

Regular Session, 2013

# ACT No. 220

HOUSE BILL NO. 628

BY REPRESENTATIVE BARRAS

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

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AN ACT

To amend and reenact R.S. 1:55(B)(1)(a), R.S. 9:400(A)(introductory paragraph), (B), (D), and (E), R.S. 11:22(D), 143(C)(introductory paragraph), 701(10), 1115(C), 1345.4, 1345.6, 1632(D)(1), 1633(B)(1), 1644(C)(2), 2132, 2218(J)(4), 2220(A)(1)(g)(i), (ii), and (iv), 2221(K)(3), 2241.8(1)(b), and 2242.8(1)(b), R.S. 14:26 and 63.4(A) and (C), R.S. 15:1084(D) and 1173, R.S. 17:7.2(A)(introductory paragraph), 1684(A)(2), 1809(A), 1812(A), 1813(A), the heading of Part IV of Chapter 5 of Title 17 of the Louisiana Revised Statutes of 1950, R.S.17:1970.2(5), 1970.4(D)(1)(b), (c), and (d), 2054(A), 2757(B)(9), 3022(A)(1)(a)(introductory paragraph) and (i), 3130(A), 3218, 3226(B), 3351(A)(5)(c), 3351.1(A)(1), 3381(A), 3382(A), and 3387(A), R.S. 22:1071(D)(2)(c), R.S. 24:31.1(C)(2), (D), and (E), R.S. 27:220(C), R.S. 28:2(32)(b), 54(D)(1)(introductory paragraph), 874(A)(introductory paragraph), 894(A)(introductory paragraph) and (B)(5), and 912(B), R.S. 30:4(I)(4) and 91(B)(1), R.S. 33:4720.56(23)(a), 4720.58.1(F)(1), 4720.151(K)(6)(a), 4720.161(K)(3) and (6)(a), 4720.171(K)(3) and (6)(a), 4720.181(K)(6)(a), and 4720.191(K)(6)(a), R.S. 35:191.2(4), R.S. 36:109(V), 204(A)(8), 209(W)(introductory paragraph) and (2), 234(A)(13), 239(C), 254(A)(8) and (F)(1), 354(A)(12), 404(A)(9), 454(A)(8), 605(A)(8), 624(A)(7), 629(C)(3), 645(A)(7), 682(B)(6), 702(6), 722(6), 742(6), and 764(A)(7), R.S. 37:791(A)(3) and 3259(A)(9) and (B), R.S. 39:102(C) and 103(A)(2), R.S. 39:1533(A) as most recently amended by Section 3 of Act No. 449 and Section 3 of Act No. 631 of the 2006 Regular Session of the Legislature, R.S. 40:4(A)(3)(b), 32(12), 33(A), 61(A)(4), 1155, 1232(C), 1232.4(2) and (7), 1232.9(2) and (7), 1300.198(B)(4), and 2022(D), R.S. 42:447, R.S. 44:4(4)(a), (14), (31), and (37) and 4.1(B)(20), R.S. 46:2(A) and (B),

1 448(A)(1) and (B) through (E), 2111(C), 2402(6), and 2405(B), R.S. 47:332.9(A),  
2 337.95(B)(1)(a), 337.96, 337.99(H)(1) and (I), 4331(F), 4352, and 6103(A)(2), R.S.  
3 48:1671(C)(1), R.S. 49:214.5.3(B)(3), 952(1), 953(B)(1)(a) and (2) and (F)(3)(b)  
4 and (h), 954(A) and (B)(2), 954.1, 966(C), 968(D)(1)(c), (H)(1), (I), and (J), 981,  
5 982, 983(A)(introductory paragraph) and (B), 984, 985, 986, 987, and 1101(A), R.S.  
6 51:3115 and 3121(G), Children's Code Articles 1302.1(7) and 1437(B), and Code of  
7 Criminal Procedure Articles 405, 406, 409, and 410, to enact R.S. 17:4015(7)(e) and  
8 R.S. 36:409(R), and to repeal R.S. 11:231(A)(3), 449(A) and (B), 450(B), and  
9 788(C)(introductory paragraph) all as amended by Act No. 714 of the 2008 Regular  
10 Session of the Legislature and R.S. 11:788(C)(4) as enacted by Act No. 714 of the  
11 2008 Regular Session of the Legislature, R.S. 17:4015(7)(f), and R.S. 18:1505.2(T),  
12 relative to the various provisions of the Louisiana Revised Statutes of 1950, the  
13 Children's Code, and the Code of Criminal Procedure; to provide for various  
14 technical corrections, including corrections in legal citations, corrections in names  
15 of publications, agencies, department offices, officers, and other entities, removing  
16 of references to agencies that have been repealed or no longer exist, listing agencies  
17 in the appropriate provisions for each department in executive reorganization  
18 provisions, listing of a human services district in appropriate provisions for such  
19 districts, designating undesignated statutory provisions, making conforming changes,  
20 and clarifying language; and to provide for related matters.

21 Be it enacted by the Legislature of Louisiana:

22 Section 1. R.S. 1:55(B)(1)(a) is hereby amended and reenacted to read as follows:

23 §55. Days of public rest, legal holidays, and half-holidays

24 \* \* \*

25 B. Legal holidays shall be observed by the departments of the state as  
26 follows:

27 (1)(a) Insofar as may be practicable in the administration of the government,  
28 no employee shall work on New Year's Day, Dr. Martin Luther King, Jr.'s Birthday  
29 which shall be observed on the third Monday of January of each year or in  
30 conjunction with the day of the federal observance, Mardi Gras Day, Good Friday,

1 Independence Day, Labor Day, Veterans' Day, Thanksgiving Day, Christmas Day,  
 2 Inauguration Day once in every four years in the city of Baton Rouge, or ~~General~~  
 3 ~~Election Day every two~~ the first Tuesday after the first Monday in November in  
 4 even-numbered years.

5 \* \* \*

6 Section 2. R.S. 9:400(A)(introductory paragraph), (B), (D), and (E) are hereby  
 7 amended and reenacted to read as follows:

8 §400. Putative father registry

9 A. The Department of Health and Hospitals, office of ~~preventive and public~~  
 10 ~~health services~~, shall establish a putative father registry which shall record the names  
 11 and addresses of the following:

12 \* \* \*

13 B. A person filing a declaration to claim paternity of a child or an  
 14 acknowledgement of paternity shall include therein his current address and shall  
 15 notify the registry of any change of address pursuant to procedures prescribed by  
 16 rules and regulations of the Department of Health and Hospitals, office of ~~preventive~~  
 17 ~~and public health services~~.

18 \* \* \*

19 D. The Department of Health and Hospitals, office of ~~preventive and public~~  
 20 ~~health services~~, shall, upon request, provide the names and addresses of persons  
 21 listed with the registry to any court or authorized agency, and such information shall  
 22 not be divulged to any other person, except upon order of a court for good cause  
 23 shown.

24 E. The Department of Health and Hospitals, office of ~~preventive and public~~  
 25 ~~health services~~, shall promulgate all rules and regulations necessary to carry out the  
 26 purposes of this Part.

27 Section 3. R.S. 11:22(D), 143(C)(introductory paragraph), 701(10), 1115(C), 1345.4,  
 28 1345.6, 1632(D)(1), 1633(B)(1), 1644(C)(2), 2132, 2218(J)(4), 2220(A)(1)(g)(i), (ii), and  
 29 (iv), 2221(K)(3), 2241.8(1)(b), and 2242.8(1)(b) are hereby amended and reenacted to read  
 30 as follows:

1 §22. Methods of actuarial valuation established

2 \* \* \*

3 D. For any ~~of the systems~~ system set forth in Subsection B of this Section  
4 ~~which are~~ that is funded utilizing the frozen attained age normal method, the  
5 actuarial valuation method of ~~such~~ the system shall be converted to the aggregate  
6 funding method in the system's first valuation in which the frozen unfunded actuarial  
7 accrued liability is fully amortized.

8 \* \* \*

9 §143. Transfers between systems

10 \* \* \*

11 C. Except as provided in Paragraph ~~(D)~~(5) of this ~~Subsection~~ Section and  
12 notwithstanding the provisions of law to the contrary, the system, fund, or plan from  
13 which the person transfers such credit shall transfer to the receiving system, fund, or  
14 plan an amount which is the lesser of the following:

15 \* \* \*

16 §701. Definitions

17 As used in this Chapter, the following words and phrases have the meanings  
18 ascribed to them in this Section unless a different meaning is plainly required by the  
19 context:

20 \* \* \*

21 (10) "Earnable compensation" means the compensation earned by a member  
22 during the full normal working time as a teacher. Earnable compensation shall  
23 include any differential wage payment; as defined by 26 U.S.C. 3401(h)(2), ~~which~~  
24 that is made by an employer to any individual performing qualified military service.  
25 Earnable compensation shall not include per diem, post allowances, payment in kind,  
26 hazardous duty pay, or any other allowance for expense authorized and incurred as  
27 an incident to employment, nor payments in lieu of unused sick or annual leave, nor  
28 retroactive salary increases unless such an increase was granted by legislative ~~act~~ Act  
29 or by a ~~city/parish~~ city-parish systemwide salary increase, nor payment for  
30 discontinuation of contractual services, unless the payment is made on a monthly

1 basis. If a member is granted an official leave and he makes contributions for the  
2 period of leave, earnable compensation shall not include compensation paid for other  
3 employment which would not have been possible without the leave. The board of  
4 trustees shall determine whether or not any other payments are to be classified as  
5 earnable compensation.

6 \* \* \*

7 §1115. Election of membership; termination

8 \* \* \*

9 C. Any A member ~~who~~ ceases to be a member if he:

- 10 (1) Is absent from service more than five consecutive years and has credit for
- 11 fewer than twenty years of service.
- 12 (2) Withdraws his accumulated contributions.
- 13 (3) Withdraws from active service with a retirement allowance.
- 14 (4) Dies.

15 ~~shall thereupon cease to be a member.~~

16 \* \* \*

17 §1345.4. Eligibility for retirement

18 Any member shall be eligible for retirement if he has:

- 19 (1) Twenty-five years or more of service, at any age.
- 20 (2) Twelve years or more of service, at age fifty-five or thereafter.
- 21 (3) Twenty years of service credit at any age, exclusive of military service
- 22 and unused annual and sick leave, but any person retiring under this ~~Subsection~~
- 23 Paragraph shall have his benefit, inclusive of military service credit and allowable
- 24 unused annual and sick leave, actuarially reduced from the earliest age that he would
- 25 normally become eligible for a regular retirement benefit under ~~Subsection A or B~~
- 26 Paragraphs (1) and (2) of this Section if he had continued in service to that age. Any
- 27 employee who elects to retire under the provisions of this ~~Subsection~~ Paragraph shall
- 28 not be eligible to participate in the Back-Deferred Retirement Option Program

1 provided by R.S. 11:1312.1 or the Initial Benefit Option provided by R.S.  
2 11:1307(E).

3 \* \* \*

4 §1345.6. Back-Deferred Retirement Option Program

5 A member, except as ~~specified in~~ for a member who retires pursuant to R.S.  
6 ~~11:1345.4(C)~~ 11:1345.4(3), shall have the option of participating in the Back-  
7 Deferred Retirement Option Program in accordance with the provisions of R.S.  
8 11:1312.1.

9 \* \* \*

10 §1632. Retirement eligibility; benefits at three percent

11 \* \* \*

12 D.(1) For purposes of this Section and R.S. 11:1633 and 1634, average final  
13 compensation shall include any amounts properly considered as regular rate of pay  
14 of the member, ~~as defined in R.S. 11:231~~, and unreduced by amounts excluded from  
15 income for federal income tax purposes by reason of 26 U.S.C. 125, 132(f),  
16 402(e)(3), 402(h)(1)(B), 403(b), 414(h), or 457 or any other provision of federal law  
17 of similar effect.

18 \* \* \*

19 §1633. Retirement eligibility; benefits at three and one-half percent

20 \* \* \*

21 B. Benefits.

22 (1) Normal Retirement Benefits. The retirement allowance for normal  
23 retirement benefits shall be three and one-half percent of the ~~final~~ average final  
24 compensation for each year of creditable service.

25 \* \* \*

26 §1644. Back-Deferred Retirement Option Program

27 \* \* \*

1 C. The member's Back-DROP monthly benefit accrual shall be calculated  
2 based on the provisions applicable for service retirement set forth in R.S. 11:1632  
3 and 1633, subject to the following conditions:

4 \* \* \*

5 (2) ~~Final average~~ Average final compensation; utilized for the purpose of  
6 calculating the Back-DROP monthly benefit; shall be calculated by excluding all  
7 earnings during the Back-DROP period.

