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**HOUSE COMMITTEE AMENDMENTS**

2018 Regular Session

Amendments proposed by House Committee on Judiciary to Original House Bill No. 358  
by Representative Foil

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1 AMENDMENT NO. 1

2 On page 1, delete line 2 in its entirety and insert "To amend and reenact R.S. 9:2793.8, R.S.  
3 23:893, R.S. 29:733(C)(Article 6), and R.S. 33:4712.18(A)(3),"

4 AMENDMENT NO. 2

5 On page 1, line 7, after "definitions;" and before "to provide a limitation" insert "to provide  
6 for background checks;"

7 AMENDMENT NO. 3

8 On page 1, delete lines 12 and 13 in their entirety and insert the following:

9           "~~§2793.8. Gratuitous services~~ Services rendered by National Voluntary  
10           Organizations Active in Disaster and other volunteers; limitation of  
11           liability"

12 AMENDMENT NO. 4

13 On page 2, delete line 5 in its entirety and insert "B. Other volunteers who render any  
14 disaster relief or"

15 AMENDMENT NO. 5

16 On page 2, between lines 11 and 12, insert the following:

17           "Section 2. R.S. 23:893 is hereby amended and reenacted to read as follows:  
18           §893. Volunteer firefighters; leave without loss of pay, benefits, or  
19           employment

20           A. No certified volunteer firefighter employed by the state of  
21           Louisiana shall be denied leave, work-related benefits, or employment for  
22           absenting himself from ~~said his~~ his employment for the purpose of emergency  
23           response pursuant to such certification. An emergency shall be an  
24           unexpected occurrence that threatens life or property to which an established  
25           volunteer fire department or fire protection district responds while the  
26           certified volunteer firefighter is engaged in the normal course of state  
27           employment and to which the certified volunteer firefighter employed by the  
28           state of Louisiana may timely respond to utilize skills which enhance the  
29           preservation of life and property.

30           B. During a parish or state declared disaster, no volunteer firefighter  
31           shall be denied leave, work-related benefits, or employment for absenting  
32           himself from the volunteer fire department for the purpose of emergency  
33           response pursuant to such declaration not to exceed five days per declared  
34           disaster."

35 AMENDMENT NO. 6

36 On page 2, line 12, change "Section 2." to "Section 3."

1 AMENDMENT NO. 7

2 On page 3, delete line 11 in its entirety and insert the following:

3 "and shall include, at a minimum, a check on the state sex offender and child  
4 predator registry pursuant to R.S. 15:542.1.5 on the Dru Sjodin National Sex  
5 Offender public website. Depending upon the mission of the volunteer, the  
6 volunteer may be required to submit a federal and state background check.  
7 Whether or not a federal and state background check is required will be  
8 expressly identified in the memorandum of understanding between the  
9 volunteer agency and the deploying office of homeland security and  
10 determined on the basis of public safety. If a federal and state background  
11 check is required, the volunteer must be fingerprinted and fingerprints shall  
12 be forwarded by the bureau to the Federal Bureau of Investigation (FBI) for  
13 a national criminal history record check. The use of FBI records may be  
14 used to screen the background of an applicant. All records in the state  
15 repository shall be released to include arrests, convictions, and expunged  
16 information. The costs of background checks shall be borne either by the  
17 volunteer or its affiliated volunteer agency."

18 AMENDMENT NO. 8

19 On page 3, line 15, change "U.S.C. 501(c)(3)" to "U.S.C. 501(c)"

20 AMENDMENT NO. 9

21 On page 3, delete lines 23 through 28 in their entirety and insert the following:

22 "(2) Shall make every effort when deployed to coordinate with local  
23 officials."

24  
25 AMENDMENT NO. 10

26 On page 4, line 7, after "state," and before "and" insert "except a peace officer as defined in  
27 R.S. 40:2402,"

28 AMENDMENT NO. 11

29 On page 4, line 11, after "without" and before "pay" delete "loss of"

30 AMENDMENT NO. 12

31 On page 4, line 12, after "without" and before "pay" delete "loss of"

32 AMENDMENT NO. 13

33 On page 5, line 19, change "fifteen" to "five"

34 AMENDMENT NO. 14

35 On page 6, line 21, change "Section 3." to "Section 4."

36 AMENDMENT NO. 15

37 On page 7, line 6, change "Section 4." to "Section 5."