the department's direct costs for material, fabrication, mounting posts, and installation of each sign, not to exceed the sum of five hundred fifty dollars per sign.

Approved by the Governor, June 1, 2021.

A true copy:

R. Kyle Ardoin
Secretary of State

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ACT No. 38

SENATE BILL NO. 26

BY SENATOR HENSGENS AND REPRESENTATIVES BEAULLIEU, BISHOP, BOURRIAQUE, COUSSAN, FARNUM, HODGES, MACK, MAGEE, RISER AND THOMPSON

Prefiled Pursuant to Article III, Section 2(A)(4)(b)(i) of the Constitution of Louisiana. AN ACT

To provide relative to state highways; to designate the Forked Island Bridge over the Intracoastal Waterway on Louisiana Highway 82 in Vermilion Parish as the "Rose Ashy Broussard Memorial Bridge"; and to provide for related matters.

Be it enacted by the Legislature of Louisiana:

Section 1. Notwithstanding any other law to the contrary, the Forked Island Bridge over the Intracoastal Waterway on Louisiana Highway 82 in Vermilion Parish is hereby designated as the "Rose Ashy Broussard Memorial Bridge".

Section 2. The Department of Transportation and Development is hereby directed to erect and maintain appropriate signs of this designation provided local or private monies are received by the department equal to the department's actual costs for material, fabrication, mounting posts, and installation of each sign, not to exceed the sum of five hundred fifty dollars per sign.

Approved by the Governor, June 1, 2021.

A true copy:

R. Kyle Ardoin
Secretary of State

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ACT No. 39

SENATE BILL NO. 37

BY SENATOR MIZE LL AND REPRESENTATIVES ADAMS, ROBBY CARTER, COX, FRIEMAN, GREEN, WHEAT AND WHITE

Prefiled Pursuant to Article III, Section 2(A)(4)(b)(i) of the Constitution of Louisiana. AN ACT

To provide relative to state highways; to designate a portion of Louisiana Highway 38 in Washington Parish as the "Lance Corporal Larry L. Wells Memorial Highway"; and to provide for related matters.

Be it enacted by the Legislature of Louisiana:

Section 1. The portion of Louisiana Highway 38 from the Tangipahoa Parish line to Louisiana Highway 25 in the community of Clifton, all in Washington Parish, is hereby designated as the "Lance Corporal Larry L. Wells Memorial Highway".

Section 2. The portion of Louisiana Highway 38 from the Tangipahoa River to a mile east of Louisiana Highway 25, all in Tangipahoa Parish, is hereby designated as the "Deputy Ed Toefield Jr. Memorial Highway".

Section 3. The portion of United States Highway 51 between its intersection with Louisiana Highway 16 near the town of Amite City and a point two and one-half miles south of this intersection, all in Tangipahoa Parish, is hereby designated as the "Deputy Ed Toefield Jr. Memorial Highway".

Section 4. The Department of Transportation and Development is hereby directed to erect and maintain appropriate signs of this designation provided local or private monies are received by the department equal to the department's actual costs for material, fabrication, mounting posts, and installation of each sign, not to exceed the sum of five hundred fifty dollars per sign.

Approved by the Governor, June 1, 2021.

A true copy:

R. Kyle Ardoin
Secretary of State

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ACT No. 40

SENATE BILL NO. 67

BY SENATOR WARD

AN ACT

To amend and reenact R.S. 6:969.18(A)(2)(a), relative to the Louisiana Motor Vehicle Sales Finance Act; to increase the maximum allowable documentation and compliance fee authorized to be collected by a motor vehicle seller; and to provide for related matters.

Be it enacted by the Legislature of Louisiana:

Section 1. R.S. 6:969.18(A)(2)(a) is hereby amended and reenacted to read as follows:

§969.18. Documentation and compliance fees; notary fees; transfer of equity and other fees; disclosure A. * * *

(2)(a) The seller, who may also be an extender of credit, may, in connection with any retail sale, including but not limited to a retail installment transaction, charge a fee for credit investigation, compliance with federal and state law, preparation of the documents necessary to perfect or satisfy a lien upon the objects sold, and any other functions incidental to the titling of the retail sale. The maximum amount permitted to be charged shall be two hundred four hundred twenty-five dollars.

Approved by the Governor, June 1, 2021.

A true copy:

R. Kyle Ardoin
Secretary of State

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ACT No. 41

SENATE BILL NO. 78

BY SENATORS BOUIE, ABRAHAM, BARROW, BERNARD, BOUDREAUX, CARTER, CATHEY, CONNICK, CORTEZ, FESI, FIELDS, HARRIS, HENRY, HENSGENS, HEWITT, JACKSON, LAMBERT, LUNEAU, MCCARTY, MILLIGAN, ROBERT MILLS, MORRIS, PEACOCK, POPE, PRICE, REESE, SMITH AND WARD AND REPRESENTATIVES BRASS, ROBBY CARTER, WILFORD CARTER, COX, DUPLESSIS, FREEMAN, FREIBERG, GADDERBY, GREEN, HORTON, HUGHES, LYONS, MARCELLE, DUSTIN MILLER, MOORE, NEWELL, ROBERT OWEN, PIERRE, RISER, SCHAMERHORN, SELDERS, THOMPSON, WILLARD AND WRIGHT

Prefiled Pursuant to Article III, Section 2(A)(4)(b)(i) of the Constitution of Louisiana.

To amend and reenact R.S. 47:490.3(A) and (D), relative to the Louisiana Motor Vehicle Sales Finance Act; to increase the maximum allowable documentation and compliance fee authorized to be collected by a motor vehicle seller; and to provide for related matters.

Be it enacted by the Legislature of Louisiana:

Section 1. R.S. 47:490.3(A) and (D) are hereby amended and reenacted to read as follows:

§490.3. Military honor license plates for members of the Louisiana National Guard

A. The secretary of the Department of Public Safety and Corrections shall find expedient, and he shall establish such rules and regulations as are necessary.

§490.4. The department shall provide for the issuance of military honor license plates, which shall be of a type specified by the secretary of the Department of Public Safety and Corrections.

§490.5. The department shall provide for the issuance of military honor license plates in accordance with the provisions of R.S. 47:490.3.

Approved by the Governor, June 1, 2021.

A true copy:

R. Kyle Ardoin
Secretary of State

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facilities, full colonels and above, and others by designating the issue of military honor license plates numbered “1” through “100”. The adjutant general is responsible for furnishing the secretary necessary information to effect issue of the plates. The secretary shall issue replacement plates for those military honor license plates so surrendered. Upon termination of status as a member of the Louisiana National Guard, a member with less than twenty years of service shall surrender the military honor plates provided for twenty years or more of service in good standing shall continue to have the option to renew his military honor plates annually.

Approved by the Governor, June 1, 2021.

A true copy:

R. Kyle Ardoin
Secretary of State

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**ACT No. 42**

SENATE BILL NO. 79

BY SENATOR WARD

AN ACT

To enact R.S. 40:1504, relative to fire protection districts; to authorize the governing authority of Pointe Coupee Parish to provide, by ordinance, for the governance of districts created by the parish; and to provide for related matters.

Notice of intention to introduce this Act has been published.

Be it enacted by the Legislature of Louisiana:

Section 1. R.S. 40:1504 is hereby enacted to read as follows:

§1504. Fire protection districts within Pointe Coupee Parish; governance

The governing authority of Pointe Coupee Parish may provide, by ordinance, for the governance of fire protection districts created by the parish. Any such ordinance may provide for the creation of one or more supervising boards to govern such districts. Any ordinance that creates a supervising board shall provide for the appointment and compensation of board members.

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 1, 2021.

A true copy:

R. Kyle Ardoin
Secretary of State

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**ACT No. 43**

SENATE BILL NO. 84

BY SENATOR TALBOT

Prefiled Pursuant to Article III, Section 2(A)(4)(b)(i) of the Constitution of Louisiana.

AN ACT

To enact R.S. 22:1028.3, relative to health insurance coverage; to authorize health insurance coverage for genetic testing for various cancer mutations; to provide for the definition of health coverage plan; to provide for definitions; and to provide for related matters.

Be it enacted by the Legislature of Louisiana:

Section 1. R.S. 22:1028.3 is hereby enacted to read as follows:

§1028.3. Health coverage plan

(1) “Health coverage plan” shall include group health insurance, individual health insurance, health maintenance organization or a preferred provider organization, health contract, employee welfare benefit plan, contract, or other agreement with a health maintenance organization or a preferred provider organization, health and accident insurance policy, or any other insurance contract of this type in this state, including group insurance plan, a self-insurance plan, and the office of group benefits programs. “Health coverage plan” shall not include a plan providing coverage for excepted benefits defined in R.S. 22:1061, limited benefit health insurance plans, and short-term policies that have a term of less than twelve months.

D. As used in this Section, the following definitions shall apply unless the context indicates otherwise:

(1) “Biomarker” means a characteristic that is objectively measured and evaluated as an indicator of normal biological processes, pathogenic processes, or pharmacologic responses to a specific therapeutic intervention. Biomarkers include but are not limited to gene mutations or protein expression.

(2) “Biomarker testing” is the analysis of patient’s tissue, blood, or fluid biospecimen for the presence of a biomarker. Biomarker testing includes but is not limited to single-analyte tests, multi-plex panel tests, and partial or whole genome sequencing.

Section 2. This Act shall become effective on January 1, 2022, and shall apply to any health coverage plan as defined in this Act that is renewed, delivered, or issued for delivery, in this state on or after January 1, 2022.

Approved by the Governor, June 1, 2021.

A true copy:

R. Kyle Ardoin
Secretary of State

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**ACT No. 44**

SENATE BILL NO. 100

BY SENATOR REESE

Prefiled Pursuant to Article III, Section 2(A)(4)(b)(i) of the Constitution of Louisiana.

AN ACT

To amend and reenact R.S. 6:767(F) and 768(D) and (E) and Code of Civil Procedure Art. 3434, and to enact R.S. 6:325(E), 767(G), and 768(F), relative to banks, mutual associations, and savings banks; to provide relative to an affidavit for small settlements; to provide for access and transfer of the contents of a safety deposit box by a bank, mutual association, or savings bank to a succession representative, heir, or legatee; to provide for access and transfer of money and property held in a bank, mutual association, or savings bank to a succession representative, heir, or legatee; to provide liability protection for certain entities; to provide certain terms, conditions, and procedures; and to provide for related matters.

Be it enacted by the Legislature of Louisiana:

Section 1. R.S. 6:767(F) and 768(D) and (E) are hereby amended and reenacted, and R.S. 6:325(E), 767(G), and 768(F) are hereby enacted to read as follows:

§767. Death of a customer and access and transfer of contents of safety deposit boxes, money, and other property by bank to succession representatives, legatees, or heirs; authority

E. A small succession affidavit authorized by Title V of Book IV of the Louisiana Code of Civil Procedure shall constitute full and sufficient authority for the payment or delivery of any money or property, including property held in a safety deposit box, of the deceased customer described in the affidavit to the heirs or legatees of the deceased customer and the surviving spouse in community, if any, in the percentages listed therein, by the bank having such money or property in its possession or under its control. The transfer of the money or delivery of property identified in the affidavit to the persons named in the affidavit constitutes a full release and discharge for the payment of money or delivery of property and any creditor, heir, legatee, succession representative, or any person whatsoever shall have no right or cause of action against the bank paying the money or delivering the property pursuant to the provisions of this Subsection on account of the payment, delivery, or transfer.

§768. Transfer of contents of safety deposit boxes by an association to banks, mutual associations, and savings banks

F. A small succession affidavit authorized by Title V of Book IV of the Louisiana Code of Civil Procedure shall constitute full and sufficient authority for the payment or delivery of any money or property, including property held in a safety deposit box, of the deceased customer described in the affidavit to the heirs or legatees of the deceased customer and the surviving spouse in community, if any, in the percentages listed therein, by the bank having such money or property in its possession or under its control. The transfer of the money or delivery of property identified in the affidavit to the persons named in the affidavit constitutes a full release and discharge for the payment of money or delivery of property and any creditor, heir, legatee, succession representative, or any person whatsoever shall have no right or cause of action against the association paying the money or delivering the property pursuant to the provisions of this Subsection on account of the payment, delivery, or transfer.

Any association may pay to the surviving spouse the value of any savings or deposit account or shares standing in the name of the decedent in such association without authorization by any court proceeding, order, or judgment, whether the savings account or shares belong to the separate estate of the decedent or to the community property regime which existed between the decedent and the surviving spouse, subject to the provisions of R.S. 9:1313.

§768. Transfer of contents of safety deposit boxes by an association to succession representatives, legatees, heirs, minors, or interdicts; authority

D. A small succession affidavit authorized by Title V of Book IV of the
Be it enacted by the Legislature of Louisiana:

Section 1. R.S. 22:1028(A)(2) is hereby amended and reenacted to read as follows:

$1028. Early screening and detection requirements; examination; coverage A.(1)

(2) In this Subsection, “minimum mammography examination” means mammographic examinations, including but not limited to digital breast tomosynthesis (DBT), performed no less frequently than the following schedule and criteria of the American Society of Breast Surgeons provides:

(a)(i) One Except as provided in this Subparagraph, one baseline mammogram for any woman who is thirty-five or over, or who has been recognized as such in an affidavit authorized by R.S. 3432.1, shall be full and sufficient authority for the transfer to the heirs or legatees of the deceased, the surviving spouse in community, if any, or against a third person who has acquired an interest in the property, or transferring the stock or bonds, under the provisions of this Article, on account of such payment, delivery, or transfer.

(b) One mammogram every twenty-four months Annual mammography (DBT preferred modality) for any woman who is forty-five through forty-nine years of age, or more frequently if recommended by her physician or older.

(ii) Consideration given to supplemental imaging (breast ultrasound initial preferred modality, followed by MRI if inconclusive), if recommended by her physician for women with increased breast density (C and D density).

(iii) Access to annual supplemental imaging (MRI preferred modality), if recommended by her physician, for women with a prior history of breast cancer below the age of fifty or with a prior history of breast cancer at any age and dense breast (C and D density).

(iv) Any coverage provided pursuant to this Subsection may be subject to the health coverage plan’s utilization review using guidelines published in peer reviewed medical literature.

The receipt of the persons named in the affidavit as heirs or legatees of the deceased, or surviving spouse in community thereof, constitutes a full and sufficient discharge, delivery of property and any creditor, heir, legatee, or other person whatsoever shall have no right or cause of action against the person paying the money, or delivering the property, or transferring the stock or bonds, under the provisions of this Article, on account of such payment, delivery, or transfer.

C.(1) A multiple original of the affidavit authorized by Article 3432 or 3432.1 shall be full and sufficient authority for the payment or delivery of any money or property of the deceased described in the affidavit to the heirs or legatees of the deceased and the surviving spouse in community, if any, in the percentages listed therein, by any bank, federal or state bank, corporation, an insurer, a mutual benefit society, a fraternal benefit society, or any person having such property in his possession or under his control. Similarly, a multiple original of an affidavit satisfying the requirements of this Article shall be full and sufficient authority for the transfer to the heirs or legatees of the deceased, and surviving spouse in community, if any, or to their assigns, of any stock or registered bonds in the name of the deceased and described in the affidavit, by any domestic or foreign corporation.

E. Upon proper authority, an association may transfer the contents of a safety deposit box belonging to an interdict or a minor to the legal representative of such interdict or minor. The letters issued to the legal representative by a court of competent jurisdiction shall constitute proper authority for making the transfer, which when so made and received for, shall be full protection to the association.

The act of the association, in good faith and without negligence, and the transfer, which when so made and receipted for, shall be full protection to the association.
(a) Operations or activities that do not encroach upon a private utility or pipeline servitude, public right-of-way, or a public franchise area.

(b) Operations or activities that encroach upon a private utility or pipeline servitude and the depth of the excavation is less than twelve inches in the soil below the existing surface grade.

(12) “Operator” means any person who owns or operates a public or private underground facility or utility which furnishes a service or material or stores, transports, or transmits electric energy, steam, oil, gases, natural gas, gas, mixture of gases, petroleum, petroleum products, hazardous or flammable fluids, toxic or corrosive fluids/gases, including telephone or telegraph system, fiber optic electronic communication systems, or water or water systems, or drainage, sewer systems, or traffic control systems or other items of like nature.

(14) “Person” means an individual, firm, partnership, association, limited liability company, corporation, joint venture, municipality, governmental agency, political subdivision, or agent of the state or any legal representative thereof.

(15) “Pipeline” means all intrastate and interstate pipeline facilities defined by 49 CFR 192.3 and 49 CFR 195.2.

(16) “Regional notification center” means any one of the following:

(a) An entity designated as nonprofit by the Internal Revenue Service under Section 501(c) of the Internal Revenue Code and which is organized to protect its members from damage and is certified by the Department of Public Safety and Corrections in accordance with this Part.

(b) An organization of operators, consisting of two or more separate operators who jointly have underground utilities or facilities in three or more parishes in Louisiana, which is organized to protect its own installation from damage and has been certified by the Department of Public Safety and Corrections in accordance with this Part.

(c) An operator who has underground utilities or facilities in a majority of parishes in Louisiana and is organized to protect its own installation from damage, and has been certified by the Department of Public Safety and Corrections in accordance with this Part.

(17) “Service line or lines” means underground facilities or utilities which provide power, gas, natural gas, communication, or water capabilities to a building or structure or buildings or group of structures.

(18) “Underground facility or utility” means any pipe, conduit, duct, wire, cable, valve, line, fiber optic equipment, or other structure which is buried or placed below ground or submerged for use in connection with storage, conveyance, transmission, or protection of electronic communication system, telephone or telegraph system, or fiber optic, electric energy, oil, natural gas, gas, steam, mixture of gases, petroleum, petroleum products, hazardous or flammable fluids/gases, toxic or corrosive fluids/gases, hazardous fluids/gases, or other substances of like nature or water or water systems, sewer systems or traffic, drainage control systems, or other items of like nature.


§1749.14. Regional notification center

C. (1) Each operator of an underground facility or utility, after having received the notification request from the regional notification center of an intent to excavate or an intent to conduct normal commercial farming operations, shall supply, prior to the proposed excavation or normal commercial farming operation, the following information to the person responsible for the excavation or normal commercial farming operation:

§1749.17. Excavation or demolition; repair of damage

B. Each person responsible for an excavation or demolition operation or normal commercial farming operation which results in damage to an underground facility or utility permitting the escape of any flammable, toxic, or corrosive fluids/gases shall, immediately upon discovery of that damage:

§1749.21. Miscellaneous provisions

C. Any owner or operator of a natural gas pipeline that is inactive, has a diameter of a minimum of fifteen inches and a maximum of seventeen inches, and is located in a parish with a population between forty-five thousand and seventy-five thousand shall maintain the minimum amount of ground cover as provided by 49 CFR Part 192. If the minimum amount of ground cover has not been maintained then the owner or operator of the natural gas pipeline shall, at his own expense, restore the minimum amount of cover over the pipeline prior to the pipeline being reactivated.

D. The provisions of Subsection C of this Section shall become null and void on June 30, 2023.

Approved by the Governor, June 1, 2021.

A true copy:

R. Kyle Ardoin
Secretary of State

ACT No. 47
SENATE BILL NO. 174
BY SENATORS LUNEAU AND MORRIS
AN ACT

ACT No. 48
SENATE BILL NO. 182
BY SENATOR WHITE
Prefiled Pursuant to Article III, Section 2(A)(4(b)(i) of the Constitution of Louisiana.

To amend and reenact R.S. 37:2163(B), relative to public bids procedures; to provide regarding access to forms and specifications; and to provide for related matters.

Be it enacted by the Legislature of Louisiana:

Section 1. R.S. 37:2163(B) is hereby amended and reenacted to read as follows:

§2163. Bid procedures; penalty

B. Where bids are to be received or forms furnished by the awarding authority, no proposal forms or specifications shall be issued to anyone except a licensed contractor who holds an active license or his authorized representative. In no event shall proposal forms be issued later than twenty-four hours prior to the hour and date set for receiving proposals.

Approved by the Governor, June 1, 2021.

A true copy:

R. Kyle Ardoin
Secretary of State

ACT No. 49
SENATE BILL NO. 184
BY SENATOR HIEWITT
AN ACT

To amend and reenact R.S. 46:1098.6 and (C), 1098.6(B)(1)(a), and 1098.7(21) and (23), relative to the St. Tammany Parish Hospital Service District No. 2; to provide for the appointment of members to the nominating committee for the board of commissioners; to provide relative to terms of the board of commissioners; to provide relative to meetings; and to provide for related matters.

Notice of intention to introduce this Act has been published.

Be it enacted by the Legislature of Louisiana:

Section 1. R.S. 46:1098.6 and (C), 1098.6(B)(1)(a), and 1098.7(21) and (23) are hereby amended and reenacted to read as follows:

$1098.5. Appointment authority

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

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

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

$1098.6. Qualifications of board of commissioners

* * *
(a) No member of the board, whether appointed by recommendation of the nominating committee or the mayor's staff, shall serve more than three consecutive terms. **One term shall consist of four years, with the exception of Subparagraphs (b) and (c) of this Paragraph.**

§1008.7. Rights, powers, and duties of board of commissioners

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

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

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

Approved by the Governor, June 1, 2021.

A true copy:

R. Kyle Ardoin
Secretary of State

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**ACT No. 50**

BY SENATORS CLOUD, BARROW, BERNARD, BOUDREAUX, CONNICK, CORTEZ, FIELDS, FOIL, HENSGENS, JACKSON, LAMBERT, MCMATH, MILLIGAN, FRED MILLS, ROBERT MILLS, PEACOCK, PETerson, SMITH, TALBOT and WHITE

Prefiled Pursuant to Article III, Section 2(A)(4)(b)(i) of the Constitution of Louisiana.

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To enact Subpart A-3 of Part III of Chapter 4 of Title 22 of the Louisiana Revised Statutes of 1950, comprised of R.S. 22:1020.51 through 1020.53, relative to provider-administered drugs; to provide for legislative intent; to provide for definitions; to provide for access; to provide for payment to participating health care providers; to provide with respect to penalties; and to provide for related matters. Be it enacted by the Legislature of Louisiana:

Section 1. Subpart A-3 of Part III of Chapter 4 of Title 22 of the Louisiana Revised Statutes of 1950, comprised of R.S. 22:1020.51 through 1020.53, is hereby enacted to read as follows:

**SUBPART A-3. PROTECTING PATIENT ACCESS TO PHYSICIAN-ADMINISTERED MEDICATIONS**

§1020.51. Purpose and intent

The purpose and intent of this Part is to ensure patient access to physician-administered drugs and related services furnished to persons covered under a health insurance contract. This Part shall ensure that health insurance issuers do not interfere with patients' freedom of choice with respect to providers furnishing physician-administered drugs and ensure that patients receive safe and effective drug therapies.

