
DIGEST

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HB 99 Engrossed

2025 Regular Session

Billings

Abstract: Requires state statutes or rules to be interpreted de novo in judicial review cases.

Present law provides that a person who is aggrieved by a final decision or order in an adjudication proceeding is entitled to judicial review.

Proposed law retains present law and prohibits a court, administrative judge, or hearing officer presiding over a contested case, hearing, or appeal from deferring to a state agency's interpretation of a state statute or rule and requires the court, administrative judge, or hearing officer to interpret the meaning of the statute or rule de novo.

Present law provides that an agency, official of an agency, or other persons acting on behalf of an agency or official are not entitled to judicial review. Further provides that present law does not apply to DCFS in appeals brought pursuant to the Children's Code.

Proposed law repeals present law and provides that if an agency conducting an adjudication proceeding issues a final decision or order, the agency is not entitled to seek judicial review.

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

(Amends R.S. 49:978.1(A) and 992(B)(3); Adds R.S. 49:978.1(H))

Summary of Amendments Adopted by House

The Committee Amendments Proposed by House Committee on House and Governmental Affairs to the original bill:

1. Make technical changes.
2. Repeal present law prohibition against an agency seeking judicial review.
3. Add language that prohibits an agency from seeking judicial review on a final decision or order during an adjudication proceeding if the agency issued the final decision or order.