

SENATE COMMITTEE AMENDMENTS

2021 Regular Session

Amendments proposed by Senate Committee on Education to Original Senate Bill No. 232 by Senator Barrow

1 AMENDMENT NO. 1

2 On page 1, delete lines 2 and 3 and insert the following:

3 "To enact R.S. 17:3399.13(4) and 3399.18, relative to power-based violence on"

4 AMENDMENT NO. 2

5 On page 1, line 7, after "Section 1." delete the remainder of the line, delete line 8, and insert
6 "R.S. 17:3399.13(4) and 3399.18 are hereby enacted to read as"

7 AMENDMENT NO. 3

8 On page 1, delete lines 10 - 17, delete pages 2 and 3, on page 4, delete lines 1-15, and insert
9 the following:

10 "§3399.13. Definitions

11 For the purposes of this Part, the following terms shall have the following
12 meanings unless the context clearly indicates otherwise:

13 * * *

14 **(4) "Power-based violence" means any form of interpersonal violence**
15 **intended to control or intimidate another person through the assertion of power**
16 **over them and shall include, at a minimum, the following:**

17 **(a) Dating violence (R.S. 46:2151(C)).**

18 **(b) Domestic and family violence (R.S. 46:2121.1(2) and 2132(3)).**

19 **(c) Nonconsensual observation of another person's sexuality without the**
20 **other person's consent, including voyeurism (R.S. 14:283.1), video voyeurism**
21 **(R.S. 14:283), nonconsensual disclosure of a private image (R.S. 14:283.2), and**
22 **peeping tom activities (R.S. 14:284).**

23 **(d) Sexual assault (R.S. 14:41, 42 through 43.5, 89, 89.1, and 106).**

24 **(e) "Sexual exploitation" which means an act attempted or committed**
25 **by a person for sexual gratification, financial gain, or other advancement**
26 **through the abuse of another person's sexuality including prostituting another**
27 **person (R.S. 14:46.2 and 82 through 86).**

28 **(f) "Sexual harassment" which means unwelcome sexual advances,**
29 **requests for sexual favors, and other verbal, physical, or inappropriate conduct**
30 **of a sexual nature when the conduct explicitly or implicitly affects an**
31 **individual's employment or education, unreasonably interferes with an**
32 **individual's work or educational performance, or creates an intimidating,**
33 **hostile, or offensive work or educational environment and has no legitimate**
34 **relationship to the subject matter of a course or academic research.**

35 **(g) Stalking (R.S. 14:40.2) and cyberstalking (R.S. 14:40.3).**

36 **(h) Unlawful communications (R.S. 14:285).**

37 **(i) Unwelcome sexual or sex- or gender-based conduct that is objectively**
38 **offensive, has a discriminatory intent, and lacks a bona fide academic purpose.**

39 * * *

40 **§3399.18. Louisiana Power-Based Violence Review Panel**

41 **A. The Louisiana Power-Based Violence Review Panel is hereby created**
42 **under the jurisdiction of the Board of Regents.**

43 **B. The panel shall be composed of the following members:**

44 **(1) The president of the Louisiana Senate or his designee.**

45 **(2) The speaker of the Louisiana House of Representatives or his**
46 **designee.**

1 (3) The chair of the Louisiana Senate Select Committee on Women and
2 Children or his designee.

3 (4) The chair of the Louisiana House Select Committee on Women and
4 Children or his designee.

5 (5) The attorney general or his designee.

6 (6) The commissioner of higher education or his designee.

7 (7) The president of each public postsecondary education management
8 board or his designee.

9 (8) A student representative from each of the postsecondary management
10 boards appointed by the respective board's president.

11 (9) The superintendent of the Louisiana State Police or his designee.

12 (10) The president of the Louisiana Association of Chiefs of Police or his
13 designee.

14 (11) A member of the Domestic Violence Prevention Commission
15 appointed by the secretary of the Department of Children and Family Services.

16 (12) A licensed social worker with experience related to power-based
17 violence appointed by the president of the Board of Directors of the Louisiana
18 Chapter, National Association of Social Workers.

19 (13) A licensed psychologist with experience related to power-based
20 violence, appointed by the chair of the Louisiana State Board of Examiners of
21 Psychologists.

22 (14) The executive director of the Louisiana Foundation Against Sexual
23 Assault or his designee.

24 (15) The president of Sexual Trauma Awareness and Response or his
25 designee.

26 C. Members shall serve without compensation, except for per diem or
27 reimbursement of expenses to which they may be entitled as members of the
28 constituent organizations.

29 D. A majority of the total membership shall constitute a quorum of the
30 panel, and any official action taken by the panel shall require an affirmative
31 vote of the majority of the quorum present and voting.

32 E. The commissioner of higher education shall call an organizational
33 meeting of the panel by August 1, 2021. The panel shall elect a chairman, and
34 any other officers deemed necessary, from among the membership.

35 F. The panel shall meet at least four times per year, and may meet at
36 other times upon the call of the chair or as provided by panel rules.

37 G. The panel may adopt rules of procedures for its operation.

38 H. The Board of Regents shall provide staff support to the panel.

39 I. The panel shall:"

40 AMENDMENT NO. 4

41 On page 4, line 16, change "secondary" to "**public postsecondary**"

42 AMENDMENT NO. 5

43 On page 4, beginning of line 17, change "their systems" to "**public postsecondary**
44 **education management boards**"

45 AMENDMENT NO. 6

46 On page 4, line 20, after "institutions of" delete the remainder of the line and insert the
47 following:

48 "public postsecondary education, public postsecondary education
49 management boards, and"

50 AMENDMENT NO. 7

51 On page 4, line 24, after "Regents," delete " the remainder of the line and insert "**and the**
52 **public postsecondary education management boards**"

1 AMENDMENT NO. 8

2 On page 4, delete line 26, and at the beginning of line 27 insert "J."

3 AMENDMENT NO. 9

4 On page 4, delete lines 28 and 29, and insert the following:

5 **"the Board of Regents, each public postsecondary education**
6 **management board, each public postsecondary education institution, and each**
7 **law enforcement or criminal justice"**

8 AMENDMENT NO. 10

9 On page 5, line 1, between "with" and "institution", delete "an" and insert "**a public**
10 **postsecondary education**"

11 AMENDMENT NO. 11

12 On page 5, after line 3, insert the following:

13 "Section 2. This Act shall become effective upon signature by the governor
14 or, if not signed by the governor, upon expiration of the time for bills to become law
15 without signature by the governor, as provided by Article III, Section 18 of the
16 Constitution of Louisiana. If vetoed by the governor and subsequently approved by
17 the legislature, this Act shall become effective on the day following such approval."