§1020.52. Definitions

For purposes of this Part, the following words shall have the following meanings:

(1) “Covered person” shall have the same meaning as provided in R.S. 22:1019.1.

(2) “Health insurance issuer” shall have the same meaning as provided in R.S. 22:1019.1.

(3) “Participating provider” shall have the same meaning as provided in R.S. 22:1019.1. For purposes of this Subpart, “participating provider” shall include any clinic, hospital outpatient department, or pharmacy under the common ownership or control of the participating provider.

(4) “Physician-administered drug” means any prescription drug, as defined in R.S. 22:1016.1, other than those delivered to patients by another provider for regular use, or related to a self-administered drug.

§1020.53. Physician-administered drugs; access; payment

A.(1) A health insurance issuer, pharmacy benefit manager, or their agent shall not refuse to authorize, approve, or pay a participating provider for providing covered physician-administered drugs and related services to covered persons. A health insurance issuer shall not condition, deny, restrict, refuse to authorize or approve, or reduce payment to a participating provider for a physician-administered drug when all criteria for medical necessity are met, because the participating provider obtains physician-administered drugs from a pharmacy that is not a participating provider in the health insurance issuer’s network. The drug shall be furnished by a pharmacy that is a participating provider in the health insurance issuer’s network. The payment shall be at the rate set forth in the health insurance issuer's agreement with the participating provider applicable to such drugs, or if no such rate is included in the agreement, then at the wholesale acquisition cost. A health insurance issuer, pharmacy benefit manager, or their agent, shall not require a covered person to pay an additional fee, or any other increased cost-sharing amount in addition to applicable cost-sharing amounts payable by the covered person as designated within the benefit plan. All related physician-administered drugs shall be provided at the rate of the participating provider.

B. Nothing in this Subpart shall prohibit a health insurance issuer or its agent from establishing differing copayments or other cost-sharing amounts within the benefit plan for covered persons who acquire physician-administered drugs from other providers. Nothing in this Subpart shall prohibit a health insurance issuer or its agent from refusing to authorize or approve, or from denying coverage of a physician-administered drug based upon failure to satisfy medical necessity criteria. For purposes of this Section, the location of receiving the physician-administered drug shall not be included in the medical necessity criteria.

C. Any provision of a contract that is contrary to any provision of this Part shall be null, void, and unenforceable 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 1, 2021.

A true copy:

R. Kyle Ardoin
Secretary of State

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**ACT No. 51**

BY SENATORS Morris

Prefiled Pursuant to Article III, Section 2(A)(4)(b)(i) of the Constitution of Louisiana.

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To amend and reenact R.S. 33:2492(1)(b), 2496(1)(a) and (2), and 2556(1)(a) and (2), relative to entering firefighter and police officer classes; and to provide for testing notice requirements; to provide for provisional appointments; and to provide for related matters. Be it enacted by the Legislature of Louisiana:

Section 1. R.S. 33:2492(1)(b), 2496(1)(a) and (2), and 2556(1)(a) and (2) are hereby amended and reenacted to read as follows:

§2492. Tests

Tests to determine the eligibility of applicants for entry upon the promotional and competitive employment lists shall be provided, as follows:

(1)(a) In addition to the posted notice, public notice for all tests to be given on a competitive basis shall be published during the ten-day period on the state examiner's website and the municipality's website, if available, the website of the municipality during the ten-day period in which such tests are held to be held. This notice of examination need not reveal the exact date on which tests shall be held, but applicants shall be advised of the date, place, and time to report for an announced test at least five days in advance thereof in any manner the board may prescribe.

§2496. Tests

Tests to determine the eligibility of applicants for entry upon the promotional and competitive employment lists shall be provided, as follows:

(1)(a) When a vacancy is to be filled in a position of a class that is classified as an entrance class or that is an entrance class position, a temporary appointment shall not continue for more than three months. No position in the classified service shall be filled by one or more provisional appointments for a period in excess of three consecutive months and successive like periods shall not be permissible. The board may, however, authorize the renewal of
such appointment, or authorize such successive appointments for a period not to exceed three additional months whenever it has been impracticable or impossible to establish a list of eligibles for certification and appointment to the vacancy. Except as provided in Subparagraph (b) of this Paragraph, any provisional appointment, if not terminated sooner, shall terminate upon the regular filling of the vacancy in any manner authorized under this Part and, in any event, within fifteen days after a certification from which a regular or substitute appointment was made under the provisions of this Part. A provisional appointment shall be reported to the board within fifteen days following the appointment.

(ii) Any provisional appointment made to a position of the competitive classes, as provided for in R.S. 33:2552(7), shall be terminated upon the regular filling of the vacancy in any manner authorized under this Part and, in any event, within sixty days after certification from which a regular or substitute appointment was made, and shall attach to the notification a signed copy of the leave of absence granted the employee for whom the appointee is substituting.

(iii) When a vacancy is to be filled in the classes of entrance firefighter or entrance police officer, the appointing authority may make a provisional appointment of any person considered qualified. A provisional appointment shall not exceed sixty days. Successive appointments in the classes of entrance firefighter and entrance police officer shall be prohibited.

$2556. Temporary appointments

Temporary appointments may be made to positions in the classified service without pay or to substitutes acquiring any permanent status therewith as follows:

(1)(a)(i) When Except for a vacancy in the classes of entrance firefighter or entrance police officer, when a vacancy is to be filled in a position of the competitive classes, as provided for in R.S. 33:2552(7), the appointing authority shall notify the board within fifteen days following any substitute appointment made for a period to exceed thirty days, the name of the appointee, the class of position filled, the period for which the appointment was made and attach to the notification a signed copy of the leave of absence granted the employee for whom the appointee is substituting.

The following definitions shall apply throughout this Part, unless the context requires otherwise:

(9)(a) “Tax table income”, for resident individuals, means adjusted gross individual income tax up to a maximum of one thousand two hundred dollars per beneficiary per taxable year for account owners filing joint returns, as provided in R.S. 47:293(9(a)(xx), 297.10(C), and 297.12(C), relative to the Louisiana Student Tuition Assistance and Revenue Trust Kindergarten Through Grade Twelve Program that are entitled to the deduction under R.S. 17:3100.5(A)(1) and that are used to pay tuition and fees for an education savings account for purposes other than paying qualified education expenses, as defined in R.S. 17:3100.2, shall be included in tax table income.

Section 2. R.S. 47:297.11 is hereby amended and reenacted in its entirety.
a student's enrollment in a nonpublic elementary or secondary school or to any public elementary or secondary laboratory school operated by a public college or university shall not be eligible for the deduction authorized pursuant to this Section.

§297.11. Tax deduction; educational expenses for home-schooled children
A. There shall be allowed a deduction from taxable income for educational expenses paid during the taxable year by a taxpayer for home-schooling of a child, if the child qualifies as a dependency exemption on the taxpayer's Louisiana income tax return. The deduction authorized by this Section shall be equal to fifty percent of the actual amount of qualified educational expenses paid by the taxpayer for the home-schooling of each child, but no more than five thousand dollars of deduction per child may be allowed to one or more taxpayers if the child qualifies as a dependency exemption on the taxpayer's Louisiana income tax return for either the taxable year or the prior taxable year. For purposes of this Section, qualified educational expenses shall include amounts expended for the purchase of textbooks and curricula necessary for home-schooling of each child. The amount of the deduction authorized by this Section shall not exceed the total taxable income of the individual.

B. Disbursements from the Louisiana Student Tuition Assistance and Revenue Trust Kindergarten Through Grade Twelve Program that are entitled to the deduction under R.S. 17:3100.5 and that are used to pay tuition and fees for a student's enrollment in a nonpublic elementary or secondary school or to any public elementary or secondary laboratory school operated by a public college or university shall not be eligible for the deduction authorized pursuant to this Section.

§297.12. Tax deduction; fees and other educational expenses for a quality public education

C. Disbursements from the Louisiana Student Tuition Assistance and Revenue Trust Kindergarten Through Grade Twelve Program that are entitled to the deduction under R.S. 17:3100.5 and that are used to pay costs associated with a student's enrollment in a public elementary or secondary school in order to ensure a quality education shall not be eligible for the deduction authorized pursuant to this Section.

Section 3. The provisions of this Act shall be applicable to tax years beginning on and after January 1, 2022.

Section 4. This Act shall become effective on January 1, 2022. Approved by the Governor, June 4, 2021.

A true copy:
R. Kyle Ardoin
Secretary of State

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ACT No. 53
SENATE BILL NO. 6
BY SENATOR CATHEY AND REPRESENTATIVES BOURRIAQUE, BRYANT, ROBBY CARTER, COX, DESHOTEL, DEVILLIERS, ECHOLS, EDMONDS, EMERSON, FREIBERG, GADDBERRY, HARRIS, LACOMBE, MIGUEZ, RISER, SCHEXNAYDER, STEFANSKI, THOMPSON, TURNER AND WHITE
AN ACT
To enact R.S. 47:302(B)(114), 305.4, 321(P)(115), 321.1(I)(115), and 331(V)(115), relative to tax exemptions; to provide an exemption from state sales and use tax for utilities used by commercial farmers for on-farm storage; to authorize the secretary of the Department of Revenue to promulgate rules; to provide for related matters.

Be it enacted by the Legislature of Louisiana:

Section 1. R.S. 47:302(B)(114), 305.4, 321(P)(115), 321.1(I)(115), and 331(V)(115) are hereby enacted to read as follows:

§302. Imposition of tax

BB. Notwithstanding any other provision of law to the contrary, including but not limited to any contrary provisions of this Chapter, beginning July 1, 2018, through June 30, 2025, there shall be no exemptions and no exclusions to the tax levied pursuant to the provisions of this Section, except for the retail sale, use, consumption, distribution, or storage for use or consumption of the following:

(114) Sales of utilities used by commercial farmers for on-farm storage as provided in R.S. 47:305.4.

§305.4. Exclusions and Exemptions; utilities used by commercial farmers for on-farm storage

A. Beginning October 1, 2021, the sales and use tax imposed by the state of Louisiana shall not apply to the sale or use of utilities used by commercial farmers for on-farm storage.

B. For purposes of this Section:
(1)“Commercial farmer” shall have the same meaning as defined in R.S. 47:301(30).
(2)“On-farm storage” means facilities or containers located in Louisiana that are separately metered for utilities and that contain raw agricultural commodities, including but not limited to feed, seed, and fertilizer, to be utilized in preparing, finishing, manufacturing, or producing crops or animals prior to the first point of sale.

(3)“Utilities” means steam, water, electric power or energy, natural gas, or energy sources as provided for in R.S. 47:305(D)(1)(b), (c), (d), (g), and (h).

C. The secretary of the Department of Revenue may promulgate rules and regulations necessary to implement the provisions of this Section.

$321. Imposition of tax

P. Notwithstanding any other provision of law to the contrary, including but not limited to any contrary provisions of this Chapter, beginning July 1, 2018, through June 30, 2025, there shall be no exemptions and no exclusions to the tax levied pursuant to the provisions of this Section, except for the retail sale, use, consumption, distribution, or storage for use or consumption of the following:

(115) Sales of utilities used by commercial farmers for on-farm storage as provided in R.S. 47:305.4.

§321.1. Imposition of tax

V. Notwithstanding any other provision of law to the contrary, including but not limited to any contrary provisions of this Chapter, beginning July 1, 2018, through June 30, 2025, there shall be no exemptions and no exclusions to the tax levied pursuant to the provisions of this Section, except for the retail sale, use, consumption, distribution, or storage for use or consumption of the following:

(115) Sales of utilities used by commercial farmers for on-farm storage as provided in R.S. 47:305.4.

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 4, 2021.

A true copy:
R. Kyle Ardoin
Secretary of State

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ACT No. 54
SENATE BILL NO. 11
BY SENATOR TALBOT
AN ACT
To amend and reenact R.S. 47:293(10) and to enact R.S. 47:287.738(H), 293(9)(a)(xx), and 297.16, relative to income tax exemptions; to provide for an individual and corporation income tax exemption for certain state and federal COVID-19 relief benefits; and to provide for related matters.

Be it enacted by the Legislature of Louisiana:

Section 1. R.S. 47:293(10) is hereby amended and reenacted and R.S. 47:287.738(H), 293(9)(a)(xx), and 297.16 are hereby enacted to read as follows:

§287.738. Other inclusions and exclusions from gross income

H. Exemption for COVID-19 relief benefits. Any gratuitous grant, loan, rebate, tax credit, advance refund, or other qualified disaster relief benefit directly or indirectly provided to a corporation by the state or federal government as a COVID-19 relief benefit as defined in R.S. 47:297.16 shall be exempt if the benefit was included in the corporation's federal gross income.

§293. Definitions

The following definitions shall apply throughout this Part, unless the context requires otherwise:

(9(a) “Tax table income”, for resident individuals, means adjusted gross income plus interest on obligations of a state or political subdivision thereof, other than Louisiana and its municipalities, title to which obligations vested with the resident individual on or subsequent to January 1, 1960, and less:

(xx) Any gratuitous grant, loan, rebate, tax credit, advance refund, or other qualified disaster relief benefit directly or indirectly provided to a taxpayer by the state or federal government as a COVID-19 relief benefit as defined in R.S. 47:297.16 if the benefit was included in the taxpayer’s federal adjusted gross income.
income.

(10) “Tax table income”, for nonresident individuals, means the amount of Louisiana income, as provided in this Part, allocated and apportioned under the provisions of R.S. 47:241 through 247, plus the total amount of the personal exemptions and deductions already included in the tax tables promulgated by the secretary under authority of R.S. 47:295, less the proportionate amount of the federal income tax for federal itemized personal deductions, the temporary teacher deduction, the recreation volunteer and volunteer firefighter deduction, the construction code retrofitting deduction, any gratuitous grant, loan, or other benefit directly or indirectly provided to a taxpayer by a hurricane recovery entity if such benefit was included in federal adjusted gross income, any gratuitous grant, loan, rebate, tax credit, advance refund, or other qualified disaster relief benefit directly or indirectly provided to a taxpayer by the state or federal government as a COVID-19 relief benefit as defined in R.S. 47:297.16 if the benefit was included in the taxpayer’s federal adjusted gross income, the deduction provided for in R.S. 47:297.3 for S Bank shareholders, the deduction for expenses disallowed by 26 U.S.C. 280C, salaries, wages or other compensation received for disaster or emergency-related work rendered during a declared state disaster or emergency, the deduction for net capital gains, the pass-through entity exclusion provided in R.S. 47:294.14, and personal exemptions and deductions provided for in R.S. 47:294. The proportionate amount is to be determined by the ratio of Louisiana income to federal adjusted gross income. When federal adjusted gross income is less than Louisiana income, the ratio shall be one hundred percent.

§297.16. Tax exemption: COVID-19 relief benefit

A. COVID-19 relief benefit shall not be exempt from the provisions of this Part if the benefit was included in the taxpayer’s federal adjusted gross income.

B. “COVID-19 relief benefit” means any gratuitous grant, loan, rebate, tax credit, advance refund, or other qualified disaster relief benefit directly or indirectly provided to a taxpayer by the state or federal government as a COVID-19 relief benefit.

Section 2. The provisions of this Act shall be retroactively and prospectively applied and shall apply to any other state or federal COVID-19 relief legislation.

A COVID-19 relief benefit shall not include any unemployment compensation benefits provided to a taxpayer.

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

Approved by the Governor, June 4, 2021.

A true copy:

R. Kyle Ardoin
Secretary of State

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ACT No. 56

SENATE BILL NO. 23

BY SENATORS FESI, ABRAHAM, BARROW, BERNARD, BOUIE, CATHEY, CLOUD, CONNICK, FIELDS, FOIL, HARRIS, HENRY, HENSGENS, HEWITT, JACKSON, JOHNS, LAMBERT, LUNEAU, MCMATH, MILLIGAN, MILLS, ROBERT MILLS, MIZELI, MORRIS, PEACOCK, POPE, PRICE, REESE, SMITH, TALBOT AND WHITE AND REPRESENTATIVES ADAMS, BEAULIETTE, FERMET, HARRIS, ILLG, JEFFERSON, NELSON AND TARVER

Prefiled Pursuant to Article III, Section 2A(4)(b)(i) of the Constitution of Louisiana.

AN ACT

To amend and reenact R.S. 42:851(E)(2) and (P) and R.S. 11:1316(B)(2) and (E) and (P), relative to the Louisiana Main Street Recovery Program, the Critical Infrastructure Worker’s Hazard Pay Rebate, and pursuant to any other existing or subsequent state or federal COVID-19 relief legislation.

A COVID-19 relief benefit shall not include any unemployment compensation benefits provided to a taxpayer.

Section 2. The provisions of this Act shall be retroactively and prospectively applied and shall apply to any other state or federal COVID-19 relief legislation.

A COVID-19 relief benefit shall not include any unemployment compensation benefits provided to a taxpayer.

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

Approved by the Governor, June 4, 2021.

A true copy:

R. Kyle Ardoin
Secretary of State

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ACT No. 55

SENATE BILL NO. 18

BY SENATOR JOHNS

Prefiled Pursuant to Article III, Section 2A(4)(b)(i) of the Constitution of Louisiana.

AN ACT

To amend and reenact R.S. 11:1311, relative to the State Police Retirement System; to provide for reemployment of retirees; to provide for the provisions of Subsections A through E(P) and U of this Section.

P(1) Any person who is eligible for and receives disability retirement benefits from a retirement system created under the laws of this state, shall receive the same retiree health care premium subsidy as an individual who has participated for twenty or more years in the Office of Group Benefits health care program. In order to be eligible for the retiree health care premium subsidy, the person shall have participated in health care programs sponsored by the Office of Group Benefits for the number of years sufficient to earn disability retirement benefits.

P(2) Notwithstanding any provision of law to the contrary, a spouse who is eligible for and receives survivor benefits from the State Police Retirement System pursuant to R.S. 11:1316 or 1345.8 shall be eligible to participate in the Office of Group Benefits health care program and receive the same health care planning benefits as a retiree who has participated for twenty or more years in the Office of Group Benefits health care program. For the spouse to be eligible for the retiree health care premium subsidy, the member shall have participated in health care programs sponsored by the Office of Group Benefits for the number of years sufficient to earn survivor retirement benefits. A spouse provided with the qualifications to receive a premium subsidy coverage pursuant to this Paragraph due to the date of death of the member occurring prior to June 30, 2021, shall have the option to select coverage no later than December 31, 2021.

THE ADVOCATE

* As it appears in the enrolled bill
Office of Group Benefits health care program and receive the same health care 
premium subsidy as a retiree who has participated for twenty or more years in 
the Office of Group Benefits health care program. For the child to be eligible for 
the retiree health care premium subsidy, the member shall have participated in 
health care programs sponsored by the Office of Group Benefits for the number of 
years sufficient to earn survivor retirement benefits. A child who did not 
meet the qualifications for health care premium subsidy coverage pursuant to this 
Paragraph due to the date of death of the member occurring prior to June 
30, 2021, shall have the option to select coverage no later than December 31, 
2021.

Section 2. R.S. 11:1316(B)(2) and (E), and 1345.8(B)(2) and (D) are hereby 
amended and read as follows:

§1316. Death in the line of duty; death by an intentional act of 
vioence; certain members hired on or before December 31, 2010; benefit for surviving 
spouse of deceased employee; minor children with no surviving spouse

B. * * *

(2)(a) The surviving spouse of any such sworn commissioned law enforcement 
oficer of the office of state police of the Department of Public Safety and 
Corrections who is killed by an intentional act of violence in the discharge of 
his duties, or dies from immediate effects of any injury received as the result of 
an intentional act of violence occurring while engaged in the discharge of 
his duties, shall receive a survivor benefit equal to one hundred percent of 
the salary being received by the employee at the time of the decedent’s death 
or injury, provided the surviving spouse was married to the decedent at the 
time of the event which resulted in the officer’s death.

(b) Beginning in Fiscal Year 2021-2022 and in each year thereafter, the 
benefit shall, on the anniversary of the officer’s death, be increased by three 
percent until the benefit equals the maximum of the officer’s paygrade for his 
classification under the pay plan that applied to the officer on his date of death.

E. Any surviving spouse of a member killed on or before June 29, 2017, by an 
intentional act of violence who would qualify for the survivor benefit provided 
for in Paragraph Subparagraph (B)(3) of this Section shall have any survivor 
benefit payable on or after June 30, 2017, increased to the amount calculated 
pursuant to Paragraph Subparagraph (B)(3)(a) of this Section regardless of the 
date of death of the member.

§1345.8. Survivors’ benefit for members killed in the line of duty; death by 
an intentional act of violence

B. * * *

(2)(a) If the member has a surviving spouse, a child or children who are 
minors, have a disability, or are mentally incapacitated, or both a surviving 
spouse and a child or children, and the member is killed by an intentional act 
of violence or dies as a direct result of an injury sustained as a consequence 
of an intentional act of violence, the amount of the total benefit shall equal 
one hundred percent of the member’s salary at the time of death. The benefit 
shall be shared equally by the surviving spouse and any children. When a 
child who neither has a disability nor is mentally incapacitated no longer 
meets the definition of a minor child under R.S. 11:1301, his benefit shall cease, 
and the remaining beneficiaries shall have their shares adjusted accordingly. 
(2)(b) Beginning in Fiscal Year 2021-2022 and in each year thereafter, the 
benefit shall, on the anniversary of the officer’s death, be increased by three 
percent until the benefit equals the maximum of the officer’s paygrade for his 
classification under the pay plan that applied to the officer on his date of death.

D. Any surviving spouse of a member killed on or before June 29, 2017, by 
an intentional act of violence who would qualify for the survivor benefit provided 
for in Paragraph Subparagraph (B)(3) of this Section shall have any benefit payable on or after June 30, 2017, increased to the amount calculated 
pursuant to Paragraph Subparagraph (B)(3)(a) of this Section regardless of the 
date of death of the member.

Section 3. The cost of this Act shall be funded with additional employer 
contributions in compliance with Article X, Section 29(F) of the Louisiana 
Constitution.

Section 4. This Act shall become effective on June 30, 2021; if vetoed by 
the governor and subsequently approved by the legislature, this Act shall 
become effective on June 30, 2021, or on the day following such approval by 
the legislature, whichever is earlier.

