

2021 Regular Session

HOUSE BILL NO. 259

BY REPRESENTATIVES HORTON, HUGHES, AND JENKINS

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

EMPLOYMENT: Provides relative to employment for persons with disabilities

1 AN ACT

2 To amend and reenact R.S. 23:1472(12)(F)(III)(d), relative to employment; to provide for
3 employment of persons with disabilities; to provide for definitions; and to provide
4 for related matters.

5 Be it enacted by the Legislature of Louisiana:

6 Section 1. R.S.23:1472(12)(F)(III)(d) is hereby amended and reenacted to read as
7 follows:

8 §1472. Definitions

9 As used in this Chapter, the following terms shall have the meanings ascribed
10 to them in this Section, unless the context clearly indicates otherwise:

11 * * *

12 (12)

13 * * *

14 F. The term "employment" shall include:

15 * * *

16 III. For the purposes of Subparagraphs (I) and (II) of this Paragraph the term
17 "employment" does not apply to service performed:

18 * * *

19 (d) In a facility conducted for the purpose of carrying out a program of
20 rehabilitation for an individual ~~an individual~~ whose earning capacity is ~~impaired by age~~

1 ~~or physical or mental deficiency or injury~~ affected by an injury or a developmental,
 2 intellectual, physical, or age-related disability or providing remunerative work for
 3 ~~an individuals~~ individual who because of ~~their~~ his ~~impaired~~ physical or ~~mental~~
 4 intellectual capacity cannot be readily absorbed in the competitive labor market by
 5 an individual receiving such rehabilitation or remunerative work; provided however,
 6 if an individual's employment is otherwise defined as employment under this
 7 Paragraph and the individual is performing work under the AbilityOne Program or
 8 a successor program under the laws of the United States, the individual's
 9 employment shall be considered employment under this Paragraph.

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* * *

DIGEST

The digest printed below was prepared by House Legislative Services. It constitutes no part of the legislative instrument. The keyword, one-liner, abstract, and digest do not constitute part of the law or proof or indicia of legislative intent. [R.S. 1:13(B) and 24:177(E)]

HB 259 Engrossed

2021 Regular Session

Horton

Abstract: Provides relative to employment for persons with disabilities.

Present law provides that for the purpose of present law, the term "employment" does not apply to service performed in a facility conducted for the purpose of carrying out a program of rehabilitation for individuals whose earning capacity is impaired by age or physical or mental deficiency or injury or providing remunerative work for individuals who because of their impairment cannot readily compete in the labor market.

Proposed law changes present law by updating terminology referring to persons with disabilities.

Proposed law further provides for an exception that states that an individual's employment shall be considered employment under present law if the individual's employment is defined as employment under present law and the individual is performing work under the AbilityOne Program or a successor program under federal law.

(Amends R.S. 23:1472(12)(F)(III)(d))

Summary of Amendments Adopted by House

The Committee Amendments Proposed by House Committee on Labor and Industrial Relations to the original bill:

1. Make technical changes.
2. Change similarly set-aside program to a successor program.