8 \* \* \*

9 §2132. Annuity savings fund; contributions to fund; amount of employee  
10 contributions

11 ~~A.~~ The annuity savings fund shall be a fund in which shall be accumulated  
12 contributions from the compensation of members to provide for their annuities.  
13 Contributions to and payments from the annuity savings fund shall be made as  
14 follows:

15 ~~B.(1)~~ Each employer shall cause to be deducted from the salary of each  
16 member on each and every payroll of such employer for each and every payroll  
17 period seven ~~per centum~~ percent of his earnable compensation. In determining the  
18 amount earnable by a member in a payroll period, the board of trustees may consider  
19 the rate of annual compensation payable to such member on the first day of the  
20 payroll period as continuing throughout such payroll period, and it may omit  
21 deduction from compensation for any period less than a full payroll period; ~~and to~~  
22 To facilitate the making of deductions, it may modify the deduction required of any  
23 member by such an amount as shall not exceed one-tenth of one ~~per centum~~ percent  
24 of the annual compensation upon the basis of which such deduction is to be made.

25 ~~C.(2)~~ The deductions provided for ~~herein in this Section~~ shall be made  
26 notwithstanding that the minimum compensation provided for by law for any  
27 member shall be reduced thereby. Every member shall be deemed to consent and  
28 agree to the deductions made and provided for ~~herein in this Section~~ and shall receipt  
29 for his full salary or compensation, and payment of salary or compensation less said  
30 deductions shall be a full and complete discharge and acquittance of all claims and

1 demands whatsoever for the services rendered by such person during the period  
 2 covered by such payment, except as to the benefits provided by this Chapter. The  
 3 employer shall certify to the board of trustees on each and every payroll or in such  
 4 other manner as the board of trustees may prescribe, the amounts to be deducted; and  
 5 each of said amounts shall be deducted, and when deducted shall be paid into said  
 6 annuity savings fund, and shall be credited together with regular interest thereon to  
 7 the individual account of the member from whose compensation said deduction was  
 8 made.

9 \* \* \*

10 §2218. Creditable service

11 \* \* \*

12 J.

13 \* \* \*

14 (4) When extending credit for unused earned leave, fractional days of  
 15 one-half or more shall be granted as one day and less than one-half day shall be  
 16 disregarded. Any member who ~~had previously terminated~~ terminates his  
 17 employment for any period of time; but who later becomes reemployed as an active  
 18 contributing member in this system; shall ~~have contributed~~ contribute to the system  
 19 for not less than eighteen months subsequent to his reemployment date before using  
 20 converted unused earned sick and annual leave for purposes of benefit computation.  
 21 Additional membership service obtained by conversion of unused earned sick and  
 22 annual leave shall not be used in computation of average final compensation.

23 \* \* \*

24 §2220. Benefits; contribution limit

25 A. Eligibility for normal retirement, early retirement, and limitations.

26 (1)

27 \* \* \*

28 (g) Upon termination of employment, the retiree shall receive an additional  
 29 retirement benefit based on his additional service rendered since reemployment using



1 the normal method of computation of benefits or as provided in Subparagraph (h) of  
2 this Paragraph, subject to the following:

3 (i) If the period of additional service was less than thirty-six months, the  
4 average final compensation figure used to calculate the additional benefit shall be  
5 that used to calculate his original benefit.

6 (ii) If the period of additional service was thirty-six or more months, the  
7 average final compensation figure used to calculate the additional benefit shall be  
8 based on his average compensation earned during the period of additional service.

9 \* \* \*

10 (iv) ~~In no event shall the~~ The additional benefit shall not exceed an amount  
11 which, when combined with the original benefit, equals one hundred percent of the  
12 average final compensation figure used to compute the additional benefit.

13 \* \* \*

14 §2221. Deferred Retirement Option Plan

15 \* \* \*

16 K. The following shall also apply if employment is not terminated at the end  
17 of the period of participation:

18 \* \* \*

19 (3) Upon termination of employment, he shall receive an additional  
20 retirement benefit based on his additional service rendered since termination of  
21 participation in the fund, using the normal method of computation of benefit, subject  
22 to the following:

23 (a) If his period of additional service was less than thirty-six months, the  
24 average final compensation figure used to calculate the additional benefit shall be  
25 that used to calculate his original benefit.

26 (b) If his period of additional service was thirty-six or more months, the  
27 average final compensation figure used to calculate the additional benefit shall be  
28 based on his compensation during the period of additional service.

29 (c) The option used shall be that applicable to the original benefit.



1 upon remarriage set forth in this Paragraph shall not apply. The surviving spouse  
 2 shall receive a benefit equal to one hundred percent of the member's ~~final~~ average  
 3 final compensation less any survivor benefits payable to a child or children as  
 4 provided in this Section. The sum of survivor benefits paid to children and a  
 5 surviving spouse shall not exceed one hundred percent of the member's average final  
 6 compensation. No funds derived from the assessments against insurers pursuant to  
 7 R.S. 22:1476 shall be used to pay any increased costs or increase in liability of the  
 8 system resulting from the payment of benefits to a surviving spouse pursuant to this  
 9 Subparagraph.

\* \* \*

11 Section 4. R.S. 14:26 and 63.4(A) and (C) are hereby amended and reenacted to read  
 12 as follows:

13 §26. Criminal conspiracy

14 A. Criminal conspiracy is the agreement or combination of two or more  
 15 persons for the specific purpose of committing any crime; provided that an  
 16 agreement or combination to commit a crime shall not amount to a criminal  
 17 conspiracy unless, in addition to such agreement or combination, one or more of  
 18 such parties does an act in furtherance of the object of the agreement or combination.

19 B. If the intended basic crime has been consummated, the conspirators may  
 20 be tried for either the conspiracy or the completed offense, and a conviction for one  
 21 shall not bar prosecution for the other.

22 ~~B.C.~~ Whoever is a party to a criminal conspiracy to commit any crime shall  
 23 be fined or imprisoned, or both, in the same manner as for the offense contemplated  
 24 by the conspirators; provided, however, whoever is a party to a criminal conspiracy  
 25 to commit a crime punishable by death or life imprisonment shall be imprisoned at  
 26 hard labor for not more than thirty years.

27 ~~C.D.~~ Whoever is a party to a criminal conspiracy to commit any other crime  
 28 shall be fined or imprisoned, or both, in the same manner as for the offense  
 29 contemplated by the conspirators; but such fine or imprisonment shall not exceed

1 one-half of the largest fine, or one-half the longest term of imprisonment prescribed  
2 for such offense, or both.

3 \* \* \*

4 §63.4. Aiding and abetting others to enter or remain on premises where forbidden

5 A.(1) No person shall incite, solicit, urge, encourage, exhort, instigate, or  
6 procure any other person to go into or upon or to remain in or upon any structure,  
7 watercraft, or any other movable which belongs to another, including public  
8 buildings and structures, ferries, and bridges, or any part, portion, or area thereof,  
9 knowing that such other person has been forbidden to go or remain there, either  
10 orally or in writing, including by means of any sign hereinafter described, by the  
11 owner, lessee, or custodian of the property or by any other authorized person.

12 (2) For the purposes of this Section, the ~~above mentioned~~ sign described in  
13 Paragraph (1) of this Subsection means a sign or signs posted on or in the structure,  
14 watercraft or any other movable, including public buildings and structures, ferries  
15 and bridges, or part, portion or area thereof, at a place or places where such sign or  
16 signs may be reasonably expected to be seen.

17 \* \* \*

18 C. Whoever violates the provisions of ~~Sub-section A or Sub-section B above~~  
19 Subsection A or B of this Section; shall be guilty of a misdemeanor and upon  
20 conviction thereof shall be fined not more than five hundred dollars or be imprisoned  
21 in the parish jail for not more than six months, or both.

22 Section 5. R.S. 15:1084(D) and 1173 are hereby amended and reenacted to read as  
23 follows:

24 §1084. Establishment of rates for payment for care in nonstate operated agencies  
25 and facilities

26 \* \* \*

27 D. The Department of Health and Hospitals, Department of Children and  
28 Family Services, and the Department of Public Safety and Corrections shall  
29 promulgate under the Administrative Procedure Act and publish in the ~~State~~  
30 Louisiana Register the criteria utilized in establishing the cost related formula that

1 bears a reasonable relationship to cost of care for children cared for by nonstate  
2 operated institutions and agencies. Each department may set its own rates and make  
3 payment based on that rate.

4 \* \* \*

5 §1173. Publication of procedure

6 The administrative remedy procedure shall be published in the State  
7 Louisiana Register.

8 Section 6. R.S. 17:7.2(A)(introductory paragraph), 1684(A)(2), 1809(A), 1812(A),  
9 1813(A), the heading of Part IV of Chapter 5 of Title 17 of the Louisiana Revised Statutes  
10 of 1950, R.S. 17:1970.2(5), 1970.4(D)(1)(b), (c), and (d), 2054(A), 2757(B)(9),  
11 3022(A)(1)(a)(introductory paragraph) and (i), 3130(A), 3218, 3226(B), 3351(A)(5)(c),  
12 3351.1(A)(1), 3381(A), 3382(A), and 3387(A) are hereby amended and reenacted and R.S.  
13 17:4015(7)(e) is hereby enacted to read as follows:

14 §7.2. Approved teacher education programs

15 A. In carrying out its responsibility to prescribe the qualifications and  
16 provide for the certification of teachers under authority of R.S. 17:7(6), the State  
17 Board of Elementary and Secondary Education, subject to the constitutional power  
18 and authority of the Board of Regents, the Board of ~~Trustees of State Colleges and~~  
19 ~~Universities~~ Supervisors for the University of Louisiana System, the Board of  
20 Supervisors of Louisiana State University and Agricultural and Mechanical College,  
21 and the Board of Supervisors of Southern University and Agricultural and  
22 Mechanical College, shall establish qualifications and requirements for the approval  
23 of teacher education programs from which graduates may be certified. The  
24 qualifications and requirements established by the State Board of Elementary and  
25 Secondary Education for an approved teacher education program shall include but  
26 not be limited to the following:

27 \* \* \*



1 §1812. Small business development and management institute; Northwestern State  
2 University at Natchitoches; authority to operate

3 A. Northwestern State University at Natchitoches is hereby authorized to  
4 establish and operate a small business development and management institute which  
5 may aid and assist small businesses in solving problems inherent in such enterprises.  
6 The establishment and operation of the institute shall be subject to the constitutional  
7 authority of the Board of Regents and the Board of ~~Trustees of State Colleges and~~  
8 ~~Universities~~ Supervisors for the University of Louisiana System.

9 \* \* \*

10 §1813. Computer literacy center; Northwestern State University at Natchitoches;  
11 authority to operate

12 A. Northwestern State University at Natchitoches is hereby authorized to  
13 establish and operate a computer literacy center. The establishment and operation  
14 of the center shall be subject to the constitutional authority of the Board of Regents  
15 and the Board of ~~Trustees of State Colleges and Universities~~ Supervisors for the  
16 University of Louisiana System.

17 \* \* \*

18 PART IV. BOARD OF ~~TRUSTEES~~ SUPERVISORS FOR THE UNIVERSITY OF  
19 LOUISIANA SYSTEM

20 \* \* \*

21 §1970.2. Definitions

22 As used in this Part, the following words, terms, and phrases shall have the  
23 meanings ascribed to them in this Section, except when the context clearly indicates  
24 a different meaning:

25 \* \* \*

26 (5) "University" means the University of ~~Southwestern~~ Louisiana at  
27 Lafayette.

28 \* \* \*

1 §1970.4. School board; creation; membership; terms; powers and duties; voting;  
2 compensation

3 \* \* \*

4 D.(1) The board may:

5 \* \* \*

6 (b) Purchase land, buildings, and equipment and make improvements to  
7 facilities necessary for the use of the school, in accordance with applicable law and  
8 subject to the approval of the Board of ~~Trustees of State Colleges and Universities~~  
9 Supervisors for the University of Louisiana System.

10 (c) Lease land or other property belonging to it or to the school, subject to  
11 approval of the Board of ~~Trustees of State Colleges and Universities~~ Supervisors for  
12 the University of Louisiana System.

13 (d) Sell or exchange land or other real property not needed for school  
14 purposes, but only when specifically authorized by law and then only in accordance  
15 with the approval of the Board of ~~Trustees of State Colleges and Universities~~  
16 Supervisors for the University of Louisiana System. Any sale shall be authorized by  
17 resolution adopted by the board, and the act of sale shall be signed by the president  
18 of the board or such other person to whom the signing may be delegated by the board  
19 in the authorizing resolution.

20 \* \* \*

21 §2054. College and university athletics; NCAA and NAIA infractions, sanctions

22 A. The Board of ~~Trustees for State Colleges and Universities~~ Supervisors for  
23 the University of Louisiana System, the Board of Supervisors of Southern University  
24 and Agricultural and Mechanical College, the Board of Supervisors of Louisiana  
25 State University and Agricultural and Mechanical College, and the Board of  
26 Supervisors of Community and Technical Colleges shall adopt and implement  
27 policies, procedures, and rules to provide for the dismissal of any employee found  
28 by the National Collegiate Athletic Association or the National Association of



1 Intercollegiate Athletics to have committed a deliberate and serious infraction of its  
2 rules when such infraction results in sanctions by the association.