Approved by the Governor, June 4, 2021.
A true copy:
R. Kyle Ardoin
Secretary of State

ACT No. 57

S E N A T E B I L L N O. 28
BY SENATORS HENRY AND HARRIS AND REPRESENTATIVE WILLARD
Prefiled Pursuant to Article III, Section 2(A)(4)(b)(i)
of the Constitution of Louisiana.
AN ACT

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

Be it enacted by the Legislature of Louisiana:

Section 1. The president of the University of Louisiana System, as authorized 
by the Board of Supervisors for the University of Louisiana System, and the 
commissioner of administration, notwithstanding any other provision of law to 
the contrary, are hereby authorized and empowered to convey, transfer, assign, 
or deliver any interest, excluding mineral rights, the state may have to all or 
any portion of the following described parcel of property to The Ogden Museum 
of Southern Art, Inc.: 

Commence at the intersection of the northerly right-of-way line of Howard 
Av and the westerly right-of-way line of Camp Street, thence along said 
westerly right-of-way line of Camp Street N 13 degrees 48 minutes 43 seconds 
E, a distance of 127 feet 11 inches to the Point of Beginning; thence N 76 degrees 
15 minutes 42 seconds W, a distance of 127 feet 10 inches 5 eights to a point; 
thence S 16 degrees 33 minutes 32 seconds W, a distance of 9 feet 11 inches 0 
eights to a point; thence S 76 degrees 05 minutes 42 seconds E, a distance of 
132 feet 10 inches 7 eighths to a point on the westerly right-of-way line of Camp 
Street, thence along said right-of-way line, S 13 degrees 48 minutes 43 seconds 
W, a distance of 88 feet 11 inches 2 eighths to the Point of Beginning. Containing 
11,416 square feet.

Section 2. The president of the University of Louisiana System, as authorized 
by the Board of Supervisors for the University of Louisiana System, and the 
commissioner of administration are hereby authorized to enter into such 
agreements, covenants, conditions, and stipulations and to execute such 
documents as necessary to properly effectuate any conveyance, transfer, 
assignment, or delivery of title, excluding mineral rights, to the property 
described in Section 1 of this Act, and as more specifically described in any 
such agreements entered into and documents executed by and between 
the president of the University of Louisiana System, the commissioner, and The 
Ogden Museum of Southern Art, Inc., in exchange for appropriate consideration 
sufficient to satisfy the provisions of Article VII, Section 14(A) of the Constitution 
of Louisiana.

Section 3. The authorities granted by this Act shall terminate on June 30, 
2024.

Section 4. 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 10 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 4, 2021.
A true copy:
R. Kyle Ardoin
Secretary of State

ACT No. 58

S E N A T E B I L L N O. 32
BY SENATOR CATHEY
Prefiled Pursuant to Article III, Section 2(A)(4)(b)(i)
of the Constitution of Louisiana.
AN ACT

To repeal R.S. 3:856, relative to the sampling and analysis of agricultural 
products; to repeal the exclusion of certain agricultural products authorized 
to be sampled and analyzed by the commissioner of agriculture; and to 
provide for related matters.

Be it enacted by the Legislature of Louisiana:

Section 1. R.S. 3:856 is hereby repealed in its entirety.

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 4, 2021.
A true copy:
R. Kyle Ardoin
Secretary of State

ACT No. 59

S E N A T E B I L L N O. 38
BY SENATOR FOIL
Prefiled Pursuant to Article III, Section 2(A)(4)(b)(i)
of the Constitution of Louisiana.
AN ACT

To amend and reenact R.S. 37:3703(B)(3) and (4), relative to the membership 
of the Louisiana Behavioral Analyst Board; to provide for the length of an 
appointment term; to provide for applicability; and to provide for related 
matters.
Be it enacted by the Legislature of Louisiana:

Section 1. R.S. 37:3703(B) and (4) are hereby amended and reenacted to read as follows:

§3703. Louisiana Behavior Analyst Board

A. * * *

The governor shall ensure that his appointments demonstrate race, gender, ethnic, and geographical diversity. Members of the board shall serve at the pleasure of the governor. A vacancy in an unexpired term shall be filled in the manner of the original appointment for the remainder of the unexpired term.

(4) Each member of the board shall be appointed for a term of four years. No member of the board shall serve more than two consecutive complete terms on the board.

* * *

Section 2. The provisions of Section 1 of this Act shall apply to the terms of the members of the Louisiana Behavior Analyst Board currently serving on the effective date of this Act. A board member's four-year term shall be considered to have begun on the date the board member was officially appointed.

Approved by the Governor, June 4, 2021.

A true copy:

R. Kyle Ardoin
Secretary of State

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ACT No. 60

HOUSE BILL NO. 23
BY REPRESENTATIVE CHARLES OWEN
AN ACT

To repeal Subpart E of Part II of Chapter 1 of Title 14 of the Louisiana Revised Statutes of 1950, comprised of R.S. 14:47 through 50, and R.S. 15:443, relative to offenses against a person; to repeal provisions relative to defamation, presumption of malice, qualified privilege, and absolute privilege.

Be it enacted by the Legislature of Louisiana:

Section 1. Subpart E of Part II of Chapter 1 of Title 14 of the Louisiana Revised Statutes of 1950, comprised of R.S. 14:47 through 50, and R.S. 15:443 are hereby repealed in their entirety.

Approved by the Governor, June 4, 2021.

A true copy:

R. Kyle Ardoin
Secretary of State

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ACT No. 61

HOUSE BILL NO. 77
BY REPRESENTATIVES MARINO, JONES, LANDRY, AND MARCELLE
AN ACT

To amend and reenact Code of Criminal Procedure Article 893(B), relative to suspension of sentences in felony cases; to provide relative to fourth or subsequent convictions; to provide relative to the consent of the district attorney; and to provide for related matters.

Be it enacted by the Legislature of Louisiana:

Section 1. Code of Criminal Procedure Article 893(B) is hereby amended and reenacted to read as follows:

Art. 893. Suspension and deferral of sentence and probation in felony cases

B.(1) Notwithstanding any other provision of law to the contrary, when it appears that the best interest of the public and of the defendant will be served, the court, after a fourth or subsequent conviction of a noncapital felony may suspend, in whole or in part, the imposition or execution of the sentence upon consent of the district attorney.

(2) or after After a third or fourth conviction of operating a vehicle while intoxicated pursuant to R.S. 14:98, the court may suspend, in whole or in part, the imposition or execution of the sentence when the defendant was not offered such alternatives prior to his fourth conviction of operating a vehicle while intoxicated and the following conditions exist:

(a) The district attorney consents to the suspension of the sentence.

(b) The court orders the defendant to do any of the following:

(1) Enter and complete a program provided by the drug division of the district court pursuant to R.S. 13:5301 et seq.

(ii) Enter and complete an established driving while intoxicated court or sobriety court program.

(iii) Enter and complete a mental health court program established pursuant to R.S. 13:5351 et seq.

(iv) Enter and complete a Veterans Court program established pursuant to R.S. 13:5361 et seq.

(v) Enter and complete a reentry court program established pursuant to R.S. 13:5401.

(vi) Reside for a minimum period of one year in a facility which conforms to the Judicial Agency Referral Residential Facility Regulatory Act, R.S. 40:2351 et seq.

(vii) Enter and complete the Swift and Certain Probation Pilot Program established pursuant to R.S. 13:5371 et seq.

(3) When suspension is allowed under this Paragraph, the defendant shall be placed on probation under the supervision of the division of probation and parole. The period of probation shall be specified and shall not be more than three years, except as provided in Paragraph G of this Article. The suspended sentence shall be regarded as a sentence for the purpose of granting or denying a new trial or appeal.

Approved by the Governor, June 4, 2021.

A true copy:

R. Kyle Ardoin
Secretary of State

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ACT No. 62

HOUSE BILL NO. 94
BY REPRESENTATIVE FONTENOT
AN ACT

To amend and reenact R.S. 47:1836(introductory paragraph), relative to ad valorem property tax assessments by the Louisiana Tax Commission; to extend authority for the imposition of certain assessment fees; to provide for an effective date; and to provide for related matters.

Be it enacted by the Legislature of Louisiana:

Section 1. R.S. 47:1836(introductory paragraph) is hereby amended and reenacted to read as follows:

$1836. Fees

The tax commission is hereby authorized on an interim basis for the period beginning on July 1, 2021, and ending on June 30, 2023, to levy and collect the following fees in connection with services performed by the commission:

* * *

Section 2. This Act shall become effective on July 1, 2021.

Approved by the Governor, June 4, 2021.

A true copy:

R. Kyle Ardoin
Secretary of State

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ACT No. 63

HOUSE BILL NO. 96
BY REPRESENTATIVE JENKINS
AN ACT

To redesignate a portion of Louisiana Highway 3094 in Shreveport, Louisiana, as the “Rev. Dr. Elbert W. ‘Eddie’ Giles Memorial Highway”; and to provide for related matters.

Be it enacted by the Legislature of Louisiana:

Section 1. The portion of Louisiana Highway 3094, otherwise known as Hearne Avenue, from the three-hundred through the four-hundred block, in Shreveport, Louisiana, shall be known and hereby redesignated as the “Rev. Dr. Elbert W. ‘Eddie’ Giles Memorial Highway”.

Section 2. The Department of Transportation and Development or its contractors are hereby directed to erect and maintain appropriate signage reflecting this designation provided local or private monies are received by the department equal to the department's actual costs for material, fabrication, mounting posts, and installation of each sign, not to exceed the sum of five hundred fifty dollars per sign.

Approved by the Governor, June 4, 2021.

A true copy:

R. Kyle Ardoin
Secretary of State

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ACT No. 64

HOUSE BILL NO. 102
BY REPRESENTATIVE JENKINS
AN ACT

To designate a portion of Louisiana Highway 173 as the “Coach Carl Pierson Memorial Highway”; and to provide for related matters.

Be it enacted by the Legislature of Louisiana:

Section 1. The portion of Louisiana Highway 173 in Caddo Parish, from Hartman Street to Ernest B Miller Drive, shall be known and hereby designated as the “Coach Carl Pierson Memorial Highway”.

Section 2. The Department of Transportation and Development or its contractors are hereby directed to erect and maintain appropriate signage reflecting this designation provided local or private monies are received by the department equal to the department's actual costs for material, fabrication, mounting posts, and installation of each sign, not to exceed the sum of five hundred fifty dollars per sign.

Approved by the Governor, June 4, 2021.

A true copy:

R. Kyle Ardoin
Secretary of State

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THE ADVOCATE

* As it appears in the enrolled bill
such plans and procedures and make ongoing assessments of the sufficiency of such plans and procedures. Discussion and records of the review board, security plans, cybersecurity plans, procedures, assessments, and implementations shall be confidential and shall not be subject to production in accordance with the Louisiana Public Records Law.

E. The review board shall make a written report to the legislature as the review board deems necessary prior to the beginning of each regular session of the legislature. The report shall include guidelines and oversight mechanisms for the implementation of these procedures, as deemed appropriate. In addition to the other reporting requirements of this Subsection, the review board shall quarterly make a written report to the Joint Legislative Committee on the Budget relative to the banking and checking accounts of all state agencies as follows:

1. The state depositing authority as defined in R.S. 49:319.
2. The banking or checking account name, account type, and, if there is more than one account with the same name, the account number.
3. The approval date for the banking or checking account and the name of the fiscal agent bank.
4. The banking or checking account investments, interest earnings, and fee payments.
5. The account balance as of the beginning and the end of the quarter.
6. The source of the funds in the account.
7. The purpose of the banking or checking account.

F. If a banking or checking account is closed during the quarter, the date of the closure, the balance of the account on the date of the closure, and documentation from the bank that the account has been closed.

§2091. Louisiana Board of Animal Health

A. (1) In order to prevent, control, and eradicate anthrax or charbon, glanders, blackleg, hemorrhagic septicaemia, hog cholera, and all other contagious or communicable diseases of mules, horses, cattle, goats, swine, and poultry throughout the state, the carcasses of all animals shall be disposed of by incineration, cremation, deep burial, or other sanitary method as approved by the United States Department of Agriculture.

B. “Deep burial” means that the animal carcass shall be placed in a hole or pit not less than six feet deep in the disposition of carcasses of cows, mules, poultry, and horses, and not less than four feet as applying to carcasses of sheep, goats, and swine.

C. The provisions of this Part shall not apply to animal carcasses within the limits of a city or town which is provided with an incinerator or in which a rendering plant is operated, provided such incinerator or rendering plant is equipped with facilities to properly transport or handle carcasses in a manner to prevent dissemination of infection.

§2131. Cremation or burial Disposal of animal carcasses

A. (1) In order to prevent, control, and eradicate anthrax or charbon, glanders, blackleg, hemorrhagic septicaemia, hog cholera, and all other contagious or communicable diseases of mules, horses, cattle, goats, swine, and poultry throughout the state, the carcasses of all animals shall be disposed of by incineration, cremation, deep burial, or other sanitary method as approved by the United States Department of Agriculture.

B. “Deep burial” means that the animal carcass shall be placed in a hole or pit not less than six feet deep in the disposition of carcasses of cows, mules, poultry, and horses, and not less than four feet as applying to carcasses of sheep, goats, and swine.

C. The provisions of this Part shall not apply to animal carcasses within the limits of a city or town which is provided with an incinerator or in which a rendering plant is operated, provided such incinerator or rendering plant is equipped with facilities to properly transport or handle carcasses in a manner to prevent dissemination of infection.

D. Each state agency shall adopt a cybersecurity plan and financial security procedures relative to cash management. Within ninety days of the enactment of this Subsection, each agency shall submit its cybersecurity plan and financial security procedures to the review board. Thereafter, each agency shall submit to the review board any revisions to its approved plan or procedures. The review board shall review and approve such plans, procedures, and revisions. The review board may review implementation of such plans and procedures and make ongoing assessments of the sufficiency of such plans and procedures. Discussion and records of the review board, security plans, cybersecurity plans, procedures, assessments, and implementations shall be confidential and shall not be subject to production in accordance with the Louisiana Public Records Law.

E. The review board shall make a written report to the legislature as the review board deems necessary prior to the beginning of each regular session of the legislature. The report shall include guidelines and oversight mechanisms for the implementation of these procedures, as deemed appropriate. In addition to the other reporting requirements of this Subsection, the review board shall quarterly make a written report to the Joint Legislative Committee on the Budget relative to the banking and checking accounts of all state agencies as follows:

1. The state depositing authority as defined in R.S. 49:319.
2. The banking or checking account name, account type, and, if there is more than one account with the same name, the account number.
3. The approval date for the banking or checking account and the name of the fiscal agent bank.
4. The banking or checking account investments, interest earnings, and fee payments.
5. The account balance as of the beginning and the end of the quarter.
6. The source of the funds in the account.
7. The purpose of the banking or checking account.

F. If a banking or checking account is closed during the quarter, the date of the closure, the balance of the account on the date of the closure, and documentation from the bank that the account has been closed.

§2091. Louisiana Board of Animal Health

A. (1) In order to prevent, control, and eradicate anthrax or charbon, glanders, blackleg, hemorrhagic septicaemia, hog cholera, and all other contagious or communicable diseases of mules, horses, cattle, goats, swine, and poultry throughout the state, the carcasses of all animals shall be disposed of by incineration, cremation, deep burial, or other sanitary method as approved by the United States Department of Agriculture.

B. “Deep burial” means that the animal carcass shall be placed in a hole or pit not less than six feet deep in the disposition of carcasses of cows, mules, poultry, and horses, and not less than four feet as applying to carcasses of sheep, goats, and swine.

C. The provisions of this Part shall not apply to animal carcasses within the limits of a city or town which is provided with an incinerator or in which a rendering plant is operated, provided such incinerator or rendering plant is equipped with facilities to properly transport or handle carcasses in a manner to prevent dissemination of infection.

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E. The review board shall make a written report to the legislature as the review board deems necessary prior to the beginning of each regular session of the legislature. The report shall include guidelines and oversight mechanisms for the implementation of these procedures, as deemed appropriate. In addition to the other reporting requirements of this Subsection, the review board shall quarterly make a written report to the Joint Legislative Committee on the Budget relative to the banking and checking accounts of all state agencies as follows:

1. The state depositing authority as defined in R.S. 49:319.
2. The banking or checking account name, account type, and, if there is more than one account with the same name, the account number.
3. The approval date for the banking or checking account and the name of the fiscal agent bank.
4. The banking or checking account investments, interest earnings, and fee payments.
5. The account balance as of the beginning and the end of the quarter.
6. The source of the funds in the account.
7. The purpose of the banking or checking account.

F. If a banking or checking account is closed during the quarter, the date of the closure, the balance of the account on the date of the closure, and documentation from the bank that the account has been closed.
the day following such approval.

Approved by the Governor, June 4, 2021.

A true copy;
R. Kyle Ardoin
Secretary of State

ACT No. 67

HOUSE BILL NO. 133
BY REPRESENTATIVE ADAMS

To enact R.S. 33:2476(B)(1)(f), relative to the city of Zachary; to provide relative to the municipal fire and police civil service board; to provide relative to the qualifications of board members; to require a specified member of the board to reside within certain areas of East Baton Rouge Parish; 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. 33:2476(B)(1)(f) is hereby enacted to read as follows:

§2476. Municipal fire and police civil service boards * * *

B.(1) * * *

(f) Notwithstanding any other provision of law to the contrary, in the city of Zachary, the member appointed pursuant to Subparagraph (C)(2)(a) of this Section shall be a resident of the city of Zachary, the unincorporated area of East Baton Rouge Parish, or a combination thereof, for at least five years next preceding his appointment; at the time of his appointment, shall be a qualified voter of East Baton Rouge Parish.

Approved by the Governor, June 4, 2021.

A true copy;
R. Kyle Ardoin
Secretary of State

ACT No. 68

HOUSE BILL NO. 140
BY REPRESENTATIVES MUSCARELLO, ROBBY CARTER, JEFFERSON, JENKINS, MIKE JOHNSON, LANDRY, LARVADAIN, AND SEABAUGH

To amend and reenact Code of Civil Procedure Articles 193, 194, 195, 196.1, 863(A), 891(A), and 1313(C) and R.S. 9:2630(B)(2), and to repeal Code of Civil Procedure Article 196 and R.S. 9:2630(B)(4)(a), relative to civil procedure; to provide for the adoption of local court rules; to provide with respect to the power of district courts to act; to provide with respect to judicial proceedings; to provide for the signing of orders and judgments; to provide with respect to pleadings and petitions; to provide for service by electronic means; to provide with respect to the Louisiana Uniform Electronic Transaction Act; to provide for an effective date; and to provide for related matters.

Be it enacted by the Legislature of Louisiana:

Section 1. Code of Civil Procedure Articles 193, 194, 195, 196.1, 863(A), 891(A), and 1313(C) are hereby amended and reenacted to read as follows:

Art. 193. Power to adopt local rules: publication

A. A court may adopt rules for the conduct of judicial business before it, including those governing matters of practice and procedure which are not contrary to the rules provided by law, when a court has more than one judge, its rules shall be adopted or amended by a majority of the judges thereof, sitting en banc.

The rules may provide that the court may call a special session of court during vacation, and that any action, proceeding, or matter otherwise required by law to be tried or heard in open court during the regular session may be tried or heard during the special session.

B. The rules shall be entered on the minutes of the court. Rules adopted by an appellate court shall be published in the manner which that the court considers most effective and practicable. Rules adopted by a district court shall be published in the manner provided in Article 1911(A).

Art. 194. Power of district court to act in chambers; signing orders and judgments

The following orders and judgments may be signed by the district judge in chambers anywhere where the judge is physically located:

1. Order directing the taking of an inventory; judgment decreeing or homologating a partition, when unopposed; judgment probating a testament ex parte; order directing the execution of a testament; order confirming or appointing a legal representative; order appointing an undertaker or an undertaker; order appointing an attorney to act as an absent, incompetent, or unrepresented person, or an attorney for an absent heir; order authorizing the sale of property of an estate administered by a legal representative; order directing the publication of the notice of the filing of a tableau of distribution, or of an account, by a legal representative; judgment recognizing heirs or legatees and sending them into possession, when unopposed; all orders for the administration and settlement of a succession, or for the administration of an estate by a legal representative;

2. Order to show cause; order directing the issuance and providing the security to be furnished by a party to be furnished for the issuance of a writ of attachment or sequestration; order directing the release of property seized under a writ of attachment or sequestration and providing the security to be furnished therefor; order for the issuance of a temporary restraining order and providing the security therefor; order for the issuance of a writ, or alternative writ, or habeas corpus, mandamus, or quo warranto;

3. Order for the seizure and sale of property in an executory proceeding;

4. Order for the taking of testimony by deposition; for the production of documentary evidence; for the production of documents and things for the purpose of measuring, surveying, or photographing; or for permission to enter land for the purpose of measuring, surveying, or photographing;

5. Order or judgment deciding or otherwise disposing of an action, proceeding, or matter which may be tried or heard in chambers;

6. Order or judgment that may be granted on ex parte motion or application, except an order allowing an attorney to act as an absent, incompetent, or unrepresented person, or an attorney for an absent heir;

7. Any other order or judgment not specifically required by law to be signed in open court.

Comments – 2021

This Article has been amended to codify the current practice of the district court judges of signing orders and judgments wherever the judge is physically located. With the use of electronic signatures as provided for in Articles 253(C) and 1911(A), judges are authorized to sign orders and judgments electronically, and this Article authorizes them to do so wherever they are physically located.

Art. 195. Some judicial proceedings in chambers

The following judicial proceedings may be conducted by the district judge in chambers or by any audio-visual means:

1. Homologation of a tableau of distribution, or of an account, filed by a legal representative for authority, whether opposed or unopposed, and on a petition for emancipations;

2. Homologation of a tableau of distribution, or of an account, filed by a legal representative, so far as unopposed;

3. Trial of a rule to determine the nonexempt portion of wages, salaries, or commissions seized under garnishment and to direct the payment thereof periodically by the garnishee to the sheriff;

4. Examination of a judgment debtor and

5. Trial of or hearing on any other action, proceeding, or matter which the law expressly provides may be tried or heard in chambers.

Art. 196.1 Power of courts to act during emergencies

Any action or proceeding, or matter which may be tried or heard in open court during the regular session, that is required by law to be tried or heard in open court during the regular session, that is required by law to be tried or heard in chambers during an emergency or disaster declared as such pursuant to R.S. 29:724(B) if the emergency or disaster prevents the court from operating in its own jurisdiction.

B. The court shall indicate the location where the order or judgment was signed on any order or judgment signed outside of the court's territorial jurisdiction pursuant to this Article.

Comments – 2021

This Article has been amended to allow the judge to sign orders and judgments while outside of the court's territorial jurisdiction, regardless of whether there is an emergency or disaster. This amendment does not confer or extend the subject matter jurisdiction of a court when one of its judges signs a judgment or order outside of the court's territorial jurisdiction. See Articles 2 and 3.

Art. 863. Signing of pleadings; effect

A. Every pleading of a party represented by an attorney shall be signed by at least one attorney of record whose individual name, whose physical address and email address for service of process shall be stated. A party who is not represented by an attorney shall sign his pleading and state his physical address and email address, if he has an email address, for service of process. If mail is not received at the physical address for service of process, a designated mailing address shall also be provided.

