
The original instrument was prepared by Brandi Cannon. The following digest, which does not constitute a part of the legislative instrument, was prepared by LG Sullivan.

SB 67 Engrossed

DIGEST
2022 Regular Session

Fred Mills

Proposed law reorganizes and recodifies the Administrative Procedure Act, Chapter 13 of Title 49 of present law.

Present law provides that an agency shall hold a public hearing no earlier than 35 days and no later than 40 days after the notice of the intended action is published in the La. Register.

Proposed law extends the maximum time for a hearing to no later than 45 days.

Present law provides for an agency to publish on its website public notice that the report summarizing public comments and the agency responses has been delivered to the appropriate standing committee within one business day from submission of the report to the appropriate standing committee. Proposed law expands the deadline to five business days after submission.

Present law provides for the La. Administrative Code to contain all executive orders issued by the governor which are in effect at the time the Code is published. Proposed law requires the Office of the State Register to publish all executive orders issued by the governor.

Present law provides that, except as provided in present law, a person who is aggrieved by a final decision or order in an administrative adjudication proceeding is entitled to judicial review whether or not he has applied to the agency for rehearing, without limiting, however, utilization of or the scope of judicial review available under other means of review, redress, relief, or trial de novo provided by law. Proposed law retains present law but relocates the language relative to no limitation on the utilization or scope of judicial review available pursuant to other provisions of law.

Proposed law directs the La. State Law Institute to take the following actions:

- (1) Redesignate provisions of present law into a new format and number scheme as provided in proposed law without changing the text of the provisions except as provided in proposed law.
- (2) Change references throughout present law as necessary to reflect the new citations provided for in proposed law.

Proposed law creates three parts in the current chapter of present law, to be numbered, entitled, and comprised as follows:

Part I. General Provisions

Comprising R.S. 49:950 through 957 of proposed law.

Part II. Rule Promulgation

Comprising R.S. 49:961 through 974.4 of proposed law.

Part III. Adjudication

Comprising R.S. 49:975 through 980 of proposed law.

Proposed law does not change the present law citations of R.S. 49:950, 951, and 973.

Proposed law changes only the citation of the following present law provisions:

R.S. 49:952, 954.3, 956, 956.1, 957, 958, 961, 962, 962.1, 963, 965, 965.1, 967.1, 968.1, 978.2, 978.3, and 978.6.

Proposed law makes various technical changes to modernize present law.

Effective August 1, 2022.

(Amends R.S. 49:951(9), 953, 953.1(A)(1)(intro. para.), 953.1(A)(5), and (C), 954(A) and (B)(2), 954.1(A), 955(B), (C), (E), and (F), 959(A), 960(B), 964(A)(1), (F), and (G), 964.1(C), 966(A), 967, 968(B)(intro. para.), 968(B)(24)(b), (C)(2) and (4), (D)(1)(a), and (D)(1)(b)(intro. para.), (D)(1)(b)(i), and (c) and (3), (E)(1)(a), 968(F)(1)(intro. para.), (G), (H), (J), and (K)(2), 969(A), 970(A), 971(A)(1) and (3) and (B), 974(B), (C), and (E), 978.1, 978.4(A)(2), 978.5(B) and (C), 978.7(intro. para.), and 978.8(A) and (B); adds R.S. 49:953.1(G), 963, and 964)

Summary of Amendments Adopted by Senate

Committee Amendments Proposed by Senate Committee on Senate and Governmental Affairs to the original bill

1. Make technical corrections.