3 \* \* \*

4 §2757. Louisiana Systemic Initiatives Program Council; creation; domicile;  
5 membership; expenses; terms; vacancies

6 \* \* \*

7 B. The council shall consist of the following persons or a person designated  
8 by them in writing to the council president to represent them whenever they are  
9 unable to attend:

10 \* \* \*

11 (9) The president of the Board of ~~Trustees for State Colleges and~~  
12 Universities Supervisors for the University of Louisiana System.

13 \* \* \*

14 §3022. Membership and organization

15 A.(1) The Louisiana Student Financial Assistance Commission, hereafter  
16 referred to as "the commission", shall be composed of twenty-one members, to  
17 consist of the executive secretary to the governor or his designee, who shall serve as  
18 ex officio chairman; the state superintendent of education, the president of the State  
19 Board of Elementary and Secondary Education, the chairpersons of the Board of  
20 Regents, the Board of Supervisors for the University of Louisiana System, the Board  
21 of Supervisors of Southern University and Agricultural and Mechanical College, the  
22 Board of Supervisors of Community and Technical Colleges, and the Board of  
23 Supervisors of Louisiana State University and Agricultural and Mechanical College,  
24 or their designees from the other members of their respective boards; the chairperson  
25 of the Louisiana Association of Independent Colleges and Universities or his  
26 designee who shall be an administrator at or a member of a governing board of a  
27 Louisiana independent institution of higher education; five persons, who shall be  
28 qualified electors of the state, one to be selected by each of the boards of  
29 postsecondary and higher education by the membership of each of said boards and  
30 who shall serve at the pleasure of the board; one person who shall be a qualified

1 elector of the state to be selected by the board of the Louisiana Association of  
 2 Independent Colleges and Universities by the members of that board and who shall  
 3 serve at the pleasure of the association; one person who shall be the owner of a fully  
 4 accredited proprietary school in Louisiana, as defined by R.S. 17:3141.2, to be  
 5 appointed by the governor; one person who shall be a director or employee of a state-  
 6 operated postsecondary vocational-technical school to be appointed by the governor;  
 7 two persons to be appointed by the governor from a list of the names of five persons  
 8 submitted by the Louisiana Bankers' Association; and two student members to be  
 9 selected from among the student members of the boards of postsecondary and higher  
 10 education and from among the students of member institutions of the Louisiana  
 11 Association of Independent Colleges and Universities as follows:

12 (a) One student member of the commission shall be a student member of one  
 13 of the boards of postsecondary ~~and higher~~ education in the state, with each of the  
 14 student members of the boards serving a one-year term on the commission on a  
 15 rotating basis. The order of the rotation shall be as follows:

16 (i) The student member of the Board of ~~Trustees for State Colleges and~~  
 17 ~~Universities~~ Supervisors for the University of Louisiana System.

18 \* \* \*

19 §3130. Other powers

20 A. All powers of management over public institutions of postsecondary  
 21 education not specifically vested in the Board of Regents by Article VIII, Section 5  
 22 of the Constitution of Louisiana, are reserved to the Board of Supervisors of  
 23 Louisiana State University and Agricultural and Mechanical College, the Board of  
 24 Supervisors of Southern University and Agricultural and Mechanical College, the  
 25 Board of Supervisors of Community and Technical Colleges, and the Board of  
 26 ~~Trustees for State Colleges and Universities~~ Supervisors for the University of  
 27 Louisiana System, as to the institutions under the control of each.

28 \* \* \*

1 §3218. Authority of system boards

2 The corporate authority, internal and otherwise, vested in the Board of  
3 Supervisors of Louisiana State University and Agricultural and Mechanical College,  
4 the Board of Supervisors of Southern University and Agricultural and Mechanical  
5 College, the Board of Supervisors of Community and Technical Colleges, and the  
6 Board of ~~Trustees for State Colleges and Universities~~ Supervisors for the University  
7 of Louisiana System to supervise and manage the systems under the jurisdiction of  
8 each, extends to all the colleges and universities, branches, centers of learning, or  
9 extensions of such systems now existing or hereafter established.

10 \* \* \*

11 §3226. Learning centers; Jefferson Parish; Rapides Parish; Northeast Delta Learning  
12 Center; authorization

13 \* \* \*

14 B. The Board of ~~Trustees for State Colleges and Universities~~ Supervisors for  
15 the University of Louisiana System or the Board of Supervisors of Community and  
16 Technical Colleges, in cooperation with the Board of Regents, shall take such action  
17 as necessary to establish a means of awarding certificates and academic and  
18 occupational degrees in Jefferson Parish using the instructional resources of existing  
19 institutions. Courses which lead to such certificates and academic or occupational  
20 degrees shall be offered no later than the fall semester of 1998.

21 \* \* \*

22 §3351. General powers, duties, and functions of college and university boards

23 A. Subject only to the powers of the Board of Regents specifically  
24 enumerated in Article VIII, Section 5 of the Constitution of Louisiana, and as  
25 otherwise provided by law, each postsecondary system management board as a body  
26 corporate shall have authority to exercise power necessary to supervise and manage  
27 the day-to-day operations of institutions of postsecondary education under its  
28 control, including but not limited to the following:

29 \* \* \*

1 (5)

2 \* \* \*

3 (c) The Board of ~~Trustees for State Colleges and Universities~~ Supervisors  
4 for the University of Louisiana System is authorized to establish the tuition amounts  
5 and other fees and charges applicable to students enrolled in the Doctor of Pharmacy  
6 Program at the University of Louisiana at Monroe to be consistent with tuition  
7 amounts and other fees charged to students in Doctor of Pharmacy Programs in states  
8 comprising the Southern Regional Education Board.

9 \* \* \*

10 §3351.1. Technology fee; authority to assess; use of proceeds

11 A.(1) The Board of Supervisors of Louisiana State University and  
12 Agricultural and Mechanical College, the Board of ~~Trustees for State Colleges and~~  
13 ~~Universities~~ Supervisors for the University of Louisiana System, the Board of  
14 Supervisors of Community and Technical Colleges, and the Board of Supervisors of  
15 Southern University and Agricultural and Mechanical College, each may provide,  
16 by the favorable vote of two-thirds of the members of the respective board, for the  
17 assessment of a student technology fee at the institutions of postsecondary education  
18 under their respective supervision and management. The student technology fee  
19 shall be five dollars per course credit hour.

20 \* \* \*

21 §3381. Transportation for college students; transportation for other students subject  
22 to restrictions; authority to establish and collect bus transportation fees

23 A. A ~~city or parish~~ city, parish, or other local public school board may enter  
24 into contracts with individuals, partnerships, or corporations domiciled in this state  
25 to furnish transportation to students attending any ~~university, college or junior~~  
26 ~~college~~ institution under the supervision and management of the Board of ~~Trustees~~  
27 ~~for State Colleges and Universities~~ Supervisors for the University of Louisiana  
28 System, the Board of Supervisors of Louisiana State University and Agricultural and  
29 Mechanical College, the Board of Supervisors of Community and Technical  
30 Colleges, or the Board of Supervisors of Southern University and Agricultural and

1 Mechanical College, or may furnish such transportation themselves, and pay for the  
 2 same in the manner provided for defraying other expenses. Students receiving  
 3 transportation may be charged a bus transportation fee in an amount not to exceed  
 4 the actual cost of providing the transportation service. A school board shall establish  
 5 such fees and shall provide for their collection.

\* \* \*

7 §3382. Teacher certification programs in instruction of elementary school French  
 8 A. ~~The Board of Trustees for State Colleges and Universities~~ Supervisors for  
 9 the University of Louisiana System, the Board of Supervisors of Louisiana State  
 10 University and Agricultural and Mechanical College, and the Board of Supervisors  
 11 of Southern University and Agricultural and Mechanical College are hereby required  
 12 to direct institutions under their control which presently offer teacher certification  
 13 programs in the instruction of high school French, to similarly offer teacher  
 14 certification programs in the instruction of elementary school French.

\* \* \*

16 §3387. Bus transportation to and from postsecondary institutions; authority of  
 17 postsecondary institutions including vocational-technical schools to contract;  
 18 payment of costs

19 A. ~~Any university, college, postsecondary vocational-technical school, or~~  
 20 ~~junior college~~ institution under the supervision and management of the Board of  
 21 ~~Trustees for State Colleges and Universities~~ Supervisors for the University of  
 22 Louisiana System, the Board of Supervisors of Louisiana State University and  
 23 Agricultural and Mechanical College, the Board of Supervisors of Community and  
 24 Technical Colleges, or the Board of Supervisors of Southern University and  
 25 Agricultural and Mechanical College may enter into contracts with individuals,  
 26 partnerships, or corporations domiciled in this state to furnish bus transportation to  
 27 students attending the respective institution.

\* \* \*

1 §4015. Program administration

2 In administering the program pursuant to this Chapter, the department shall:

3 \* \* \*

4 (7) Annually publish the following information for all schools participating  
5 in the program:

6 \* \* \*

7 ~~(f)~~(e) The percentage of parents or legal guardians of scholarship recipients  
8 who are satisfied with the participating school.

9 \* \* \*

10 Section 7. R.S. 22:1071(D)(2)(c) is hereby amended and reenacted to read as follows:

11 §1071. Enforcement provisions

12 \* \* \*

13 D.

14 \* \* \*

15 (2)

16 \* \* \*

17 (c) The commissioner shall provide notice of the annual assessment  
18 percentage amount for each calendar year which shall be published in the ~~state~~  
19 ~~register~~ Louisiana Register no later than July first.

20 \* \* \*

21 Section 8. R.S. 24:31.1(C)(2), (D), and (E) are hereby amended and reenacted to  
22 read as follows:

23 §31.1. Salary for members; expense allowance; mileage allowance

24 \* \* \*

25 C.

26 \* \* \*

27 (2) During the interim between sessions each member shall also be paid, for  
28 actual attendance at meetings of legislative committees of which he is a member, a  
29 mileage allowance at the rate provided ~~hereinabove~~ in Paragraph (1) of this  
30 Subsection for actual travel to and from the site of such meetings. Mileage

1 allowance for legislative committee meetings shall be paid only upon the filing by  
 2 the member with the respective presiding officer of a voucher for each such meeting.  
 3 The legislature or either house may, by appropriate resolution, provide that no  
 4 mileage allowance shall be paid in the case of particular committees or particular  
 5 meetings.

6 D. In lieu of the mileage allowance provided in Subsection C ~~above~~ of this  
 7 Section, both during sessions and during the interim between sessions, any legislator  
 8 may be reimbursed the actual cost paid by the legislator for a commercial coach fare  
 9 airline ticket, either one way or round trip, for any trip for which the mileage  
 10 allowance is otherwise authorized pursuant to Subsection C ~~above~~ of this Section if  
 11 the distance of travel one way by the most direct route by land is in excess of one  
 12 hundred miles. Such reimbursement shall be paid only upon the filing by the  
 13 legislator with the respective presiding officer of a voucher for each such trip,  
 14 whether during session or during the interim.

15 E. In addition to the salary, compensation, and all other allowances provided  
 16 by law for members of the legislature, each member of the legislature shall be paid  
 17 a monthly expense allowance, as referred to in R.S. 11:403(10), in the amount of five  
 18 hundred dollars per month for expenses in connection with the holding or conduct  
 19 of their office. Warrants for the payment of such allowance shall be in accordance  
 20 with, and subject to, Subsection B of this Section.

21 Section 9. R.S. 27:220(C) is hereby amended and reenacted to read as follows:  
 22 §220. Duties of the board; adoption of administrative regulations; rulemaking  
 23 authority

24 \* \* \*

25 C. The board may, by rule and regulation, create and adopt special  
 26 procedures for promulgation of rules and regulations, but such special procedures  
 27 and the creation and adoption of any rule, regulation, or special procedure of the  
 28 board shall include legislative oversight and publication of notice of intent as

1 provided for in R.S. 49:953 except that the notice may be published either in the  
2 official journal of the state or the ~~state register~~ Louisiana Register.

3 \* \* \*

4 Section 10. R.S. 28:2(32)(b), 54(D)(1)(introductory paragraph), 874(A)(introductory  
5 paragraph), 894(A)(introductory paragraph) and (B)(5), and 912(B) are hereby amended and  
6 reenacted to read as follows:

7 §2. Definitions

8 Whenever used in this Title, the masculine shall include the feminine, the  
9 singular shall include the plural, and the following definitions shall apply:

10 \* \* \*

11 (32)

12 \* \* \*

13 (b) Patients involuntarily hospitalized by emergency certificate or mental  
14 health treatment shall not be admitted to the facilities listed in Items (ii), (iii), (iv),  
15 (viii), or (x) of Subparagraph (a) of this Paragraph, except that patients in custody  
16 of the Department of Public Safety and Corrections may be admitted to forensic  
17 facilities by emergency certificate provided that judicial commitment proceedings  
18 are initiated during the period of treatment at the forensic facility authorized by  
19 emergency certificate. Patients involuntarily hospitalized by emergency certificate  
20 for substance abuse treatment shall not be admitted to the facilities listed in Items  
21 (ii), (iii), (iv), or (x) of Subparagraph (a) of this Paragraph. Judicial commitments,  
22 however, may be made to any of the above facilities except forensic facilities.  
23 However, in the case of any involuntary hospitalization as a result of such emergency  
24 certificate for substance abuse or in the case of any judicial commitment as the result  
25 of substance abuse, such commitment or hospitalization may be made to any of the  
26 above facilities, except forensic facilities, provided that such facility has a substance  
27 abuse in-patient operation maintained separate and apart from any mental health  
28 in-patient operation at such facility.