B. The petition shall comply with Articles 853, 854, and 863, and, whenever applicable, with Articles 855 through 861. It shall set forth the name, surname, and domicile of the parties; shall contain a short, clear, and concise statement of all causes of action arising out of, and of the material facts of, the transaction or occurrence that is the subject matter of the litigation; shall designate the physical address, such as a post office box, and an email address for receipt of service of all items involving the litigation; and shall conclude with a prayer for judgment for the relief sought. Relief may be prayed for in the alternative.

Art. 891. Form of petition

A. The petition shall comply with Articles 853, 854, and 863, and, whenever applicable, with Articles 855 through 861. It shall set forth the name, surname, and domicile of the parties; shall contain a short, clear, and concise statement of all causes of action arising out of, and of the material facts of, the transaction or occurrence that is the subject matter of the litigation; shall designate the physical address, such as a post office box, and an email address for receipt of service of all items involving the litigation; and shall conclude with a prayer for judgment for the relief sought. Relief may be prayed for in the alternative.

Art. 1313. Service by mail, delivery, or electronic means

C. Notwithstanding Paragraph A of this Article, if a pleading or order sets a court date, then service shall be made either by registered or certified mail or by actual delivery by a commercial courier, or by emailing the document to the email address designated by counsel or the party. Service by electronic means is complete upon transmission, provided that the sender receives an electronic confirmation of delivery.
Paragraph C of this Article has been amended to allow service of a pleading or order setting a court date by email to a public or private of school at a designated email address, provided that the sender receives an electronic confirmation of delivery. See R.S. 9:4854(2). If such confirmation is not received, the sender will need to use one of the other alternative methods of service provided in Paragraph C.

Section 2. R.S. 9:2603(B)(2) is hereby amended and reenacted to read as follows:

§2603. Scope

A. This Chapter shall not apply to:

B. A transaction to the extent it is governed by the provisions of Title 2 of the Louisiana Revised Statutes of 1950, other than R.S. 10:1-107.

Section 3. Code of Civil Procedure Article 196 and R.S. 9:2603(B)(4)(a) are hereby repealed in their entirety.

Section 4. This Act shall become effective January 1, 2022.

Approved by the Governor, June 4, 2021.

A true copy:

R. Kyle Ardoin
Secretary of State

ACT No. 69

HOUSE BILL NO. 147

BY REPRESENTATIVE HORTON

AN ACT

To amend and reenact R.S. 6:969.18(A)(3), R.S. 9:3530(F), and R.S. 47:532.1(A)(7)(c), (C), and (D), relative to public license tag agents; to authorize the collection of a convenience fee charge for certain services; to authorize the collection of a convenience fee charge in addition to other authorized fees, sales taxes, and transactions; and to provide for related matters.

Be it enacted by the Legislature of Louisiana:

Section 1. R.S. 6:969.18(A)(3) is hereby amended and reenacted to read as follows:

§969.18. Documentation and compliance fees; notary fees; transfer of equity and other fees; disclosure

A. The convenience fees shall not be included in the state civil service.

(3) The seller or extender of credit may additionally charge the consumer a convenience fee charge from the consumer, as provided by R.S. 47:532.1(A)(7)(c), for services performed in obtaining a motor vehicle license or title on the consumer's behalf.

Section 2. R.S. 9:3530(F) is hereby amended and reenacted to read as follows:

§3530. Fees; origination; notary; documentation; over-the-credit-limit fee

F.(1) A lender shall charge the consumer the fee charge for convenience fee charge for services performed by a public license tag agent as well as any E.L.T. fees pursuant to R.S. 32:707.2. Such charge or fees shall not be assessed as interest, nor shall they be included in the calculation of interest.

(2) Notwithstanding any other law to the contrary, the convenience fee charge authorized by R.S. 47:532.1(C) as well as any E.L.T. fees shall not be considered as interest, nor shall they be included in the calculation of interest.

Section 3. R.S. 47:532.1(A)(7)(c), (C), and (D) are hereby amended and reenacted to read as follows:

§532.1. Public license tag agents; auto title companies; rules and regulations; surety bonds; fees

A. The convenience fees shall not be included in the state civil service.

(7) C. Public license tag agents shall be authorized to collect a convenience fee charge in addition to the registration license tax or other authorized fees, sales taxes, and transactions. The convenience fee charge shall not exceed eighteen twenty-dollar fee per license authorized transaction. However, the public license tag agents shall collect and retain the full amount of the convenience fee charge. The seller is authorized to charge the convenience fee charge authorized by this Section in connection with any retail sale, in addition to the fees authorized in Chapter 10-B of Title 6 of the Louisiana Revised Statutes of 1950.

D.(1) Each public license tag agent approved by the office of motor vehicles shall disclose information to the consumer that a license tag may be purchased at the office of motor vehicles without payment of the convenience fee charge.

(2) Itemization of this convenience fee charge in compliance with federal laws regarding truth and lending shall be considered compliance with this Section.

Section 4. The Department of Public Safety and Corrections, office of motor vehicles, shall promulgate rules and regulations in accordance with the Administrative Procedure Act to implement the provisions of this Act.

Approved by the Governor, June 4, 2021.

A true copy:

R. Kyle Ardoin
Secretary of State

ACT No. 70

HOUSE BILL NO. 162

BY REPRESENTATIVE DESHOTEL

AN ACT

To enact R.S. 40:539(C)(8)(k), relative to employees of the Simmonsport Housing Authority; to provide that employees of the authority shall not be in the state civil service; and to provide for related matters.

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

Be it enacted by the Legislature of Louisiana:

Section 1. R.S. 40:539(C)(8)(k) is hereby enacted to read as follows:

§539. Selection of chairman and vice chairman; executive director; hiring of employees

C. Executive director; hiring of employees

(8) (k) Notwithstanding any provision of Subparagraph (a) of this Paragraph or of any other law to the contrary, the Simmonsport Housing Authority shall not be considered an instrumentality of the state for purposes of Article X, Section 1(A) of the Constitution of Louisiana, and employees of the authority shall not be included in the state civil service.

Approved by the Governor, June 4, 2021.

A true copy:

R. Kyle Ardoin
Secretary of State

ACT No. 71

HOUSE BILL NO. 219

BY REPRESENTATIVE ILLG

AN ACT

To amend and reenact R.S. 26:271.2(2)(b) and 308(B) and (C)(2)(b) and to enact R.S. 26:232) and 241(27), relative to alcohol delivery; to provide for definitions; to provide for the delivery of ready-to-drink beverages; to provide for permits needed to enter into delivery agreements; and to provide for related matters.

Be it enacted by the Legislature of Louisiana:

Section 1. R.S. 26:271.2(2)(b) and 308(B) and (C)(2)(b) are hereby amended and reenacted and R.S. 26:232) and 241(27) are hereby enacted to read as follows:

§2. Definitions

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

(32) “Ready-to-drink beverage” means an alcoholic beverage containing low or high alcohol content as defined in this Section and R.S. 26:241, that is pre-packaged, pre-measured, and pre-mixed to be sold in a manufacturer-sealed container ready for immediate consumption.

§241. Definitions

The following terms have the respective meanings ascribed to them except as those instances where the context indicates a different meaning:

(27) “Ready-to-drink beverage” means an alcoholic beverage containing low or high alcohol content as defined in this Section and R.S. 26:241, that is pre-packaged, pre-measured, and pre-mixed to be sold in a manufacturer-sealed container ready for immediate consumption.

§271.2. Class A permit; definitions

The commissioner shall issue the following four types of Class A retail
permits for beverages of low alcoholic content:

(2) Class A-Restaurant:

\[ \text{permit fee for permit issued pursuant to this Subparagraph shall be two hundred fifty dollars.} \]

§308. Alcoholic beverages delivery agreements; requirements; limitations

B. Notwithstanding any provision of law to the contrary, a retail dealer possessing a valid Class A-General permit or Class A-Restaurant permit as provided in R.S. 26:271.2, a Class "R" restaurant permit as provided in R.S. 26:272, or a package house-Club B. as defined in R.S. 26:241, permit as provided in this Chapter may enter into a written agreement with a third-party delivery company or a third-party platform for the use of an internet or mobile application or similar technology platform to facilitate the sale of alcoholic beverages for delivery to consumers for personal consumption within this state and the third-party delivery company or the third-party platform may deliver alcoholic beverages to the consumer.

C. An alcoholic beverage delivery agreement between a retail dealer and a third party shall require all of the following:

\[ \text{...} \]

§308. Alcoholic beverages delivery agreements; requirements; limitations

(2) (b) Only malt beverages, ready-to-drink beverages, sparkling wine, and still wine, as defined in R.S. 26:2 and 241 are offered for delivery from the licensed premises of a restaurant permit holder.

Approved by the Governor, June 4, 2021.

A true copy:

R. Kyle Ardoin
Secretary of State

ACT No. 72

HOUSE BILL NO. 251

BY REPRESENTATIVE JONES AND SENATORS BARROW, BERNARD, FIELDS, JACKSON, FRED MILLS, TALBOT, AND WOMACK

AN ACT

To amend and reenact Code of Criminal Procedure Article 573.1, relative to time limitations for instituting prosecutions; to provide relative to time limitations in which to institute prosecution for crimes related to victims with infirmities; to provide for definitions; and to provide for related matters.

Be it enacted by the Legislature of Louisiana:

Section 2. The Louisiana State Law Institute is hereby authorized and directed to arrange in alphabetical order and renumber the definitions provided in R.S. 26:2 and 241.

Approved by the Governor, June 4, 2021.

A true copy:

R. Kyle Ardoin
Secretary of State

ACT No. 74

HOUSE BILL NO. 397

BY REPRESENTATIVES WHITE AND THOMPSON AND SENATORS BARROW, BERNARD, BOUIE, CORTEZ, FESI, FIELDS, JACKSON, JOHNS, LUNEAU, ROBERT MILLS, MIZELL, PETERSON, PRICE, REESE, SMITH, WARD, AND WOMACK

AN ACT

To amend and reenact the heading of Part XIV of Title 11 of Title 40 of the Louisiana Revised Statutes of 1950 and to enact R.S. 40:2200.7.1 and 2200.7.2, relative to Alzheimer's disease and other dementia diseases; to provide for education concerning and awareness of such diseases; to provide for the early detection of such diseases; to provide for the promulgation of rules by the Louisiana Department of Health; to provide for the designation and organization of certain laws by the Louisiana State Law Institute; and to provide for related matters.

Be it enacted by the Legislature of Louisiana:

Section 1. The heading of Part XIV of Chapter 11 of Title 40 of the Louisiana Revised Statutes of 1950 is hereby amended and reenacted and R.S. 40:2200.7.1 and 2200.7.2 are hereby enacted to read as follows:

PART XIV. ALZHEIMER’S DISEASE AND DEMENTIA TRAINING

§2200.7.1. Legislative intent

A. The legislature hereby finds and declares that:

(1) It is the intent of the legislature that existing health programs and services educate healthcare professionals on the importance of early detection and timely diagnosis of cognitive impairment and dementia.

(2) It is in the public interest to provide information to increase understanding and awareness of Alzheimer's disease and other dementia diseases.

(3) It is the public policy of this state that healthcare providers in Louisiana have access to guidance and education outreach programs regarding Alzheimer's disease and other dementia diseases.

B. The office of public health within the Louisiana Department of Health may include provisions and Alzheimer's disease training in its existing public health programs and services educate healthcare providers on all of the following:

(1) The importance of effective care planning, including treatment options, support and services, long-term care options, advanced directives, and care at every stage of Alzheimer’s disease and other dementia diseases to include appropriate counseling.

(2) The use of validated cognitive assessment tools.

(3) Advising the public of the value of early detection of Alzheimer’s disease and other dementia diseases including any link to chronic disease, such as vascular risk factors.

(4) Increasing the awareness of Alzheimer’s disease and other dementia diseases.

C. Alzheimer's disease and other dementia diseases training: rulemaking

(2) Advising the public of the value of early detection of Alzheimer’s disease and other dementia diseases along with information on the early signs of the disease.

(3) Educating the public on the importance of identifying and reporting signs of Alzheimer's disease and other dementia diseases to healthcare providers for timely diagnosis.

(4) Increasing the data and surveillance applicable to Alzheimer's disease and other dementia diseases and encouraging additional data analysis and accurate reporting on death certificates.

D. The Louisiana Department of Health shall consult with the Louisiana chapter of the Alzheimer’s Association and other experts, advocates, or associations to facilitate the distribution of educational materials that address Alzheimer’s disease and other dementia diseases.

(2) The Louisiana Department of Health may promulgate rules and regulations in accordance with the Administrative Procedure Act as are necessary to implement this Subpart. The rules and regulations may include, but not be limited to the type of cognitive assessment tools available to healthcare providers. The department shall consult with and seek input from the Louisiana chapter of the Alzheimer’s Association and other experts, advocates, or associations in the promulgation of the rules and regulations.

Section 2. (A) The Louisiana State Law Institute is hereby directed to designate R.S. 40:2200.1 through 2200.5 as Subpart A of Part XIV of Chapter 11 of Title 40 of the Louisiana Revised Statutes of 1950, and is further directed to apply to the Subpart the heading “Dementia Training”.

(B) The Louisiana State Law Institute is hereby directed to designate R.S. 40:2200.7.1 and 2200.7.2, as enacted by Section 1 of this Act, as Subpart B of Part XIV of Chapter 11 of Title 40 of the Louisiana Revised Statutes of 1950, and is further directed to apply to the Subpart the heading “Alzheimer’s Disease and Other Dementia Diseases”.

Approved by the Governor, June 4, 2021.

A true copy:

R. Kyle Ardoin
Secretary of State
HOUSE BILL NO. 405
BY REPRESENTATIVE JORDAN
AN ACT
To amend and reenact R.S. 33:103(C)(1)(d), relative to the town of Brusly; to authorize the governing authority of the town of Brusly to pay members of the Brusly Planning Commission a per diem; to provide for the amount of the per diem and the number of days for which members may be paid; to provide for an effective date; 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. 33:103(C)(1)(d) is hereby amended and reenacted to read as follows:

§103. Planning commission; membership; appointment

C.(1) All members of a commission, whether a parish or a municipal planning commission, shall serve without compensation, except as otherwise provided by this Paragraph or as otherwise provided by law, and shall hold no other public office, except they may also serve as members of any duly constituted regional commission of which their parish or municipality forms a part.

*   *   *

(1) Notwithstanding any other provision of law to the contrary, the governing authorities of the municipalities of Arcadia, Brusly, Delhi, Gramercy, Haughton, Haynesville, Iowa, Jena, Lake Arthur, Lockport, and Many may pay a per diem to members of their respective municipal planning commissions for attending meetings of any such commission. The rate of per diem to be paid to such members and the number of meetings for which per diem shall be paid shall be established by ordinance of the governing authority of each municipality.

*   *   *

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 4, 2021.

A true copy:

R. Kyle Ardoin
Secretary of State

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ACT No. 75

HOUSE BILL NO. 413
BY REPRESENTATIVES NELSON, ADAMS, AMEEDE, BACALA, BEAULLIEU, BRASS, BROWN, BRYANT, CARRIER, GARY CARTER, CORMIER, COUSSAN, COX, CREWS, DUBUISSON, DUPLESSIS, ECHOLS, EDMONDS, EDMONSTON, EMERSON, FARNUM, FRIEMAN, GADBEY, GAINES, GAROFALO, GOUDEAU, HARRIS, HILFERTY, HODGES, HORTON, HUGHES, ILLEG, JENNINGS, JONES, KERNER, LACOMBE, LARVADAIN, MACK, MARINO, MCKINNEY, MCMAHEN, MIGUEZ, MINCEY, MUSCARELLO, NEWELL, CHARLES OVEN, ROBERT OVEN, RUISER, ROMERO, SCHAFFNER, SEBAUGH, SELLERS, STAGNI, THOMPSON, VILLIO, WHEAT, AND WRIGHT

AN ACT

To designate an overpass on North Causeway Boulevard in St. Tammany Parish as the “Captain Vincent N. Liberto, Jr., Memorial Overpass”.

Be it enacted by the Legislature of Louisiana:

Section 1. The overpass on North Causeway Boulevard, also known as Tammany Parkway, located at the interchange with Louisiana Highway 22 and U.S. Highway 190, also known as Emerald Road, in St. Tammany Parish, shall be known and is hereby designated as the “Captain Vincent N. Liberto, Jr., Memorial Overpass”.

Section 2. The Department of Transportation and Development or its contractors are hereby directed to erect and maintain appropriate signage reflecting this designation provided local or private monies are received by the department equal to the department’s actual costs for material, fabrication, mounting posts, and installation of each sign, not to exceed the sum of five hundred dollars per sign.

Approved by the Governor, June 4, 2021.

A true copy:

R. Kyle Ardoin
Secretary of State

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ACT No. 76

HOUSE BILL NO. 502
BY REPRESENTATIVES STEFANSKI AND THOMPSON AND SENATORS ABRAHAM AND HENSGENS

AN ACT

To amend and reenact R.S. 32:1262(A), relative to motor vehicles; to provide for warranty work on motor vehicles or motor vehicle parts; to provide for parts mark-ups or labor rates; to provide for definitions; and to provide for related matters.

Be it enacted by the Legislature of Louisiana:

Section 1. R.S. 32:1262(A) is hereby amended and reenacted to read as follows:

§1262. Warranty; compensation; audits of dealer records

A. For the purpose of this Section, the following terms have the meanings ascribed to them:

(a) “Manufacturer, distributor, wholesaler, factory branch, or distributor branch’s warranty” means and includes a new motor vehicle warranty, a replacement motorvehicle warranty, a pre-owned motor vehicle warranty or a pre-owned motor vehicle factory branch warranty, wholesaler, factory branch, or distributor branch to repair or replace a defect in a vehicle or part.

(b) “Parts” means parts and components of a motor vehicle, including engine, transmission, other parts assemblies, and manufacturer replacement parts.

(c) “Qualifying repair order” means a repair order that encompasses the warranty work and the delivery and preparation obligations imposed on the dealer by a manufacturer, distributor, wholesaler, factory branch, or distributor branch.

D. In no event shall any manufacturer, as distributor, wholesaler, factory branch, or distributor branch pay its dealers a price or rate for a dealer warranty work that is less than that the rates charged by the dealer to the retail customer of the dealer for non-warranty, non-warranty qualifying work of the kind repairs. Time allowances for the performance of warranty work shall be reasonable and adequate in relation to the nature and scope of the work for a qualified technician of ordinary skill to perform the work.

F. Warranty work includes parts and labor performed.

(i) All repair orders closed during any period of ninety consecutive days.

(a) A dealer submitting repair orders pursuant to Subparagraph (a) of this Paragraph shall not choose the option that produces the fewest number of repair orders, which includes repairs made no more than one hundred eighty days before the submission.

(b) The dealer shall calculate the parts by determining the total charges for the qualifying repairs submitted and dividing that amount by the number of hours that produced the total charges. The dealer shall calculate the parts mark-up by determining the total cost of parts from the qualifying repairs submitted, dividing that amount by the total cost of parts, thereby subtracting the amount from that amount, and multiplying by one hundred to produce a percentage.

(c) A dealer seeking to establish or modify the warranty labor rate or parts mark-up shall submit to the manufacturer, distributor, wholesaler, factory branch, or distributor branch either of the following:

(i) A single set of repair orders for the purpose of calculating both the labor rate and parts mark-up.

(ii) A single set of repair orders for the purpose of calculating only the labor rate or parts mark-up.

(d) A dealer may not submit to establish or modify its parts mark-up, labor rate, or both, more than once in a twelve-month period.

(e) In calculating the labor rate or parts mark-up, the following shall not be included:

(i) Repairs subject to manufacturer, distributor, wholesaler, factory branch,
or distributor branch’s discounts, such as special events, special promotions, coupons, or service campaigns.
(b) Parts sold at wholesale.
(c) Repairs of vehicles owned by the dealer or an employee.
(d) Routine maintenance, including but not limited to replacements of fluids, filters, batteries, bulbs, belts, nuts, bolts, or fasteners.
(e) Installations of accessories.
(f) Replacement or work on tires or wheels, including alignments, wheel or tire rotations, or replacements of brake drums, rotors, shoes, or pads.
(g) Vehicle reconditioning.
(h) Safety or emission inspections required by law.
(i) Repairs for which volume discounts have been negotiated with government agencies, insurers, or service contract providers.
(j) Parts that do not have individual part numbers.
(k) Manufacturer, distributor, wholesaler, factory branch, or distributor branch’s approved and reimbursed goodwill repairs or reimbursements.
(l) Windshield replacements, window etchings, window tints, protective films, or other masking products.
(m) Body shop repairs of conditions caused by collision, road hazard, the force of the elements, vandalism, theft, or owner, operator, or third party negligence or deliberate act.

9. (a) The submitted parts mark-up or labor rate shall be presumed accurate, and shall go into effect forty-five days after the manufacturer, distributor, wholesaler, factory branch, or distributor branch receives the submission unless, within the forty-five day period, the manufacturer, distributor, wholesaler, factory branch, or distributor branch rebuts the presumption.
(b) If the manufacturer, distributor, wholesaler, factory branch, or distributor branch determines from any set of qualifying repair orders submitted to the dealer that the parts mark-up, labor rate, or both, calculated in accordance with the provisions of this Paragraph, is substantially lower than the dealer’s customary retail price schedule, minus the cost for the part as listed in the manufacturer, distributor, wholesaler, factory branch, or distributor branch’s approved and reimbursed goodwill repairs or reimbursements.
(c) The manufacturer, distributor, wholesaler, factory branch, or distributor branch shall notify the dealer of the determination no later than forty-five days after the date of receipt of the additional repair orders for the purpose of establishing or modifying a rate. The manufacturer, distributor, wholesaler, factory branch, or distributor branch shall have forty-five days from receiving the additional repair orders to rebut the presumption in accordance with the provisions of this Paragraph, provided that any rebuttal utilizing the additional repair orders shall conform to the requirements of Paragraphs (4), (5), and (6) of this Subsection.
(d) The manufacturer, distributor, wholesaler, factory branch, or distributor branch may rebut the presumption by doing all of the following:
(i) Reasonably substantiating that the submission is materially inaccurate and by providing a full explanation of any and all reasons.
(ii) Producing evidence validating each reason.
(iii) Producing a copy of all calculations used to demonstrate any material inaccuracies.
(iv) Producing a proposed adjusted parts mark-up, labor rate, or if applicable, both, based upon the qualified repair orders submitted by the dealer.

10. Subject to the provisions of Paragraph (9) of this Subsection, the manufacturer, distributor, wholesaler, factory branch, or distributor branch shall provide to the dealer the parts mark-up, labor rate, or both, calculated in accordance with the provisions of this Paragraph, unless, within the forty-five day period, the manufacturer, distributor, wholesaler, factory branch, or distributor branch rebuts the presumption.

