

RÉSUMÉ DIGEST

HB 415

2023 Regular Session

Amedee

Present law defines "deposit account" and provides that a deposit account does not include investment property or accounts evidenced by an instrument.

Proposed law would have added that a deposit account does not include a central bank digital currency.

Proposed law would have defined the term "central bank digital currency".

(Proposed to amend R.S. 10:9-102(a)(29); Proposed to add R.S. 10:9-102(a)(82))

VETO MESSAGE: "The changes in law effected by this bill are unnecessary, likely unconstitutional, and could have significant unforeseen consequences. This bill amends important sections of state law regarding bank deposits to prevent the use of a so-called central bank digital currency ("CBDC") by depositors in Louisiana.

There is currently no such central bank digital currency in existence in the United States, and the Board of Governors of the Federal Reserve System has not publicly expressed any imminent intention to create one.

Further, as the bill's author noted in presenting the bill to the House Committee on Commerce during session, only the United States Congress has the ability and authority to regulate or prevent the establishment of a CBDC in the United States and there is federal legislation pending before the Committee on Banking, Housing, and Urban Affairs of the United States Senate, which would, if finally enacted, prevent the Federal Reserve from issuing a CBDC. A preemptive move by Louisiana to change the definitions in our law without sufficient study of an actual change in federal law or policy could lead to wide-reaching unforeseen consequences.

It would be unwise now for Louisiana to legislate against a hypothetical, particularly when the scope and ramifications of any such potential policy change by the federal government are yet unknown and, therefore, House Bill 415 will not become law."