29 \* \* \*









1 to be declared orphaned. If resolution of a factual dispute is requested by any owner  
2 or operator, the assistant secretary shall hold a fact-finding hearing prior to declaring  
3 the site orphaned and the assistant secretary shall make any fact determination  
4 necessary to resolve the dispute.

5 \* \* \*

6 Section 12. R.S. 33:4720.56(23)(a), 4720.58.1(F)(1), 4720.151(K)(6)(a),  
7 4720.161(K)(3) and (6)(a), 4720.171(K)(3) and (6)(a), 4720.181(K)(6)(a), and  
8 4720.191(K)(6)(a) are hereby amended and reenacted to read as follows:

9 §4720.56. Authority

10 The New Orleans Redevelopment Authority shall have all the authority and  
11 power necessary or convenient to carry out and effectuate the purposes and  
12 provisions of this Chapter, including without limiting the generality of the foregoing,  
13 the following authority which shall be in addition to others herein granted:

14 \* \* \*

15 (23)(a) The authority shall have the right, subject to the provisions of this  
16 Section, to purchase properties at tax sales conducted in accordance with ~~R.S.~~  
17 ~~47:2155 and 2156~~ Part III of Chapter 5 of Subtitle III of Title 47 of the Louisiana  
18 Revised Statutes of 1950, and any and all such purchases shall be a purchase  
19 pursuant to ~~R.S. 47:2155 and 2156~~ those provisions and not an adjudication to a  
20 political subdivision.

21 \* \* \*

22 §4720.58.1. Acquisition of adjudicated properties

23 \* \* \*

24 F.(1) The authority shall have the right, subject to the provisions of this  
25 Section, to purchase properties at tax sales conducted in accordance with ~~R.S.~~  
26 ~~47:2155 and 2156~~ Part III of Chapter 5 of Subtitle III of Title 47 of the Louisiana  
27 Revised Statutes of 1950, and any and all such purchases shall be a purchase  
28 pursuant to ~~R.S. 47:2155 and 2156~~ those provisions and not an adjudication to a  
29 political subdivision.

30 \* \* \*











1 The presiding officer shall refer the report to the appropriate committee having  
2 jurisdiction of the subject matter as provided in the rules of the respective houses.

3 \* \* \*

4 §209. Transfer of boards, commissions, departments, and agencies to Department  
5 of Culture, Recreation and Tourism

6 \* \* \*

7 W. The following museums shall be placed within the office of the state  
8 museum of the Department of Culture, Recreation and Tourism and shall exercise  
9 their powers, duties, functions, and responsibilities as provided in R.S. 36:851.1;

10 \* \* \*

11 (2) The Louisiana Political Museum and Hall of Fame ~~and its advisory board~~  
12 (R.S. 25:342(B)(3)(c), 352, and 380.141 et seq.).

13 \* \* \*

14 §234. Powers and duties of secretary of environmental quality

15 A. In addition to the functions, powers, and duties otherwise vested in the  
16 secretary by law, he shall:

17 \* \* \*

18 (13) Provide for the ongoing merger and consolidation of the agencies and  
19 functions transferred to his department and submit a report thereon to the governor  
20 and the legislature, which report shall accompany the budget ~~statement request~~ request which  
21 he submits under provisions of R.S. ~~39:45~~ 39:33. Such report shall include a  
22 statement of the goals of the department and of the programs thereof and shall  
23 summarize the accomplishments of the department in meeting such goals and  
24 implementing such programs. The report shall also contain a specific statement of  
25 the reorganization and consolidation plan for the department for the next year and  
26 shall include a report on the implementation of such reorganization and consolidation  
27 plan for the previous year. The report concerning reorganization shall specifically  
28 detail the extent to which the department has achieved goals stated the previous year  
29 with respect to merger and consolidation of functions, abolition of agencies,  
30 consolidation of offices, elimination of job positions, and efficiency and economy

1 in delivery of services. The report shall contain any recommendations with respect  
 2 to reorganization which may require legislative action under the provisions of this  
 3 Title. A copy of the report and recommended legislation shall also be submitted by  
 4 the secretary to the presiding officer of ~~both houses~~ each house of the legislature.  
 5 The presiding officer shall refer the report to the appropriate committee having  
 6 jurisdiction of the subject matter as provided in the rules of the respective house.

7 \* \* \*

8 §239. Transfer of agencies and functions to Department of Environmental Quality

9 \* \* \*

10 C. The Motor Fuels Underground Storage Tank Trust Fund Advisory Board  
 11 (R.S. 30:2195 et seq.) is placed within the Department of Environmental Quality and  
 12 shall exercise and perform its powers, duties, functions, and responsibilities as  
 13 otherwise provided by law.

14 \* \* \*

15 §254. Powers and duties of the secretary of the Department of Health and Hospitals

16 A. In addition to the functions, powers, and duties otherwise vested in the  
 17 secretary by law, he shall:

18 \* \* \*

19 (8) Provide for the ongoing merger and consolidation of the agencies and  
 20 functions transferred to his department and submit a report thereon to the governor  
 21 and the legislature, which report shall accompany the budget ~~statement~~ request which  
 22 he submits under provisions of R.S. ~~39:4539:33~~. Such report shall include a  
 23 statement of the goals of the department and of the programs thereof and shall  
 24 summarize the accomplishments of the department in meeting such goals and  
 25 implementing such programs. The report shall also contain a specific statement of  
 26 the reorganization and consolidation plan for the department for the next year and  
 27 shall include a report on the implementation of such reorganization and consolidation  
 28 plan for the previous year. The report concerning reorganization shall specifically  
 29 detail the extent to which the department has achieved goals stated the previous year  
 30 with respect to merger and consolidation of functions, abolition of agencies,

1 consolidation of offices, elimination of job positions, and efficiency and economy  
 2 in delivery of services. The report shall contain any recommendations with respect  
 3 to reorganization which may require legislative action under the provisions of this  
 4 Title. A copy of the report and recommended legislation shall also be submitted by  
 5 the secretary to the presiding officer of ~~both houses~~ each house of the legislature.  
 6 The presiding officer shall refer the report to the appropriate committee having  
 7 jurisdiction of the subject matter as provided in the rules of the respective house.

8 \* \* \*

9 F.(1) The functions relative to the operation and management of community-  
 10 based mental health, developmental disabilities, substance abuse services, and  
 11 certain community-based public health services for the parishes of Ascension, East  
 12 Baton Rouge, East Feliciana, Iberville, Pointe Coupee, West Baton Rouge, and West  
 13 Feliciana transferred in accordance with ~~R.S. 46:266~~ R.S. 28:901 et seq., shall be  
 14 the responsibility of and shall be performed by the Capital Area Human Services  
 15 District. If funds are not appropriated by the legislature for the district to perform  
 16 these functions in those parishes, the functions shall be the responsibility of and shall  
 17 be performed by the department in those parishes.

18 \* \* \*

19 §354. Powers and duties of secretary of natural resources

20 A. In addition to the functions, powers, and duties otherwise vested in the  
 21 secretary by law, he shall:

22 \* \* \*

23 (12) Provide for the ongoing merger and consolidation of the agencies and  
 24 functions transferred to his department and submit a report thereon to the governor  
 25 and the legislature, which report shall accompany the budget ~~statement~~ request which  
 26 he submits under provisions of R.S. ~~39:45~~ 39:33. Such report shall include a  
 27 statement of the goals of the department and of the programs thereof and shall  
 28 summarize the accomplishments of the department in meeting such goals and  
 29 implementing such programs. The report shall also contain a specific statement of  
 30 the reorganization and consolidation plan for the department for the next year and

1 shall include a report on the implementation of such reorganization and consolidation  
 2 plan for the previous year. The report concerning reorganization shall specifically  
 3 detail the extent to which the department has achieved goals stated the previous year  
 4 with respect to merger and consolidation of functions, abolition of agencies,  
 5 consolidation of offices, elimination of job positions, and efficiency and economy  
 6 in delivery of services. The report shall contain any recommendations with respect  
 7 to organization which may require legislative action under the provisions of this  
 8 Title. A copy of the report and recommended legislation shall also be submitted by  
 9 the secretary to the presiding officer of each house of the legislature. The presiding  
 10 officer shall refer the report to the appropriate committee having jurisdiction of the  
 11 subject matter as provided in the rules of the respective house.

12 \* \* \*

13 §404. Powers and duties of secretary of public safety and corrections

14 A. In addition to the functions, powers, and duties otherwise vested in the  
 15 secretary by law, he shall:

16 \* \* \*

17 (9) Provide for the ongoing merger and consolidation of the agencies and  
 18 functions transferred to his department and submit a report thereon to the governor  
 19 and the legislature, which report shall accompany the budget ~~statement~~ request which  
 20 he submits under provisions of R.S. ~~39:45~~ 39:33. Such report shall include a  
 21 statement of the goals of the department and of the programs thereof and shall  
 22 summarize the accomplishments of the department in meeting such goals and  
 23 implementing such programs. The report shall also contain a specific statement of  
 24 the reorganization and consolidation plan for the department for the next year and  
 25 shall include a report on the implementation of such reorganization and consolidation  
 26 plan for the previous year. The report concerning reorganization shall specifically  
 27 detail the extent to which the department has achieved goals stated the previous year  
 28 with respect to merger and consolidation of functions, abolition of agencies,  
 29 consolidation of offices, elimination of job positions, and efficiency and economy  
 30 in delivery of services. The report shall contain any recommendations with respect

1 to reorganization which may require legislative action under the provisions of this  
 2 Title. A copy of the report and recommended legislation shall also be submitted by  
 3 the secretary to the presiding officer of ~~both houses~~ each house of the legislature.  
 4 The presiding officer shall refer the report to the appropriate committee having  
 5 jurisdiction of the subject matter as provided in the rules of the respective house.

6 \* \* \*

7 §409. Transfer of agencies to Department of Public Safety and Corrections

8 \* \* \*

9 R. The Louisiana State Uniform Construction Code Council (R.S.  
 10 40:1730.21 et seq.) is placed within the Department of Public Safety and Corrections  
 11 and shall perform and exercise its powers, duties, functions, and responsibilities as  
 12 otherwise provided by law.

13 \* \* \*

14 §454. Powers and duties of secretary of revenue

15 A. In addition to the functions, powers, and duties otherwise vested in the  
 16 secretary by law, he shall:

17 \* \* \*

18 (8) Provide for the ongoing merger and consolidation of the agencies and  
 19 functions transferred to his department and submit a report thereon to the governor  
 20 and the legislature, which report shall accompany the budget ~~statement~~ request which  
 21 he submits under provisions of R.S. ~~39:4539:33~~ 39:33. Such report shall include a  
 22 statement of the goals of the department and of the programs thereof and shall  
 23 summarize the accomplishments of the department in meeting such goals and  
 24 implementing such programs. The report shall also contain a specific statement of  
 25 the reorganization and consolidation plan for the department for the next year and  
 26 shall include a report on the implementation of such reorganization and consolidation  
 27 plan for the previous year. The report concerning reorganization shall specifically  
 28 detail the extent to which the department has achieved goals stated the previous year  
 29 with respect to merger and consolidation of functions, abolition of agencies,  
 30 consolidation of offices, elimination of job positions, and efficiency and economy

1 in delivery of services. The report shall contain any recommendations with respect  
 2 to reorganization which may require legislative action under the provisions of this  
 3 Title. A copy of the report and recommended legislation shall also be submitted by  
 4 the secretary to the presiding officer of ~~both houses~~ each house of the legislature.  
 5 The presiding officer shall refer the report to the appropriate committee having  
 6 jurisdiction of the subject matter as provided in the rules of the respective house.