11. If the dealer and the manufacturer, distributor, wholesaler, factory branch, or distributor branch do not agree on the parts mark-up or labor rate, the dealer may file a protest with the Louisiana Motor Vehicle Commission within sixty days of receiving the manufacturer’s rejection and proposal. The commission shall notify the manufacturer, distributor, wholesaler, factory branch, or distributor branch and schedule a hearing. The manufacturer, distributor, wholesaler, factory branch, or distributor branch shall have the burden of proving by a preponderance of the evidence that the dealer’s substitution was not correct.

12. If a manufacturer, distributor, wholesaler, factory branch, or distributor branch furnishes a part to a dealer, at either no cost or a reduced cost, to use in performing warranty work, the manufacturer, distributor, wholesaler, factory branch, or distributor branch shall be compensated for the cost in the same manner as warranty parts compensation under this Section by compensating the dealer on the basis of the dealer’s mark-up on the cost for the parts as listed in the manufacturer, distributor, wholesaler, factory branch, or distributor branch’s price schedule, minus the cost for the part as listed in the manufacturer, distributor, wholesaler, factory branch, or distributor branch’s approved and reimbursed goodwill repairs or reimbursements.

13. A manufacturer, distributor, wholesaler, factory branch, or distributor branch may not require a dealer to establish the parts mark-up or labor rate customarily charged by the dealer for parts or labor by an unduly burdensome or time-consuming method or by requiring information that is unduly burdensome or time-consuming to provide, including but not limited to part-to-part or transaction-by-transaction calculations.

14. Claims made under this Subsection shall be paid within thirty days after approval and shall be approved or disapproved within thirty days after receipt. When any claim is disapproved, the dealer shall be notified in writing of the grounds for disapproval.

15. The obligations in this Subsection as they relate to recreational products may be modified by contract.

Approved by the Governor, June 4, 2021.

A true copy:
R. Kyle Ardoin
Secretary of State

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ACT No. 77

HOUSE BILL NO. 577

BY REPRESENTATIVES MCKNIGHT, JORDAN, AND THOMPSON AND SENATORS FIELDS AND FOIL

To enact Subpart D-1 of Part IV of Chapter 4 of Title 22 of the Louisiana Revised Statutes of 1950, to be comprised of R.S. 22:1341 through 1346, relative to residential flood coverage; to provide for notice to applicants; to provide for types of residential flood insurance policies; to provide for definitions; to provide for an alternative rate filing process; to provide an effective date; and to provide for related matters.

Section 1. Subpart D-1 of Part IV of Chapter 4 of Title 22 of the Louisiana Revised Statutes of 1950, comprised of R.S. 22:1341 through 1346, is hereby enacted to read as follows:

SUBPART D-1. RESIDENTIAL FLOOD INSURANCE

§1341. Definitions

For purposes of this Subpart, the following definitions apply:

(1) “Flood” means a general and temporary condition of partial or complete inundation of two or more acres of normally dry land area or of two or more properties, at least one of which is the policyholder’s property, from over two feet of moving water or from over two inches of standing water resulting from overflow of inland or tidal waters, unusual and rapid accumulation or runoff of surface waters from any source, or exceptional circumstances.

(2) “Inundation” means the prevalent condition of saturation or saturation of normally dry land area by water of sufficient volume to disturb the natural surface equilibrium.

(3) “Flood damage” means property damage incurred during a named storm or hurricane.

(4) “Residential flood coverage” means insurance for the peril of flood for homeowner’s, condominium owner’s, renter’s, and tenant’s dwelling mobile home, and manufactured housing and similar policies.

(5) “Separate named storm or hurricane deductible” means a deductible that applies to flood damage incurred during a named storm or hurricane and may be expressed as a percentage of the insured value of the property or as a specific dollar amount. All of the following shall apply to a separate deductible:
(a) The insurer shall not apply the separate named storm or hurricane deductible to flood damage incurred during another deductible.
(b) There shall be a separate named storm or hurricane deductible in a calendar year, which shall apply to all named storm or hurricane losses during the calendar year.
(c) The insurer may apply to later flood loss events the greater of the remaining amount of the separate named storm or hurricane deductible or the amount of any other standard flood deductible.

(6) “Standard flood deductible” means a deductible that applies to flood damage incurred during any event and may be expressed as a percentage of the insured value of the property or as a specific dollar amount.

(7) “Flood” means a general and temporary condition of partial or complete inundation of two or more acres of normally dry land area or of two or more properties, at least one of which is the policyholder’s property, from over two feet of moving water or from over two inches of standing water resulting from overflow of inland or tidal waters, unusual and rapid accumulation or runoff of surface waters from any source, or exceptional circumstances.

(8) “Inundation” means the prevalent condition of saturation or saturation of normally dry land area by water of sufficient volume to disturb the natural surface equilibrium.

(9) “Flood damage” means property damage incurred during a named storm or hurricane.

(10) “Residential flood coverage” means insurance for the peril of flood for homeowner’s, condominium owner’s, renter’s, and tenant’s dwelling mobile home, and manufactured housing and similar policies.

(11) “Separate named storm or hurricane deductible” means a deductible that applies to flood damage incurred during a named storm or hurricane and may be expressed as a percentage of the insured value of the property or as a specific dollar amount. All of the following shall apply to a separate deductible:
(a) The insurer shall not apply the separate named storm or hurricane deductible to flood damage incurred during another deductible.
(b) There shall be a separate named storm or hurricane deductible in a calendar year, which shall apply to all named storm or hurricane losses during the calendar year.
(c) The insurer may apply to later flood loss events the greater of the remaining amount of the separate named storm or hurricane deductible or the amount of any other standard flood deductible.

(12) “Standard flood deductible” means a deductible that applies to flood damage incurred during any event and may be expressed as a percentage of the insured value of the property or as a specific dollar amount.

§1342. Applicability

(1) “Flood” means a general and temporary condition of partial or complete inundation of two or more acres of normally dry land area or of two or more properties, at least one of which is the policyholder’s property, from over two feet of moving water or from over two inches of standing water resulting from overflow of inland or tidal waters, unusual and rapid accumulation or runoff of surface waters from any source, or exceptional circumstances.

(2) “Inundation” means the prevalent condition of saturation or saturation of normally dry land area by water of sufficient volume to disturb the natural surface equilibrium.

(3) “Flood damage” means property damage incurred during a named storm or hurricane.

(4) “Residential flood coverage” means insurance for the peril of flood for homeowner’s, condominium owner’s, renter’s, and tenant’s dwelling mobile home, and manufactured housing and similar policies.

(5) “Separate named storm or hurricane deductible” means a deductible that applies to flood damage incurred during a named storm or hurricane and may be expressed as a percentage of the insured value of the property or as a specific dollar amount. All of the following shall apply to a separate deductible:
(a) The insurer shall not apply the separate named storm or hurricane deductible to flood damage incurred during another deductible.
(b) There shall be a separate named storm or hurricane deductible in a calendar year, which shall apply to all named storm or hurricane losses during the calendar year.
(c) The insurer may apply to later flood loss events the greater of the remaining amount of the separate named storm or hurricane deductible or the amount of any other standard flood deductible.

(6) “Standard flood deductible” means a deductible that applies to flood damage incurred during any event and may be expressed as a percentage of the insured value of the property or as a specific dollar amount.

§1343. Residential flood coverage; notice; plan of operation

In addition to other requirements, an insurer providing residential flood coverage shall do all of the following:

(1) Notify the commissioner at least thirty days before writing residential flood coverage.

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CODING: Words in boldface type are additions from existing law; words underscored (House Bills) and scored (Senate Bills) are additions.
flood policies in this state.

(3) Note prominently on the policy declarations page the residential flood coverage premiums, deductibles, and policy limits.

(4) Notify the commissioner in writing at least sixty days prior to the market end date of residential flood coverage and advise regarding all of the following:

(a) If an approved policy form will no longer be marketed in this state.

(b) If an approved policy form will be permanently withdrawn from this state.

(c) Whether residential flood coverage issued in this state under a discontinued or withdrawn policy form will remain in force.

(d) Whether existing residential flood coverage issued in this state under a discontinued or withdrawn policy form will continue to be renewed.

(5) The policy form numbers being discontinued or withdrawn and the dates of original approval.

§1344. Residential flood coverage; policy types

A. In addition to excess flood insurance, insurers may issue any of the following types of residential flood coverage:

(1) Standard flood insurance, which covers only losses from the peril of flood in a manner equivalent to that provided under the National Flood Insurance Program, including standard flood deductibles and adjustment of losses.

(2) Preferred flood insurance, which includes all of the following:

(a) The same coverage as standard flood insurance.

(b) Coverage for losses from water intrusion originating from outside the structure that are not otherwise covered by a flood policy.

(c) Coverage for additional living expenses.

(d) A requirement that any loss under personal property or contents coverage be adjusted only on the basis of replacement costs up to the policy limits.

(3) Customized flood insurance, which includes coverage that is broader than the coverage provided under standard flood insurance.

(4) Flexible flood insurance, which covers losses from the peril of flood and may also include coverage for losses from water intrusion originating from outside the structure, that is not otherwise covered. Flexible flood insurance shall include one or more of the following provisions:

(a) An agreement between the insurer and the insured that the flood coverage is in a specified amount, such as coverage that is limited to the total amount of each outstanding mortgage applicable to the covered property.

(b) A requirement for a separate named storm or hurricane deductible.

(c) Additional living expenses.

(d) A requirement that flood loss to a dwelling be adjusted in accordance with R.S. 22:1264 or adjusted only on the basis of the actual cash value of the property.

(d) A restriction limiting residential flood coverage to the principal building defined in the policy.

(e) A provision including or excluding coverage for additional living expenses.

(f) A provision excluding coverage for personal property and contents as to the peril of flood.

(6) Supplemental flood insurance, which may provide coverage designed to supplement a flood policy obtained from the National Flood Insurance Program or from an insurer issuing standard or preferred flood insurance pursuant to this Section. Supplemental flood insurance may provide coverage for any of the following:

(a) Jewelry.

(b) Art.

(c) Deductibles.

(d) Additional living expenses.

(e) Coverage for losses from water intrusion originating from outside the building.

B. An insurer writing residential flood policies may issue flood insurance that covers losses from the peril of flood using either or both of the following:

(1) A definition of "flood" other than that in R.S. 22:1341.

(2) Terms and conditions other than those used in the policy types described in Subsection A of this Section.

C. Notwithstanding Subsections A and B of this Section, insurers offering private flood insurance may continue using policy forms filed and approved before January 1, 2022, and the rates established by this Section shall be deemed approved.

§1345. Residential flood coverage; rates

For an insurer writing residential flood coverage, either of the following shall apply:

(1) An insurer may establish and use residential flood coverage rates in accordance with the provisions of R.S. 22:1451 and 1453.

(2) For residential flood coverage rates filed with the commissioner before January 1, 2027, all of the following shall apply:

(a) An insurer shall establish and use rates in accordance with the rates, rating schedules, or rating manuals filed by the insurer with the commissioner which allow the insurer a reasonable rate of return on residential flood coverage written in this state.

(b) Rates established pursuant to this Paragraph are not subject to R.S. 22:1451.

(c) Within thirty days after the effective date of the change, the insurer shall notify the commissioner of any change to previously established rates and of the average statewide percentage change in rates.

(d) Actuarial data with regard to rates for residential flood coverage shall be maintained by the insurer for two years after the effective date of the rate change and is subject to examination by the commissioner. The commissioner may require the insurer to incur the costs associated with an examination. Upon examination, the commissioner, in accordance with generally accepted and reasonable actuarial techniques, shall consider the rate factors and standards in R.S. 22:1454, to determine if the rate is excessive, inadequate, or unfairly discriminatory.

(e) If the commissioner determines that a rate is excessive or unfairly discriminatory, the commissioner shall require the insurer to provide appropriate credit to any affected policyholders and an appropriate refund to any affected former policyholders.

§1346. Notices regarding flood coverage

A. (1) A producer shall provide written notice to be signed by the applicant before a producer places residential flood coverage with an authorized or surplus lines insurer for a property receiving flood coverage from the National Flood Insurance Program. The notice required by this Subsection shall inform the applicant of all of the following:

(1) Whether existing residential flood coverage under the National Flood Insurance Program will remain in force.

(2) Whether any of the following:

(a) A change in the rate

(b) A restriction limiting residential flood coverage to the principal building defined in the policy

(c) A provision including or excluding coverage for additional living expenses

(d) A provision excluding coverage for personal property and contents as to the peril of flood

(3) Whether the applicant discontinues coverage under the National Flood Insurance Program.

(4) Notice prominently on the policy declarations page the residential flood coverage.

B. (1) An insurer writing standard flood insurance policies, preferred flood insurance policies, customized flood insurance policies, flexible flood insurance policies, residential flood insurance policies using a different definition of "flood" than that used in R.S. 22:1341, or residential flood insurance policies with terms and conditions other than those described in R.S. 22:1344, shall make one of the following certifications:

(a) "This policy meets the definition of private flood insurance contained in 42 U.S.C. 4012a(b)(7) and the corresponding regulation." A certification made in this Subparagraph shall also contain a separate statement providing: "This policy provides less coverage than the standard flood insurance policy under the National Flood Insurance Program."

(b) "This policy does not meet the definition of private flood insurance contained in 42 U.S.C. 4012a(b)(7) and the corresponding regulation." A certification made under this Subparagraph shall also contain a separate statement providing: "This policy provides less coverage than the standard flood insurance policy under the National Flood Insurance Program."

(2) The certifications required pursuant to this Subsection shall be in writing on the declarations page of the policy in bold typed print of not less than a fourteen point font.

§327. Special restrictions on lamps

B. No person shall drive or move any vehicular equipment upon any highway of this state, any lamp or device thereon displaying a red or green light visible from directly in front of the center thereof. This Section shall not apply to any vehicle upon which a red or green light visible from the front is expressly authorized or required by this Chapter or by regulation of the department. Additionally, this Section shall not apply to any department vehicle displaying green lights.

ACT No. 78

HOUSE BILL NO. 593

BY REPRESENTATIVE TRAVIS JOHNSON

AN ACT

To amend and reenact R.S. 22:125(b)(introductory paragraph) and 327(B), relative to passing a parked emergency vehicle; to provide relative to the Department of Transportation and Development displaying certain lights; to provide for an effective date; and to provide for related matters.

Be it enacted by the Legislature of Louisiana:

Section 1. R.S. 22:125(b)(introductory paragraph) and 327(B) are hereby amended and reenacted to read as follows:

§125. Procedure on approach of an authorized emergency vehicle: passing a parked emergency vehicle

B. When any vehicle making use of any visual signals as authorized by law, including the display of alternately flashing amber green, amber, or yellow warning lights, is parked on or near the highway, the driver of every other vehicle shall:

* * *

§327. Special restrictions on lamps

B. No person shall drive or move any vehicular equipment upon any highway of this state, any lamp or device thereon displaying a red or green light visible from directly in front of the center thereof. This Section shall not apply to any vehicle upon which a red or green light visible from the front is expressly authorized or required by this Chapter or by regulation of the department. Additionally, this Section shall not apply to any department vehicle displaying green lights.

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. If vetoed by the governor, or, if not signed by the governor, upon expiration of the time for bills to become law. 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 4, 2021.
A true copy:  
R. Kyle Ardoin  
Secretary of State

ACT No. 79

HOUSE BILL NO. 595  
BY REPRESENTATIVE DUSTIN MILLER AND SENATORS BOURDAUX, CLOUD, AND HENSGENS

AN ACT  
To amend and reenact R.S. 22:1874(A)(5)(a)(introductory paragraph) and (ii) and R.S. 46:460.62(A)(introductory paragraph) and (2) and to enact R.S. 22:1874(A)(5)(a)(iii), relative to the payment of claims made by healthcare providers prior to credentialing; to deem a new healthcare provider as an in-network or participating provider for certain R.S. 22:1874(A)(5)(a)(iii) relative to the new provider submitting proof of active hospital privileges; to require a new healthcare provider to submit proof of membership on a hospital medical staff; to provide for exceptions; to provide for an effective date; and to provide for related matters.

Be it enacted by the Legislature of Louisiana:

Section 1. R.S. 22:1874(A)(5)(a)(introductory paragraph) and (ii) are hereby amended and reenacted and R.S. 22:1874(A)(5)(a)(iii) is hereby enacted to read as follows:

§1874. Billing by contracted healthcare providers

A. * * *

(5)(a) Under certain circumstances and when the provisions of Subparagraph (b) of this Paragraph are met, a health insurance issuer contracting with a group of healthcare providers that bills a health insurance issuer utilizing a group identification number, such as the group federal tax identification number or the group National Provider Identifier as set forth in 45 CFR 162.402 et seq., shall pay the contracted reimbursement rate of the provider group for covered healthcare services rendered by a new provider to the group, without healthcare provider credentialing as described in R.S. 22:1009. In addition, the health insurance issuer shall consider the new provider to be an in-network or participating provider for the purposes of any utilization management or prior authorization processes required by the health insurance issuer for that provider group. This provision shall apply in either of the following circumstances:

* * *

(ii) When the health insurance issuer has received the required credentialing application and information, including proof of active hospital privileges membership on a hospital medical staff, from the new provider and the issuer has not notified the provider group that credentialing of the new provider has been denied.

(ii) If the new provider is an advanced practice registered nurse or a physician assistant licensed in Louisiana, proof of membership on a hospital medical staff shall not be required if the provider provides a written attestation identifying the collaborating or supervising physician, if a physician relationship is required by law.

* * *

Section 2. R.S. 46:460.62(A)(introductory paragraph) and (2) are hereby amended and reenacted to read as follows:

§460.62. Interim credentialing requirements

A. Under certain circumstances when the provisions of this Subsection are met, a managed care organization contracting with a group of healthcare providers that bills a managed care organization utilizing a group identification number, such as the group federal tax identification number or the group National Provider Identifier as set forth in 45 CFR 162.402 et seq., shall pay the contracted reimbursement rate of the provider group for covered healthcare services rendered by a new provider to the group without healthcare provider credentialing as described in this R.S. 22:1009. In addition, the managed care organization shall consider the new provider to be an in-network or participating provider for the purposes of any utilization management or prior authorization processes required by the health insurance issuer for that provider group. This provision shall apply in either of the following circumstances:

* * *

(2) When the managed care organization has received the required credentialing application that is correctly and fully completed and information, including proof of active hospital privileges membership on a hospital medical staff from the new provider, and the managed care organization has not notified the provider group that credentialing of the new provider has been denied. If the new provider is an advanced practice registered nurse or a physician assistant licensed in Louisiana, proof of membership on a hospital medical staff shall not be required, if the provider provides a written attestation identifying the collaborating or supervising physician, if a physician relationship is required by law.

* * *

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

THE ADVOCATE

* As it appears in the enrolled bill

Modified by Secretary of State

Approved by the Governor, June 4, 2021.

A true copy:  
R. Kyle Ardoin  
Secretary of State

ACT No. 80

HOUSE BILL NO. 697  
(Substitute for House Bill No. 628 by Representative Stefanski)

BY REPRESENTATIVES STEFANSKI, BOURRIAQUE, BRASS, BROWN, DESHOTEL, FONTENOT, HOLIS, JEFFERSON, TRAVIS, JOHNSON, LACOMBE, MARINO, PIERRE, AND STAGNI AND SENATORS ABRAHAM AND HENSGENS

AN ACT  
To amend and reenact R.S. 13:4721 through R.S. 14:90.3(K) and R.S. 14:90.5(A) through (C) as follows:

R.S. 13:4721 is hereby amended and reenacted to read as follows:

§13:4721. Billing by contracted healthcare providers

A. Under certain circumstances and when the provisions of this Paragraph are met, a health insurance issuer contracting with a group of healthcare providers that bills a health insurance issuer utilizing a group identification number, such as the group federal tax identification number or the group National Provider Identifier as set forth in 45 CFR 162.402 et seq., shall pay the contracted reimbursement rate of the provider group for covered healthcare services rendered by a new provider to the group, without healthcare provider credentialing as described in R.S. 22:1009. In addition, the health insurance issuer shall consider the new provider to be an in-network or participating provider for the purposes of any utilization management or prior authorization processes required by the health insurance issuer for that provider group. This provision shall apply in either of the following circumstances:

* * *

(ii) When the health insurance issuer has received the required credentialing application and information, including proof of active hospital privileges membership on a hospital medical staff, from the new provider and the issuer has not notified the provider group that credentialing of the new provider has been denied.

* * *

Section 2. R.S. 14:90.5(A) through (C) are hereby amended and reenacted to read as follows:

§90.5. Unlawful playing of gaming devices by persons under the age of twenty-one; underage persons, penalty

A. It is unlawful for any person under twenty-one years of age to play casino games, gaming devices, or slot machines or to place a wager on a sports event.

B. No person under the age of twenty-one, except an emergency responder acting in his official capacity, shall enter, or be permitted to enter, the designated gaming area of a riverboat, the designated gaming area of the off-track betting establishment, or the designated gaming area of a pari-mutuel wagering facility which offers live horse racing licensed for operation and regulation under the applicable provisions of Chapters 4, 5, and 7 of Title 27 of the Louisiana Revised Statutes of 1950.

C. (1) For purposes of this Section, “casino games, gaming devices, or slot games” means any kind or character is played for money, for wagers, or for tokens, and where opportunity is afforded for wagering and where opportunity is afforded for wagering is conducted in accordance with Chapter 10 of Title 47 of the Louisiana Revised Statutes of 1950.

Any place whatsoever where races, athletic contests, and sports, and games are not actually held and where opportunity is afforded for wagering upon races, athletic contests, sports, and games of chance.

A. It is unlawful for any person under twenty-one years of age to play casino games, gaming devices, or slot machines or to place a wager on a sports event.

B. No person under the age of twenty-one, except an emergency responder acting in his official capacity, shall enter, or be permitted to enter, the designated gaming area of a riverboat, the designated gaming area of the off-track betting establishment, or the designated gaming area of a pari-mutuel wagering facility which offers live horse racing licensed for operation and regulation under the applicable provisions of Chapters 4, 5, and 7 of Title 27 of the Louisiana Revised Statutes of 1950.

C. (1) For purposes of this Section, “casino games, gaming devices, or slot games” means any kind or character is played for money, for wagers, or for tokens, and where opportunity is afforded for wagering and where opportunity is afforded for wagering is conducted in accordance with Chapter 10 of Title 47 of the Louisiana Revised Statutes of 1950.

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A. It is unlawful for any person under twenty-one years of age to play casino games, gaming devices, or slot machines or to place a wager on a sports event.

B. No person under the age of twenty-one, except an emergency responder acting in his official capacity, shall enter, or be permitted to enter, the designated gaming area of a riverboat, the designated gaming area of the off-track betting establishment, or the designated gaming area of a pari-mutuel wagering facility which offers live horse racing licensed for operation and regulation under the applicable provisions of Chapters 4, 5, and 7 of Title 27 of the Louisiana Revised Statutes of 1950.

