

ACT No. 210

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

19 * * *

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.

SPEAKER OF THE HOUSE OF REPRESENTATIVES

PRESIDENT OF THE SENATE

GOVERNOR OF THE STATE OF LOUISIANA

APPROVED: _____