7 \* \* \*

8 §605. Powers and duties of the secretary of wildlife and fisheries

9 A. In addition to the functions, powers, and duties otherwise vested in the  
 10 secretary by law, he shall:

11 \* \* \*

12 (8) Provide for the ongoing merger and consolidation of the agencies and  
 13 functions transferred to his department and submit a report thereon to the governor  
 14 and the legislature, which report shall accompany the budget ~~statement~~ request which  
 15 he submits under provisions of R.S. ~~39:45~~ 39:33. Such report shall include a  
 16 statement of the goals of the department and of the programs thereof and shall  
 17 summarize the accomplishments of the department in meeting such goals and  
 18 implementing such programs. The report shall also contain a specific statement of  
 19 the reorganization and consolidation plan for the department for the next year and  
 20 shall include a report on the implementation of such reorganization and consolidation  
 21 plan for the previous year. The report concerning reorganization shall specifically  
 22 detail the extent to which the department has achieved goals stated the previous year  
 23 with respect to merger and consolidation of functions, abolition of agencies,  
 24 consolidation of offices, elimination of job positions, and efficiency and economy  
 25 in delivery of services. The report shall contain any recommendations with respect  
 26 to reorganization which may require legislative action under the provisions of this  
 27 Title. A copy of the report and recommended legislation shall also be submitted by  
 28 the secretary to the presiding officer of ~~both houses~~ each house of the legislature.

1 The presiding officer shall refer the report to the appropriate committee having  
2 jurisdiction of the subject matter as provided in the rules of the respective house.

3 \* \* \*

4 §624. Powers and duties of commissioner of agriculture and forestry

5 A. In addition to the functions, powers, and duties otherwise vested in the  
6 commissioner of agriculture by law, he shall:

7 \* \* \*

8 (7) Provide for the ongoing merger and consolidation of the agencies and  
9 functions transferred to his department and submit a report thereon to the legislature,  
10 which report shall accompany the budget ~~statement~~ request which he submits under  
11 provisions of R.S.~~39:45~~ 39:33. Such report shall include a statement of the goals of  
12 the department and of the programs thereof and shall summarize the  
13 accomplishments of the department in meeting such goals and implementing such  
14 programs. The report shall also contain a specific statement of the reorganization  
15 and consolidation plan for the department for the next year and shall include a report  
16 on the implementation of such reorganization and consolidation plan for the previous  
17 year. The report concerning reorganization shall specifically detail the extent to  
18 which the department has achieved goals stated the previous year with respect to  
19 merger and consolidation of functions, abolition of agencies, consolidation of  
20 offices, elimination of job positions, and efficiency and economy in delivery of  
21 services. The report shall contain any recommendations with respect to  
22 reorganization which may require legislative action. A copy of the report and  
23 recommended legislation shall also be submitted by the commissioner to the  
24 presiding officer of ~~both houses~~ each house of the legislature. The presiding officer  
25 shall refer the report to the appropriate committee having jurisdiction of the subject  
26 matter as provided in the rules of the respective house.

27 \* \* \*

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

30 \* \* \*

1 C. The following agencies as defined by R.S. 36:3 are transferred to and  
2 hereafter shall be within the Department of Agriculture and Forestry as provided in  
3 R.S. 36:802.3:

4 (3) Structural Pest Control Commission (R.S. ~~3:3301-3:3317~~ 3:3361 et seq.).

5 \* \* \*

6 §645. Powers and duties of superintendent of education

7 A. In addition to the functions, powers, and duties otherwise vested in the  
8 superintendent by law, he shall:

9 \* \* \*

10 (7) Provide for the ongoing merger and consolidation of the agencies and  
11 functions transferred to his department and submit a report thereon to the legislature,  
12 which report shall accompany the budget ~~statement~~ request which he submits under  
13 provisions of R.S. ~~39:45~~ 39:33. Such report shall include a statement of the goals of  
14 the department and of the programs thereof and shall summarize the  
15 accomplishments of the department in meeting such goals and implementing such  
16 programs. The report shall also contain a specific statement of the reorganization  
17 and consolidation plan for the department for the next year and shall include a report  
18 on the implementation of such reorganization and consolidation plan for the previous  
19 year. The report concerning reorganization shall specifically detail the extent to  
20 which the department has achieved goals stated the previous year with respect to  
21 merger and consolidation of functions, abolition of agencies, consolidation of offices  
22 and administrative and programmatic divisions of the department, elimination of job  
23 positions, and efficiency and economy in delivery of services. The report shall  
24 contain any recommendations with respect to reorganization which may require  
25 legislative action. A copy of the report and recommended legislation shall also be  
26 submitted by the superintendent to the presiding officer of ~~both houses~~ each house  
27 of the legislature. The presiding officer shall refer the report to the appropriate



1 committee having jurisdiction of the subject matter as provided in the rules of the  
2 respective house.

3 \* \* \*

4 §682. Commissioner of insurance; powers and duties

5 \* \* \*

6 B. In addition to the functions, powers, and duties otherwise vested in the  
7 commissioner of insurance by law, he shall:

8 \* \* \*

9 (6) Provide for the ongoing reorganization and consolidation of the  
10 department and submit a report thereon to the legislature, which report shall  
11 accompany the budget ~~statement request~~ request which he submits under provisions of R.S.  
12 ~~39:45~~ 39:33. Such report shall include a statement of the goals of the department and  
13 of the programs thereof and shall summarize the accomplishments of the department  
14 in meeting such goals and implementing such programs. The report shall also  
15 contain a specific statement of the reorganization and consolidation plan for the  
16 department for the next year and shall include a report on the implementation of such  
17 reorganization and consolidation plan for the previous year. The report concerning  
18 reorganization shall specifically detail the extent to which the department has  
19 achieved goals stated the previous year with respect to merger and consolidation of  
20 functions, abolition of agencies, consolidation of offices and administrative and  
21 programmatic divisions of the department, elimination of job positions, and  
22 efficiency and economy in delivery of services. The report shall contain any  
23 recommendations with respect to reorganization which may require legislative  
24 action. A copy of the report and recommended legislation shall also be submitted  
25 by the commissioner of insurance to the presiding officer of ~~both houses~~ each house  
26 of the legislature. The presiding officer shall refer the report to the appropriate  
27 committee having jurisdiction of the subject matter as provided in the rules of the  
28 respective house.

29 \* \* \*

1 §702. Powers and duties of attorney general

2 In addition to the functions, powers, and duties otherwise vested in the  
3 attorney general, he shall:

4 \* \* \*

5 (6) Provide for the ongoing reorganization and consolidation of the  
6 department and submit a report thereon to the legislature, which report shall  
7 accompany the budget ~~statement~~ request which he submits under provisions of R.S.  
8 ~~39:45~~ 39:33. Such report shall include a statement of the goals of the department and  
9 of the programs thereof and shall summarize the accomplishments of the department  
10 in meeting such goals and implementing such programs. The report shall also  
11 contain a specific statement of the reorganization and consolidation plan for the  
12 department for the next year and shall include a report on the implementation of such  
13 reorganization and consolidation plan for the previous year. The report concerning  
14 reorganization shall specifically detail the extent to which the department has  
15 achieved goals stated the previous year with respect to merger and consolidation of  
16 offices and administrative and programmatic division of the department, elimination  
17 of job positions, and efficiency and economy in delivery of services. The report shall  
18 contain any recommendations with respect to reorganization which may require  
19 legislative action. A copy of the report and recommended legislation shall also be  
20 submitted by the attorney general to the presiding officer of ~~both houses~~ each house  
21 of the legislature. The presiding officer shall refer the report to the appropriate  
22 committee having jurisdiction of the subject matter as provided in the rules of the  
23 respective house.

24 \* \* \*

25 §722. Powers and duties of Public Service Commission

26 In addition to the functions, powers, and duties otherwise vested in the Public  
27 Service Commission, it shall:

28 \* \* \*

29 (6) Provide for the ongoing reorganization and consolidation of the  
30 department and submit a report thereon to the legislature, which report shall

1 accompany the budget ~~statement~~ request which it submits under provisions of R.S.  
2 ~~39:45~~ 39:33. Such report shall include a statement of the goals of the department and  
3 of the programs thereof and shall summarize the accomplishments of the department  
4 in meeting such goals and implementing such programs. The report shall also  
5 contain a specific statement of the reorganization and consolidation plan for the  
6 department for the next year and shall include a report on the implementation of such  
7 reorganization and consolidation plan for the previous year. The report concerning  
8 reorganization shall specifically detail the extent to which the department has  
9 achieved goals stated the previous year with respect to merger and consolidation of  
10 functions, abolition of agencies, consolidation of administrative and programmatic  
11 divisions of the department, elimination of job positions, and efficiency and  
12 economy in delivery of services. The report shall contain any recommendations with  
13 respect to reorganization which may require legislative action. A copy of the report  
14 and recommended legislation shall also be submitted by the commission to the  
15 presiding officer of ~~both houses~~ each house of the legislature. The presiding officer  
16 shall refer the report to the appropriate committee having jurisdiction of the subject  
17 matter as provided in the rules of the respective house.

\* \* \*

§742. Powers and duties of secretary of state

In addition to the functions, powers, and duties otherwise vested in the secretary of state by law, he shall:

\* \* \*

(6) Provide for the ongoing reorganization and consolidation of the department and submit a report thereon to the legislature, which report shall accompany the budget ~~statement~~ request which he submits under provisions of R.S. ~~39:45~~ 39:33. Such report shall include a statement of the goals of the department and of the programs thereof and shall summarize the accomplishments of the department in meeting such goals and implementing such programs. The report shall also contain a specific statement of the reorganization and consolidation plan for the department for the next year and shall include a report on the implementation of such

1 reorganization and consolidation plan for the previous year. The report concerning  
 2 reorganization shall specifically detail the extent to which the department has  
 3 achieved goals stated the previous year with respect to merger and consolidation of  
 4 functions, consolidation of administrative and programmatic divisions of the  
 5 department, elimination of job positions, and efficiency and economy in delivery of  
 6 services. The report shall contain any recommendations with respect to  
 7 reorganization which may require legislative action under the provisions of this Title.  
 8 A copy of the report and recommended legislation shall also be submitted by the  
 9 secretary of state to the presiding officer of ~~both houses~~ each house of the legislature.  
 10 The presiding officer shall refer the report to the appropriate committee having  
 11 jurisdiction of the subject matter as provided in the rules of the respective house.

12 \* \* \*

13 §764. Powers and duties of state treasurer

14 A. In addition to the functions, powers, and duties otherwise vested in the  
 15 state treasurer by law, he shall:

16 \* \* \*

17 (7) Provide for the ongoing merger and consolidation of the agencies and  
 18 functions transferred to his department and submit a report thereon to the legislature,  
 19 which report shall accompany the budget ~~statement~~ request which he submits under  
 20 provisions of R.S. ~~39:45~~ 39:33. Such report shall include a statement of the goals of  
 21 the department and of the programs thereof and shall summarize the  
 22 accomplishments of the department in meeting such goals and implementing such  
 23 programs. The report shall also contain a specific statement of the reorganization  
 24 and consolidation plan for the department for the next year and shall include a report  
 25 on the implementation of such reorganization and consolidation plan for the previous  
 26 year. The report concerning reorganization shall specifically detail the extent to  
 27 which the department has achieved goals stated the previous year with respect to  
 28 merger and consolidation of functions, abolition of agencies, consolidation of offices  
 29 and administrative and programmatic divisions of the department, elimination of job  
 30 positions, and efficiency and economy in delivery of services. The report shall

1 contain any recommendations with respect to reorganization which may require  
 2 legislative action. A copy of the report and recommended legislation shall also be  
 3 submitted by the state treasurer to the presiding officer of ~~both houses~~ each house of  
 4 the legislature. The presiding officer shall refer the report to the appropriate  
 5 committee having jurisdiction of the subject matter as provided in the rules of the  
 6 respective house.

7 \* \* \*

8 Section 15. R.S. 37:791(A)(3) and 3259(A)(9) and (B) are hereby amended and  
 9 reenacted to read as follows:

10 §791. Protected action and communication

11 A. There shall be no liability on the part of and no action for damages  
 12 against:

13 \* \* \*

14 (3) Any nonprofit corporation, foundation, or organization that enters into  
 15 any agreement with the board related to the operation of any committee or program  
 16 to identify, investigate, counsel, monitor, or assist any licensed ~~physician~~ dentist who  
 17 suffers or may suffer from alcohol or substance abuse or a physical or mental  
 18 condition which could compromise such dentist's fitness and ability to practice  
 19 dentistry with reasonable skill and safety to patients, for any investigation, action,  
 20 report, recommendation, decision, or opinion undertaken, performed, or made in  
 21 connection with or on behalf of such committee or program, without malice and in  
 22 the reasonable belief that such investigation, action, report, recommendation,  
 23 decision, or opinion was warranted.

24 \* \* \*

25 §3259. Reporting

26 A. Every licensed midwife shall report to the board annually in a manner and  
 27 form prescribed by the board. The report shall be submitted by January thirty-first  
 28 of each year and shall include all of the following:

29 \* \* \*

1 (9) A brief description of any complications resulting in the ~~mortality~~ death  
2 of a mother or an infant.

3 \* \* \*

4 B. A licensed midwife shall report within forty-eight hours to the board any  
5 maternal, fetal, or neonatal mortality or morbidity in patients for whom care has been  
6 given. The report shall include the sex, weight, date and place of delivery, method  
7 of delivery, congenital anomalies of the fetus, and if maternal, fetal, or neonatal  
8 death occurred, cause of death.