C. (1) For purposes of this Section, “casino games, gaming devices, or slot games” means any kind or character is played for money, for wagers, or for tokens, and where opportunity is afforded for wagering and where opportunity is afforded for wagering is conducted in accordance with Chapter 10 of Title 47 of the Louisiana Revised Statutes of 1950.

Any place whatsoever where races, athletic contests, and sports, and games are not actually held and where opportunity is afforded for wagering upon races, athletic contests, sports, and games of chance.

A. It is unlawful for any person under twenty-one years of age to play casino games, gaming devices, or slot machines or to place a wager on a sports event.

B. No person under the age of twenty-one, except an emergency responder acting in his official capacity, shall enter, or be permitted to enter, the designated gaming area of a riverboat, the designated gaming area of the off-track betting establishment, or the designated gaming area of a pari-mutuel wagering facility which offers live horse racing licensed for operation and regulation under the applicable provisions of Chapters 4, 5, and 7 of Title 27 of the Louisiana Revised Statutes of 1950.

C. (1) For purposes of this Section, “casino games, gaming devices, or slot games” means any kind or character is played for money, for wagers, or for tokens, and where opportunity is afforded for wagering and where opportunity is afforded for wagering is conducted in accordance with Chapter 10 of Title 47 of the Louisiana Revised Statutes of 1950.

Any place whatsoever where races, athletic contests, and sports, and games are not actually held and where opportunity is afforded for wagering upon races, athletic contests, sports, and games of chance.
machines" means a game or device, as defined in R.S. 27:44(10) or (12), 205(12) or (14), R.S. 27:44, 205, or 353 operated on a riverboat, at the official
gaming establishment, or at a parimutuel wagering facility which offers live
horse racing which is licensed for operation and regulated under the
provisions of Chapters 4, 5, and 7 of Title 27 of the Louisiana Revised Statutes
of 1950.

(9) For purposes of this Section, "place a wager on a sports event" shall apply to a wager attempted to be or actually placed via a self-service sports
wagering mechanism, or via a mobile application as defined in R.S. 27:620
and operations are regulated under the provisions of Chapter 10 of Title 47 of
the Louisiana Revised Statutes of 1950.

Section 3. R.S. 27:3(10), (15), (17), and (19), 15(D) and (E), 29.1(D) and (E), 29.2(A),
(B), (D), and (E), 29.3(A), and 29.4(D) are hereby amended and reenacted and

R.S. 27:92(D) and Part IV of Chapter 10 of Title 27 of the Louisiana Revised
Statutes of 1950, as comprised of R.S. 27:621 through 627, are hereby enacted to
read as follows:

§3. Definitions

For the purposes of this Title, the following terms shall be defined:

(10) "Gaming supplier" means any person who supplies, sells or leases, or
contracts to sell or lease, gaming devices, equipment, or supplies to a holder of a license as defined in R.S. 27:44(14), R.S. 27:353(5), R.S. 27:44, 353, or 602,
or to the casino gaming operator. "Gaming supplier" shall also include any person
or entity that supplies geolocation, gifting or patron identification services to the holder of a license as defined in R.S. 27:44, 353, or 602, or to the
casino gaming operator.

(15) "Key gaming employee" or "managerial employee" means an employee,
agent, or representative of the casino gaming operator, or of a holder of a license as defined in R.S. 27:44(14), R.S. 27:353(5), R.S. 27:44, 353, or 602,
or a permittee whether or not a gaming employee who, in the opinion of the board,
who supply, sell, lease, repair, or contract to supply, sell, lease, repair, or operate
mechanisms, and video draw poker devices permit issued under the
provisions of this Section is fifteen thousand dollars. This fee is required to be
submitted at the time of application and on the anniversary date of the
issuance of the permit thereafter.

E. The annual fee for a manufacturer of gaming equipment other than slot
machines, video pull tab machines, and video draw poker devices permit
issued under the provisions of this Section is seven thousand five hundred
dollars. This fee is required to be submitted at the time of application and on
the anniversary date of the issuance of the permit thereafter.

§29.2. Gaming supplier permits

A. A supplier shall furnish to the board a list of any gaming equipment and
supplies offered by the supplier for sale or lease in connection with games
authorized under this Title. A supplier shall keep books and records for the
furnishing of gaming equipment and supplies to gaming operations separate
and distinct from any other business that the supplier might operate.
A supplier shall file a quarterly return with the board listing all sales and
leases. A supplier shall permanently affix its name to all its gaming devices,
equipment, and supplies for gaming operations unless otherwise authorized by the
casino gaming operator. Any supplier's gaming devices, equipment, or supplies which are used by any person in unauthorized gaming operations shall be forfeited
to the board. The holder of a license as defined in R.S. 27:44(14), R.S. 27:353(5),
R.S. 27:44, 353, or 602, and the casino gaming operator may own its own
gaming devices, equipment, and supplies. Any supplier who furnishes or who
supplies, sell, lease, or repair devices, equipment, or supplies to the holder of a license as defined in R.S. 27:44(14), R.S. 27:353(5), R.S. 27:44, 353, or 602, and the casino gaming
operator shall file an annual report with the board listing its inventories of
gaming devices, equipment, and supplies. The annual fee for a gaming supplier permit issued under the provisions of this Section is three thousand dollars. This fee is required to be submitted at the time of application and on the anniversary date of the issuance of the permit thereafter.

(2) The fee provided for in this Section shall not apply to any suitable
business or legal entity that engages in support services for the operation
of a sports book on behalf of an operator in this state. The fee for the permit provided
for in this Section for such entities shall be provided for in R.S. 27:624.

(3) The fee provided for in this Section shall not apply to any suitable
business or legal entity that engages in support services for the operation
of a sports book on behalf of an operator in this state. The fee for the permit provided
for in this Section for such entities shall be provided for in R.S. 27:623.

§29.3. Non-gaming supplier permit

A. The division shall issue a non-gaming supplier permit to suitable
persons who furnish services or goods and receive compensation or
remuneration for such goods or services to the holder of a license as
defined in R.S. 27:44 or 353, or the casino gaming operator, or a sports
wagering mechanisms in this state. The fee for the permit provided for
in this Section shall be provided for in R.S. 27:624.

(2) Any person who, directly or indirectly, furnishes services or goods to
the holder of a license as defined in R.S. 27:44 or 353, or the casino gaming operator, or a sports
wagering operator as defined in R.S. 27:602, by the board shall promulgate rules establishing the threshold amount of goods and services for which
a non-gaming supplier permit is required. Such services include but are
not limited to industries offering goods or services whether or not directly
designated as support services by the board, such as book management operators and Limousine services contracting with the holder of a license as defined in R.S. 27:44 or 353, or the casino gaming operator, or a sports wagering operator as defined in R.S. 27:602, suppliers of food and alcoholic beverages, gaming employee
or dealer training schools, garbage handlers, vending machine providers,
linen suppliers, or maintenance companies. Any employee or dealer training
school, other than employee or training schools conducted by a licensee,
or the casino training schools shall be conducted at an institution approved
by the Board of Regents or the State Board of Elementary and Secondary
Education.

§29.4. Key and non-key gaming employee permit

D. The holder of a key or non-key gaming employee permit issued under this Title shall be authorized to work in the capacity for which permitted for
the holder of a license as defined in R.S. 27:44(14), R.S. 27:353(5), or R.S. 27:44
or 353, the casino gaming operator, or a sports wagering operator as defined
CHAPTER 10. SPORTS WAGERING

PART IV. FEES, TAXES, AND COLLECTIONS

§621. Sports wagering license fee
A. The initial application fee for a sports wagering service provider permit shall be one hundred thousand dollars and shall be non-refundable. The initial application fee shall be submitted at the time of application.

B. The initial application fee for a sports wagering platform provider permit shall be two hundred fifty thousand dollars. The initial application fee shall be submitted at the time of application.

C. The fee for a sports wagering distributor permit issued pursuant to R.S. 27:625, shall be twelve thousand five hundred dollars. The fee shall be submitted at the time of application.

§622. Sports wagering platform provider permit fee
A. The permit fee for a sports wagering platform provider permit issued pursuant to R.S. 27:604, shall be five hundred thousand dollars. The fee shall be paid at the time of application.

B. The fee for a sports wagering distributor permit issued pursuant to R.S. 27:605, shall be two hundred fifty thousand dollars. The fee shall be paid at the time of application.

§623. Sports wagering service provider permit fee
A. The permit fee for a sports wagering service provider permit issued pursuant to R.S. 27:623, shall be ten thousand dollars. The fee shall be paid at the time of application.

B. The fee for a sports wagering service provider permit issued pursuant to R.S. 27:624, shall be two thousand five hundred dollars. The fee shall be paid at the time of application.

§624. Sports wagering distributor permit fee
A. The fee for a sports wagering distributor permit issued pursuant to R.S. 27:292, shall be ten thousand dollars. The fee shall be paid at the time of application.

B. The fee for a sports wagering distributor permit issued pursuant to R.S. 27:624, shall be ten thousand dollars. The fee shall be paid at the time of application.

§625. State tax; levy
A. There is hereby levied a ten percent tax upon the net gaming proceeds from sports wagering offered to consumers within this state pursuant to this Title conducted onsite at a licensed sports wagering establishment. Any sports wagering conducted through a mobile application or a website on the premises of a licensed sports wagering establishment shall be considered electronic wagering and shall be taxed pursuant to Subsection B of this Section.

B. There is hereby levied a fifteen percent tax upon the net gaming proceeds from sports wagering offered to consumers within this state pursuant to this Title conducted online at a licensed sports wagering establishment. Any sports wagering conducted through a mobile application or a website on the premises of a licensed sports wagering establishment shall be considered electronic wagering and shall be taxed pursuant to Subsection B of this Section.

§626. Sports Wagering Enforcement Fund
A. There is hereby created in the state treasury a special fund designated as the "Sports Wagering Enforcement Fund" or "Fund". After allocation of money to the Bond Security and Redemption Fund as provided in Article VII, Section 9(B) of the Constitution of Louisiana, the treasurer shall deposit in and credit to the fund monies from license, application, and permit fees collected pursuant to this Part. Monies in the fund shall be deposited 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. Unexpended and unencumbered monies in the fund shall remain in the fund. Monies in the fund shall be appropriated, and expended, solely as provided in this Section.

B. The monies in the fund shall be withdrawn only pursuant to appropriation by the legislature and shall be used solely for the expenses of the Department of Public Safety and Corrections, the Department of Justice, and the Louisiana Gaming Control Board, including regulatory, administrative, investigative, and enforcement expenses as may be necessary to carry out the provisions of this Chapter and the rules of the board.
(6) “Distributor” means a permitted business or legal entity that is domiciled in this state and markets, buys, sells, leases, services, or repairs sports wagering mechanisms as in this Chapter.

(7) “Electronic sports wagering” means sports wagering mechanism on the premises of a permitted retail establishment or via a website or mobile application.

(8) “Lottery” means any game of chance approved by the corporation and operating under the provisions of this Chapter, and shall not include sports wagering authorized pursuant to this Subtitle.

(9) “Major procurement” means any item, product, or service in the amount of one hundred thousand dollars or more, including but not limited to major equipment or supplies, such as kiosks, dispensing machines, pay-per-view programming, and equipment, materials, supplies, equipment, and services common to the ordinary operations of a corporation.

(10) “Mobile application” means an application on a mobile phone or other device through which a player is able to register, fund, and place a wager with an operator on a sports event and receive a credit on their sports wagering account.

(11) “Mobile wagering” means wagering on a sports event through a website or mobile application.

(12) “Net gaming proceeds” means the amount equal to the total gross revenue of all sports wagers placed by patrons less the total amount of all winnings paid out to patrons.

(13) “Net proceeds” means gross lottery revenues less amounts paid or estimated to be paid as prizes and expenses of operation of the lottery.

(14) “Patron” or “player” means an individual who places a wager on a sports event.

(15) “Permit” means any permit or authorization, or application thereof, issued pursuant to the provisions of this Subtitle.

(16) “Permittee” means any person who is issued a permit pursuant to the provisions of this Subtitle.

(17) “Person” means any individual, corporation, partnership, unincorporated association, or other legal entity.

(18) “President” means the president of the Louisiana Lottery Corporation, who shall also serve as chief executive officer of the corporation.

(19) “Retail establishment” means a retail business that is permitted by the corporation to host a sports wagering mechanism.

(20) “Retailer” means any person with whom the corporation has contracted to sell lottery tickets to the public.

(21) “Security” means the protection of information that would provide an unfair advantage to any individual involved in the operation of the lottery, protection and preservation of the integrity of lottery games and operations, as well as measures taken to prevent crimes against the corporation and its retailers.

(22) “Sports book” means the offering of sports wagering by a sports wagering platform provider on the premises of a permitted retail establishment or through a sports wagering platform.

(23) “Sports event” means any professional sport or athletic event, any collegiate sport or athletic event, any Olympic or international sports competition event, or any other special event or competition of relative skill as authorized by the corporation to be a sports event for purposes of this Chapter. “Sports event” shall not include high school sports, youth events, or international sports events where the majority of the athletes are under the age of eighteen years old, electronic sports, competitive video games, fantasy sports contests as provided in Chapter 6 of Title 27 of the Louisiana Revised Statutes of 1950, and any other event designated by the corporation.

(24) “Sports wager” or “sports bet” means a sum of money or representation of value risked by a player on an occurrence associated with a sports event for which the outcome is uncertain. The term includes but is not limited to single-game bets, teaser bets, parlay bets, over-under bets, moneyline bets, and straight bets.

(25) “Sports wagering” means the acceptance of a wager on a sports event or on a portion of a sports event or on the individual performance or statistics of an athlete or participant in sports event or a combination of sports events, by any system or method of wagering.

(26) “Sports wagering account” means an electronic financial record established with an operator for an individual patron in which the patron may make deposits, place wagers, receive winnings, and withdraw funds and purchases and to which the operator may credit winnings or other amounts due to that patron or authorized by that patron.

(27) “Sports wagering mechanism” or “kiosk” means a corporation approved self-service mechanical, electrical, or computerized terminal, device, apparatus, or piece of equipment that is directly tied to the central system of the sports wagering platform provider approved by and contracting with the corporation, which allows a patron to place a sports wager on premises of a permitted retail establishment. “Sports wagering mechanism” does not include a kiosk, terminal, cash handling machine, device, telephone, or other device owned and used by a player to wager on a sports event.

(28) “Sports wagering platform” means an integrated system of hardware, software, or applications, including mobile applications and servers, that relates to an operator conducting the business of offering sports wagering conducted in accordance with this Subtitle.

(29) “Sports wagering platform provider” or “operator” means a suitable person that holds a permit from the corporation to engage in the operation of a sports book on behalf of the corporation.

(30) “Vendor” means any person who has entered into a major procurement contract with the corporation.

§9000. Records of corporation deemed open; exceptions

B. (1) Records pertaining to the security of lottery operations, whether currently proposed, the security director; and the security division of the corporation shall be deemed to be records containing security procedures, investigative techniques, or internal security information for purposes of R.S. 44:3(A)(3).

(2) notwithstanding the provisions to the contrary, sports wagering account records on individual players shall not be open to public inspection and shall be deemed records collected or obtained for threat or vulnerability assessments in the prevention of terrorist-related activity or internal security purposes for purposes of R.S. 44:3(A)(3).

§9000. Conduct and administration of lottery games; powers and duties of corporation; authorized contracts

B. The corporation shall:

(1) Supervise and administer the lottery and sports wagering in accordance with the provisions of this Subtitle and the administrative regulations adopted by the board.

(2) The president shall require bond from corporate employees with access to corporate funds or lottery funds, in such an amount as provided in the corporation's administrative regulations of the board.

(3) The president shall require a bond from any employee of the corporation who leaves the employ of the corporation may represent any vendor or lottery retailer, sports wagering platform provider, sports wagering service provider, sports wagering distributor, or retail establishment before the corporation for a period of two years following termination of employment with the corporation.

§9029. Deposit of revenues; expenditures and investments authorized; transfer of revenues to state treasury; dedication and use of proceeds; corporation operating account; audit of corporation books and records; audits by corporation's president.

B. The corporation shall:

(1) Notwithstanding any provision to the contrary, sports wagering account records on individual players shall not be open to public inspection and records on individual players shall not be open to public inspection and shall be deemed records collected or obtained for threat or vulnerability assessments in the prevention of terrorist-related activity or internal security purposes for purposes of R.S. 44:3(A)(3).

§9015. Personnel program for employees; conflict of interest provisions; employment of specified persons by corporation prohibited

B. No officer or employee of the corporation who leaves the employ of the corporation may represent any vendor or lottery retailer, sports wagering platform provider, sports wagering service provider, sports wagering distributor, or retail establishment before the corporation for a period of two years following termination of employment with the corporation.

§9009. Conduct and administration of sports wagering; powers and duties of corporation: applicability authorizes contracts

A. Any permit obtained or issued pursuant to the provisions of this Chapter is expressly declared by the legislature to be a pure and absolute revocable privilege and not a right, property or otherwise, under the constitution of the United States or of the state of Louisiana. Further, the legislature declares that no holder of any permit acquires any vested interest or right therein or thereunder.

B. The corporation shall contract with a sports wagering platform provider for the operation of a sports book. The sports book operated on behalf of the corporation shall be a separate and distinct responsibility and operation from lottery gaming. Any sports wagering offered to consumers in this state pursuant to the provisions of this Subtitle shall be through the use of a sports wagering mechanism, website, or mobile application.

C. The provisions of this Subtitle shall be in addition to the Administrative Procedure Act, promulgate rules, forms, and procedures necessary to implement, administer, and regulate sports wagering authorized pursuant to this Subtitle. The rules shall include, but are not limited to:

(1) Qualifications, standards, and procedures for permitting sports wagering platform providers, sports wagering service providers, manufacturers, vendors, suppliers, personnel, and retail establishments pursuant to this Subtitle.

(2) Standards and procedures for renewing, suspending, and revoking

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permits.

(3) Guidelines for the acceptance of sports wagers.
(4) The type of wagers which may be accepted by a sports wagering mechanism from any one patron on any one event.
(5) Prohibitions on unilaterally rescinding wagers.
(6) The type of wagering tickets used, information required to be printed on the ticket, and methods for issuing tickets.
(7) Records required to be kept and the length of time records shall be retained.
(8) Requirements that a sports wagering platform provider comply with anti-money laundering standards.

§9092. Reporting

The corporation shall produce an annual and distribute the report to the legislature. The report shall include the impact of sports wagering on sports events, retail establishments, problem gamblers, and on the gambling addiction in Louisiana. The report shall be prepared by a private organization or entity with expertise in serving the needs of persons with gambling addictions.

§9093. Permitting; other requirements

A. No person, business, or legal entity shall operate a sports book on sports events or any component or component of a sports wagering mechanism, or otherwise required pursuant to this Subtitle to be in the conduct of gaming or carrying on of the business and financial arrangements incidental thereto.

B. All sports wagering platform providers requesting a permit pursuant to this Chapter shall be permitted by the corporation only if the applicant meets the suitability standards provided for in R.S. 47:9094.

C. The corporation shall provide by administrative rules the qualifications and suitability standards for sports wagering service providers, distributors, manufacturers, vendors, suppliers, personnel, and retail establishments.

§9094. Suitability; sports wagering platform providers

A. No person shall be eligible to obtain a sports wagering platform provider permit pursuant to this Subtitle unless the applicant has demonstrated by clear and convincing evidence to the corporation that he is suitable. For the purposes of this Subtitle, “suitable” means the applicant or permittee is:

1. A person of good character, honesty, and integrity.
2. A person whose prior activities, criminal record, if any reputation, habits, and associations do not pose a threat to the public interest of this state or to the effective regulation and control of gaming, or create or enhance the dangers of unsuitable, unfair, or illegal practices, methods, and activities in the conduct of gaming or carrying on of the business and financial arrangements incidental thereto.
3. Capable of and likely to conduct the activities for which the applicant or permittee is approved or permitted pursuant to the provisions of this Subtitle.

B. Not disqualified pursuant to the provisions of Subsection B of this Section.

C. The corporation shall not grant approval or a permit pursuant to the provisions of this Subtitle to any person who is disqualified on the basis of the following criteria:

1. Any offense punishable by imprisonment for more than one year.
2. Theft or attempted theft, illegal possession of stolen things, or any offense involving the misappropriation of property or funds.
3. Any offense involving fraud, attempted fraud, false statements or declarations.
4. Gambling as defined by the laws or ordinances of any municipality, any parish or county, or the State of Louisiana.
5. A crime of violence as defined in R.S. 14:2(B).
6. A current prosecution or pending charge against the person in any jurisdiction for any offense listed in Paragraph (1) of this Subsection.
7. The person is not current in filing all applicable tax returns and in the payment of all taxes, penalties, and interest owed to the state of Louisiana or any political subdivision of Louisiana, excluding items under formal appeal.
8. The failure to provide information and documentation to reveal any fact material to a suitability determination, or the supplying of information which is false or misleading as to a material fact pertaining to the suitability criteria.
9. A conviction in this state or another state for an act or acts which constitute an automatic disqualification as otherwise required pursuant to criteria.
10. The type of wagering tickets used, information required to be printed on the ticket, and methods for issuing tickets.
11. Records required to be kept and the length of time records shall be retained.
12. Requirements that a sports wagering platform provider comply with anti-money laundering standards.

D. An applicant who is not disqualified as a result of Subsection B of this Section shall be permitted to demonstrate to the corporation that he otherwise meets the remaining requirements for suitability, particularly those contained in Paragraphs (A)(1)(b) through (3) of this Section. Evidence of, or relating to, an arrest, summons, charge, or indictment of an applicant, or of the conviction or finding of guilty, for a crime of violence as defined in R.S. 14:2(B) shall be considered as an automatic disqualification. For the purposes of this Subsection, the provisions of Paragraph (1) of this Subsection shall be permitted by the corporation only if the applicant meets the remaining requirements for suitability, particularly those contained in Paragraphs (A)(1)(b) through (3) of this Section.

E. A person who has been found unsuitable or whose permit has been revoked, in this state or any other jurisdiction, may not apply for a permit or a finding of suitability for five years from the date there was a finding of unsuitability, or the permit was revoked, unless the corporation allows the application for good cause shown. The corporation shall promulgate rules necessary to carry out the provisions of this Section.

F. All permittees and other persons found suitable by the corporation shall maintain suitability throughout the term of the permit. In the event of a current prosecution of an offense as provided in Paragraph (B)(2) of this Section, the corporation shall have the discretion to defer a determination of suitability on the basis of the prosecution. If the corporation is provided that if a decision is deferred pending such outcome, the corporation may take such action as is necessary to protect the public interest, including the suspension of any permit.

G. Any person who has been found unsuitable or whose permit has been revoked shall have a continuing duty to inform the corporation of any possible violation of this Subtitle and of any rules adopted by the corporation. No person who so informs the corporation of a violation or possible violation shall be held in violation of this Subtitle by the applicant or permittee because of supplying such information.

