

2022 Regular Session

HOUSE BILL NO. 337

BY REPRESENTATIVES HILFERTY, ADAMS, AMEDEE, BAGLEY, BROWN, BRYANT, CARPENTER, CARRIER, CORMIER, COUSSAN, DAVIS, DEVILLIER, EDMONDS, EDMONSTON, EMERSON, FISHER, FREEMAN, FREIBERG, FRIEMAN, GAINES, GOUDEAU, GREEN, HARRIS, HORTON, HUVAL, JEFFERSON, JENKINS, JORDAN, LACOMBE, LARVADAIN, LYONS, MAGEE, MARINO, MCKNIGHT, MCMAHEN, DUSTIN MILLER, NEWELL, CHARLES OWEN, ROBERT OWEN, PHELPS, PIERRE, PRESSLY, RISER, ROMERO, SCHAMERHORN, SCHEXNAYDER, SCHLEGEL, SELDERS, STAGNI, STEFANSKI, THOMAS, THOMPSON, WHEAT, WHITE, WRIGHT, AND ZERINGUE AND SENATORS BARROW, BERNARD, BOUDREAUX, CARTER, CLOUD, CORTEZ, FESI, FOIL, HENSGENS, HEWITT, JACKSON, LUNEAU, MCMATH, MILLIGAN, ROBERT MILLS, PEACOCK, POPE, PRICE, SMITH, STINE, TALBOT, TARVER, WARD, AND WOMACK

1 AN ACT

2 To amend and reenact R.S. 40:1321(S) and to enact R.S. 40:1321(T), relative to a special  
3 identification card designation for persons with autism spectrum disorder; to provide  
4 for the establishment of an autism spectrum disorder designation on a special  
5 identification card; to provide for the criteria for obtaining an autism spectrum  
6 disorder designation for new applicants or renewals; to provide penalties for persons  
7 making false statements to obtain special designation; to require the implementation  
8 of a law enforcement officer training course; to provide for the promulgation of rules  
9 and regulations; and to provide for related matters.

10 Be it enacted by the Legislature of Louisiana:

11 Section 1. R.S. 40:1321(S) is hereby amended and reenacted and R.S. 40:1321(T)  
12 is hereby enacted to read as follows:

13 §1321. Special identification cards; issuance; veteran designation; disabled veteran  
14 designation; university logo; "I'm a Cajun" designation; needs  
15 accommodation designation; autism spectrum disorder designation; fees;  
16 expiration and renewal; exceptions; promulgation of rules; promotion of use;  
17 persons less than twenty-one years of age; the Protect and Save our Children  
18 Program; Selective Service Registration

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1            S.(1) Upon request of an applicant for a special identification card, a  
2            designation that the applicant has autism spectrum disorder shall be exhibited on the  
3            special identification card upon presentation of a statement from a qualified medical  
4            or mental health professional licensed in Louisiana or any other state or territory of  
5            the United States verifying the applicant's disability as established by administrative  
6            rule. The qualified medical or mental health professional shall be authorized to  
7            diagnose autism spectrum disorder. No additional fee shall be charged to include  
8            such designation.

9            (2) Upon the renewal of a special identification card, an applicant who has  
10           autism spectrum disorder shall provide a statement from a qualified medical or  
11           mental health professional licensed in Louisiana or any other state or territory of the  
12           United States verifying the applicant's disability as established by administrative  
13           rule.

14           (3) Any person who has not been diagnosed with autism spectrum disorder  
15           who willfully and falsely represents himself as having the qualifications to obtain the  
16           special designation authorized by this Subsection shall be fined not less than one  
17           hundred dollars nor more than two hundred fifty dollars, or shall be imprisoned for  
18           not more than thirty days, or both. Any subsequent offense shall result in a fine of  
19           not less than two hundred fifty dollars nor more than five hundred dollars, or  
20           imprisonment for not more than ninety days, or both.

21           (4) In addition to the training requirements contained in R.S. 40:2404.2(C),  
22           the Department of Public Safety and Corrections, public safety services, shall  
23           establish and implement a law enforcement training course relative to law  
24           enforcement officers' interaction with persons who have autism spectrum disorder.  
25           The course shall instruct law enforcement officers on sensitivity and awareness to  
26           ensure equitable treatment and how to effectively communicate and interact with  
27           persons with autism spectrum disorder. At a minimum, the course shall include the  
28           following:

29           (a) Identification of indicators that a person has autism spectrum disorder.

1                   (b) Identification of procedures that an officer should employ when  
2                   encountering a person with autism spectrum disorder.

3                   (c) Demonstrations of communication and interactive techniques required  
4                   to effectively interact with a person with autism spectrum disorder.

5                   (d) Explanations that provide law enforcement officers with an  
6                   understanding of the developmental disability and examples of unexpected actions  
7                   potentially taken by persons diagnosed with autism spectrum disorder.

8                   (e) Explanations of the resources available to assist an officer encountering  
9                   a person who has autism spectrum disorder.

10                  (f) Descriptions of the procedures an officer should use to ensure compliance  
11                  with the Americans with Disabilities Act when encountering a person with autism  
12                  spectrum disorder.

13                  (5) The deputy secretary of the Department of Public Safety and Corrections,  
14                  public safety services, shall promulgate rules and regulations as necessary to  
15                  implement the provisions of this Subsection, including a waiver of liability for the  
16                  release of any medical information. Notwithstanding the provisions of R.S.  
17                  49:968(B)(12), the House and Senate committees on transportation, highways and  
18                  public works shall have oversight of the adoption of rules and regulations required  
19                  by this Subsection.

20                  I. No fee shall be charged for transactions to issue a duplicate special  
21                  identification card to correct an address due to the renaming of a street or highway  
22                  in accordance with a parish or municipal ordinance.

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SPEAKER OF THE HOUSE OF REPRESENTATIVES

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PRESIDENT OF THE SENATE

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GOVERNOR OF THE STATE OF LOUISIANA

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