

First Extraordinary Session, 2005

HOUSE BILL NO. 161

BY REPRESENTATIVE K. CARTER

ATTORNEY GENERAL: Authorizes the attorney general to issue cease and desist orders to prohibit charter schools under certain circumstances

1 AN ACT

2 To enact R.S. 51:1422, relative to cease and desist orders of the attorney general; to provide  
3 for authorization for the attorney general to issue a cease and desist order to stop a  
4 charter school from operating under specified circumstances; and to provide for  
5 related matters.

6 Be it enacted by the Legislature of Louisiana:

7 Section 1. R.S. 51:1422 is hereby enacted to read as follows:

8 §1422. Cease and desist orders; charter schools; specified circumstances

9 Notwithstanding any provision of law to the contrary, the attorney general  
10 may issue a cease and desist order to stop any charter school from operating if all of  
11 the following occur:

12 (1) The school is established during a declaration of emergency or disaster  
13 by the governor pursuant to the provisions of the Louisiana Homeland Security and  
14 Emergency Assistance and Disaster Act.

15 (2) The school has been approved by the school board of the parish or the  
16 State Board of Elementary or Secondary Education.

17 (3) The directors of the charter school are comprised in whole or in part of  
18 elected school board members from the same parish at the time the charter school is  
19 approved by either the parish school board or the Louisiana State Board of  
20 Elementary and Secondary Education.

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**DIGEST**

The digest printed below was prepared by House Legislative Services. It constitutes no part of the legislative instrument.

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K. Carter

HB No. 161

**Abstract:** Authorizes the attorney general to issue cease and desist orders to stop the operation of a charter school under certain circumstances.

Proposed law provides that the attorney general may issue a cease and desist order to stop any charter school from operating if all of the following occur:

- (1) The school is established during a declaration of emergency or disaster by the governor pursuant to the provisions of the Louisiana Homeland Security and Emergency Assistance and Disaster Act.
- (2) The school has been approved by the school board of the parish or BESE.
- (3) The directors of the charter school are comprised in whole or in part of elected school board members from the same parish at the time the charter school is approved by either the parish school board or BESE.

(Adds R.S. 51:1422)