§9095. Suitability; other requirements

H. (1)(a) Any person who has or controls directly or indirectly five percent or more ownership, income, or profit economic interest in an entity which has or applies for a sports wagering platform provider permit pursuant to this Subtitle shall provide by written notice to the corporation a detailed financial interest in the form of a commissioned, finder’s fee, loan repayment, or any other business expense related to the gaming operation, or who has the ability or capacity to exercise significant influence over a permittee or other person required to be found suitable pursuant to the provisions of this Subtitle, shall meet all suitability requirements and qualifications pursuant to the provisions of this Subtitle.

(2)(a) A lessor of immovable property forming any part of the complex of a sports wagering operation pursuant to this Subtitle to the corporation.

D. An applicant who is not disqualified as a result of Subsection B of this Section shall be permitted to demonstrate to the corporation that he otherwise meets the remaining requirements for suitability, particularly those contained in Paragraphs (A)(1)(b) through (3) of this Section.

E. A person who has been found unsuitable or whose permit has been revoked, in this state or any other jurisdiction, may not apply for a permit or a finding of suitability for five years from the date there was a finding of unsuitability, or the permit was revoked, unless the corporation allows the application for good cause shown. The corporation shall promulgate rules necessary to carry out the provisions of this Section.

F. All permittees and other persons found suitable by the corporation shall maintain suitability throughout the term of the permit. In the event of a current prosecution of an offense as provided in Paragraph (B)(2) of this Section, the corporation shall have the discretion to defer a determination of suitability on the basis of the prosecution. If the corporation is provided that if a decision is deferred pending such outcome, the corporation may take such action as is necessary to protect the public interest, including the suspension of any permit.

G. Any person who has been found unsuitable or whose permit has been revoked shall have a continuing duty to inform the corporation of any possible violation of this Subtitle and of any rules adopted by the corporation. No person who so informs the corporation of a violation or possible violation shall be held in violation of this Subtitle by the applicant or permittee because of supplying such information.

(3) The person is not current in filing all applicable tax returns and in the payment of all taxes, penalties, and interest owed to the state of Louisiana or any person required to be suitable under the provisions of this Subtitle for the following criteria:

(a) Five or more years has elapsed between the date of application and the date of conviction or finding of guilt, for a crime of violence as defined in R.S. 14:2(B).
(b) Five or more years has elapsed between the date of application and the date of conviction or finding of guilt, for a crime of violence as defined in R.S. 14:2(B).
(c) Five or more years has elapsed between the date of application and the date of conviction or finding of guilt, for a crime of violence as defined in R.S. 14:2(B).
(d) Five or more years has elapsed between the date of application and the date of conviction or finding of guilt, for a crime of violence as defined in R.S. 14:2(B).

E. A person who has been found unsuitable or whose permit has been revoked, in this state or any other jurisdiction, may not apply for a permit or a finding of suitability for five years from the date there was a finding of unsuitability, or the permit was revoked, unless the corporation allows the application for good cause shown. The corporation shall promulgate rules necessary to carry out the provisions of this Section.

F. All permittees and other persons found suitable by the corporation shall maintain suitability throughout the term of the permit. In the event of a current prosecution of an offense as provided in Paragraph (B)(2) of this Section, the corporation shall have the discretion to defer a determination of suitability on the basis of the prosecution. If the corporation is provided that if a decision is deferred pending such outcome, the corporation may take such action as is necessary to protect the public interest, including the suspension of any permit.

G. Any person who has been found unsuitable or whose permit has been revoked shall have a continuing duty to inform the corporation of any possible violation of this Subtitle and of any rules adopted by the corporation. No person who so informs the corporation of a violation or possible violation shall be held in violation of this Subtitle by the applicant or permittee because of supplying such information.

(1)(a) Any person who has or controls directly or indirectly five percent or more ownership, income, or profit economic interest in an entity which has or applies for a sports wagering platform provider permit pursuant to this Subtitle shall provide by written notice to the corporation a detailed financial interest in the form of a commissioned, finder’s fee, loan repayment, or any other business expense related to the gaming operation, or who has the ability or capacity to exercise significant influence over a permittee or other person required to be found suitable pursuant to the provisions of this Subtitle, shall meet all suitability requirements and qualifications pursuant to the provisions of this Subtitle.

(2)(a) A lessor of immovable property forming any part of the complex of a sports wagering operation pursuant to this Subtitle to the corporation.

D. An applicant who is not disqualified as a result of Subsection B of this Section shall be permitted to demonstrate to the corporation that he otherwise meets the remaining requirements for suitability, particularly those contained in Paragraphs (A)(1)(b) through (3) of this Section.

E. A person who has been found unsuitable or whose permit has been revoked, in this state or any other jurisdiction, may not apply for a permit or a finding of suitability for five years from the date there was a finding of unsuitability, or the permit was revoked, unless the corporation allows the application for good cause shown. The corporation shall promulgate rules necessary to carry out the provisions of this Section.

F. All permittees and other persons found suitable by the corporation shall maintain suitability throughout the term of the permit. In the event of a current prosecution of an offense as provided in Paragraph (B)(2) of this Section, the corporation shall have the discretion to defer a determination of suitability on the basis of the prosecution. If the corporation is provided that if a decision is deferred pending such outcome, the corporation may take such action as is necessary to protect the public interest, including the suspension of any permit.

G. Any person who has been found unsuitable or whose permit has been revoked shall have a continuing duty to inform the corporation of any possible violation of this Subtitle and of any rules adopted by the corporation. No person who so informs the corporation of a violation or possible violation shall be held in violation of this Subtitle by the applicant or permittee because of supplying such information.

(3) Receive remuneration or other economic benefit from any person, or a holding or intermediary company of a person, holding an approval or permit issued pursuant to this Subtitle.

4. Exercise significant influence over activities of a person, or a holding or intermediary company of a person, holding an approval or permit issued pursuant to this Subtitle.
or intermediary company of a person, holding a license, casino operating contract, permit, or other approval issued pursuant to the provisions of this Subtitle, or intermediary company of a person, holding a license, casino operating contract, permit, or other approval issued pursuant to the provisions of this Subtitle, or intermediary company of a person, holding an approval or permit issued pursuant to the provisions of this Subtitle or remain as a manager, officer, director, or partner of a permittee.

In the awarding of an approval or permit pursuant to the provisions of this Subtitle, the corporation may consider that the person is not current in filing all applicable tax returns and in the payment of all taxes, penalties, and interest owed the Internal Revenue Service, excluding items under formal appeal.

K. In determining the suitability of an application, the corporation may request from an applicant and consider any of the following:

1. Whether the applicant has adequate capital, financial ability, and means to develop, construct, operate, and maintain infrastructure to support sports wagering platform provider; permit; fees

2. Whether the applicant has the financial ability to purchase and maintain adequate liability and casualty insurance and to provide an adequate surety bond.

3. Whether the applicant has adequate capital and the financial ability to respay its secured and unsecured debts in accordance with its financing agreements and other contractual obligations.

4. Whether the applicant has a history of material noncompliance with licensing or permitting requirements or any other regulatory requirements in Louisiana or in any other jurisdiction, where the noncompliance resulted in enforcement action by the person with jurisdiction over the applicant.

5. Whether the applicant has filed, or had filed against it, a proceeding for bankruptcy of the applicant has been a sports wagering platform provider; permit; fees

6. Whether or not at the time of the application, the applicant is in litigation involving the integrity of its business practices.

A. The corporation may issue a sports wagering platform provider permit to suitable persons who contract with the corporation to manage or operate the corporation's sports book line-of-business. No person shall manage or operate a sports book without a valid permit.

B. In addition to the requirements set forth in R.S. 47:9094, the corporation shall provide by rule for the standards and requirements of any sports wagering platform. The rules shall specify technical requirements as well as operational requirements.

C. The corporation shall require the corporation and a sports wagering platform provider shall provide for access to the corporation of any information maintained by the platform provider for verification of compliance with this Chapter.

D. A sports wagering platform provider shall use no more than one sports wagering platform utilized for electronic wagering for which the corporation has issued a permit. A sports wagering platform provider shall file quarterly returns with the corporation listing all of its contracts and services related to sports wagering services authorized under this Subtitle.

E. The corporation shall provide for access to the corporation of any information maintained by the platform provider for verification of compliance with this Chapter.

F. A sports wagering platform provider shall keep books and records for the management and operation of sports wagering as authorized by this Chapter and for services for which it is contracted by the corporation. The keeping of books and records shall be separate and distinct from any other business the sports wagering platform provider might operate. A sports wagering service provider shall file quarterly returns with the corporation listing all of its contracts and services related to sports wagering services authorized under this Subtitle.

G. Any contract between the corporation and a sports wagering platform provider shall provide for the standards and requirements of any sports wagering platform provider; permit; fees

H. The permit fee for a sports wagering platform provider issued pursuant to this Section shall be one hundred thousand dollars. The permit fee shall be for a term of five years. The initial permit fee shall be submitted to the corporation at the time of application.

I. The provider of a sports wagering platform shall provide the corporation with a readily available point of contact to ensure compliance with the requirements of this Chapter.

J. Sports wagering service providers; permit; fee

A. The corporation shall issue a sports wagering service provider permit to suitable persons who contract with an operator to provide support services for an operator's sports book. A person shall not provide support services to the corporation without a valid permit.

B. Any contract between the corporation and a sports wagering service provider shall provide for access to the corporation of any information maintained by the platform provider for verification of compliance with this Chapter.

C. A sports wagering service provider shall keep books and records for the management of sports wagering as authorized by this Chapter and for services provided to the corporation. The keeping of books and records shall be separate and distinct from any other business the sports wagering service provider might operate. A sports wagering service provider shall file quarterly returns with the corporation listing all of its contracts and services related to sports wagering services authorized under this Subtitle.

D. The permit fee for a sports wagering service provider permit shall be ten thousand dollars and shall be non-refundable. The initial application fee shall be submitted to the corporation at the time of application.

E. The permit fee for a sports wagering service provider permit issued pursuant to this Section shall be twelve thousand five hundred dollars. The permit shall be for a term of five years. The permit fee shall be submitted to the corporation on the anniversary date of the issuance of the permit every five years. The first permit payment shall be submitted to the corporation at the time of application.

F. In addition to the requirements set forth in R.S. 47:9094, the corporation shall require the corporation and a sports wagering platform provider shall provide for access to the corporation of any information maintained by the platform provider for verification of compliance with this Chapter.

G. The corporation may issue a sports wagering distributor permit to any suitable business or legal entity that contracts with the corporation to manage or operate a sports wagering platform provider on behalf of the corporation. A sports wagering distributor permit shall be separate and distinct from any other business the sports wagering distributor might operate. A sports wagering distributor permit shall be separate and distinct from any other business the sports wagering distributor might operate. A sports wagering distributor permit shall be five thousand dollars and shall be non-refundable. The initial application fee shall be submitted to the corporation at the time of application.

H. The permit fee for a sports wagering distributor permit issued pursuant to this Section shall be two thousand five hundred dollars. The permit shall be for a term of five years. The initial permit fee shall be submitted to the corporation on the anniversary date of the issuance of the permit every five years. The first permit payment shall be submitted to the corporation at the time of application.

I. A retail establishment shall not host a sports wagering mechanism without a valid permit.

J. In the awarding of an approval or permit pursuant to this Section shall be one hundred dollars. The permit shall be for a term of five years. The permit fee shall be submitted to the corporation on the anniversary date of the issuance of the permit every five years. The first permit payment shall be submitted to the corporation at the time of application.

K. The corporation shall adopt written policies and procedures to authorize sports wagering at the time the wager is initiated or placed. The corporation shall adopt written policies and rules to ensure that in consideration for the hosting of a sports wagering mechanism, the corporation shall receive at least twenty percent of the net gaming proceeds of all wagers placed by the party conducting the mechanism.

L. The design and operation of sports wagering as authorized by this Chapter and for services provided to the corporation. The design and operation of sports wagering mechanisms is prohibited from holding a Class A-General retail permit or a Class A-Restaurant permit as defined in Part II of Chapter 1 or Part II of Chapter 2 of Title 26 of the Louisiana Revised Statutes of 1950, for the sale of alcoholic beverages for on-premises consumption and that is located in a parish that approved a proposition to authorize sports wagering mechanisms.

M. The corporation shall receive at least twenty percent of the net gaming proceeds of all wagers placed by the party conducting the mechanism.

N. The corporation shall provide for the standards and requirements of any sports wagering platform provider; permit; fees

O. The corporation shall provide for the standards and requirements of any sports wagering platform provider; permit; fees

P. The corporation shall provide for the standards and requirements of any sports wagering platform provider; permit; fees

Q. The corporation shall provide for the standards and requirements of any sports wagering platform provider; permit; fees

R. The corporation shall provide for the standards and requirements of any sports wagering platform provider; permit; fees

S. The corporation shall provide for the standards and requirements of any sports wagering platform provider; permit; fees

T. The corporation shall provide for the standards and requirements of any sports wagering platform provider; permit; fees

U. The corporation shall provide for the standards and requirements of any sports wagering platform provider; permit; fees

V. The corporation shall provide for the standards and requirements of any sports wagering platform provider; permit; fees

W. The corporation shall provide for the standards and requirements of any sports wagering platform provider; permit; fees

X. The corporation shall provide for the standards and requirements of any sports wagering platform provider; permit; fees

Y. The corporation shall provide for the standards and requirements of any sports wagering platform provider; permit; fees

Z. The corporation shall provide for the standards and requirements of any sports wagering platform provider; permit; fees
A. To place a sports wager with an operator, the corporation shall confirm and a player shall meet all of the following requirements:
   (1) Twenty-one years of age or older.
   (2) Is physically located in a parish that has approved a proposition authorizing sports wagering at the time the wager is initiated or placed.
   (3) Has a sports wagering account established with the operator if the player is attempting to place a sports wager through a website or mobile application.
   (4) Has not placed a sports wager from the corporation by law, rule, policy of the corporation, self-exclusion, or pursuant to R.S. 9:727.1.
B. (1) The operator shall not knowingly accept wagers from a person who is an athlete, coach, referee, or other official or staff of a participant or team that is participating in the sports event on which the person is attempting to place the wager.
   (2) The operator shall not knowingly accept wagers from a person who is a director, officer, owner, or employee of the operator or any relative or other person living in the same household as a director, officer, owner, or employee of the operator.
C. No sports wagers may be accepted or paid by any operator on any of the following:
   (1) Any sport or athletic event not authorized by law.
   (2) Any sport or athletic event which the operator knows or reasonably should know is being placed by or on behalf of an official, owner, coach, or staff of a participant or team that participates in that event.
   (3) Any single act in a team event solely in the control of one participant acting independently.
   (4) The occurrence of injuries or penalties, or the outcome of an athlete’s disciplinary rulings, or replay reviews.
   (5) Any abnormal wagering activity or patterns that may indicate a concern about the integrity of a sports event.
   (6) Any other conduct with the potential to corrupt a wagering outcome of a sports event for purposes of financial gain, including but not limited to match fixing.
   (7) Suspicious or illegal wagering activities, including the use of funds derived from illegal activity, wagers to conceal or launder funds derived from illegal activity, use of agents to place wagers, or use of false identification.
D. Operators shall establish and display the odds at which wagers may be placed on sports events. Operators shall not accept a wager via a sports wagering mechanism through a player’s deposit wagering account.
E. Operators shall maintain records of sports wagering activities and operations and follow AML practices in day-to-day operations of its business.
§9100. Electronic wagering
A. Electronic wagering may be conducted only to the extent that it is conducted in accordance with this Subtitle and in accordance with the rules promulgated by the corporation.
B. The corporation may accept wagers made electronically using a sports wagering mechanism located on the premises of a permitted retail establishment or through a website or mobile application.
§9101. Sports wagering mechanism
A. (1) A player may place a wager via a sports wagering mechanism with cash, check, or credit card or by placing a wager within a established sports wagering account.
   (2) A sports wagering mechanism may be utilized by a player to make a deposit in their sports wagering account.
   (3) Sports wagering mechanisms shall be located only in areas where access to the mechanism is subject to twenty-one years of age or older and have been permitted by the corporation.
   (4) Sports wagering mechanisms shall be branded as the operator.
   (5) Any sports wager placed with cash via a sports wagering mechanism shall be evidenced by a ticket indicating the name of the operator, the sporting event, the date and time of the event, the amount of cash wagered, the type of bet and odds if applicable, the date of the event, and any other information required by the corporation.
   (6) Wagers placed via a sports wagering mechanism through a player’s established sports wagering account may be settled through the player’s wagering account. However, the player shall be prohibited from collecting winnings from the sports wagering mechanism in any form other than credits to the sports wagering account of the player.
   (7) A patron with a winning ticket shall redeem the ticket at an establishment designated by the corporation within one hundred eighty days of the date of the event pursuant to R.S. 47:9100.
   (8) Electronic wagering.
   (9) Not have any device, program, or function that will alter the reading of the values or amounts of the ticket or paid values or amounts other than actually played or any switches, jumpers, wire posts, or any other means of manipulation that could affect the operation or outcome of a wager.
   (10) Not have any device, switch, program, or function that can alter the reading of the values or amounts relating to any function or occurrence of the mechanism.
   (11) Have separate secure areas with locking doors for the game logic board and software, the cash compartment, and the mechanical meters as required by the rules of the corporation. These areas must be locked and separated.

Access to one from the other shall not be allowed at any time.

(4) Not have any functions or parameters adjustable by or through any source other than the operator, such as input codes, except for the adjustment of features that are wholly cosmetic.
(5) Have a circuit interrupting device, method, or capability which will disable the machine if the corporation approved program is accessed or altered.
(6) Have a serial number or other identification number permanently affixed to the mechanism by the manufacturer.
G. Each sports wagering mechanism shall be linked by telecommunication to a central computer for purposes of polling or reading mechanism activities and to record or permit a remote reading of mechanism operations. If the central computer system fails as a result of a malfunction or catastrophic event, the mechanism may remain in operation until the central computer system is restored.
H. The corporation may provide for additional specifications for mechanisms to be approved and authorized pursuant to the provisions of this Chapter as it deems necessary to maintain the integrity of sports wagering mechanisms and operations.
§9102. Online and mobile wagering
Wagering through a website or mobile application shall be subject to the following requirements:
A. (1) A player shall establish a sports wagering account with the operator before the operator accepts any sports wager through a website or mobile application from the player. The operator shall also complete an initial verification of the account prior to accepting sports wagers.
   (2) An account may be established with a line of credit or as an advance deposit wagering account.
B. No operator shall accept a sports wager through a website or mobile application from a person who does not have an established account with the corporation.
C. No wagers shall be placed when the player is physically located out of state or in a parish that has not approved a proposition authorizing sports wagering. Operators shall maintain geofencing and geolocation services.
§9103. Prizes of payment
A. (1) Winnings wagers that were placed via a sports wagering mechanism with cash and are evidenced by a ticket receipt shall be redeemed by a player within one hundred eighty days from the time of the event. The corporation shall pay tickets upon presentation after presenting validation procedures.
   (2) Winnings wagers placed using a sports wagering account shall be credited by the operator to the patron’s account within one day of the time of the event unless otherwise allowed pursuant to the rules of the corporation.
   (3) Winnings wagers placed using a website or mobile application from the public or any person who does not have an established account with the corporation.
   (4) Winnings wagers that were placed via a sports wagering mechanism with cash and are evidenced by a ticket receipt shall be redeemed by a player within one hundred eighty days from the time of the event. The corporation shall pay tickets upon presentation after presenting validation procedures.

Access to one from the other shall not be allowed at any time.

(4) Not have any functions or parameters adjustable by or through any source other than the operator, such as input codes, except for the adjustment of features that are wholly cosmetic.
(5) Have a circuit interrupting device, method, or capability which will disable the machine if the corporation approved program is accessed or altered.
(6) Have a serial number or other identification number permanently affixed to the mechanism by the manufacturer.
G. Each sports wagering mechanism shall be linked by telecommunication to a central computer for purposes of polling or reading mechanism activities and to record or permit a remote reading of mechanism operations. If the central computer system fails as a result of a malfunction or catastrophic event, the mechanism may remain in operation until the central computer system is restored.
H. The corporation may provide for additional specifications for mechanisms to be approved and authorized pursuant to the provisions of this Chapter as it deems necessary to maintain the integrity of sports wagering mechanisms and operations.
§9102. Online and mobile wagering
Wagering through a website or mobile application shall be subject to the following requirements:
A. (1) A player shall establish a sports wagering account with the operator before the operator accepts any sports wager through a website or mobile application from the player. The operator shall also complete an initial verification of the account prior to accepting sports wagers.
   (2) An account may be established with a line of credit or as an advance deposit wagering account.
B. No operator shall accept a sports wager through a website or mobile application from a person who does not have an established account with the corporation.
C. No wagers shall be placed when the player is physically located out of state or in a parish that has not approved a proposition authorizing sports wagering. Operators shall maintain geofencing and geolocation services.
§9103. Prizes of payment
A. (1) Winnings wagers that were placed via a sports wagering mechanism with cash and are evidenced by a ticket receipt shall be redeemed by a player within one hundred eighty days from the time of the event. The corporation shall pay tickets upon presentation after presenting validation procedures.
   (2) Winnings wagers placed using a sports wagering account shall be credited by the operator to the patron’s account within one day of the time of the event unless otherwise allowed pursuant to the rules of the corporation.
   (3) Winnings wagers placed using a website or mobile application from the public or any person who does not have an established account with the corporation.
   (4) Winnings wagers that were placed via a sports wagering mechanism with cash and are evidenced by a ticket receipt shall be redeemed by a player within one hundred eighty days from the time of the event. The corporation shall pay tickets upon presentation after presenting validation procedures.

Access to one from the other shall not be allowed at any time.

(4) Not have any functions or parameters adjustable by or through any source other than the operator, such as input codes, except for the adjustment of features that are wholly cosmetic.
(5) Have a circuit interrupting device, method, or capability which will disable the machine if the corporation approved program is accessed or altered.
(6) Have a serial number or other identification number permanently affixed to the mechanism by the manufacturer.
G. Each sports wagering mechanism shall be linked by telecommunication to a central computer for purposes of polling or reading mechanism activities and to record or permit a remote reading of mechanism operations. If the central computer system fails as a result of a malfunction or catastrophic event, the mechanism may remain in operation until the central computer system is restored.
H. The corporation may provide for additional specifications for mechanisms to be approved and authorized pursuant to the provisions of this Chapter as it deems necessary to maintain the integrity of sports wagering mechanisms and operations.