9 \* \* \*

10 Section 16. R.S. 39:102(C) and 103(A)(2) and R.S. 39:1533(A) as most recently  
11 amended by Section 3 of Act No. 449 and Section 3 of Act No. 631 of the 2006 Regular  
12 Session of the Legislature are hereby amended and reenacted to read as follows:

13 §102. Capital outlay budget request contents

14 \* \* \*

15 C. A detailed project description and justification shall be prepared in  
16 accordance with instructions and procedures published by the division of  
17 administration. Such instructions and procedures shall be published in the State  
18 Louisiana Register at least thirty days prior to the effective date thereof.

19 §103. Standards for capital projects and evaluations

20 A.

21 \* \* \*

22 (2) The standards established by the commissioner of administration shall  
23 be published in the ~~state register~~ Louisiana Register at least thirty days prior to the  
24 effective date thereof.

25 \* \* \*

26 §1533. Self-Insurance Fund

27 A. There is hereby created in the Department of the Treasury a special fund  
28 to be known as the "Self-Insurance Fund". The fund shall consist of all premiums  
29 paid by state agencies under the state's risk management program as established by  
30 this Chapter, the investment income earned from such premiums and commissions

1 retained as provided by ~~Title 39~~ in accordance with the provisions of this Title. This  
 2 fund shall be used only for the payment of losses incurred by state agencies under  
 3 the self-insurance program, premiums for insurance obtained through commercial  
 4 carriers, administrative expenses associated with the management of the state's risk,  
 5 law enforcement officers and firemen's survivors benefits as provided for in R.S.  
 6 33:1981(C) and 2201(C), the payment of losses incurred by the Jefferson Parish  
 7 Human Services Authority in accordance with R.S. 28:831(J), the payment of losses  
 8 incurred by the Capital Area Human Services District in accordance with ~~R.S.~~  
 9 ~~46:2666~~ R.S. 28:906, the payment of losses incurred by the Florida Parishes Human  
 10 Services Authority in accordance with R.S. 28:856, the payment of losses incurred  
 11 by the Metropolitan Human Services District in accordance with R.S. 28:866, the  
 12 payment of losses incurred by the Northeast Delta Human Services Authority in  
 13 accordance with R.S. ~~28:876~~ 28:896, the payment of losses incurred by the South  
 14 Central Louisiana Human Services Authority in accordance with R.S. 28:876, and  
 15 the funding of the legal services, such funds to be administered by the commissioner  
 16 of administration.

17 \* \* \*

18 Section 17. R.S. 40:4(A)(3)(b), 32(12), 33(A), 61(A)(4), 1155, 1232(C), 1232.4(2)  
 19 and (7), 1232.9(2) and (7), 1300.198(B)(4), and 2022(D) are hereby amended and reenacted  
 20 to read as follows:

21 §4. Sanitary Code

22 A. The state health officer acting through the office of public health of the  
 23 Department of Health and Hospitals shall prepare, promulgate, and enforce rules and  
 24 regulations embodied within the state's Sanitary Code covering all matters within his  
 25 jurisdiction as defined and set forth in R.S. 40:5. The promulgation of this Sanitary  
 26 Code shall be accomplished in strict accordance with the provisions of the  
 27 Administrative Procedure Act, and further, in conformity with the following  
 28 guidelines and directives:

29 \* \* \*

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(3)

\* \* \*

(b) In order to protect the public from disease associated with the handling of dead human remains, the state health officer, acting through the office of ~~preventive and public health services~~, shall prepare and promulgate all rules necessary to ~~insure~~ ensure that all hospitals will identify corpses that are infected with a contagious disease, when there is actual knowledge of such infection, and report such to embalmers and funeral directors who handle the corpses for interment or cremation. The state health officer shall prepare a list of contagious diseases and such list shall be added to or deleted from as circumstances warrant.

\* \* \*

§32. Definition of terms

As used in this Chapter, the following terms shall have the meanings ascribed to them in this Section unless otherwise provided for or unless the context otherwise indicates:

\* \* \*

(12) "Public health statistics unit" means that section which codes, tabulates, analyzes, reports, and coordinates vital records and other health status indicator data for the office of ~~preventive and public health services~~.

\* \* \*

§33. Vital records registry; establishment; general authority and duties of state registrar

A. There is hereby established a central vital records registry within the office of ~~preventive and public health services~~ and a registrar of vital records for the state with an office properly equipped and operated for the safety and preservation of all vital records covering the births, deaths, marriages, divorce judgments, adoptions, and change of names, made and received under this Chapter or under the regulations adopted by the Department of Health and Hospitals.

\* \* \*



1 §61. Penalties

2 A. A fine of not more than ten thousand dollars or imprisonment of not more  
3 than five years, or both, shall be imposed on:

4 \* \* \*

5 (4) In addition to dismissal proceedings pursuant to state civil service  
6 regulations, any employee of the vital records registry or office of ~~preventive and~~  
7 public health ~~services~~ who willfully and knowingly furnishes or processes a  
8 certificate of birth or death, or certified copy of a certificate of birth or death, or  
9 discloses information contained in a certificate of birth or death, with the knowledge  
10 or intention that it be used for the purposes of deception, ~~or,~~

11 \* \* \*

12 §1155. Approval of individual sewage treatment and disposal systems

13 No parish, municipality, or planning commission shall enact a sewerage  
14 permit ordinance or similar regulation authorizing the installation of individual  
15 sewage treatment and disposal systems without written approval by the office of  
16 ~~preventive and~~ public health ~~services~~ of the Department of Health and Hospitals.

17 \* \* \*

18 §1232. Emergency medical personnel training; ~~certification~~ licensure

19 \* \* \*

20 C. The bureau shall affirmatively provide that there is no discrimination  
21 toward any individual in the ~~certification~~ licensure process on the basis of race,  
22 religion, creed, national origin, sex, or age.

23 \* \* \*

24 §1232.4. Powers and duties of the bureau

25 The bureau shall:

26 \* \* \*

27 (2) Prescribe application forms for ~~certification and certification~~ licensure  
28 and license renewal.

29 \* \* \*

1 (7) Adopt continuing education requirements and standards for individuals  
2 seeking to renew a ~~certificate~~ license.

3 \* \* \*

4 §1232.9. Violations

5 No person or individual shall engage in any of the following activities:

6 \* \* \*

7 (2) Practice as an emergency medical services practitioner under any  
8 ~~diploma or certificate~~ diploma, certificate, or license illegally obtained or signed or  
9 issued unlawfully.

10 \* \* \*

11 (7) Conduct or serve as an educator in conducting any course claiming to  
12 prepare students for ~~license~~ licensure as emergency medical services practitioner  
13 under the provisions of this Subpart, unless both the course and the educator have  
14 been approved by the bureau.

15 \* \* \*

16 §1300.198. Funding

17 \* \* \*

18 B. In the event that the secretary determines that the funds appropriated may  
19 not meet projected expenditure for the fiscal year, the secretary may:

20 \* \* \*

21 (4) Establish a period of open enrollment ~~which that~~ shall be not less than  
22 thirty days and ~~which that~~ shall include an enrollment period for those who become  
23 age eligible during the year. Any such changes shall be effective thirty days after  
24 notice of such adjustment is published in the ~~state register~~ Louisiana Register.

25 \* \* \*

26 §2022. Health care information; pertussis

27 \* \* \*

28 D. Nothing in this Section shall require any hospital or the office of public  
29 health within the Department of Health and ~~Hospital~~ Hospitals to provide or pay for  
30 any vaccination against pertussis.

1 Section 18. R.S. 42:447 is hereby amended and reenacted to read as follows:

2 §447. Leave remaining after termination of personal emergency

3 Transferred annual, sick, or compensatory leave remaining to the credit of a  
4 leave recipient when the personal emergency terminates ~~must~~ shall be restored to the  
5 pool account.

6 Section 19. R.S. 44:4(4)(a), (14), (31), and (37) and 4.1(B)(20) are hereby amended  
7 and reenacted to read as follows:

8 §4. Applicability

9 This Chapter shall not apply:

10 \* \* \*

11 (4)(a) To any records, writings, accounts, letters, letter books, photographs,  
12 reports of examination, work papers of examiners, including loan write-ups, line  
13 sheets, handwritten notes, loan classification documentation, and any other  
14 documentation relating to the financial statements of a financial institution's  
15 borrowers, or other entity supervised by the ~~office of financial institutions~~, Office of  
16 Financial Institutions, except as otherwise provided in R.S. 6:103, R.S. 9:3518.1,  
17 R.S. 37:1806, R.S. 51:1934, or R.S. 51:2389. This exception shall apply to any  
18 financial institution governed by Title 6, supervised entities licensed under Title 9  
19 of the Louisiana Revised Statutes of 1950, and those entities licensed and supervised  
20 by the ~~office of financial institutions~~ Office of Financial Institutions pursuant to Title  
21 37 or 51 of the Louisiana Revised Statutes of 1950, including those which are  
22 exercising the privileges granted by their charters or licenses, as well as those which  
23 have been determined to be insolvent or operating in an unsafe and unsound  
24 condition and have lost their deposit insurance coverage, or, for other legal reasons  
25 have been closed and placed in conservatorship or receivership by the commissioner  
26 of financial institutions, or whose licenses issued under the provisions of Title 9, 37,  
27 or 51 of the Louisiana Revised Statutes of 1950 have been terminated for any lawful  
28 reason.

29 \* \* \*



1 Section 20. R.S. 46:2(A) and (B), 448(A)(1) and (B) through (E), 2111(C), 2402(6),  
2 and 2405(B) are hereby amended and reenacted to read as follows:

3 §2. Administration of oaths

4 A. Employees of the office of ~~family security~~ children and family services  
5 of the Department of Children and Family Services, and employees of the parish or  
6 district offices of the ~~said~~ department including the New Orleans Department of ~~City~~  
7 ~~Welfare, Health,~~ may administer oaths and pass authentic acts in connection with any  
8 documents relative to relief or assistance now or to be furnished by the state or any  
9 political subdivision under the provisions of this Title or the provisions of the Social  
10 Security Act, as either may be amended.

11 B. Employees of the office of ~~human development~~ children and family  
12 services of the Department of Children and Family Services, and employees of the  
13 parish or district offices of the ~~said~~ department may administer oaths and pass  
14 authentic acts, except acts of voluntary surrender under R.S. 9:402, in connection  
15 with any documents relative to services now or to be furnished by the state or any  
16 political subdivision, either directly or through contractual agreement, under the  
17 provisions of this Title or the provisions of the Social Security Act.

18 \* \* \*

19 §448. Emergency assistance information and referral

20 A. Definitions

21 1. As used in this Section, "~~office of human development~~" "office of children  
22 and family services" shall mean the office of ~~human development~~ children and  
23 family services, Department of Children and Family Services, state of Louisiana.

24 \* \* \*

25 B. The office of ~~human development~~ children and family services shall  
26 gather through its local offices information on all governmental and private agencies  
27 in each parish as to the type of assistance each agency can and will provide and as  
28 to what eligibility requirements, if any, these agencies apply to their assistance.

29 C. The office of ~~human development~~ children and family services shall  
30 designate an office in each parish which will aid people seeking emergency

1 assistance, either in person or by telephone, to identify what assistance, if any, the  
2 person can obtain. The office of ~~human development~~ children and family services  
3 shall publicize in each parish the availability of this information.

4 D. Each office will report at the end of each calendar year to the assistant  
5 secretary of the office of ~~human development~~ children and family services, the total  
6 number and type of emergency assistance requests it has received and the number  
7 and type of emergency assistance requests for which no agency provides assistance  
8 in that area. The reports shall be available to the public on request.

9 E. The services provided by this Section shall be funded from such monies  
10 as are already provided for the office of ~~human development of the Department of~~  
11 ~~Children and Family Services~~ children and family services, and to this end, shall be  
12 deemed not to require additional personnel or appropriations.

13 \* \* \*

14 §2111. Findings; purpose

15 \* \* \*

16 C. The purpose of this Chapter is to establish a bureau for handicapped  
17 persons within the office of ~~human services~~ children and family services in the  
18 Department of Children and Family Services to carry out the duties and  
19 responsibilities described by this Chapter, which duties and responsibilities will  
20 broaden the scope of those formerly carried out by the Governor's Committee on  
21 Employment of the Physically Handicapped.

22 \* \* \*

23 §2402. Definitions

24 Except where the context clearly indicates otherwise, in this Chapter:

25 \* \* \*

26 (6) "Office" means the office of ~~human development~~ children and family  
27 services.

28 \* \* \*

29 §2405. Louisiana Children's Trust Fund Board; staff; duties

30 \* \* \*



1 be in accordance with the provisions of Chapter 13-A of Title 49 of the Louisiana  
2 Revised Statutes of 1950, R.S. 49:981 et seq.

