The original instrument was prepared by Jerry J. Guillot. The following digest, which does not constitute a part of the legislative instrument, was prepared by Ann S. Brown.

DIGEST

SB 232 Reengrossed

2021 Regular Session

Barrow

<u>Proposed law</u> creates the Louisiana Power-Based Violence Review Panel under the jurisdiction of the Board of Regents composed of the following members:

- (1) The president of the Louisiana Senate or his designee.
- (2) The speaker of the Louisiana House of Representatives or his designee.
- (3) The chair of the Louisiana Senate Select Committee on Women and Children or his designee.
- (4) The chair of the Louisiana House Select Committee on Women and Children or his designee.
- (5) The attorney general or his designee.
- (6) The commissioner of higher education or his designee.
- (7) The president of each public postsecondary education management board or his designee.
- (8) A student representative from each of the postsecondary management boards appointed by the respective board's president.
- (9) The superintendent of the Louisiana State Police or his designee.
- (10) The president of the Louisiana Association of Chiefs of Police or his designee.
- (11) A member of the Domestic Violence Prevention Commission appointed by the secretary of the Department of Children and Family Services.
- (12) A licensed social worker with experience related to power-based violence appointed by the president of the Board of Directors of the Louisiana Chapter, National Association of Social Workers.
- (13) A licensed psychologist with experience related to power-based violence, appointed by the chair of the Louisiana State Board of Examiners of Psychologists.
- (14) The executive director of the Louisiana Foundation Against Sexual Assault or his designee.
- (15) The president of Sexual Trauma Awareness and Response or his designee.

Provides that a majority of the members of each panel constitute a quorum. Provides that all official actions of the panel shall require the affirmative vote of a majority of the members of the panel. Requires that the commissioner of education call the first meeting of the panel by August 15, 2021.

Requires the panel to meet at least two times per year up to a maximum of four times each year, and may meet at other times at the call of the chairman or as provided by panel rule. Authorizes the panel to adopt rules of procedure for its operation.

Requires that the panel:

- (1) Evaluate policies and practices of institutions of public postsecondary education, public postsecondary education management boards, and the Board of Regents regarding reporting, investigating, and adjudicating power-based violence by and against students and recommend revisions to improve such policies and practices.
- (2) Advise and assist institutions of public postsecondary education, public postsecondary education management boards, and the Board of Regents in coordinating procedures to provide power-based violence prevention programs.
- (3) Serve as an advisory agency to the legislature, the governor, the Board of Regents, and the public postsecondary education management boards regarding power-based violence.

Requires that to the extent permitted by and in accordance with the Public Records Law, the Board of Regents, each public postsecondary education management board, each public postsecondary education institution, and each local law enforcement or criminal justice agency located within a parish with a public postsecondary education institution campus shall make available all facts, records, information, and data required by the panel and in all ways cooperate with the panel in carrying out the functions and duties imposed by proposed law.

Defines "power-based violence" as any form of interpersonal violence intended to control or intimidate another person through the assertion of power over them including sexual harassment, sexual assault, sexual exploitation, domestic abuse and family violence, dating violence, nonconsensual observation, stalking, unlawful communications, and unwelcomed sexual or sex- or gender-based conduct.

Effective upon signature of the governor or lapse of time for gubernatorial action.

(Adds R.S. 17:3399.13(4) and 3399.18)

Summary of Amendments Adopted by Senate

Committee Amendments Proposed by Senate Committee on Education to the original bill

1. Recodifies provisions.

- 2. Clarifies the definition of "power-based violence".
- 3. Provides for the membership of the panel and places the panel under the jurisdiction of the Board of Regents.
- 4. Requires the commissioner of higher education to call the first meeting of the review panel by August 1, 2021.
- 5. Makes technical corrections.
- 6. Makes effective upon signature of the governor.

Senate Floor Amendments to engrossed bill

- 1. Changes the required date of the first meeting from Aug. 1 to Aug. 15, 2021.
- 2. Reduces the number of required meetings <u>from 4 to</u> "2 times per year up to a maximum of 4".
- 3. Makes technical changes.