E. No prize shall be paid upon a ticket purchased or sold in violation of
The corporation shall promulgate rules providing for the withholding of prizes resulting from sports wagering authorized pursuant to this Section, of persons who have outstanding child support arrears as reported to the corporation, beginning at prize levels to be determined by the corporation. The corporation may require any agency reporting current child support arrears to the corporation to provide information relating to such arrears in a manner, format, or record approved by the corporation. The corporation shall not be liable for withholding a prize based upon child support arrearage information provided to it. Additionally, the corporation shall employ the same methods, procedures, and parameters to withhold prizes for persons who have delinquent debt as defined in R.S. 47:1676(B)(4) which has been assigned to the office of debt recovery for collection. The corporation shall not be liable for withholding prize based upon delinquent debt information provided to it by the office of debt recovery.

§9105. State tax; levy
A. There is hereby levied a ten percent tax upon the net gaming proceeds of an operator from sports wagering offered to consumers within this state pursuant to this Title onsite at a permitted retail establishment through a sports wagering mechanism.

B. There is hereby levied a fifteen percent tax upon the net gaming proceeds of an operator from sports wagering offered to consumers within this state pursuant to this Title electronically through a website or mobile application.

C. Within twenty days of the last day of each calendar month the corporation shall collect the taxes imposed pursuant to the provisions of this Section for the immediately preceding calendar month.

D. All taxes collected by the corporation pursuant to this Section shall be deposited into the Community and Family Support System Fund as provided by R.S. 28:826. These monies shall be forwarded upon receipt to the state treasury. Funds deposited into the treasury shall first be credited to the Bond Security and Redemption Fund in accordance with Article VII, Section 2B of the Constitution of Louisiana.

E. In a month when the amount of net gaming proceeds of an operator from sports wagering is a negative number, the operator may carry over the negative amount to the return filed for the subsequent month. However, no carryover shall be carried over in excess of twelve months after the month in which the amount carried over was originally due.

§9106. Deposit of revenues
Within twenty days following the close of each calendar month, the corporation shall transfer to the Lottery Sports Wagering Fund the amount of net revenue which the corporation determines is surplus to its needs. Net revenues shall be determined by deducting from the corporation's net gaming proceeds the payment costs incurred or estimated to be incurred in the operation and administration of sports wagering authorized pursuant to this Chapter. This shall include the expenses of the corporation and the costs resulting from determining applicant suitability, and any contracts entered into for promotional, advertising, or operational services or for the purchase or lease of sports wagering equipment and materials.

§9107. Lottery Sports Wagering Fund
A. There is hereby created in the state treasury a special fund designated as the "Lottery Sports Wagering Fund ", hereinafter referred to as the "fund". After allocation of money to the Bond Security and Redemption Fund as provided in Article VII, Section 2B of the Constitution of Louisiana, the treasurer shall deposit in and credit to the fund all corporation net revenue as determined by R.S. 47:9106. Interest earned on investment of monies in the fund shall be deposited in and credited to the fund. Unexpended and unencumbered monies in the fund shall remain in the fund. Monies in the fund shall be appropriated, administered, and used solely as provided in this Section.

B. The monies in the fund shall be withdrawn only pursuant to appropriation by the legislature and shall be used solely for the expenses provided pursuant to R.S. 47:9106 and for the minimum foundation program.

Section 2. This Act shall take effect and become operative if and when the Act which originated as Senate Bill No. 202 of this 2021 Regular Session of the Legislature shall 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 4, 2021.

A true copy:
R. Kyle Ardoin
Secretary of State

ACT No. 82
SENATE BILL NO. 48
BY SENATOR POPE
Prefiled Pursuant to Article III, Section 2A(4) of the Constitution of Louisiana.

To amend and reenact R.S. 37:2446.1(A) and (C), relative to continuing education requirements imposed by the Louisiana Board for Hearing Aid Dealers; to reduce the number of required continuing education hours for reinstatement or renewal of a license; to reduce the maximum number of continuing education hours that may be obtained through the internet; to provide for an effective date; and to provide for related matters.

Be it enacted by the Legislature of Louisiana:
Section 1. R.S. 37:2446.1(A) and (C) are hereby amended and reenacted to read as follows:

§2446.1. Continuing education requirement
A. The board shall require all licensees applying for reinstatement or renewal of licenses to have completed fifteen twelve hours of continuing education per year in courses approved by the board, which may consist of a maximum of seven four hours obtained through internet or correspondence courses, in order to renew their license on January first of the following year. Each licensee shall submit documentation from any recognized professional or educational institution to the board as proof that each licensee has been exposed to new developments in the practice which have occurred since the prior issuance or renewal of such license.

B. No person receiving a license by endorsement or examination on July first or later in that year shall not be required to have completed fifteen twelve hours of continuing education until December thirty-first of the following year.

Section 2. This Act shall become effective on January 1, 2022.

Approved by the Governor, June 4, 2021.

A true copy:
R. Kyle Ardoin
Secretary of State

ACT No. 83
SENATE BILL NO. 52
BY SENATOR POPE AND REPRESENTATIVE MINCEY
Prefiled Pursuant to Article III, Section 2A(4) of the Constitution of Louisiana.

To amend and reenact the introductory paragraph of R.S. 13:5554(FF), relative to group insurance available through sheriff's departments; to provide for payment of certain costs associated with group and self-insurance plans; and to provide for related matters.

Be it enacted by the Legislature of Louisiana:
Section 1. The introductory paragraph of R.S. 13:5554(FF) is hereby amended and reenacted to read as follows:

§5554. Group insurance; kinds; amounts; subrogation

The provisions of Subsections C and I of this Section shall be effective until January 1, 2023, and no investor tax credit or import-export cargo tax credit pursuant to the provisions of this Section shall be granted after such date with respect to any application received and approved after this date.

Section 2. This Act shall become effective upon signature by the governor or, if not signed by the governor, upon expiration of the time for bills to become law without signature by the governor, as provided by Article III, Section 18 of the Constitution of Louisiana. If vetoed by the governor and subsequently approved by the legislature, this Act shall become effective on the day following such approval.

Approved by the Governor, June 4, 2021.

A true copy:
R. Kyle Ardoin
Secretary of State

ACT No. 84
To amend and reenact Code of Criminal Procedure Art. 404(H), relative to jury commissions; to provide that the clerk of court for Franklin Parish or the clerk's designated deputy clerk shall serve as the jury commission; and to provide for related matters.

Be it enacted by the Legislature of Louisiana:

Section 1. Code of Criminal Procedure Art. 404(H) is hereby amended and reenacted to read as follows:

Art. 404. Appointment of jury commissions; term of office; oath; quorum; performance of functions of jury commissions in certain parishes

H. In the parishes of Caldwell, Claiborne, Franklin, DeSoto, Union, and Webster, the function of the jury commission shall be performed by the clerks of court of Caldwell Parish, Claiborne Parish, DeSoto Parish, Franklin Parish, Union Parish, and Webster Parish or by a deputy clerk of court designated by the respective clerk in writing to act in his stead in all matters affecting the jury commission. The clerk of court or his designated deputy shall have the same powers, duties, and responsibilities, and shall be governed by all applicable provisions of law pertaining to jury commissioners. The clerks of court of Caldwell Parish, Claiborne Parish, DeSoto Parish, Franklin Parish, Union Parish, and Webster Parish shall perform the duties and responsibilities otherwise imposed upon him by law with respect to jury veres, shall coordinate the jury venire process, and shall receive the compensation generally authorized for a jury commissioner.

A true copy:
R. Kyle Ardoin
Secretary of State

ACT No. 85

SENATE BILL NO. 64
BY SENATOR BERNARD
Prefiled Pursuant to Article III, Section 2(A)(4)(b)(i) of the Constitution of Louisiana.

To amend and reenact the introductory paragraph of R.S. 18:1462(A) and R.S. 18:1462(A) (3), (4), and (5), relative to acts prohibited during early voting or on election day; to provide for campaign material and political advertising restrictions; and to provide for related matters.

Be it enacted by the Legislature of Louisiana:

Section 1. The introductory paragraph of R.S. 18:1462(A) and R.S. 18:1462(A) (3), (4), and (5) are hereby amended and reenacted to read as follows:

§1462. Acts prohibited during early voting or on election day; electioneering; intimidation; exceptions; enforcement; penalties

A. The Legislature of Louisiana recognizes that the right to vote is a right that is essential to the effective operation of a democratic government. Due to a past, longstanding history of election problems, such as multiple voting, intimidation, harassment, confusion, obstruction, and undue influence, the legislature finds that the state has a compelling interest in securing a person's right to vote in an environment which is free from intimidation, harassment, confusion, obstruction, and undue influence. In order to preserve the integrity of its election process, and to protect the right of citizens to vote freely for the candidates of their choice, the state has a compelling interest in establishing a zone securing polling locations against certain conduct and activities, including voter intimidation, election fraud, confusion, and general disorder, that would interfere with the exercise of the right to vote. The legislature, therefore, enacts this Subsection to provide for a six hundred foot campaign-free zone around polling places to provide to each voter such an environment in which to exercise his right to vote. Except as otherwise specifically provided by law, it shall be unlawful for any person, between the hours of 6:00 a.m. and 9:00 p.m., to perform or cause to be performed any of the following acts within any polling place being used in an election on election day or during early voting, or within a radius of six hundred feet of the entrance to any polling place being used in an election on election day or during early voting:

(3) To hand out, place, or display campaign cards, pictures, or other campaign literature of any kind or description whatsoever which advocate for or against any candidate, proposition, or political party appearing on the ballot in the election.

(4) To place or display political signs, pictures, or other forms of political advertising which advocate for or against any candidate, proposition, or political party appearing on the ballot in the election.

(5) To circulate a recall petition or seek handwritten signatures to a recall petition.

Section 2. This Act shall become effective upon signature by the governor.

ACT No. 88

SENATE BILL NO. 65
BY SENATOR FESI
Prefiled Pursuant to Article III, Section 2(A)(4)(b)(i) of the Constitution of Louisiana.

To repeal Subpart H of Part III of Chapter 4 of Title 22 of the Louisiana Revised Statutes of 1950, comprised of R.S. 22:1161 through 1167, relative to electoral procedures, to repeal provisions regulating electoral procedures; and to provide for related matters.

Be it enacted by the Legislature of Louisiana:

Section 1. Subpart H of Part III of Chapter 4 of Title 22 of the Louisiana Revised Statutes of 1950 is hereby repealed in its entirety.

A true copy:
R. Kyle Ardoin
Secretary of State

ACT No. 86

SENATE BILL NO. 74
BY SENATOR PRICE
Prefiled Pursuant to Article III, Section 2(A)(4)(b)(i) of the Constitution of Louisiana.

To enact R.S. 44:417(D), relative to property held by the state archives; to provide for disposition procedure; to provide for advertising requirements; and to provide for related matters.

Be it enacted by the Legislature of Louisiana:

Section 1. Revised Statutes of 1950, comprised of R.S. 44:417(D) is hereby enacted to read as follows:

§417. Deposit of records of historical value; transfer of deposits to public or educational institutions; disposition of abandoned property

D. Notwithstanding any other provision of law to the contrary, any property deposited with the state archives and held for more than ten years, excluding agency storage collections, to which no person has made a claim shall be considered abandoned and shall become property of the state archives, provided all of the following provisions are met:

(1) At least once a week for two consecutive weeks, the state archivist shall publish a notice and listing of the property in at least one newspaper of general circulation in the parish of the last known address of the owner or depositor. If no record exists of the address of the last known owned or depositor, the notice shall be published in the official journal of the state. The notice shall contain:

(a) The name and last known address, if any, of the last known owner or depositor of the property.

(b) A description of the property.

(c) A statement that if proof of claim is not presented to the state archivist and if the claimant's right to receive the property is not established to the satisfaction of the state archivist not later than sixty-five days after the publication date of the second notice, the property shall be considered abandoned and shall become the property of the state archives.

(2) If no claim to the property is satisfactorily established within the sixty-five day period, title to the property shall vest in the state archives free from all claims of ownership.

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 4, 2021.

A true copy:
R. Kyle Ardoin
Secretary of State

ACT No. 87

SENATE BILL NO. 75
BY SENATOR LAMBERT
Prefiled Pursuant to Article III, Section 2(A)(4)(b)(i) of the Constitution of Louisiana.

To provide for disposition procedure; to provide for advertising requirements; and to provide for related matters.

Be it enacted by the Legislature of Louisiana:

Section 1. Revised Statutes of 1950, comprised of R.S. 44:417(D) is hereby enacted to read as follows:

§417. Deposit of records of historical value; transfer of deposits to public or educational institutions; disposition of abandoned property

D. Notwithstanding any other provision of law to the contrary, any property deposited with the state archives and held for more than ten years, excluding agency storage collections, to which no person has made a claim shall be considered abandoned and shall become property of the state archives, provided all of the following provisions are met:

(1) At least once a week for two consecutive weeks, the state archivist shall publish a notice and listing of the property in at least one newspaper of general circulation in the parish of the last known address of the owner or depositor. If no record exists of the address of the last known owned or depositor, the notice shall be published in the official journal of the state. The notice shall contain:

(a) The name and last known address, if any, of the last known owner or depositor of the property.

(b) A description of the property.

(c) A statement that if proof of claim is not presented to the state archivist and if the claimant's right to receive the property is not established to the satisfaction of the state archivist not later than sixty-five days after the publication date of the second notice, the property shall be considered abandoned and shall become the property of the state archives.

(2) If no claim to the property is satisfactorily established within the sixty-five day period, title to the property shall vest in the state archives free from all claims of ownership.

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 SENATE

Speaker of the House of Representatives

Governor of the State of Louisiana

Approved:

Approved by the Governor, June 4, 2021.

A true copy:
R. Kyle Ardoin
Secretary of State

ACT No. 88

SENATE BILL NO. 76
BY SENATOR LAMBERT
Prefiled Pursuant to Article III, Section 2(A)(4)(b)(i) of the Constitution of Louisiana.

To provide for disposition procedure; to provide for advertising requirements; and to provide for related matters.

Be it enacted by the Legislature of Louisiana:

Section 1. Revised Statutes of 1950, comprised of R.S. 44:417(D) is hereby enacted to read as follows:

§417. Deposit of records of historical value; transfer of deposits to public or educational institutions; disposition of abandoned property

D. Notwithstanding any other provision of law to the contrary, any property deposited with the state archives and held for more than ten years, excluding agency storage collections, to which no person has made a claim shall be considered abandoned and shall become property of the state archives, provided all of the following provisions are met:

(1) At least once a week for two consecutive weeks, the state archivist shall publish a notice and listing of the property in at least one newspaper of general circulation in the parish of the last known address of the owner or depositor. If no record exists of the address of the last known owned or depositor, the notice shall be published in the official journal of the state. The notice shall contain:

(a) The name and last known address, if any, of the last known owner or depositor of the property.

(b) A description of the property.

(c) A statement that if proof of claim is not presented to the state archivist and if the claimant's right to receive the property is not established to the satisfaction of the state archivist not later than sixty-five days after the publication date of the second notice, the property shall be considered abandoned and shall become the property of the state archives.

(2) If no claim to the property is satisfactorily established within the sixty-five day period, title to the property shall vest in the state archives free from all claims of ownership.

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 SENATE

Speaker of the House of Representatives

Governor of the State of Louisiana

Approved:

Approved by the Governor, June 4, 2021.

A true copy:
R. Kyle Ardoin
Secretary of State
To amend R.S. 39:112(C)(1)(e), relative to capital outlay requests submitted by a budget unit of the state, including public postsecondary education institutions; to provide for capital outlay requests for a state-owned and administered project and certain education institutions submitted after the November first deadline for approval; to provide for an effective date; and to provide for related matters.

Be it enacted by the Legislature of Louisiana:

Section 1. R.S. 39:112(C)(1)(e) is hereby amended to read as follows:

§112. Capital outlay act

C.(1) Capital outlay budget requests submitted after November first may be included within the capital outlay act if the capital outlay budget request meets all of the applicable requirements as provided in R.S. 39:101 and 102 except for time of submission and if any of the following conditions have been met:

* * *

(e) The project is a state-owned and administered project submitted by a budget unit of the state, including public postsecondary education institutions, and is included in the capital outlay bill. The provisions of this Subparagraph shall not apply to a political subdivision that is also a budget unit of the 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 4, 2021.
A true copy:

R. Kyle Ardoin
Secretary of State

ACT No. 89

SENATE BILL NO. 82
BY SENATOR CATHEY
Prefiled Pursuant to Article III, Section 2(A)(4)(b)(i) of the Constitution of Louisiana.
AN ACT

To amend and reenact R.S. 22:2392(26) and 2393, relative to external review of health insurance issuers; to include dental insurance benefits in the Health Insurance Issuer External Review Act; to provide a minimum amount for a claim related to a dental insurance policy to be eligible for external review; and to provide for related matters.

Be it enacted by the Legislature of Louisiana:

Section 1. R.S. 22:2392(26) and 2393 are hereby amended and reenacted to read as follows:

§2392. Definitions

As used in this Chapter:

* * *

(26) “Health benefit plan” means a policy, contract, certificate, or agreement entered into, offered, or issued by a health insurance issuer to provide, deliver, arrange for, pay for, or reimburse any of the costs of health care services. “Health benefit plan” shall not include a plan providing coverage for excepted benefits as defined in R.S. 22:1061 and short-term policies that have a term of less than twelve months.

§2393. Applicability and scope

A. This Chapter shall apply to any health insurance issuer that offers a health benefit plan as defined in this Chapter.

B. For purposes of claims related to a dental insurance policy, this Chapter shall apply only to external review or adverse determinations involving individual claims in excess of two hundred fifty dollars.

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 4, 2021.
A true copy:

R. Kyle Ardoin
Secretary of State

ACT No. 90

SENATE BILL NO. 88
BY SENATOR CONNICK
Prefiled Pursuant to Article III, Section 2(A)(4)(b)(i) of the Constitution of Louisiana.

To amend and reenact R.S. 38:2303.3(A)(c) and to enact R.S. 38:330.3(4)(d) and 330.8(D), relative to levee districts; to authorize the use of funds generated from one or more levee districts for projects that benefit all participating districts; and to provide for related matters.

Be it enacted by the Legislature of Louisiana:

Section 1. R.S. 38:2303.3(A)(c) is hereby amended and reenacted and R.S. 38:330.3(4)(d) and 330.8(D) are hereby enacted to read as follows:

§330.3. Levee district and board reorganization; transfer of authority; obligations; taxes; lands

A.(1) * * *

(c) No Except as provided in this Subparagraph, Paragraph (B)(4) of this Section, and R.S. 38:330.8(B), no provision of law providing the Southeast Louisiana Flood Protection Authority-Eastern Louisiana Flood Protection District/West Bank with any authority over and management, oversight, and control of the areas and levee districts provided for in R.S. 38:330.2(A) shall be construed or interpreted to make the taxes levied by, or other revenue of, a levee district within the territorial jurisdiction of the authority payable for the liability of another levee district, or for any liability of the authority when acting on behalf of another levee district. Notwithstanding any other provision of law to the contrary, taxes and other revenues generated in one or more levee districts within the jurisdiction of a levee authority may be used within any portion of the territorial jurisdiction of the authority if use of the funds will benefit all or a portion of the authority and the levee districts from which the taxes or revenues are generated.

* * *

§300.8. Funding; appropriations

* * *

D. Notwithstanding any other provision of law to the contrary, taxes and other revenues generated in one or more levee districts within the jurisdiction of a levee authority may be used within any portion of the territorial jurisdiction of the authority if use of the funds will benefit all or a portion of the authority and the levee districts from which the taxes and revenues are generated.

Approved by the Governor, June 4, 2021.
A true copy:

R. Kyle Ardoin
Secretary of State

ACT No. 91

SENATE BILL NO. 89
BY SENATOR REESE
Prefiled Pursuant to Article III, Section 2(A)(4)(b)(i) of the Constitution of Louisiana.
AN ACT

To amend and reenact R.S. 23:1474(J), relative to unemployment insurance; to provide for taxes and benefits for calendar year 2022; to provide for certain terms, conditions, procedures, and requirements; and to provide for related matters.

Be it enacted by the Legislature of Louisiana:

Section 1. R.S. 23:1474(J) is hereby amended and reenacted to read as follows:

§1474. Administrator; Revenue Estimating Conference; “wages”; weekly benefit amounts

* * *

J.(1) Notwithstanding any other provision of this Section or any other law to the contrary, the administrator shall apply Procedure 2 from the table in Subsection I of this Section for tax calendar year beginning on January 1, 2021, for the maximum dollar amount of “wages”, maximum weekly benefit amount, with any applicable discounts under R.S. 23:1592, and the formula for computation of benefits.

(2) Notwithstanding any other provision of this Section or any other law to the contrary, the administrator shall apply Procedure 2 from the table in Subsection I of this Section for the tax calendar year beginning on January 1, 2022, for the maximum dollar amount of “wages”, maximum weekly benefit amount, with any applicable discounts under R.S. 23:1592, and the formula for computation of benefits.

Approved by the Governor, June 4, 2021.
A true copy:

R. Kyle Ardoin
Secretary of State

THE ADVOCATE
* As it appears in the enrolled bill
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R. Kyle Ardoin  
Secretary of State

ACT No. 92

SENATE BILL NO. 93  
BY SENATOR POPE  
Prefiled Pursuant to Article III, Section 2(A)(4)(b)(i)  
of the Constitution of Louisiana.

AN ACT  
To amend and reenact R.S. 40:1223.3(3) and to enact R.S. 37:2457(11), relative to telehealth services provided by licensed hearing aid dealers; to provide for inclusion in the Louisiana Telehealth Access Act; to provide for powers and duties of the board; to provide minimum standards for the provision of telehealth services; to provide for definitions; and to provide for related matters.

Be it enacted by the Legislature of Louisiana:

Section 1. R.S. 37:2457(11) is hereby enacted to read as follows:

§2457. Powers and duties of board
The powers and duties of the Louisiana Board for Hearing Aid Dealers are as follows:

*   *   *
(11) To promulgate rules for the provision of telehealth services by licensed hearing aid dealers that, at a minimum, comply with the Louisiana Telehealth Access Act, R.S. 40:1223.1 et seq.

Section 2. R.S. 40:1223.3(3) is hereby amended and reenacted to read as follows:

§1223.3. Definitions
*   *   *
(3) “Healthcare provider” means a person, partnership, limited liability partnership, limited liability company, corporation, facility, or institution licensed or certified by this state to provide healthcare or professional services as a physician assistant, hospital, nursing home, dentist, registered nurse, advanced practice registered nurse, licensed dietitian or nutritionist, licensed practical nurse, certified nurse assistant, offshore health service provider, ambulance service, licensed midwife, pharmacist, speech-language pathologist, audiologist, optometrist, podiatrist, chiropractor, physical therapist, occupational therapist, certified or licensed athletic trainer, psychologist, medical psychologist, social worker, licensed professional counselor, licensed perfusionist, licensed respiratory therapist, licensed radiologic technologist, licensed hearing aid dealer, or licensed clinical laboratory scientist.

*   *   *
Approved by the Governor, June 4, 2021.
A true copy:

R. Kyle Ardoin  
Secretary of State