3 B. The ~~office of the state register~~ Office of the State Register shall prescribe  
4 a uniform system of indexing, numbering, arrangement of text and citation of  
5 authority and history notes for the Uniform Local Sales Tax Administrative Code.

6 \* \* \*

7 §337.99. Review of board rules

8 \* \* \*

9 H.(1) If both the House and Senate oversight subcommittees fail to find a  
10 proposed rule change unacceptable as provided herein, the proposed rule change may  
11 be adopted by the board in the identical form proposed by the board or with technical  
12 changes or with changes suggested by the subcommittee, provided at least ninety  
13 days and no more than twelve months have elapsed since notice of intent was  
14 published in the ~~state register~~ Louisiana Register.

15 \* \* \*

16 I. The ~~State~~ Louisiana Register shall publish a copy of the written report of  
17 an oversight subcommittee or if unduly cumbersome, expensive, or otherwise  
18 inexpedient, a notice stating the general subject matter of the omitted report and  
19 stating how a copy thereof may be obtained.

20 \* \* \*

21 §4331. Corporate Tax Apportionment Program; definitions; eligibility requirements;  
22 contract approval

23 \* \* \*

24 F. Rules. The department may promulgate rules and regulations after  
25 approval of the House Committee on Ways and Means and the Senate Committee  
26 on Revenue and Fiscal Affairs meeting jointly within forty-five days of publication  
27 of such rules and regulations in the ~~State~~ Louisiana Register.

28 \* \* \*



1 §4352. Program administration

2 There is hereby established a program to implement the exemption provided  
3 by Article VII, Section 21(L) of the Constitution of Louisiana. The program shall  
4 be implemented and administered by the Department of Economic Development,  
5 which shall adopt and promulgate such rules as are necessary for the administration  
6 of the program in compliance with the Administrative Procedure Act except that the  
7 department may promulgate such rules only after approval of the House Committee  
8 on Ways and Means and the Senate Committee on Revenue and Fiscal Affairs  
9 meeting jointly within sixty days of publication of such proposed rules in the State  
10 Louisiana Register.

11 \* \* \*

12 §6103. Implementation

13 A.

14 \* \* \*

15 (2) The Department of Children and Family Services is authorized to use the  
16 emergency rulemaking process for the first set of rules developing and implementing  
17 this Chapter. Prior to adoption of the emergency rule, the department shall provide  
18 written notification that it intends to publish such rule in the State Louisiana Register  
19 and the rule shall be subject to approval by the Senate Committee on Revenue and  
20 Fiscal Affairs and the House Committee on Ways and Means. However, if such  
21 committees do not take action on the rule within sixty days of publication in the State  
22 Louisiana Register, the rule shall become effective.

23 \* \* \*

24 Section 22. R.S. 48:1671(C)(1) is hereby amended and reenacted to read as follows:

25 §1671. Southern Rapid Rail Transit Compact

26 \* \* \*

27 C.(1) The states that are parties to this compact (hereinafter referred to as  
28 party states) do hereby establish and create a joint agency, which shall be known as  
29 the Southern ~~High-Speed~~ Rail Commission (hereinafter referred to as the  
30 commission). The membership of the commission shall consist of the governor of

1 each party state, one representative each from the Mississippi Energy and  
 2 Transportation Board or its successor, the Louisiana Department of Transportation  
 3 and Development or its successor, the Texas Transportation Commission or its  
 4 successor, and the conservation division of the Alabama Department of Energy or  
 5 its successor; and five other citizens of each party state, to be appointed by the  
 6 governor thereof. The appointive members of the commission shall serve for terms  
 7 of four years each. Vacancies on the commission shall be filled by appointment by  
 8 the governor for the unexpired portion of the term.

\* \* \*

10 Section 23. R.S. 49:214.5.3(B)(3), 952(1), 953(B)(1)(a) and (2) and (F)(3)(b) and  
 11 (h), 954(A) and (B)(2), 954.1, 966(C), 968(D)(1)(c), (H)(1), (I), and (J), 981, 982,  
 12 983(A)(introductory paragraph) and (B), 984, 985, 986, 987, and 1101(A) are hereby  
 13 amended and reenacted to read as follows:

§214.5.3. Coastal protection annual plans; development; priorities

\* \* \*

16 B. The board shall develop the master and annual plans in accordance with  
 17 the following procedure:

\* \* \*

19 (3) Ten days prior to the first such public hearing the board shall publish in  
 20 the ~~state register~~ Louisiana Register and the official state journal the schedule of  
 21 public hearings setting out the location, place, and time of all the hearings.

\* \* \*

§952. Public information; adoption of rules; availability of rules and orders

Each agency which engages in rulemaking shall:

25 (1) File with the ~~Department~~ Office of the State Register a description of its  
 26 organization, stating the general course and method of its operations and the methods  
 27 whereby the public may obtain information or make submissions or requests.

\* \* \*

§953. Procedure for adoption of rules

\* \* \*





1 §954. Filing; taking effect of rules

2 A. No rule adopted on or after January 1, 1975, is valid unless adopted in  
3 substantial compliance with this Chapter. Each rule making agency shall file a  
4 certified copy of its rules with the ~~Department~~ Office of the State Register. No rule,  
5 whether adopted before, on, or after January 1, 1975, shall be effective, nor may it  
6 be enforced, unless it has been properly filed with the ~~Department~~ Office of the State  
7 Register. No rule, adopted on or after November 1, 1978, shall be effective, nor may  
8 it be enforced, unless prior to its adoption a report relative to the proposed rule  
9 change is submitted to the appropriate standing committee of the legislature or to the  
10 presiding officers of the respective houses as provided in R.S. 49:968. No rule,  
11 adopted on or after September 12, 1980, shall be effective, nor may it be enforced,  
12 unless the approved economic and fiscal impact statements, as provided in R.S.  
13 ~~49:953A~~ 49:953(A), have been filed with the ~~Department~~ Office of the State Register  
14 and published in the Louisiana Register. The inadvertent failure to mail notice and  
15 statements to persons making request for such mail notice, as provided in R.S.  
16 49:953, shall not invalidate any rule adopted hereunder. A proceeding under R.S.  
17 49:963 to contest any rule on the grounds of noncompliance with the procedures for  
18 adoption, as given in this Chapter, must be commenced within two years from the  
19 date upon which the rule became effective.

20 B. Each rule hereafter adopted shall be effective upon its publication in the  
21 Louisiana Register, said publication to be subsequent to the act of adoption, except  
22 that:

23 \* \* \*

24 (2) Subject to applicable constitutional or statutory provisions, an emergency  
25 rule shall become effective on the date of its adoption, or on a date specified by the  
26 agency to be not more than sixty days future from the date of its adoption, provided  
27 written notice is given within five days of the date of adoption to the governor of  
28 Louisiana, the attorney general of Louisiana, the speaker of the House of  
29 Representatives, and the president of the Senate, and the ~~Department~~ Office of the  
30 State Register as provided in R.S. 49:953(B). Such emergency rule shall not remain

1 in effect beyond the publication date of the Louisiana Register published in the  
 2 month following the month in which the emergency rule is adopted, unless such rule  
 3 and the reasons for adoption thereof are published in said issue; provided, however,  
 4 that any emergency rule so published shall not be effective for a period longer than  
 5 one hundred twenty days, except as provided by R.S. 49:967(D), but the adoption of  
 6 an identical rule under ~~Paragraphs (1), (2), and (3) of Subsection A of R.S. 49:953~~  
 7 R.S. 49:953(A)(1), (2), and (3) is not precluded. The agency shall take appropriate  
 8 measures to make emergency rules known to the persons who may be affected by  
 9 them.

10 §954.1. Louisiana Administrative Code and Louisiana Register; publication;  
 11 distribution; copies; index; interagency rules

12 A. The ~~Department~~ Office of the State Register shall compile, index, and  
 13 publish a publication to be known as the Louisiana Administrative Code, containing  
 14 all effective rules adopted by each agency subject to the provisions of this Chapter,  
 15 and all boards, commissions, agencies, and departments of the executive branch,  
 16 notwithstanding any other provision of law to the contrary. The Louisiana  
 17 Administrative Code shall also contain all executive orders issued by the governor  
 18 on or after May 9, 1972, which are in effect at the time the Louisiana Administrative  
 19 Code is published. The Louisiana Administrative Code shall be supplemented or  
 20 revised as often as necessary and at least once every two years.

21 B. The ~~Department~~ Office of the State Register shall publish at least once  
 22 each month a bulletin to be known as the Louisiana Register which shall set forth the  
 23 text of all rules filed during the preceding month and such notices as shall have been  
 24 submitted pursuant to this Chapter. It shall also set forth all executive orders of the  
 25 governor issued during the preceding month and a summary or digest of and fiscal  
 26 note prepared for each such order as required by the provisions of R.S. 49:215. In  
 27 addition, the ~~Department~~ Office of the State Register may include in the Louisiana  
 28 Register digests or summaries of new or proposed rules; however, if any conflict  
 29 should arise between the written digest of a rule and the rule, the rule shall take  
 30 precedence over the written digest.

1           C. The ~~Department~~ Office of the State Register shall publish such rules,  
 2           notices, statements, and other such matters as submitted by the rulemaking agency  
 3           without regard to their validity. However, the Office of the State Register may omit  
 4           from the Louisiana Register or Louisiana Administrative Code any rule the  
 5           publication of which would be unduly cumbersome, expensive, or otherwise  
 6           inexpedient, if the rule in printed or processed form is made available on application  
 7           to the adopting agency, and if the Louisiana Register or Louisiana Administrative  
 8           Code, as the case may be, contains a notice stating the general subject matter of the  
 9           omitted rule and stating how a copy thereof may be obtained.

10           D. One copy, or multiple copies if practical, of the Louisiana Register and  
 11           Louisiana Administrative Code shall be made available upon request to state  
 12           depository libraries free of charge, and to other agencies or persons at prices fixed  
 13           by the ~~department of the state register~~ Office of the State Register to recover all or  
 14           a portion of the mailing and publication costs. Notwithstanding the provisions of  
 15           R.S. 49:951(2) of this Chapter to the contrary, the ~~department of the state register~~  
 16           Office of the State Register shall provide free copies of the Louisiana Register and  
 17           the Louisiana Administrative Code to the David R. Poynter Legislative Research  
 18           Library, the Senate Law Library, and the Huey P. Long Memorial Law Library.

19           E. The ~~Department~~ Office of the State Register shall prescribe a uniform  
 20           system of indexing, numbering, arrangement of text and citation of authority and  
 21           history notes for the Louisiana Administrative Code.

22           F. The ~~Department~~ Office of the State Register may publish advertisements  
 23           for bids and other legal notices in the Louisiana Register in addition to other  
 24           publications thereof required by law.

25           G. The ~~Department~~ Office of the State Register is hereby authorized and  
 26           empowered to promulgate and enforce interagency rules for the implementation and  
 27           administration of this Section.

CODING: Words in ~~struck through~~ type are deletions from existing law; words underscored are additions.

1 H. The governor shall be the publisher of the Louisiana Administrative Code  
2 and Louisiana Register provided for through the ~~Department~~ Office of the State  
3 Register.

4 \* \* \*

5 §966. Construction and effect; judicial cognizance

6 \* \* \*

7 C. The courts of this state shall take judicial cognizance of rules promulgated  
8 in the ~~State~~ Louisiana Register under the provisions of this Chapter.

9 \* \* \*

10 §968. Review of agency rules; fees

11 \* \* \*

12 D.(1)

13 \* \* \*

14 (c) The agency shall publish on its website public notice that the report  
15 required by Subparagraph (b) of this Paragraph has been delivered to the appropriate  
16 standing committee as provided for in Subsection B of this Section within one  
17 business day from submission of the report to the appropriate standing committee.  
18 If the agency does not maintain a website, the agency may submit the public notice  
19 to the ~~office of the state register~~ Office of the State Register for publication on a  
20 website maintained by the ~~office of the state register~~ Office of the State Register.

21 \* \* \*

22 H.(1) If both the House and Senate oversight subcommittees fail to find a  
23 proposed rule change unacceptable as provided herein, or if the governor disapproves  
24 the action of an oversight subcommittee within the time provided in R.S. 49:968(G),  
25 the proposed rule change may be adopted by the agency in the identical form  
26 proposed by the agency or with technical changes or with changes suggested by the  
27 subcommittee, provided at least ninety days and no more than twelve months have  
28 elapsed since notice of intent was published in the ~~State~~ Louisiana Register.

29 \* \* \*



1 I. If the governor disapproves the action of an oversight subcommittee, he  
2 shall state written reasons for his action and shall deliver a copy of his reasons to the  
3 House and Senate oversight subcommittees, the agency proposing the rule change,  
4 and the ~~State~~ Louisiana Register.

5 J. The ~~State~~ Louisiana Register shall publish a copy of the written report of  
6 an oversight subcommittee and the written report of the governor in disapproving  
7 any such action, or if unduly cumbersome, expensive, or otherwise inexpedient, a  
8 notice stating the general subject matter of the omitted report and stating how a copy  
9 thereof may be obtained.

10 \* \* \*

11 §981. Continuous revision under supervision of division of administration, ~~office of~~  
12 ~~the state register~~ Office of the State Register

13 The ~~office of the state register~~ Office of the State Register, as the official  
14 entity to receive, compute, index, and publish the Louisiana Register and Louisiana  
15 Administrative Code, shall direct and supervise the continuous revision, clarification,  
16 and coordination of the Louisiana Register and Louisiana Administrative Code in a  
17 manner not inconsistent with the provisions of this Chapter.

18 §982. New regulation; incorporation in Louisiana Register and Louisiana  
19 Administrative Code; resolution of conflicting rules

20 A. Upon receipt of any rules promulgated under the Administrative  
21 Procedure Act, the ~~office of the state register~~ Office of the State Register shall  
22 prepare the "Louisiana Register", containing the rules to be promulgated in the  
23 Louisiana Administrative Code as they may have been amended or repromulgated  
24 and omitting therefrom those sections that have been repealed. There shall also be  
25 incorporated therein, in an appropriate place and classification, the text of all the new  
26 rules of a general and public nature, assigning to these rules an appropriate title, part,  
27 chapter, and section number, and indicating the statutory authority of the rules from  
28 which they are taken.

29 B. When a conflict between two or more rules affecting the same subject  
30 matter in the same provision or regulation cannot be resolved for the purpose of

1 incorporating the text into the Louisiana Administrative Code, the ~~office of the state~~  
 2 ~~register~~ Office of the State Register shall so notify the secretary of the department  
 3 or administrative officer charged with the promulgation of the rule prior to preparing  
 4 the Louisiana Administrative Code. The secretary or administrative officer shall be  
 5 notified of the proposed correction. If no written disapproval of the secretary or  
 6 administrative officer, or his designee, of the proposed correction is received by the  
 7 ~~office of the state register~~ Office of the State Register within seven days after the  
 8 secretary or administrative officer receives the notice, the ~~office of the state register~~  
 9 Office of the State Register shall then direct the printer to incorporate into the  
 10 Louisiana Administrative Code the text of the provision of the rule properly  
 11 promulgated.

12 §983. Incorporation of current rules and regulations procedure

13 A. In preparing the Louisiana Register or the Louisiana Administrative Code  
 14 as provided for in R.S. 49:981, the ~~office of the state register~~ Office of the State  
 15 Register shall not alter the sense, meaning, or effect of any rule properly  
 16 promulgated under the Administrative Procedure Act, but it may:

17 \* \* \*

18 B. The ~~office of the state register~~ Office of the State Register shall notify the  
 19 secretary or administrative officer charged with promulgation of the rule prior to  
 20 making any proposed revision authorized by this Section. If no written disapproval  
 21 of the secretary or administrative officer, or his designee, of the proposed revision  
 22 is received by the ~~office of the state register~~ Office of the State Register within seven  
 23 days after the secretary or administrative officer receives the notice, the ~~office of the~~  
 24 ~~state register~~ Office of the State Register shall proceed with the revision.

25 §984. Alphabetical or numerical sequence of laws

26 A. Whenever a rule defines terms, enumerates provisions or items, or  
 27 otherwise sets forth provisions of a rule in a numerical or alphabetical listing or  
 28 sequence, and such provision, as promulgated, fails to establish or fails to maintain  
 29 an existing alphabetical or numerical sequence, the ~~office of the state register~~ Office  
 30 of the State Register, in preparing the Louisiana Register and the Louisiana

1 Administrative Code as provided for by R.S. 49:983, shall rearrange and renumber  
 2 or redesignate the provisions to the extent necessary to place all of them in consistent  
 3 order.

4 B. The ~~office of the state register~~ Office of the State Register shall notify the  
 5 secretary or administrative officer charged with promulgation of the rule prior to  
 6 making any proposed revision authorized by this Section. If no written disapproval  
 7 of the secretary or administrative officer, or his designee, is received by the ~~office~~  
 8 ~~of the state register~~ Office of the State Register within seven days after the secretary  
 9 or administrative officer receives the notice, the ~~office of the state register~~ Office of  
 10 the State Register shall proceed with the revision.

11 C. This requirement is in addition to any other authority granted to the ~~office~~  
 12 ~~of the state register~~ Office of the State Register in the preparation of the Louisiana  
 13 Register or the Louisiana Administrative Code, particularly by R.S. 49:983.

14 §985. Submitting copy to the proper party

15 A draft of the Louisiana Administrative Code prepared by the ~~office of the~~  
 16 ~~state register~~ Office of the State Register shall be submitted to the appropriate  
 17 secretary or administrative officer charged with the promulgation of any rule prior  
 18 to transmittal to the printer.

19 §986. Filing of copy with commissioner of administration; certificate of correctness;  
 20 printing

21 Any edition of the Louisiana Administrative Code, or of any supplement  
 22 thereto, prepared in the manner provided in R.S. 49:982 and 983, shall be certified  
 23 by the ~~office of the state register~~ Office of the State Register that each section therein  
 24 has been compared with the original sections in the official copy of the Louisiana  
 25 Register with the final provisions of the promulgated rules from which the sections  
 26 were derived, and that with the exception of the changes of form permitted in R.S.  
 27 49:983, the sections are correct. The ~~office of the state register~~ Office of the State  
 28 Register shall order the printing of an edition sufficient in number to supply the  
 29 demand. When the edition has been printed, the ~~office of the state register~~ Office of  
 30 the State Register shall affix to one copy of the printed edition the ~~office of the state~~

1 ~~register's~~ Office of the State Register's original certificate and file the same for  
2 record in his office. All other copies of the same edition may contain a printed  
3 facsimile of the office's certificate.

4 §987. Printing and publication of Louisiana Register; proof of certified edition

5 The ~~office of the state register~~ Office of the State Register may enter into  
6 contracts with private publishers for the printing, publication, sale, and distribution  
7 of any edition of the Louisiana Register and the Louisiana Administrative Code  
8 prepared by the ~~office of the state register~~ Office of the State Register and certified  
9 by it pursuant to the provisions of this Chapter. Those editions so authorized by the  
10 ~~office of the state register~~ Office of the State Register and containing the printed  
11 facsimile of the ~~office of the state register's~~ Office of the State Register's certificate  
12 of correctness shall be admissible as prima facie evidence of the rules contained  
13 therein.

14 \* \* \*

15 §1101. Naming state statutory entities, agencies, departments, offices, or budget  
16 units

17 A. Except as designated by the Constitution of Louisiana or as provided in  
18 R.S. ~~49:215(E)~~ 49:215(D) or Subsection B of this Section, no statutory entity, as  
19 defined in R.S. 49:190, or "agency", "department", or "office", as defined in R.S.  
20 36:3, or budget unit, as that term is used in Part II of Chapter 1 of Subtitle I of Title  
21 39 of the Louisiana Revised Statutes of 1950, shall be named or renamed except by  
22 a law enacted by the legislature. Organizational units of the executive branch of  
23 state government shall be designated by terminology as provided in R.S. 36:9.

24 \* \* \*

25 Section 24. R.S. 51:3115 and 3121(G) are hereby amended and reenacted to read as  
26 follows:

27 §3115. Rules

28 The department may promulgate rules and regulations after approval by the  
29 House Committee on Ways and Means and the Senate Committee on Revenue and

1 Fiscal Affairs meeting jointly within sixty days of publication of such rules and  
2 regulations in the ~~State~~ Louisiana Register.

3 §3121. Competitive Projects Payroll Incentive Program

4 \* \* \*

5 G. Rules. The department may promulgate rules and regulations after  
6 approval of the House Committee on Ways and Means and the Senate Committee  
7 on Revenue and Fiscal Affairs meeting jointly within sixty days of publication of  
8 such proposed rules and regulations in the ~~State~~ Louisiana Register.

9 Section 25. Children's Code Articles 1302.1(7) and 1437(B) are hereby amended and  
10 reenacted to read as follows:

11 Art. 1302.1. Basis for jurisdiction over nonresident

12 In a proceeding to establish, enforce, or modify a support order or to  
13 determine parentage, a tribunal of this state may exercise personal jurisdiction over  
14 a nonresident individual, or his tutor, in any of the following situations:

15 \* \* \*

16 (7) The individual asserted parentage in the putative father registry  
17 maintained in this state by the Department of Health and Hospitals, office of  
18 ~~preventive and public health services~~.

19 \* \* \*

20 Art. 1437. Probable cause; order for examination

21 \* \* \*

22 B. If the court determines that probable cause exists, the court may appoint  
23 the minor respondent's treating physician if available or, if none, then another  
24 physician, preferably a psychiatrist, to examine the minor and make a written report  
25 to the court and respondent's attorney on the form provided by the office of ~~human~~  
26 ~~services~~ behavioral health of the Department of Health and Hospitals.

1 Section 26. Code of Criminal Procedure Articles 405, 406, 409, and 410 are hereby  
2 amended and reenacted to read as follows:

3 Art. 405. Notice of jury commission meetings

4 A. Each member of the jury commission shall be notified in writing of the  
5 time and place designated for a meeting of the commission, at least twenty-four  
6 hours prior to the meeting.

7 B. The notice shall be issued by one of the members or the secretary of the  
8 jury commission in Orleans Parish, and by the clerk of court in all other parishes, and  
9 shall be served in the manner provided for service of subpoenas.

10 Art. 406. Powers of jury commission; penalty for disobedience of commission  
11 process

12 In order to secure qualified jurors, the jury commission may issue subpoenas  
13 to compel the attendance of witnesses and the production of evidence relative to the  
14 qualifications of prospective jurors. Disobedience of a subpoena of a jury  
15 commission is punishable as contempt of court.

16 ~~Disobedience of a subpoena of a jury commission is punishable as contempt~~  
17 ~~of court.~~

18 \* \* \*

19 Art. 409. Selection of general venire in Orleans Parish

20 A. In the ~~Parish~~ parish of Orleans, the jury commission shall select  
21 impartially at least seven hundred fifty persons having the qualifications to serve as  
22 jurors, who shall constitute the general venire.

23 B. A list of the persons so selected shall be prepared and certified by the  
24 commission as the general venire list and shall be kept as part of the records of the  
25 commission.

26 C. The name and address of each person on the list shall be written on a  
27 separate slip of paper, with no designation as to race or color, which shall be placed  
28 in a box labeled "General Venire Box."

29 D. No drawing shall be made from a general venire containing fewer than  
30 seven hundred fifty names, except when the court orders the drawing of tales jurors.

1                   E. After the jury commission has selected the general venire, it shall lock and  
 2                   seal the general venire box and deliver it to the secretary of the commission, as the  
 3                   custodian thereof.

4                   Art. 410. Revising and supplementing the general venire

5                   A. At each commission meeting to revise and supplement the general venire,  
 6                   the commission shall examine the general venire list prepared at the previous  
 7                   selection of the general venire and shall delete therefrom the names of those persons  
 8                   who:

9                   (1) Have served as civil or criminal jurors since the previous selection of the  
 10                  general venire; or

11                  (2) Are known to have died or who have become disqualified to serve as  
 12                  jurors since their selection on the general venire.

13                  B. The slips bearing the names of those persons deleted from the general  
 14                  venire list shall be removed from the general venire box.

15                  C. The commission shall then supplement the list prepared at the previous  
 16                  commission meeting and the corresponding slips in the box by selecting a sufficient  
 17                  number of additional persons in compliance with Article 408 or Article 409,  
 18                  whichever is applicable. Where the general venire list is maintained in a form  
 19                  suitable for use by ~~an electronic device commonly known as a computer~~, the general  
 20                  venire shall likewise as hereinabove provided be deleted and supplemented.

21                  Section 27. R.S. 11:231(A)(3) is hereby repealed in its entirety.

22                  Section 28. R.S. 11:449(A) and (B), 450(B), and 788(C)(introductory paragraph) all  
 23                  as amended by Act No. 714 of the 2008 Regular Session of the Legislature and R.S.  
 24                  11:788(C)(4) as enacted by Act No. 714 of the 2008 Regular Session of the Legislature are  
 25                  hereby repealed in their entirety.

26                  Section 29. R.S. 17:4015(7)(f) and R.S. 18:1505.2(T) are hereby repealed in their  
 27                  entirety.

28                  Section 30. This Act shall become effective upon signature by the governor or, if not  
 29                  signed by the governor, upon expiration of the time for bills to become law without signature  
 30                  by the governor, as provided by Article III, Section 18 of the Constitution of Louisiana. If

1 vetoed by the governor and subsequently approved by the legislature, this Act shall become  
2 effective on the day following such approval.

\_\_\_\_\_  
SPEAKER OF THE HOUSE OF REPRESENTATIVES

\_\_\_\_\_  
PRESIDENT OF THE SENATE

\_\_\_\_\_  
GOVERNOR OF THE STATE OF LOUISIANA

APPROVED: \_\_\_\_\_